

AGENDA

Board of Directors Metro Valley Study Session

December 15, 2022

*****Start Time: 9:25 AM*****

Location

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

Board of Directors

Valley Representatives

Study Session Chair

Dawn Rowe, Supervisor
Third District

Study Session Vice-Chair

John Valdivia, Mayor
City of San Bernardino

Eunice Ulloa, Mayor
City of Chino

Ray Marquez, Mayor
City of Chino Hills

Frank Navarro, Mayor
City of Colton

Acquanetta Warren, Mayor
City of Fontana

Vacant
City of Grand Terrace

Larry McCallon, Mayor
City of Highland

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

John Dutrey, Mayor
City of Montclair

Alan Wapner, Mayor Pro Tem
City of Ontario

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Paul Barich, Mayor
City of Redlands

Deborah Robertson, Mayor
City of Rialto

Carlos A. Garcia, Council Member
City of Upland

Vacant
City of Yucaipa

Mountain/Desert Representatives

Daniel Ramos, Mayor Pro Tem
City of Adelanto

Art Bishop, Mayor Pro Tem
Town of Apple Valley

Paul Courtney, Mayor
City of Barstow

Rick Herrick, Mayor
City of Big Bear Lake

Rebekah Swanson, Council Member
City of Hesperia

Vacant
City of Needles

Joel Klink, Council Member
City of Twentynine Palms

Debra Jones, Mayor
City of Victorville

Rick Denison, Mayor Pro Tem
Town of Yucca Valley

County Board of Supervisors

Paul Cook, First District

Janice Rutherford, Second District

Curt Hagman, Fourth District

Joe Baca, Jr., Fifth District

Interim Ex-Officio Member – Rebecca Guirado, Caltrans

Ray Wolfe, Executive Director

Julianna Tillquist, General Counsel

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

AGENDA

Board of Directors Metro Valley Study Session

December 15, 2022

9:25 AM

Location

**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 Dawn Rowe)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications - Ashley Izard

Possible Conflict of Interest Issues

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

1. Information Relative to Possible Conflict of Interest

Pg. 10

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

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

CONSENT CALENDAR

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

Consent - Project Delivery

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

Pg. 22

Receive and file Change Order Report.

Presenter: Henry Stultz

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

DISCUSSION ITEMS

Discussion - Project Delivery

3. I-215 Segment 5 Landscape Project California Department of Transportation Design Cooperative Agreements

Pg. 36

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

A. Approve Amendment No. 1 to Cooperative Agreement No. 00-1000602, with the California Department of Transportation (Caltrans) to remove Interstate 215 (I-215) Segment 5 Landscape Project from the agreement and authorize the Executive Director, or his designee, to execute the agreement upon approval as to form by SBCTA General Counsel.

B. Approve Cooperative Agreement No. 23-1002873, with Caltrans to define roles and responsibilities for the I-215 Segment 5 Landscape Project, identify SBCTA as the lead agency for the Plans, Specifications and Estimates (PS&E) for the project and authorize the Executive Director, or his designee, to execute the agreement upon approval as to form by SBCTA General Counsel.

Presenter: Juan Lizarde

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

4. Interstate 10 Slover Mountain California Department of Transportation Cooperative Agreement and Union Pacific Railroad Preliminary Engineering Agreement

Pg. 65

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

A. Approve Cooperative Agreement No. 23-1002892 with the California Department of Transportation (Caltrans), to define the roles and responsibilities for the Plans, Specifications and Estimates (PS&E) for the Interstate 10 (I-10) Slover Mountain Underpass Project, including \$290,000 for Caltrans' Quality Management of PS&E activities, and authorize the Executive Director, or his designee, to execute Cooperative Agreement No. 23-1002892 with Caltrans upon approval as to form by SBCTA General Counsel.

Agenda Item 4 (cont.)

B. Approve Preliminary Engineering Agreement No. 23-1002888 with Union Pacific Railroad (UPRR) for the I-10 Slover Mountain Underpass Project and Kaiser Spur Overhead, which is related to the I-10 Corridor Contract 2 Project, in the amount of \$450,000, and authorize the Executive Director, or his designee, to execute Preliminary Engineering Agreement No. 23-1002888 with UPRR upon approval as to form by SBCTA General Counsel.

Presenter: Sal Chavez

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 agreements.

5. Interstate 10 Corridor Contract 1 Project - Landscape Design Contract Request for Proposals

Pg. 96

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

Approve the release of Request for Proposals No. 23-1002903 for Landscape Design Services for the Interstate 10 Corridor Contract 1 Project.

Presenter: Sal Chavez

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

6. Right-of-Way Property Updates

Pg. 112

Receive and file the updated list of Right-of-Way property acquisitions for Project Delivery Department projects, which includes changes to the Board of Directors' authorized property lists and provides the current listing of San Bernardino County Transportation Authority Project Delivery Eminent Domain actions.

Presenter: Tracy Escobedo

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

Discussion - Regional/Subregional Planning

7. State Route 71 Corridor - Project Updates

Pg. 131

Receive an update on the roadway improvement efforts along the State Route 71 corridor.

Presenter: Josh Lee

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

Discussion - Council of Governments

8. San Bernardino Regional Housing Trust

Pg. 136

That the following be reviewed and recommended for final approval by the Board of Directors, acting as the San Bernardino Associated Governments (SBCOG), at a regularly scheduled Board meeting:

Authorize SBCOG to initiate the process of establishing the San Bernardino Regional Housing Trust, including the process of establishing a new Joint Powers Authority, upon receipt of award of Regional Early Action Planning 2.0 funds.

Presenter: Monique Reza-Arellano

This item is also scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022. The topic of establishing a housing trust in the County has been reviewed and discussed at City/County Manager's Technical Advisory Committee meetings and Planning Directors Technical Forum meetings on multiple occasions.

9. Report on Regional Equity Study

Pg. 307

Receive a report on the results of the Regional Equity Study for San Bernardino County.

Presenter: Monique Reza-Arellano

This item is also scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022.

Discussion - Transportation Programming and Fund Administration

10. Corrective Action for Federal Formula Funds

Pg. 432

Receive information on the Corrective Action required by Southern California Association of Governments regarding Federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality Improvement Program funds.

Presenter: Andrea Zureick

The information presented in this item was reviewed by the Transportation Technical Advisory Committee on December 5, 2022. This item is scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022.

Public Comment

Brief Comments from the General Public

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

Pg. 436

Acronym List

Pg. 438

Mission Statement

Pg. 440

**The next Board of Directors Metro Valley Study Session is scheduled for
January 12, 2023**

Meeting Procedures and Rules of Conduct

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

Accessibility - The meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or 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.

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

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

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

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for each item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide 40 copies of such information in advance of the meeting, except for noticed public hearings. Information provided as public testimony is not read into the record by the Clerk.

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

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

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

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to 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 Chair of the Board or a Policy Committee (Chair) has the option of taking attendance by Roll Call or Self-Introductions. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name. If attendance is by Self-Introduction, the Member or Alternate will state his/her name and jurisdiction or supervisorial district.
- A Member/Alternate, who arrives after attendance is taken, shall announce his/her name prior to voting on any item.
- A Member/Alternate, who wishes to leave the meeting after attendance is taken but before remaining items are voted on, shall announce his/her name and that he/she is leaving the meeting.

Basic Agenda Item Discussion.

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

The Vote as specified in the SANBAG Bylaws.

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

Amendment or Substitute Motion.

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

Call for the Question.

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

The Chair.

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

Courtesy and Decorum.

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

Adopted By SANBAG Board of Directors January 2008

Revised March 2014

Revised May 4, 2016

Minute Action

AGENDA ITEM: 1

Date: December 15, 2022

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

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

Background:

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

Consent/Discussion Calendar Items

Item No.	Contract No.	Principals & Agents	Subcontractors
2	19-1002078	Guy F. Atkinson Construction, LLC (dba Guy F. Atkinson) <i>Timothy Stroud</i>	All American Asphalt Cal Stripe, Inc. Case Pacific Company Commercial Metals Company Cooper Engineering, Inc. Coral Construction Company DeesBurke Engineering Contractors, LLC Diverscape, Inc. Dywidag Systems International USA, Inc. Ferreira Construction Company, Inc. Foundation Pile, Inc. Harber Companies, Inc. L. Johnson Construction, Inc. Maneri Traffic Control, Inc. Penhall Company Treesmith Enterprises, Inc. Universal Construction
	17-1001599	Lane-Security Paving Joint Venture <i>Giuseppe Quarta</i> <i>Joseph Ferndino</i>	Aegis Project Controls Corp. A.M. Concrete Antigo Construction Apex Logistics Arellano Associates, LLC BC Traffic Rentals Boral Resources, LLC Bridge Deck Solutions

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

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2 Cont.			<p> C Below CalPortland Company Cal-Stripe Cemex CGO Construction CH2M Hill Engineers, Inc. CMC Commercial Metals Conco Pumping Con-Fab California CTI Milling CW Allied, Inc. Diversified Landscape Dywidag Systems EBS General Engineering, Inc. ECS Euclid Chemical Company Ferreira Construction Fitzgerald Formliners Fleming & Sons Concrete Forefront Deep Foundations Foundation Pile FPL and Associates, Inc. Fryman Management, Inc. 2G3 Quality, Inc. G&F Concrete Cutting Global Road Sealing Golden State Boring & Pipe Hanes Geo Components Harber Companies Highlight Electric Irvine Pipe Company ISCO Industries JC Supply & Manufacturing JT Construction Products, LLC L Johnson Construction L.B. Foster Construction Malcolm Drilling Company Michael Baker International, Inc. Miranda Logistics Murphy Industrial Coatings Pacific Corrugated Pipe Co. Peri Formworks Pipe Jacking Trenchless, Inc. Pro-Cast Products, Inc. PQM, Inc. </p>
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2 Cont.			The R. J. Noble Company Rupert Construction Supply Sierra Landscape Development Skyline Steel Spartan Mat, LLC Statewide Traffic Safety and Signs, Inc. Strength Transportation Management Titan Constructor Engineering V&A, Inc. Vulcan Materials
	20-1002290	SEMA Construction, Inc. <i>Joshua Clyne</i>	Alcorn Fence Company Amber Steel Co. Cal Stripe, Inc. Ferreira Construction Co, Inc. Hardy & Harper, Inc. Malcolm Drilling Company, Inc. Marina Landscape, Inc. Statewide Traffic Safety & Signs, Inc.
3	00-1000602-01	California Department of Transportation	None
	23-1002873	California Department of Transportation	None
4	23-1002892	California Department of Transportation	None
	23-1002888	Union Pacific Railroad <i>Kenneth Tom</i>	Benesch

Item No. 6 – ROW Property Updates

APN#	Principals & Agents
1191-121-26	BOTTINI, STEVEN & BERTA LISA
1191-121-25	CU, DENNIS & TERESITA
1191-121-24	ROCHESTER, TERRESA M
1191-121-23	CHIEM, KATHERINE
1191-121-22	2015-2 IH2 BORROWER LP
1191-121-21	HOLLEY, MANUEL L

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 San Bernardino County Transportation Authority

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APN#	Principals & Agents
1191-121-36	DEJESUS TAVARES PEREZ, JOSE
1200-181-01	MDM PTS-LP
1200-421-02	FOCUS BASELINE, LLC
1200-421-03	
1191-315-09, 10	PLASENCIA, GLORIA
1191-294-25	WILLOW CREEK TOWNHOUSES LLC
1191-294-26	AGOURA WILLOWCREEK LTD
1201-051-16	YN PROPERTIES LLC
1201-051-17	KOAM PROPERTY INVEST, INC
0285-176-16	HIGHLAND AND STERLING LLC
0290-271-07, 08	ROBERTSON'S READY MIX
0290-271-02	CITY OF REDLANDS / CEMEX
1191-121-34	SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
1083-011-01	KUZINA DEVELOPMENT LLC
1083-071-14	SHIL & MINAH PARK
1083-071-04	DENNYS, INC
1083-071-26	PATEL & JOSHI HOSPITALITY CORP
1083-071-10	GOLDEN ARCH LIMITED PARTNERSHIP
1083-011-05	MALKHASIAN, GARY K. & MALKHASIAN, ANDREW S.
1015-021-34, 1015-071-10	SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
1015-041-06	LUCRATIVE NETWORK LLC
1015-041-07	G6 HOSPITALITY
1015-041-12	AMTEE INVESTMENTS
1015-301-01	ELITE DYNAMICS
1015-271-05	THRIFTY OIL COMPANY
0108-381-23	MANEK HOLDINGS, LLC
0108-381-30	MISTY LAKE PROPERTIES LP
0108-381-32	REGENCY INN ONTARIO, LLC
0108-382-07	KSKB HOLDINGS LLC
0108-501-43	CUBE SMART LP
0108-501-46	W & W ONTARIO PARTNERS LLC
0110-144-68	AMBERWOOD VILLAGE
0110-172-03	CITY OF ONTARIO
0110-172-09	DE BERARD CHARLES & HELEN TR 6-21- 8
0110-172-10	HP LODGING LLC
0110-181-19	1600 E 4TH STREET LLC
0110-191-33	DS HOTEL INVESTMENTS INC
0110-191-43	ML CASA III LP
0110-202-22	GUEREQUE NORMA A
0110-202-23	AGUIRRE NICOLAS & IRMA R
0110-202-24	PADILLA JOSE A SALVADOR JUANITA
0110-202-46	SALEHRABI SHAY S
0110-311-52	CRAIG DEVELOPMENT CORP
0110-311-53	CRAIG DEVELOPMENT CORP

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APN#	Principals & Agents
0110-311-54	CRAIG DEVELOPMENT CORP
0110-311-55	CRAIG DEVELOPMENT CORP
0110-321-12	PADASH INC
0110-321-70	CRAIG DEVELOPMENT CORP
0110-321-71	CRAIG DEVELOPMENT CORP
0110-321-72	CRAIG DEVELOPMENT CORP
0110-321-78	CRAIG DEVELOPMENT CORP
0110-311-55	CRAIG DEVELOPMENT CORP
0110-422-01	CORTEZ EFRAIN
0110-422-02	PEDROZA SERGIO & RAQUEL
0110-422-03	TORRES ARMANDO & MARIA ARMEN
0110-422-04	CRINER JAMES CHARLES
0110-422-05	DAGOBERTO PINEDA
0110-422-08	TAMAYO MARIA M TAMAYO ONATHON
0110-422-09	GARCIA JESUS
0110-422-10	HERNANDEZ SALVADOR HERNANDEZ ALBERTO
0110-422-11	JUANMOLINA TR
0110-422-12	CEJA JANET
0110-422-13	PURDY MARGARET E TR
0110-422-14	LUCAS JUAN T CARRIZALES LORIA RODRIGUE
0110-422-15	STANSBURY JOHN JR & BRENDA
0110-422-16	MARTINEZ MARICELA
0110-422-17	PEASE STEVEN D & CHRISTINA D
0110-422-18	GONZALES GILBERT M & ROSA L FAM TRU
0110-422-19	ELIZONDO FRANCISCA
0110-422-20	FERRERI GARY S
0110-422-21	FLORES GONZALO ANDRADE HERNANDEZ LAURA
0110-422-22	JOSE FRANCISCO AGUILAR
0110-422-23	AVILA JOSE ISABEL
0110-422-24	ALLENDE MIGUEL & JUANA (SP-IGUEL)
0110-422-25	VEGA OCTAVIO S & ROSA P
0210-191-13	SEDONA COURT ADJACENT LLC
0210-191-15	AP-TRANSPARK LLC
0210-191-16	REXFORD INDUSTRIAL REALTY, LP
0210-192-21	ONTARIO AIRPORT BUSINESS CENTER LLC
0210-192-22	ONTARIO AIRPORT BUSINESS CENTER LLC
0210-192-23	ONTARIO AIRPORT BUSINESS CENTER LLC
0210-192-24	ONTARIO AIRPORT BUSINESS CENTER LLC
0210-193-20	SOUTHWEST REGIONAL COUNCIL OF CARPEN
0210-211-50	PLAZA CONTINENTAL GROUP, LLC
0210-212-20	HEARTHSTONE PROPERTIES POMONA
0210-212-28	LARO PROPERTIES LP
0210-212-29	CITIZENS BUSINESS BANK
0210-212-30	CITIZENS BUSINESS BANK

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APN#	Principals & Agents
0210-212-31	CITIZENS BUSINESS BANK
0210-212-32	501 PONDEROSA LLC
0210-212-47	LBA RV-COMPANY, LLC
0210-212-55	ONTARIO REAL PROPERTY HOLDINGS LLC
0210-212-60	PRIME A INVESTMENTS LLC
0210-551-01	CARVANA
0210-551-09	DLR HOLDINGS 4 LLC
0210-551-12	CENTRELAKE HOSPITALITY INC
0210-551-13	OSAKA-PANDA ONTARIO LTD
0210-551-14	CHAMPANA DEVELOPMENT GROUP
0210-551-16	W E ONTARIO LLC
0238-041-30	ZELMAN ONTARIO LLC
0238-051-39	PANCAL ONTARIO PHASE TWO 255 LC
0238-051-40	PANCAL ONTARIO PHASE TWO 255 LLC
1008-181-07	5060 MONTCLAIR PLAZA LANE HOLDINGS L
1008-191-01	5060 MONTCLAIR PLAZA LANE HOLDINGS L
1008-191-04	5060 MONTCLAIR PLAZA LANE HOLDINGS L
1008-191-05	CITY OF MONTCLAIR
1008-201-01	MORENO STREET PROP LLC
1008-201-20	BLANCHE CAHVIN FAMILY LTD PARTNERSHIP
1008-201-22	MONTCLAIR PLAZA PARTNERS, LLC
1008-211-05	CANBEMORE, LLC
1008-211-06	MORENO ST LLC
1008-211-04	BBNE INVESTMENTS MONTCLAIR, LLC
1008-211-07	BBNE INVESTMENTS MONTCLAIR, LLC
1008-231-08	DEJAGER FAMILY TRUST 12/8/00
1008-231-21	MKP HOSPITALITY INC
1008-242-07	CT RETAIL PROPERTIES FINANCE II C
1008-261-10	WITT VIRGINIA R WITT DARWIN E
1008-261-45	CHURCH OF CHRIST INLAND VALLEY INC
1008-272-08	MOUNTAIN SIXTH ASSOCIATES LLC
1008-283-31	BERNAL ARMANDO & MARIA R
1008-283-32	MARTIN, BENEDICTO & RUBY T
1008-301-25	OBREGON FRANCISCO A & ROSA A
1008-301-26	COVERT FAMILY LIVING TRUST (09/03/02)
1008-301-27	SBCTA-OWNED
1008-301-28	KENNON SHARON
1008-301-34	RYNEER JAMES
1008-301-35	SBCTA-OWNED
1008-311-01	MAKI DONALD
1008-311-04	MALETTO ANNETTE R
1008-311-05	GABRIEL ALEJANDRE & KAREN ALEJANDRE
1008-311-06	CITY OF MONTCLAIR
1008-311-16	PENIEL CHURCH

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APN#	Principals & Agents
1008-311-17	CITY OF MONTCLAIR
1008-311-18	CITY OF MONTCLAIR
1008-311-19	COX COMMUNICATIONS PCS LP
1008-331-07	FORMOSA RENTALS LLC
1008-331-08	9645 ASahi LLC
1008-331-16	PACIFIC MONTE VISTA, LP
1008-341-08	PACIFIC MONTE VISTA, LP
1008-332-03	CITY OF MONTCLAIR
1008-332-04	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC
1008-341-04	A & R MANAGEMENT AND DEV CO NO 3 LP BLACK STANLEY & JOYCE FAM
1008-344-06	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC
1008-344-07	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC
1008-351-07	A & R MANAGEMENT AND DEV CO NO 3 LP BLACK STANLEY & JOYCE FAM
1008-651-15	PEACEMAKERS INTERNATIONAL; AGAPE RENEWAL MINISTRY
1009-142-01	MONTE VISTA COUNTY WATER DISTRICT
1009-144-43	THE ANDEN GROUP
1009-153-58	CITY OF MONTCLAIR
1009-153-60	CITY OF MONTCLAIR
1047-172-02	916 DEODAR STREET LLC
1047-172-03	SPANGLER, JEFFREY & DENISE FAM TR 9
1047-172-13	BNL LAND, LLC
1047-172-15	BNL LAND, LLC
1047-172-17	T & S ALLIED INVESTMENTS/ TZYH-DER SUN (PREV: ACOSTA ROSA H)
1047-172-19	WALLACE KIRK & ELENA
1047-192-61	HEMPHILL LEWIS E TR BIGGS CYNTHIA L TR
1047-202-01	REED DENISE R
1047-202-16	MALDONADO LUIS M & BEATRIZ A
1047-202-17	THANH VIET LA PHAM GIANG MINH T
1047-202-18	FLORES ANTONIO & BLANCA
1047-211-01	MULLIS CHESTER JR & MARY E
1047-211-02	RUVALCABA MANUEL & HERMINIA
1047-211-06	OPRAC
1047-221-28	HERNANDEZ IRENE
1047-221-47	WU, ROBERT
1047-221-48	CITY OF UPLAND
1047-231-02	PARYS HOLDINGS LLC
1047-231-05	WSSC MANAGEMENT, LLC
1047-243-10	BUSH, MICHAEL & SUSAN
1047-243-11	STEVENSON BILLIE L & DONNA C
1047-252-01	PEREZ, JOSE CARLOS
1047-252-02	RAMOS, JEANETTE R; FIERRO, MARISA N

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1047-252-03	DELGADO JOAQUIN B & CECILIA
1047-252-04	RAMOS GILBERT R & EVANGELINA
1047-252-05	CAVALLO DONALD A
1047-252-08	PALICKI FAMILY TRUST 7/8/14
1047-252-10	ESPINOSA ERASMO JR & MARY L
1047-252-11	ALVIN WILSON BROWN (PREV. FLORES, ALEX RENE)
1047-252-12	LEE TIMOTHY RANDALL DAVID & STACIA
1047-252-13	MATULIONIS MARGIS & KATHLEEN
1047-252-18	CEJA MARY A
1047-252-19	HOLMES GLENN R & MARY JANE
1047-252-20	PRATT MARY A FAMILY PROVISIONS TR
1047-252-21	HALL CHRISTENSEN MARLYS G
1047-252-30	MCBRIDE BRIAN T & LINDA J
1047-252-31	SHIRELY ESTELLE
1047-262-11	EPPS MARY E
1047-262-12	MUKHTI INVESTMENT GROUP LLC
1047-262-26	THE STEWART GROUP
1047-262-27	STEWART GROUP LLC THE
1047-272-02	ADAMS JASON M & MONICA
1047-272-03	KOKUGA RONALD H & KAREN A
1047-272-04	SOTELO NORBERTO & LISA
1047-272-05	HAYLER DANIEL & LETICIA
1047-281-07	HERRERA ISIDRO R & IRENE F
1047-281-08	HERRERA ANTONIO JR
1047-281-22	GONZALEZ, JOE H
1047-281-23	OSBORN MARVIN & SANDRA FRAMILY TRU
1047-281-37	COPELAND CAROLE J LIVING TRUST – ES
1047-281-38	ARVIZO TILLIE IRREVOACABLE TR
1047-281-54	BANG, MICHAEL
1047-281-55	JONES CHARLES & SANDY
1047-281-56	CADENA MICHAEL A JR & BERENICE
1047-281-57	REYES DAVID J & ROSITA
1047-281-58	JOHN REYES AND ELIZABETH T. KOSSMAN; AND DAVID J. REYES
1047-292-10	L2 GROUP LLC
1047-293-01	CHILDERS BEVERLY TRUST 10/10/12
1047-294-01	NEVILLE JON PAUL & GAYLEAN
1047-294-02	ESPEJEL LUIS & ANGELES
1047-294-03	ANDRADE ALBERT A & SHEILA M
1047-294-04	POULTON JIM & SHARON REV TR 11/11/0
1047-294-15	HOTALING NICHOLE C BECERRA ALBERT
1047-294-16	COGNET GUY BECERRA MARYLN VELAZ
1047-393-15	SANCHEZ REBECCA A
1047-393-16	BAEZ JOSE A CERVANTES-BAEZ NORMA

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APN#	Principals & Agents
1047-394-01	CORRALES M JONAVI
1047-394-02	PIRRO, WILLIAM F. III & SANDOVAL, DESERIE A.
1047-394-03	BRADSHAW FAMILY TRUST 7-20-00
1047-394-24	OJEDA MARIO
1047-394-25	RUIZ IRENE
1047-394-26	FLORES JUAN A FLORES BLANCA E
1047-424-01	PEREZ 2003 FAMILY TRUST
1047-424-02	CHEN, LI JUN; CHEN, WEN BIN
1047-424-03	PHAM, TRAC NGOC
1047-424-04	SAN ANTONIO WATER CO
1047-424-05	LIMON LAMERTO & MIRNA
1047-424-06	MEDINA RICARDO & MARIA D
1047-424-61	EUCLID GARDEN PARTNERSHIP
1047-431-34	ARAIN, MOHAMMAD HASSA SEP PROP FAM TR
1047-443-01	ZHU HUILI
1008-331-06	CRYSTAL RIDGE INVESTMENT
1047-242-13	CITY OF ONTARIO
1047-242-14	CITY OF ONTARIO
1047-242-15	CITY OF ONTARIO
1047-242-16	CITY OF ONTARIO
1047-242-17	CITY OF ONTARIO
1047-242-18	CITY OF ONTARIO
1047-242-19	CITY OF ONTARIO
1047-262-10	LARRY AND LETICIA SCHROEDER (PREV. COBBOLD FAMILY TRUST 2-20-03)
1047-411-14	MACIAS, ANA
1047-411-30	GONZALEZ, MARIA DE JESUS
1008-201-19	CHAVIN FAMILY PARTNERSHIP
1008-371-19	GERSHMAN PROPERTIES/ LMW INVESTMENTS, ET AL
1009-145-92	CITY OF MONTCLAIR
1008-651-09	WU, XIAO BING; 2016 XIAO BING WU REVOCABLE TRUST
0110-321-12	DWAA P PETROLEUM PROPERTY, LLC
0110-321-79	ONTARIO CAPITAL PARTNERS, LLC
0210-192-18	SW ONTARIO, LLC
0210-192-19	SW ONTARIO, LLC
0210-192-20	SW ONTARIO, LLC
0210-193-29 (prev 0210-193-16)	ADMINSURE
0138-174-01	FRANCISCO & ROSA LANDEROS
0138-174-02	JOSEPH LOPEZ
0138-174-05	ALBA RECINOS
0138-174-06	STEVEN & JULIANNE TORRIJOS
0138-174-07	ROBERT & MARILYN ALCANTAR
0138-174-08	VIVIAN TRAN

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0138-174-11	SERGIO LOPEZ
0138-174-12	LUPE BECERRA & LUISA VARGAS
0138-174-18	ANTONIO & MARIA OCHOA
0138-174-20	CHRISTINE LEVARIO
0138-174-19	CHRISTINE LEVARIO
0138-174-24	MP OPPORTUNITY PARTNERS I LYC
0138-174-25	MARIA TORO
0138-174-26	JUAN CAMEY
0138-182-01	CHRISTOPHER MUNOZ
0138-182-02	LUIS SOLIS & CONSUELO DIAZ
0138-182-03	DESIDERIO & EULALIA TORRES
0138-182-04	ENRIQUE QUEZADA
0138-182-34	BENJAMIN GONZALES
0138-182-05	BENJAMIN GONZALES
0138-182-07	RAMON MONTECINO & REBECCA RODRIGUEZ
0138-182-08	RAMON MACIEL
0138-182-09	JUAN CHAVARIN
0138-182-10	ANA LOPEZ
0138-182-11	GUADALUPE LOPEZ
0138-182-12	ISIDRO LEDESMA
0138-182-13	VIJAY PHARAR
0138-182-35	AGAPITA & LEON ALVAREZ
0138-182-36	KINGSLEY MONTCALIR LP
0138-182-37	DAVID & TERESA NUNEZ
0138-182-38	RAUL TEJEDA
0138-174-22	NORA MENDOZA
0138-251-04	BANUELOS, NICOLAS
0138-251-05	ROMERO, RAMON
0138-251-06	OBEZO, MARCO
0138-251-07	TORBINER, KENNETH & ASYA
0138-251-08	LABSVIR, ARNIA
0138-251-09	LABSVIR, ARNIA
0138-251-10	CORDOVA, ANDRIAN AND LAURA
0138-251-03	MAGANA, ARNOLDO
0138-191-01	OLMOS, JOSE M. & BERTHA
0138-181-25	DESAI, MAHESHKUMAR V & ANUP
0138-181-24	DESAI, MAHESHKUMAR V & ANUP
0138-181-23	DESAI, MAHESHKUMAR V & ANUP
0138-181-22	DESAI, MAHESHKUMAR V & ANUP
0138-181-46	BRIKEN HOLDINGS, INC.
0138-182-19	JLM ENTERPRISE
0138-182-20	JLM ENTERPRISE
0138-182-21	JLM ENTERPRISE
0138-211-01	AT&SF (BNSF)

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0138-221-06	AT&SF (BNSF)
0138-283-40	GUZMAN, ARTURO
0138-283-16	HERNANDEZ, ERASMO
0138-283-17	JFM TRUST
0138-283-18	JFM TRUST
0138-283-13	YANEZ, MARTIN / RAMIREZ, RUBI C
0138-283-19	BOOKIE BOSS INC.
0138-291-01	AGUINALDO, FERDINAND
0138-291-18	LUISJUAN, FRANCI
0138-291-17	LI, BEI
0138-291-16	GUTIERREZ, EDUARDO
0138-291-02	MERUELO, ALEX
0138-291-03	MERUELO, ALEX
0138-291-04	MERUELO, ALEX
0138-291-05	MERUELO, ALEX
0138-291-19	MERUELO, ALEX
0138-291-01	CLEAR CHANNEL (VACANT LOT)
0138-182-21	OUTDOOR ADVERTISING (JFM PROP)
0138-181-26	Valdez, Loretta Yanez
0253-171-16	BORUCHIN , JOHN TR
0253-052-23	WILLIAMS, DENNIS, R JR.
0253-052-24	JIMENEZ, ROBERT E & RACHEL R FAM. TR.
0253-052-25	ALVARADO, EDUARDO R
0253-052-26	BOECHE, HAROLD A TR.
0253-052-27, 0253-052-28	O AND R FOUR WHEEL DRIVE CENTER
0253-192-30, 0253-192-32	GOMES, AMANDA K
0253-203-35	PEREZ, REGGIE
0253-203-32	RAMIREZ, RAMON
0253-203-36	MOJICA, HECTOR L
0252-161-08	LOPEZ, JAVIER O
0252-161-09, 0252-161-10	BLOOMINGTON PARK & RECREATION DIST
0252-161-11	OWENS, WILLIAM H TESTAMENTARY TRUST
0252-161-12	CAMPGROUNDS OF AMERICA LLC
0252-161-36	TOMAN, MARY A TR
0252-161-61	COFRANCESCO, LOUIS K & EVELYN LIV TR
0252-161-65	HAMULA, KIRK D & ORALIA Z REV TR 9-1
0252-161-57, 0252-161-58	LOG CABIN MOBILE HOME PARK LLC
0253-205-01	HERNANDEZ, FREDDIE S
0253-205-21	DEL RIO, VICTOR M
0253-241-07	SECURE RV STORAGE INC.

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APN#	Principals & Agents
0253-205-23	GARCIA, ALFREDO P
0253-205-25	GOMEZ, GEORGE & ALICE A REV TR 12-9-
0253-205-26, 0253-205-27	SANCHEZ, FRANCISCO JAVIER CESENA
0253-205-28	COTA, GREGORIO
0253-205-29	GARCIA, STEVE
0253-205-24	JAHNKE, NATALIE C
0253-211-50, 0254-232-05, 0253-171-07	SOUTHERN PACIFIC CO (UPRR)
0266-072-33	Kaymaz, Jimmi
0266-072-32	Choi, Junghwan and Elaine
0266-591-08	San Bernardino Scottish Rite Building Association
0266-561-23	G&M GAPCO, LLC
0266-561-03	SB Hotel North

Financial Impact:

This item has no direct impact on the budget.

Reviewed By:

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

Responsible Staff:

Henry Stultz, Director of Project Delivery

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 2

Date: December 15, 2022

Subject:

Construction Contract Change Orders to On-Going Construction Contracts

Recommendation:

Receive and file Change Order Report.

Background:

San Bernardino County Transportation Authority has thirteen (13) on-going construction contracts, of which three (3) have had Construction Change Orders (CCO) approved since the last reporting to the Board of Directors Metro Valley Study Session on November 10, 2022. The CCOs are listed below.

A. Contract No. 19-1002078 with Guy F. Atkinson Construction, LLC, for the State Route 210 Lane Addition, Base Line Interchange and Pavement Rehabilitation Project: CCO No. 38 (\$5,000 increase for fiber optic vaults installed in shoulder); CCO No. 46 (\$10,000 increase for sound wall 971 traffic control and temporary fence); CCO No. 53, Supplement 1 (\$1,000 increase in additional funds for landscape antenna removal); CCO No. 66 (\$25,192 increase for Plunge Creek concrete barrier revisions); CCO No. 67 (\$214,368.38 increase for differing site conditions on sound wall 1021 pile driving); CCO No. 69 (\$165,804.07 increase for differing site conditions on sound wall 908 Cast In Drilled Hole (CIDH) piles; and CCO No. 82 (\$10,000 increase for existing Lugonia approach profile grade).

B. Contract No. 17-1001599 with Lane-Security Paving Joint Venture, for the Interstate 10 (I-10) Corridor Contract 1 Design Build Contract: CCO No. 74 (\$10,000 increase for extension of expiration date from 12 to 24 months and assist with Asbestos Abatement at Euclid Bridge); CCO No. 75 (no cost for change in maintenance pricing and how it will be compensated); and CCO No. 77 (no cost for change in rates for the Freeway Service Patrol (FSP)).

C. Contract No. 20-1002290 with SEMA Construction, Incorporated, for I-10 University Street Interchange Improvements Project: CCO No. 25 (\$4,831.71 increase to dispose of material from drains); and CCO No. 28 (\$8,000 increase for additional fiber roll and shared maintenance expenses).

Financial Impact:

This item imposes no financial impact, as all CCOs are within previously approved contingency amounts under: Task No. 0830 Interchange Projects and Task No. 0820 Freeway Projects, Sub-Task No. 0887 SR 210 Lane Addition, Sub-Task No. 0823 I-10 Corridor Contract 1, and Sub-Task No. 0899 I-10 University Street Improvement Project.

Reviewed By:

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

Responsible Staff:

Henry Stultz, Director of Project Delivery

Entity: San Bernardino County Transportation Authority

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Board of Directors Metro Valley Study Session
Construction Change Orders Log

Archibald Avenue Improvements Project at SR 60 – Executed Change Orders		
Number	Description	Amount
3	Maintain Traffic	\$25,000.00
4	Maintain Existing Electrical Systems	\$15,000.00
5	Staging Changes	(\$267.57)
6	Partnering	\$20,000.00
7	SWPPP Maintenance	\$25,000.00
9	Early Construction and Completion of Driveway 3	\$10,500.00
10	Removal of Man-Made-Buried-Object	\$8,500.00
11	Revised Retaining Wall Details	\$0.00
12	Modify Irrigation Removal Plan and Irrigation Details	\$77,416.59
13	Water Line Revisions	\$55,889.00
14	Conflicting Palm Trees Removal	\$10,000.00
15	Combine Stages 2 and 3 for Retaining Wall 16	\$0.00
16	Drainage Systems Modifications	\$33,942.75
18	Revised Closure Hours and Irrigation Crossover	\$9,000.00
19	Install Temporary Overhead Power Poles	\$6,000.00
20	Furnish Two Fire Hydrants	\$15,553.94
21	Provide Power to Existing Caltrans TMS Sign	\$72,750.69
22	Pavement Revisions	\$72,994.62
22 S-1	Pavement Revisions	\$60,000.00
23	Pavement Revisions	(\$31,247.42)
23 S-1	Pavement Revisions	\$80,000.00
24	Irrigation Valve Repair	\$5,000.00
25	Modify Weep Hole Elevation Walls 15 and 16	\$25,788.84
26	Removal of Conflicting Trees	\$6,720.00
27	Abandon Conflicting Weigh In Motion System	\$36,028.10
28	Modify Existing Drainage Pipe and Structures	\$34,628.10
29	Modify Drainage Systems 10 and 11	(\$14,608.45)
31	Modify Conflicted Portion of Drainage System 17	\$35,000.00
32	Modify Drainage Systems 4 and 8	\$30,000.00
32 S-1	Additional Funds to Modify Drainage Systems 4 and 8	\$32,000.00
33	Install Video Detection Signal System at Archibald and Oak Hill Intersection	\$57,432.28
34	Relocation of the Double Close Detector Assembly at the Kuzina Property	\$18,000.00
36	Revise Stage Construction and Replace Pavement Types	\$98,911.97
37	Modify Existing Non-Standard Median Bull Nose	\$6,500.00
38	Dispute Resolution – Profile Grinding Pavement	\$20,000.00
38 S-1	Extra Work on Profile Grinding Pavement	\$19,000.00
39	Extend Midwest Guardrail System 25' to Meet Safety Requirement	\$15,000.00
39 S-1	Modification to Guardrail System to Meet Safety Requirement	\$30,000.00
40	Install Minor Concrete under Bridge Center Median	\$9,566.00
41	Furnish and Install Handrail along ADA Curb	\$15,200.00
42	Test Low Point to Assure Water Flow for On and Off Ramp	\$2,456.00
43	Water and Power Lateral Boring	\$136,660.00
44	Remove and Replace Faulty Master Valve and Pressure Regulator	\$5,000.00
45	Traffic Control Devices Design Change	\$45,962.45
46	Additional Landscape	\$34,971.61
48	Modification of Double Check Detector Assembly	\$20,000.00

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

Attachment: CCO Log (9121 : Construction Contract Change Orders MVSS2212)

49	Relocate ADA Curb Ramp	\$13,400.81
50	Irrigation Revision	\$48,580.00
CCO TOTAL		\$ 1,353,230.31
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,122,333.00

SR 210 Lane Addition, Base Line I/C and Pavement Rehabilitation – Executed Change Orders		
Number	Description	Amount
1	Maintain Traffic SR 210 Lane Addition	\$300,000.00
2	Maintain Traffic SR 210 Base Line Interchange	\$50,000.00
3	Maintain Traffic SR 210 Pavement Rehabilitation	\$150,000.00
4	Partnering	\$100,000.00
5	Dispute Resolution Board	\$50,000.00
5 S-1	Revised Dispute Resolution Board Specifications	\$0.00
6	Federal Training Program	\$50,000.00
7	Storm Water Best Management Practice Maintenance	\$100,000.00
8	Existing Roadway Repair	\$80,000.00
8 S-1	Cold Mill and Overlay Shoulders	\$160,000.00
8 S-2	Roadway Repair	\$100,000.00
9	Bird Exclusionary Devices	\$50,000.00
10	Added Environmental Requirements	\$85,491.00
10 S-1	CDFW USFWS Permit Amend Added Funds	\$150,000.00
12	K-rail Relocation Due to A Public Incident	\$15,000.00
13	Revised Ramp Closure Charts	\$0.00
14	Revised Pile Layout for Retaining Wall 1021	\$24,312.00
15	Revisions to Santa Ana River Bridge Abutment 7-Right	\$4,035.00
16	Removal of Buried Man-Made Objects	\$75,000.00
16 S-1	Removal Buried Man-Made Objects Additional Funds	\$30,000.00
17	Repair of Existing Irrigation Crossovers	\$20,000.00
18	Agency Provided Street Name Signs	(\$4,832.59)
19	Removal of Asbestos Shims at Sterling Ave Bridge	\$12,017.12
20	Approach Slab and Abutment Drainage Modifications	\$25,000.00
21	Deck Drain Grates	\$7,000.00
22	Remove Concrete Slab and Bollards at Gas Station	\$8,000.00
23	Added Temporary Fence	\$10,000.00
24	Maint Existing Electrical Systems	\$30,000.00
27	CIDH Foundation and Pile Quantity Adjustment	\$26,218.00
28	Revised Shop Drawings Submittal Requirements	\$0.00
29	Oil Price Fluctuation Adjustment	\$250,000.00
30	Just in Time (JIT) Training	\$5,000.00
31	Extend Irrigation Crossovers	\$127,323.00
32	Change in Treated Wood Waste Management	\$122,450.00
33	Additional Fiber Optic Pullboxes	\$127,658.33
34	Roadway Profile Correction at Victoria Avenue	\$207,906.00
34 S-1	Roadway Profile Correction at Victoria Avenue	\$50,000.00
35	CIDH Pile Quantity Increase	\$11,266.00
36	Deletion of RW 1033	(\$254,924.32)
36 S-1	Additional Dowel Rebar for Concrete Barrier	\$5,000.00
37	Median Edge Drain Revisions	\$89,634.57
38	Fiber Optic Vaults Installed in Shoulder	\$5,000.00
39	Add Pile Anchors	\$35,676.22

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

40	Value Engineering Change Proposal – RW 1092 Deletion	(\$228,102.82)
41	Drainage System Modification	\$23,627.00
42	Removal of Thickened Asphalt Concrete	\$40,000.00
43	Base Line Driveway Changes	\$15,000.00
44	Resolve Dispute – Differing Site Condition at Retaining Wall #1036	\$435,396.70
45	Up Light Spacing Conduit at Base Line	\$15,000.00
46	Sound Wall 971 Traffic Control and Temporary Fence	\$10,000.00
47	Construct Soffit Openings at Highland Left Bridge Frames 1 and 2	\$10,000.00
48	Sound wall 981 Tree Removal	\$5,995.00
49	Regrade Median Gutter	\$10,000.00
50	Differing Site Condition-Potential Claims 1, 2 and 3 Resolution	\$27,500.00
51	Settlement of Potential Claim No. 6 DSC at Plunge Creek	\$75,884.46
52	Grind Existing HMA Pavement win Median to Match Elevation at CRCP Joint	\$122,000.00
53	Landscape Irrigation Antenna Removal	\$5,000.00
53 S-1	Landscape Antenna Removal Additional Funds	\$1,000.00
54	Barrier Light Pole Support Modification	\$21,000.00
55	Additional Widening N. Side of Baseline Between Buckeye & SR210	\$69,000.47
57	Joint Seal Assembly Quantity Increase	\$19,197.00
58	Trial Batch Testing Field Qualification of Jointed Plain Concrete Pavement (JPCP)	\$15,000.00
59	Median Crossover Modifications	\$89,044.23
60	Hydro-seed Restoration Modifications	(\$8,252.67)
61	Additional Concrete Test Panel	\$1,541.00
61 S-1	Revised Concrete Stamp	\$3,600.00
62	NOPC No. 9 Resolution Damaged MBGR	\$50,000.00
63	Temporary K-Rail for Crossover	\$280,878.00
64	Irrigation, Trench Rock and Debris Removal	\$22,500.00
65	Revision to Sound Wall 1050 Block Face	\$48,710.82
66	Plunge Creek Concrete Barrier Revisions	\$25,192.00
67	Differing Site Condition Retaining Wall 1021 Pile Driving	\$214,368.38
69	Differing Site Condition Sound Wall 908 CIDH Piles	\$165,804.07
70	Close Fencing Gaps	\$2,477.00
73	Differing Site Condition Sound Wall 1050 PCR 12	\$770,387.70
81	Base Line Brick Color Revision	\$16,033.11
82	EB 210 Existing Lugonia Approach Profile Grade	\$10,000.00
83	Eliminate Base Line Interchange Milestone	\$0.00
CCO TOTAL		\$4,874,011.78
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$34,927,690.07

Central Avenue Improvements Project at SR 60 – Executed Change Orders		
Number	Description	Amount
1	Establish and Maintain construction Field Office	\$150,000.00
2	Revise Plans – Shoulder Pavement Section	(\$21,291.00)
4	Temporary Striping	\$11,000.00
5	Maintain Traffic per Supplemental funds Provided	\$40,000.00
6	Establish Partnering per Specifications	\$20,000.00
7	Remove and Dispose of Illegal Dumping	\$20,000.00
8	Establish Dispute Review Board	\$15,000.00

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Amounts shown in parentheses represent a credit to the Agency

10	Additional Move In for State 1 Clear and Grub	\$2,530.00
11	Maintain Electrical per Supplemental Funds Provided	\$15,000.00
12	Asbestos Abatement	\$41,185.00
13	Revise Irrigation Plans	\$0.00
14	Storm Water Protection per Supplemental Funds	\$40,000.00
15	Traffic Handling Plan Revision	\$20,000.00
17	Tree Removal	\$40,000.00
19	Soil Nail Wall Design Change	\$25,000.00
CCO TOTAL		\$418,424.00
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,912,039.00

I-10 Tippecanoe Avenue Landscaping EEP – Executed Change Orders		
Number	Description	Amount
1	Replace Frost Damaged Plant Material	\$796.00
2	Replace Caltrans Phase I Irrigation Controller	\$7,777.09
3	Additional Tree Replacement	\$859.86
3 S-1	Weather Damaged Plants Replacement	\$2,428.00
4	Mulch Replenishment	\$99,999.99
5	Contract Extension and Water Reimbursement	\$17,443.28
CCO TOTAL		\$129,304.22
TOTAL CONTRACT AMENDMENTS, CONTINGENCY AND SUPPLEMENTAL		\$130,590.00

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

I-215 Segment 1 & 3 Landscape Replacement Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$25,000.00
2	Storm Water Shared Costs	\$25,000.00
3	Establish Dispute Resolution Advisor	\$5,000.00
4	Remove and Dispose of Rock Cobble	\$10,000.00
4 S-1	Additional Funds	\$15,000.00
4 S-2	Additional Funds	\$4,854.82
5	Cleaning of Drainage Systems	\$25,000.00
6	Removal of Dead Trees	\$10,000.00
7	Change from 15 Gallon to 5 Gallon Plant Size	(\$43,663.00)
7 S-1	Additional Funds	\$2,221.02
8	Repairs to Existing Facilities	\$3,000.00
8 S-1	Additional Funds	\$2,000.00
8 S-2	Additional Funds	\$4,500.00
8 S-3	Additional Funds	\$15,250.00
8 S-4	Additional Funds	\$3,930.65

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9	Lane Closure Chart Revisions	\$0.00
9 S-1	Lane Closure Chart Revisions	\$0.00
10	PVC Ball Valve	\$0.00
11	Repair Fiber Optic Cable	\$4,070.87
12	Irrigation Water Payment	\$32,384.52
12 S-1	Additional Funds	\$8,487.04
12 S-2	Additional Funds	\$1,656.78
12 S-3	Additional Funds	\$1,634.70
12 S-4	Additional Funds	\$1,603.65
12 S-5	Additional Funds	\$5,007.79
12 S-6	Additional Funds	\$5,739.61
12 S-7	Additional Funds	\$6,753.56
12 S-8	Additional Funds	\$8,666.48
12 S-9	Additional Funds	\$4,744.77
12 S-10	Additional Funds	\$5,482.89
12 S-11	Additional Funds	\$2,874.37
12 S-12	Additional Funds	\$466.51
12 S-13	Additional Funds	\$493.89
12 S-14	Irrigation Water Payment	\$719.97
13	Increase in Gravel Mulch Costs	\$158,215.90
14	Repair Damage by Others	\$6,000.00
15	Additional Electrical Work	\$976.73
16	Additional Plant Establishment Work	\$5,000.00
16 S-1	Additional Funds	\$50,000.00
17	Remove Burned Palm Tree	\$4,000.00
CCO TOTAL		\$422,073.52
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$812,748.38

I-215 Segment 2 Landscape Replacement Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$2,000.00
2	Storm Water Shared Costs	\$10,000.00
3	Establish Dispute Resolution Advisor	\$5,000.00
4	Remove and Dispose of Rock Cobble	\$10,000.00
4 S-1	Additional Funds to Remove BNSF Ballast	\$40,000.00
4 S-2	Additional Funds to Remove and Dispose of Rock Cobble	\$20,000.00
4 S-3	Additional Funds to Remove and Dispose of Rock Cobble	\$3,000.00
4 S-4	Remove Unsuitable Material	\$2,646.91
5	Cleaning of Drainage Systems	\$25,000.00
6	Removal of Dead Trees	\$10,000.00
7	Revised Special Provisions for the Cost of Water	\$0.00
7 S-1	Water Cost Adjustment	\$5,000.00
8	Irrigation Revisions	\$656.30
9	Relocate Trees and Irrigation outside of Clear Recovery Zone	\$10,000.00
9 S-1	Additional Funds	\$1,206.16
10	Service Connection for Irrigation	\$5,000.00
10 S-1	Additional Funds	\$15,000.00
11	Revised Ball Valves Specifications	\$0.00
12	Modify Plants Group/Type	(\$6,968.44)

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13	Delete Work at 16 th	(\$54,250.70)
13 S-1	Salvage Irrigation Equipment	\$1,676.15
14	Revised Gravel Mulch Specifications	\$0.00
15	Added Irrigation Booster Pump	\$48,457.80
16	Added Closure Charts	\$0.00
17	Gravel Mulch Adjustment	\$187,717.00
18	Additional Gravel Mulch Quantities	\$21,508.05
CCO TOTAL		\$362,649.23
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$502,203.56

I-10 Corridor Contract 1		
Design Build – Executed Change Orders		
Number	Description	Amount
1	Establish Dispute Review Board	\$75,000.00
2	Partnering	\$90,000.00
3	100 Day Extension for Utility Information Submittal	\$0.00
4	Addition of Executed Utility Agreements to Technical Provisions	\$0.00
4 S-1	Executed / Revised Utility Agreements	\$0.00
4 S-2	Executed / Revised Utility Agreements	\$0.00
4 S-3	Executed / Revised Utility Agreements	\$0.00
4 S-4	Executed Utility Agreements	\$0.00
4 S-5	Executed Utility Agreements	\$0.00
4 S-6	Executed Utility Agreements	\$0.00
5	Overhead Sign Location Change	\$0.00
6	Modifications to Insurance and Subcontractor Requirements	\$0.00
7	Provide for CHP & Maintenance Observation/Enforcement Area	\$0.00
11	Revised Pavement Delineation Detail	\$0.00
12	Mass Concrete Specification Revision	\$0.00
13	Temporary ITS Traffic Monitoring Stations	\$0.00
14	Concurrent Closure of 6th Street and Campus Avenue Bridges	\$0.00
15	Modify Utility Relocation Work Packages	\$0.00
16	Revised Requirements for Shop Drawings Submittals	\$0.00
17	Revised Ramp Lane Closure Requirements	\$0.00
18	Revised Tech Provision 14.3.5 “Design Submittals” Requirements	\$0.00
19	Modifications to the Project Aesthetics and Landscape Master Plan	\$0.00
20	Added Pool Removal and (2) Electrical Panel Replacements	\$42,790.00
21	Revised SHOPP Pavement Rehabilitation Work Limits	\$657,200.00
22	Revised East End Ultimate Paving Limits	\$257,050.00
23	4th Street Striping	\$14,000.00
24	GAD and ROW Revisions	(\$470,125.00)
25	Deletion of Sound Wall 1190	(\$322,150.00)
26	Euclid Eastbound Exit Ramp Ground Anchor Wall Limits	\$155,400.00
27	Reduced Speed Limit Requirements	\$260,000.00
28	Additional Toll Rate Dynamic Message Signs	\$290,900.00
29	Revised Maintenance Requirements for Specific Auxiliary Lanes	\$0.00
30	Right of Way and Utility Design Revisions	\$719,277.00
30 S-1	Utility Revisions near Monte Vista Avenue	\$617,905.00
31	Additional Design Revisions for Right-of-Way Changes	\$25,767.00
32	Clearing of the TCE and Pool Mitigation Work	\$30,380.00

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32 S-1	Clearing of the TCE and Pool Mitigation Work	(\$16,122.00)
33	Rock Curb Extension at Euclid Avenue	\$77,892.00
34	7th Street and 2nd Avenue Sidewalk Improvements	\$79,732.00
Jan 2021	BOD approves revised funding plan with contingency reduction	(21,400,000)
35	Revised TCS CCTV Camera System	\$76,517.00
37	Partnering Facilitator Payment	\$50,000.00
38	Emergency Property Fence Fix	\$1,631.00
39	I-10/I-15 North to West Connector – 55-hour Closure	\$0.00
40	55-Hour Closure, Storm And Deck Drains	\$730,000.00
40 S-1	55-Hour Closure Statement	(\$75,000.00)
41	Recessed Pavement Markers	\$6,384.00
42	Telecommunication Conduits/ROW Support	\$111,843.48
43	Extra Maintenance for CHP Directed Closure	\$12,652.00
44	Extra Maintenance for Hazardous Materials Clean Up	\$1,111.00
45	Additional Industrial Driveway on Sultana Avenue at Edison Elementary	\$10,000.00
46	Additional 55-Hour Closures on Segment 4	\$0.00
47	All Compensation for Design, Construction and all Ancillary Items to Complete Additional Work	\$900,000.00
48	DB CN 0130 and CN 1135 Additional SOW for AT&T	\$117,500.00
49	Removal of Abandoned Pipes along Monte Vista Avenue	\$85,000.00
50	Credit for the Design, Construction and all Ancillary Items to Complete Additional Work	(\$750,000.00)
51	Change Concrete Barrier Type from 736 to 836	\$3,600,000.00
52	Property Commitment at 1325 Fresno Street – Criner Property	\$41,000.00
53	Reflective Traffic Signal Backplates	\$120,000.00
54	Relocation of Ramp Meter System RMS at Vineyard WB On-Ramp DL-139	\$182,000.00
55	9222 Vernon Avenue Maki Private Property Drainage Improvement	\$16,000.00
56	Additional Work at WB I-10, East of I-10/Vineyard IC	\$345,000.00
57	Removal of Abandoned Pipelines CN 0565 & CN 0566 at Monte Vista/I-10 UC Structure	\$90,000.00
58	Holt Blvd. Off-Ramp UC LT Closure Wall Aesthetic Finish	\$35,000.00
59	Monte Vista WB On-Ramp Shoulder Pavement DL-121	\$217,500.00
60	Directive – Add “International” to Ontario Airport Signs	\$50,000.00
61	Furnish Ramp Meter Cabinets	\$210,000.00
62	Additional SHOPP Paving Archibald Ramp Pavement Rehab	\$98,500.00
63	Additional Work for MWD Encasement Extension	\$752,000.00
64	Additional SHOPP Rehab Work - Slab Repair Near I-10/Etiwanda Ave IC	\$92,500.00
66	Additional Work Mountain Ave EB On-Ramp Right-of-Way Fencing	\$10,250.00
67	SCE Profile Euclid Ave and Vineyard Ave and Asbestos Removal 6th St Bridge	\$110,655.00
69	Turner Channel Drainage System Improvements	\$258,014.00
70	Non-Traffic Rated Pull Boxes 6-Inch Below Grade	\$61,775.00
71	Caltrans Statewide Trash Implementation Plan	\$289,880.00
72	Drainage System 20 Improvements Vicinity of I-10 Monte Vista Ave	\$1,677,926.00
73	Remove Existing Planting and Repair Existing State Right-of-Way Fence Along I-10 EB Mountain Avenue On-Ramp	\$61,016.00
74	Extension of Hot Mix Asphalt (HMA) Expiration Date by 12 Months and Assist with Asbestos Abatement at Euclid Bridge Overcrossing	\$10,000.00

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75	Change in Maintenance Pricing and How it Will be Compensated	\$0.00
77	Change in Rates for Freeway Service Patrol (FSP)	\$0.00
CCO TOTAL		\$12,191,550.48
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$51,369,000.00

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

US 395 Phase 1 Widening Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$100,000.00
2	Storm Water Shared Costs	\$25,000.00
3	Partnering	\$20,000.00
4	Establish Dispute Resolution Advisor	\$20,000.00
5	Cleaning of Drainage Systems	\$30,000.00
6	Buried Man-Made Objects	\$15,000.00
7	Maintain Existing Temporary Electrical Systems	\$15,000.00
7 S-1	Additional Funds	\$85,000.00
8	Maintain Temporary Tortoise Fence	\$15,000.00
9	Revised Temporary HMA Requirements	(\$11,000.00)
10	Revised Temporary HMA Specifications	(\$3,180.00)
11	Additional Earthwork	\$35,905.00
12	Protect Existing Drainage Systems	\$70,000.00
13	Added Saw Cut to coordinate with Kinder Morgan work	\$24,304.00
14	Provide Access to A Local Business	\$11,800.00
15	Quantity Increases; Bid Items 21, 26 & 83	\$78,780.00
15 S-1	Revised Bid Item Quantities	\$356,374.49
15 S-2	Revised Bid Item Quantities	\$34,801.30
16	Drainage System 14 Modifications	\$10,270.00
17	Removal of 31 Concrete Headwalls and Wingwalls	\$52,583.75
18	Drainage System 7 Modifications	\$31,356.00
19	Adjust Manholes to Grade	\$10,000.00
19 S-1	Additional Funds	\$5,000.00
20	Additional HMA Paving for Revised Staging	\$127,670.90
21	Modified Drainage System Opening on Retaining Wall 794	\$4,103.35
22	Revisions at North of Mojave Drive Intersection	\$150,000.00
22 S-1	Revisions at North of Mojave Drive Intersection	\$150,000.00
23	Revised Pile Cap Concrete Requirement for Sound Wall 875	\$217,665.25
25	Added curb on the Southeast Corner of Air Base Road	\$2,040.00
26	Electrical Design Changes at the Air Base Road Intersection	\$43,363.00

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27	Added Hydroseed	\$35,324.00
28	Added MGS per Safety Commission	\$50,000.00
29	Additional Pavement Markings and Striping	\$50,000.00
29 S-1	Additional Funds	\$7,000.00
30	Revised Joshua Wash Bridge Wingwalls	\$50,000.00
31	Payment Adjustment for Gravel Bag Quantities	\$40,138.32
32	Additional Safety Commission Revisions	\$45,000.00
33	Installation and Testing of Additional Electronic Ball Markers	\$8,569.95
34	Stage 4 Temporary Striping	\$73,706.00
35	Seneca Interchange Revisions	\$108,331.64
CCO TOTAL		\$2,194,906.95
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$8,741,611.75

Monte Vista Grade Separation – Executed Change Orders		
Number	Description	Amount
1	Establish Dispute Resolution Board	\$15,000.00
1 S-1	Revise Special Provision Language	\$0.00
1 S-2	Additional Funds	\$10,000.00
2	Partnering Workshop	\$15,000.00
3	Traffic Control	\$10,000.00
3 S-1	Additional Funds	\$10,000.00
4	Federal Training Program	\$12,000.00
5	Post-Tensioning Duct Size Change	\$0.00
7	Storm Water Shared Costs	\$50,000.00
8	Relocate 8" Water Line	\$8,000.00
8 S-1	Additional Funds	\$10,386.03
9	Drainage System for Adjacent Property	\$14,925.00
10	Masonry Block Change	\$0.00
11	Sewer Lateral Piping Size Change	\$6,013.00
12	Future Electrical Conduits for Montclair	\$39,385.00
13	Change in Phasing of Work	\$0.00
14	Precast Girder Reinforcement Change	\$0.00
15	Change in Phasing of Work	\$0.00
16	Water Line Modifications	\$8,790.00
16 S-1	TRO Payment for Delays Related to CCO No. 16	\$124,800.00
16 S-2	Additional Funds	\$54,689.60
17	Modify Overhead Signs and Install Pedestrian Barricades	\$6,765.97
21	Additional Sewer Service Lateral Connections	\$10,850.00
22	Girder Reinforcement Splicing Option	\$0.00
23	Deleting Sidewalk	(\$12,540.00)
25	HMA Along Private Access Road	\$16,000.00
26	Temporary Embankment for SCE	\$15,000.00
27	Temporary Shoring for SCE	\$60,000.00
28	Modify Water Line in Conflict with SCE	\$10,000.00
29	Storm Drain Lateral Realignment	\$14,110.00

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31	Driveway for Future Development	\$3,187.80
32	Potholing/Locating AT&T & Level 3 Utilities	\$60,000.00
33	Deduction for Rejected Piles	(\$10,000.00)
34	Modified Quantities Due to the Field Conditions	\$29,257.95
34 S-1	Modified Quantities Due to the Field Conditions	\$105,453.57
34 S-2	Modified Quantities Due to the Field Conditions	\$9,450.00
35	Conduit for SCE Service Connection for Traffic Signal System	\$8,000.00
36	Additional MSE Wall Drainage	\$8,000.00
37	Water Supply Modifications	\$15,000.00
38	Seal Coat Specification Change	(\$2,000.00)
39	Removal of UPRR Sign Foundations	\$5,000.00
41	Resolution of NOPC No. 3	(\$59,986.00)
42	Revised Canopy at Taxi Yard	\$0.00
43	Landscaping Revisions	\$11,286.00
44	Added Headwall and Retaining Curb	\$10,000.00
45	Drainage Inlet Repair Damaged by Public	\$7,500.00
45 S-1	Additional Funds	\$381.43
46	Project Substantial Completion	\$0.00
47	Wire Mesh Substitution	\$15,000.00
48	Fence and Gate Revisions	\$52,336.60
49	Monument Modifications	\$6,500.00
49 S-1	Additional Monument Modifications	\$46,000.00
52	Additional work required by UPRR	\$10,577.00
53	Additional Erosion Control	\$16,000.00
54	Fence Repairs Damaged by Public	\$13,184.00
CCO TOTAL		\$869,302.95
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,498,958.60

Mount Vernon Avenue Viaduct Design-Build Project – Executed Change Orders		
Number	Description	Amount
1	Added Perimeter Fence, K-rail and Signage	\$21,500.00
1 S-1	Install/Maintain Temporary Fence	\$28,670.86
2	Partnering	\$100,000.00
3	Temporary Crossing	\$700,000.00
3 S-1	Additional Funds	\$225,000.00
3 S-2	Construct Railroad Temporary Construction Crossing	\$13,889.15
3 S-3	Temporary Railroad Crossing	\$27,744.36
5	Asbestos Removal	\$100,000.00
5 S-1	Additional Funds	\$954,863.00
5 S-2	Asbestos Coating Abatement	\$429,723.86
5 S-3	Bridge Demolition Engineer – Increase Time	\$67,977.25
5 S-4	Asbestos Coating Abatement	\$159,481.26
7	Add Fire Hydrants	\$112,200.00
8	Test Unforeseen Buried Man-made object	\$1,341.55
9	Decommission/Abandon Water and Sewer Lines	\$203,852.65
10	Added Utilities Work at Kingman Street	\$377,389.28

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12	Increase Contractor Overhead – Increase Time	\$208,232.35
15	Design for Additional Street Lights on Alley and Cabrera	\$15,400.00
16	Design for Bike Lanes E 2 nd	\$14,190.00
17	BNSF Fence Removal	\$12,332.14
20	North Abutment Embankment Removal	\$141,592.00
21	Kingman Widening	\$107,497.50
CCO TOTAL		\$4,022,877.21
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$17,230,000.00

I-10 University Street Improvement Project – Executed Change Orders		
Number	Description	Amount
1	Time Extension (Delay Start)	\$0.00
2	Maintain Traffic	\$10,000.00
2 S-1	Maintain Roadway and Traffic	\$15,000.00
3	Time Extension	\$20,000.00
4	Tree Removals	\$17,096.27
5	Dispute Resolution Advisor DRA	\$10,000.00
6	Replace Pavement Structural Section	\$393,852.01
6 S-1	Replace Pavement Structural Section	\$20,000.00
6 S-2	Replace Pavement Structural Section	\$11,500.00
7	WB On-Ramp Modification	\$229,391.13
8	Modify Signal Controller	(\$11,348.73)
9	Relocate Signal Push Button Pole	\$13,372.65
10	Install of Signal Conduit to Avoid Conflict	\$15,129.64
11	Differing Site Condition	\$28,061.09
12	Disposal of Fiber Optic Vault	\$4,940.41
13	Revised Elevations for Curb and Gutter	\$2,862.64
15	Payment Adjustment per Price Index due to Crude Oil Prices	\$38,500.00
16	Water Meter Revisions	\$61,564.00
17	Install Joint Sealant	\$9,433.79
18	Add Master Remote Control Valve	\$2,500.00
19	Sewer Line Repair	\$6,000.00
21	Additional Earthwork	\$7,500.00
22	Additional Push Button Pole Installation	\$7,500.00
23	Repair Electrical Line	\$8,000.00
24	Additional Irrigation Wiring	\$7,500.00
25	Remove and Dispose of Material from Drains	\$4,831.71
28	Additional Fiber Roll and Shared Maintenance Costs	\$8,000.00
CCO TOTAL		\$941,186.61
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$1,500,590.00

I-10 Alabama Street Improvement Project – Executed Change Orders		
Number	Description	Amount
1	SWPPP Maintenance	\$20,000.00
2	Traffic Control Devices	\$30,000.00
3	Electrical Works Utility Modifications	\$25,000.00
4	Stage 1A Value Engineering Change Proposal (VECP) Credit	(\$20,362.87)

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5	Caltrans Change of 12 Inch LED Lights	\$3,512.38
CCO TOTAL		\$58,149.51
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$1,338,886.33

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Minute Action

AGENDA ITEM: 3

Date: *December 15, 2022*

Subject:

I-215 Segment 5 Landscape Project California Department of Transportation Design Cooperative Agreements

Recommendation:

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

A. Approve Amendment No. 1 to Cooperative Agreement No. 00-1000602, with the California Department of Transportation (Caltrans) to remove Interstate 215 (I-215) Segment 5 Landscape Project from the agreement and authorize the Executive Director, or his designee, to execute the agreement upon approval as to form by SBCTA General Counsel.

B. Approve Cooperative Agreement No. 23-1002873, with Caltrans to define roles and responsibilities for the I-215 Segment 5 Landscape Project, identify SBCTA as the lead agency for the Plans, Specifications and Estimates (PS&E) for the project and authorize the Executive Director, or his designee, to execute the agreement upon approval as to form by SBCTA General Counsel.

Background:

In February 2012, the San Bernardino County Transportation Authority (SBCTA) approved Cooperative Agreement No. 00-1000602, with the California Department of Transportation (Caltrans) to define roles and responsibilities for the Interstate 215 (I-215) Landscape Projects and have Caltrans as the lead agency for the design phase of the projects.

Cooperative Agreement No. 00-1000602 included four (4) separate landscape projects, Segments 1, 2, 3 & 5. Caltrans completed design for Segments 1, 2, & 3 in 2017 and construction for those segments was completed in 2020. The funding provided in the Agreement was not sufficient to complete the design for the I-215 Segment 5 Landscape Project (Segment 5).

Therefore, in April 2022, the Board of Directors approved Amendment No. 2 with EXP U.S. Services, Inc., Contract No. 19-1002005, for the design services of Segment 5. The design for Segment 5 is scheduled to be completed in summer 2023, with construction completion planned for summer 2024.

Recommendation A:

Is to amend Cooperative Agreement No. 00-1000602, with Caltrans, to remove I-215 Segment 5 Landscape Project from the original design cooperative agreement and authorize the Executive Director, or his designee, to execute the Agreement with Caltrans upon approval as to form by SBCTA General Counsel.

Recommendation B:

Is to execute Cooperative Agreement No. 23-1002873, with Caltrans, to define the roles and responsibilities for the I-215 Segment 5 Landscape Project, identify SBCTA as the lead agency for the Plans, Specifications and Estimates (PS&E) for the project and authorize the Executive

Entity: San Bernardino County Transportation Authority

Board of Directors Metro Valley Study Session Agenda Item

December 15, 2022

Page 2

Director, or his designee, to execute the Agreement with Caltrans upon approval as to form by SBCTA General Counsel.

Staff recommends approval of these recommendations.

Financial Impact:

This item is consistent with the Fiscal Year 2022/2023 Budget under Task No. 0820 Freeway Projects, Sub-Task No. 0838 I-215 Segment-5 Landscape Project.

Reviewed By:

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

Responsible Staff:

Juan Lizarde, Project Manager

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

San Bernardino County Transportation Authority

Contract Summary Sheet

3.a

General Contract Information

Contract No: 00-1000602 Amendment No.: 1

Contract Class: Payable Department: Project Delivery

Vendor No.: 00450 Vendor Name: California Department of Transportation

Description: I-215 Segment 5 Landscape Design Cooperative Agreement

List Any Related Contract Nos.: _____

Dollar Amount							
Original Contract		\$	2,440,000.00	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Prior Contingency Released		\$	-	Prior Contingency Released (-)		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	2,440,000.00	Total Contingency Value		\$	-
	Total Dollar Authority (Contract Value and Contingency)					\$	2,440,000.00

Contract Authorization

Board of Directors _____ Date: 1/4/2023 _____ Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? N/A _____ No Budget Adjustment _____

Local _____ Funding Agreement _____ N/A _____

Accounts Payable

Estimated Start Date: 1/4/2012 Expiration Date: 12/31/2039 Revised Expiration Date: _____

NHS: Yes QMP/QAP: Yes Prevailing Wage: N/A

								Total Contract Funding:	Total Contingency:
								\$	\$
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name		
GL: 4907	40	0820	0838	52005	41100000	630	Old MSI TMEE	1,027,953.00	-
GL: 4901	40	0820	0838	52005	41100000	630	Old MSI	1,412,047.00	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-

Juan Lizarde

Project Manager (Print Name)

Henry Stultz

Task Manager (Print Name)

Additional Notes: No additional Old Measure Funds will be expended for this agreement. Caltrans design concluded as of July 2018. This amendment is to remove Segment 5 from the coop. A separate design coop for Segment 5 is being processed.

Attachment: 00-1000602-01_CSS [Revision 1] (8784 : I-215 Segment 5 Landscape Caltrans Design COOPs)

Agreement 08-1523 A-1
 Project No. 0800020443, EA 0071H, 08-SBD-215-6.4/7.6
 Project No. 0800020435, EA 0071J, 08-SBD-215-7.5/8.9
 Project No. 0800020434, EA 0071K, 08-SBD-215-4.8/6.5
 SBCTA Contract No. 00-1000602-01

AMENDMENT NO.1 TO AGREEMENT NO. 08-1523 (DRAFT)

This Amendment No. 1 (AMENDMENT) to Agreement 08-1523 (AGREEMENT), effective on _____ is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

San Bernardino County Transportation Authority, a public corporation/entity, referred to hereinafter as SBCTA.

RECITALS

1. CALTRANS and SBCTA, collectively referred to as PARTIES, entered into AGREEMENT on February 24, 2012, defining the terms and conditions for Project Approval and Environmental Document, Plans, Specifications and Estimates and Right of Way for Highway Planting on I-215, segments 1, 2, 3, and 5, in the City of San Bernardino from 0.24 miles South of Orange Show Road Over Crossing to 0.05 miles South of I-215/1-210 Junction will be referred to as PROJECT.
2. The AGREEMENT established that CALTRANS is the IMPLEMENTING AGENCY for segment 1, 2, 3 and 5.
3. Parties now seek to change the IMPLEMENTING AGENCY for segment 5 from CALTRANS TO SBCTA by removing Segment 5 from agreement 08-1523. New Agreement 08-1760 will address Segment 5.

IT IS THEREFORE MUTUALLY AGREED:

1. Header will no longer include reference to Segment 5.
2. Article 2 in the AGREEMENT is replaced in its entirety to read as follows:

This agreement outlines the terms and conditions of cooperation between PARTNERS to do the Project Approval and Environmental Document, Plans, Specifications and Estimates and Right of Way for Highway Planting on Interstate 215 (I-215), segments 1,

2, and 3 in the City of San Bernardino from 0.24 miles South of Orange Show Road Over Crossing to 0.1 miles south of Massachusetts Avenue Overcrossing.

For the purpose of this agreement, Highway Planting on I-215, segments 1, 2, and 3 in the City of San Bernardino from 0.24 miles South of Orange Show Road Over Crossing to 0.1 miles south of Massachusetts Avenue Overcrossing will be referred to as PROJECT. All responsibilities assigned in this agreement to do the Project Approval and Environmental Document, Plans, Specifications and Estimates and Right of Way will be referred to as OBLIGATIONS.

This is a highway planting project. All work will be performed within the existing SHS right of way. Utility clearance has been performed under the parent projects under EA 0071V, 00717, 00719 and 4440U. District Right of Way will review Parent Projects' Right of Way Certs and re-evaluate the situation when issuing the Right of Way Certification for this project.

3. Definition of "PROJECT" under DEFINITIONS, is replaced in its entirety to read as follows:

"PROJECT- The undertaking to Highway Planting on Interstate 215 (I-215); segments 1, 2, and 3, in the City of San Bernardino from 0.24 miles South of Orange Show Road Over Crossing to 0.1 miles south of Massachusetts Avenue Overcrossing."

4. All other terms and conditions of the AGREEMENT shall remain in full force and effect.
5. This AMENDMENT is deemed to be included and made a part of the AGREEMENT.

SIGNATURES

PARTIES are authorized by the law to enter into this AMENDMENT and have delegated to the undersigned the authority to execute this AMENDMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AMENDMENT.

This AMENDMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AMENDMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

SAN BERNARDINO COUNTY
TRANSPORATION AUTHORITY
(NOT FOR SIGNATURE AT THIS TIME)

Diane Morales
Acting District Director

Raymond W. Wolfe
Executive Director

VERIFICATION OF FUNDS AND
AUTHORITY:

APROVED AS TO FORM:

Corina Harriman
District Budget Manager

Juanda L. Daniel
Assistant General Counsel

APPROVED AS TO FORM &
PROCEDURE:

Cassandra Hoff
Attorney

Contract Summary Sheet

3.c

General Contract Information

Contract No: 23-1002873 Amendment No.: _____

Contract Class: Payable Department: Project Delivery

Vendor No.: 00450 Vendor Name: California Department of Transportation

Description: I-215 Segment 5 Landscape Design Cooperative Agreement

List Any Related Contract Nos.: 00-1000602

Dollar Amount							
Original Contract		\$	-	Original Contingency		\$	-
Prior Amendments		\$	-	Prior Amendments		\$	-
Prior Contingency Released		\$	-	Prior Contingency Released (-)		\$	-
Current Amendment		\$	-	Current Amendment		\$	-
Total/Revised Contract Value		\$	-	Total Contingency Value		\$	-
		Total Dollar Authority (Contract Value and Contingency)				\$	-

Contract Authorization

Board of Directors _____ Date: 1/4/2023 _____ Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Zero Dollar Contracts _____ Sole Source? N/A _____ No Budget Adjustment _____

Local _____ MOU/COOP/JPA (zero dollar contract) _____ N/A _____

Accounts Payable

Estimated Start Date: 10/5/2022 Expiration Date: 12/31/2039 Revised Expiration Date: _____

NHS: Yes QMP/QAP: Yes Prevailing Wage: N/A

								Total Contract Funding:	Total Contingency:
Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name	\$	\$
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-
GL:								-	-

Juan Lizarde

Project Manager (Print Name)

Henry Stultz

Task Manager (Print Name)

Additional Notes:

COOPERATIVE AGREEMENT COVER SHEET

Work Description

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY WILL BE THE LEAD DESIGN FOR SEGMENT 5 IN THIS PROJECT. ON I-215 FROM 0.1 MILES SOUTH OF MASSACHUSETTS AVENUE TO 0.05 MILES SOUTH OF I-215/SR-210 JUNCTION, THIS PROJECT WILL PROVIDE REPLACEMENT PLANTING CONSISTING OF IRRIGATION, WOOD MULCH, MAINTENANCE ACCESS ROADS, ROCK BLANKET, TREES AND OTHER VEGETATION SUPPORTED BY THE PALMS TO PINES CONCEPT.

Contact Information

CALTRANS

Ahmad Nabulsi, Project Manager

464 West Fourth Street

San Bernardino, CA 92401

Office Phone: (562) 666-5862

Email: ahmad.nabulsi@dot.ca.gov

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

Juan Lizarde, Project Manager

1170 West Third Street, 2nd Floor

San Bernardino, CA 92410

Office Phone: (909) 884-8276

Email: jlizarde@gosbcta.com

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Project No. 0800020433

SBCTA Contract No. 23-1002873

Prevailing Wage 18

SIGNATURES 19

DRAFT

COOPERATIVE AGREEMENT (DRAFT)

This AGREEMENT, executed on and effective from _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

San Bernardino County Transportation Authority, a public corporation/entity, referred to hereinafter as SBCTA.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code, Sections 114 and 130.
2. This agreement outlines the terms and conditions of cooperation between PARTNERS to do the Environmental Revalidation, Plans, Specifications and Estimate and Right of Way for Highway Planting on Interstate 215 (I-215), Segment 5, in the City of San Bernardino.

For the purpose of this AGREEMENT, *San Bernardino County Transportation Authority will be the lead agency for Segment 5. On I-215 from 0.1 miles south of Massachusetts Avenue to 0.05 miles south of the I-215/SR-210 Junction, this project will provide replacement planting consisting of irrigation, wood mulch, maintenance access roads, rock blanket, trees and other vegetation supported by the Palms to Pines concept , and will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (e.g. Project Study Report, Design Engineering Evaluation Report, or Project Report).*

This is a highway planting Project. All work will be performed within the existing SHS right of way. Utility clearance has been performed under the parent projects under EA's 0071V, 00717, 00719 and 4440U. District Right of Way will review Parents' Project Certs and re-evaluate the situation when issuing the Right of Way Certification for this project.

3. Segments 1, 2 and 3 were completed and all the funding was paid in agreement 08-1523. Agreement 08-1523 is amended to remove Segment 5 for the purposes of design.

4. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENT will be referred to hereinafter as WORK:

- PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED)
- PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)
- RIGHT OF WAY

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

5. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

6. The following work associated with this PROJECT has been completed or is in progress:
- SBCTA approved the Categorical Exemption on December 21, 2012.
 - CALTRANS is developing the R/W Certification (Cooperative Agreement No. 1523).
7. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.

8. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

9. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

10. SBCTA is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

11. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

- SBCTA is the Project Approval and Environmental Document (PA&ED) IMPLEMENTING AGENCY.

PA&ED includes the completion of the Final Environmental Document and the Project Report (documenting the project alternative selection).

- SBCTA is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

- SBCTA is the RIGHT OF WAY IMPLEMENTING AGENCY

RIGHT OF WAY includes coordination with utility owners for the protection, removal, or relocation of utilities; the acquisition of right-of-way interests; and post-construction work such as right-of-way monumentation/recordation, relinquishments/vacations, and excess land transactions. The RIGHT OF WAY component budget identifies the cost of the capital costs of right-of-way acquisition (RIGHT-OF-WAY CAPITAL) and the cost of the staff work in support of the acquisition (RIGHT-OF-WAY SUPPORT).

12. SBCTA will provide a Quality Management Plan (QMP) for the WORK in every PROJECT COMPONENT that they are the IMPLEMENTING AGENCY of. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.
13. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

14. The WORK does not use funds administered by CALTRANS. PARTIES will amend this AGREEMENT should this condition change.
15. Each PARTY is responsible for the costs they incur in performing the WORK.

CALTRANS' Quality Management

16. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA) and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
17. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that SBCTA's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

18. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.
19. SBCTA will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.
20. The cost of CALTRANS' quality management work is to be borne by CALTRANS.

CEQA Lead Agency

21. CALTRANS is the CEQA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

22. SBCTA will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to SBCTA's responsibilities in this AGREEMENT.
23. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.
24. The PROJECT requires the following environmental permits/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
401, Regional Water Quality Control Board
State Waste Discharge Requirements (Porter Cologne), Regional Water Quality Control Board

Project Approval and Environmental Document (PA&ED)

25. As the PA&ED IMPLEMENTING AGENCY, SBCTA is responsible for all PA&ED WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

26. CALTRANS will be responsible for completing the following PA&ED activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.10.10.xx Quality Management
165.15.15.xx Essential Fish Habitat Consultation
165.15.15.xx Section 7 Consultation
165.25.25 Approval to Circulate Resolution
175.20 Project Preferred Alternative
180.10.05.05.xx CEQA Lead Final Env. Doc QA/QC and Approval
180.10.05.45 Section 7 Consultation
180.15.05 Record of Decision (NEPA)
180.15.10 Notice of Determination (CEQA)

27. Any PARTY preparing environmental documentation, including studies and reports, will ensure that qualified personnel remain available to help resolve environmental issues and perform any necessary work to ensure that the PROJECT remains in environmental compliance.
28. SBCTA will provide written notice of the initiation of environmental studies to the CEQA and NEPA Lead Agencies prior to completing any other PA&ED phase work.

California Environmental Quality Act (CEQA)

29. Environmental documentation will be prepared in compliance with the California Public Resources Code §§ 21080.3.1(d)(e). CALTRANS will provide, and SBCTA will use, a letter template and a list of California Native American tribes requesting notification. SBCTA will prepare consultation documentation for CALTRANS' signature and transmittal in compliance with the statutorily required time frames.

30. The CEQA Lead Agency will determine the type of CEQA documentation and will cause that documentation to be prepared in accordance with CEQA requirements.
31. Any PARTY involved in the preparation of CEQA documentation will prepare the documentation to meet CEQA requirements and follow the CEQA Lead Agency's standards that apply to the CEQA process.
32. Any PARTY preparing any portion of the CEQA documentation, including any studies and reports, will submit that portion of the documentation to the CEQA Lead Agency for review, comment, and approval at appropriate stages of development prior to public availability.
33. SBCTA will submit CEQA-related public notices to CALTRANS for review, comment, and approval prior to publication and circulation.
34. SBCTA will submit all CEQA-related public meeting materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to the public meeting date.

If the CEQA Lead Agency makes any changes to the materials, then the CEQA Lead Agency will allow SBCTA to review, comment, and concur on those changes at least three (3) working days prior to the public meeting date. The CEQA Lead Agency has final approval authority over all CEQA documentation.

35. The CEQA Lead Agency will attend all CEQA-related public meetings.
36. If a PARTY who is not the CEQA Lead Agency holds a public meeting about the PROJECT, that PARTY must clearly state its role in the PROJECT and the identity of the CEQA Lead Agency on all meeting publications. All meeting publications must also inform the attendees that public comments collected at the meetings are not part of the CEQA public review process.

That PARTY will submit all meeting advertisements, agendas, exhibits, handouts, and materials to the CEQA Lead Agency for review, comment, and approval at least ten (10) working days prior to publication or use. If that PARTY makes any changes to the materials, it will allow the CEQA Lead Agency to review, comment on, and approve those changes at least three (3) working days prior to the public meeting date.

The CEQA Lead Agency maintains final editorial control with respect to text or graphics that could lead to public confusion over CEQA-related roles and responsibilities.

Plans, Specifications, and Estimate (PS&E)

37. As the PS&E IMPLEMENTING AGENCY, SBCTA is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
38. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.15.10.xx Quality Management

39. SBCTA will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
- SBCTA will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the utility agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.
40. SBCTA will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.
41. CALTRANS will not issue the Acceptance of Final Plans, Specifications, and Estimate to SBCTA until the following conditions are met:
- Any new or amended Maintenance Agreement required for the WORK are executed.
 - Any new or amended Freeway Agreement required for the WORK are executed.

RIGHT-OF-WAY

42. As the RIGHT-OF-WAY IMPLEMENTING AGENCY, SBCTA is responsible for all RIGHT-OF-WAY WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

43. CALTRANS will be responsible for completing the following RIGHT-OF-WAY activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)
100.25.10.xx Quality Management

44. The selection of personnel performing RIGHT-OF-WAY WORK will be in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements.
45. SBCTA will make all necessary arrangements with utility owners for the timely accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
46. SBCTA will provide CALTRANS a copy of conflict maps, relocation plans, proposed notices to owner, reports of investigation, and utility agreements (if applicable) for CALTRANS' concurrence prior to issuing the notices to owner and executing the utility agreement. All utility conflicts will be fully addressed prior to Right-of-Way Certification and all arrangements for the protection, relocation, or removal of all conflicting facilities will be completed prior to construction contract award and included in the PROJECT plans, specifications, and estimate.
47. SBCTA will provide a land surveyor licensed in the State of California to be responsible for surveying and right-of-way engineering. All survey and right-of-way engineering documents will bear the professional seal, certificate number, registration classification, expiration date of certificate, and signature of the responsible surveyor.
48. Acquisition of right-of-way will not occur prior to the approval of the environmental document without written approval from the CEQA Lead Agency.
49. SBCTA will hear and adopt Resolutions of Necessity when authorized to do so by law or will work with local agencies having jurisdiction and authorized under the law to hear and adopt Resolutions of Necessity.

SBCTA will conduct and document Condemnation Evaluation Meetings and Condemnation Panel Review Meetings as required in accordance with CALTRANS policy and guidance. CALTRANS will be notified in advance of any Condemnation Evaluation Meetings and Condemnation Panel Review Meetings.

50. If SBCTA acquires any right-of-way to be incorporated into the State Highway System, SBCTA will first acquire in its own name.

No right-of-way will be acquired in CALTRANS' name.

Title to the State Highway System right-of-way will ultimately be vested in the State. CALTRANS' acceptance of title will occur after the Right-of-Way Closeout activities are complete.

51. SBCTA will utilize a public agency currently qualified by CALTRANS or a properly licensed consultant for all RIGHT-OF-WAY activities. A qualified right-of-way agent will administer all right-of-way consultant contracts.

SBCTA will submit a draft Right-of-Way Certification to CALTRANS six weeks prior to the scheduled Right-of-Way Certification milestone date for review.

SBCTA will submit a final Right-of-Way Certification to CALTRANS for approval prior to the advertising the construction contract.

52. Physical and legal possession of the right-of-way must be completed prior to advertising the construction contract, unless PARTIES mutually agree to other arrangements in writing.

53. CALTRANS' acceptance of right-of-way title is subject to review of an Updated Preliminary Title Report provided by SBCTA verifying that the title is free of all encumbrances and liens. Upon acceptance, SBCTA will provide CALTRANS with a Policy of Title Insurance in CALTRANS' name.

Right-of-way conveyances must be completed prior to WORK completion unless PARTIES mutually agree to other arrangements in writing.

Schedule

54. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.

Additional Provisions**Standards**

55. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:

- CADD Users Manual
- CALTRANS policies and directives
- Plans Preparation Manual
- Project Development Procedures Manual (PDPM)
- Workplan Standards Guide
- Standard Environmental Reference
- Highway Design Manual
- Right of Way Manual

Noncompliant Work

56. CALTRANS retains the right to reject noncompliant WORK. SBCTA agrees to suspend WORK upon request by CALTRANS for the purpose of protecting public safety, preserving property rights, and ensuring that all WORK is in the best interest of the State Highway System.

Qualifications

57. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

58. SBCTA will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

59. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. SBCTA, their contractors, consultants, agents and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to SBCTA, their contractors, consultants, and agents at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.
60. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

61. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

62. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

63. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

64. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

65. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.
66. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CALTRANS, independent of the PROJECT will pay, or cause to be paid, the cost of HM-1 MANAGEMENT related to HM-1 found within the existing State Highway System right-of-way.

67. If HM-1 is found within the PROJECT limits and outside the existing State Highway System right-of-way, responsibility for such HM-1 rests with the owner(s) of the parcel(s) on which the HM-1 is found. SBCTA, in concert with the local agency having land use jurisdiction, will ensure that HM-1 MANAGEMENT is undertaken with minimum impact to PROJECT schedule.

The cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way will be the responsibility of the owner(s) of the parcel(s) where the HM-1 is located.

68. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM-2 MANAGEMENT within the PROJECT limits.

SBCTA and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and SBCTA each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. SBCTA will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

69. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

70. SBCTA may accept, reject, compromise, settle, or litigate claims of any consultants or contractors hired to complete WORK without concurrence from the other PARTY.
71. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
72. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.
73. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
74. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

75. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

76. The cost of awards, judgements, fines, interest, penalties, attorney's fees, and/or settlements generated by the WORK are considered WORK costs.
77. The cost of legal challenges to the environmental process or documentation are considered WORK costs.
78. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Environmental Compliance

79. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTIES will amend this AGREEMENT to include completion of those additional tasks.

GENERAL CONDITIONS

80. All portions of this AGREEMENT, including the Recitals Section, are enforceable.

Venue

81. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

82. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

83. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by SBCTA, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon SBCTA under this AGREEMENT. It is understood and agreed that SBCTA, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by SBCTA, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
84. Neither SBCTA nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless SBCTA and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

85. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
86. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

87. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

88. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

89. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

90. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of SBCTA will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

91. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

92. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

SIGNATURES

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT. By signing below, the PARTIES each expressly agree to execute this AGREEMENT electronically.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Diane Morales
Acting District Director

Verification of funds and authority:

Corina Harriman
District Budget Manager

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

(not for signature at this time)

Raymond W. Wolfe
Executive Director

Attest:

Name Tbd
Title TBD

Approved as to form:

Juanda Daniel
Assistant General Counsel

Minute Action

AGENDA ITEM: 4

Date: December 15, 2022

Subject:

Interstate 10 Slover Mountain California Department of Transportation Cooperative Agreement and Union Pacific Railroad Preliminary Engineering Agreement

Recommendation:

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

A. Approve Cooperative Agreement No. 23-1002892 with the California Department of Transportation (Caltrans), to define the roles and responsibilities for the Plans, Specifications and Estimates (PS&E) for the Interstate 10 (I-10) Slover Mountain Underpass Project, including \$290,000 for Caltrans' Quality Management of PS&E activities, and authorize the Executive Director, or his designee, to execute Cooperative Agreement No. 23-1002892 with Caltrans upon approval as to form by SBCTA General Counsel.

B. Approve Preliminary Engineering Agreement No. 23-1002888 with Union Pacific Railroad (UPRR) for the I-10 Slover Mountain Underpass Project and Kaiser Spur Overhead, which is related to the I-10 Corridor Contract 2 Project, in the amount of \$450,000, and authorize the Executive Director, or his designee, to execute Preliminary Engineering Agreement No. 23-1002888 with UPRR upon approval as to form by SBCTA General Counsel.

Background:

Staff requests approval of agreements for the Plans, Specifications and Estimates (PS&E) phase with the California Department of Transportation (Caltrans) for the Interstate 10 (I-10) Slover Mountain Underpass (UP) Project and Union Pacific Railroad (UPRR) for the I-10 Slover Mountain UP Project and Kaiser Spur Overhead (OH), which is related to the I-10 Contract 2 Project. The I-10 Slover Mountain UP Project would replace the I-10 Slover Mountain UP structure at I-10 and the I-10 Contract 2 Project would widen the Kaiser Spur OH structure. Both will accommodate the ultimate I-10 Corridor Project.

A Project Study Report/Project Development Study (PSR/PDS) was completed for the I-10 Corridor Project in 2014, and the Project Approval/Environmental Document (PA/ED) for adding one to two express lanes from the Los Angeles/San Bernardino County Line to Ford Street in the City of Redlands was approved in May 2017. The first 10 miles of the I-10 Corridor Project are currently under construction as Contract 1 and are scheduled to open in 2023. In 2018, traffic and revenue studies, as well as cash flow analyses for the I-10 and Interstate 15 (I-15) corridors, were undertaken to determine the next steps for both corridors, with the results indicating that further phasing on both I-10 and I-15 corridors would be required. Recently developed cost updates in 2021 confirmed the need for phasing, and on October 6, 2021, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) directed staff to explore a single express lane strategy for the next segment of the I-10 Corridor Project to be consistent with the State's Guideline Principles for Transportation Investment. However, due to the disruption of goods movement at the ports and the recent passage of the United States Infrastructure Act, dual express lanes as proposed in the

Entity: San Bernardino County Transportation Authority

original PA/ED are now a possibility. As such, SBCTA staff will prepare to deliver either single or dual express lanes in each direction.

To minimize concurrent public impacts and to prepare the I-10 corridor for potential funding opportunities in the near-term, it was determined to advance several components of the I-10 Corridor Project. The PS&E contract for the first of these components to replace the I-10 at Slover Mountain UP was awarded to TranSystems Corporation in September 2022. Although this was not included in the recent update to the SBCTA 10-Year Delivery Plan, staff has examined current fund balances and revenue projections and has determined there is sufficient funding to advance this component.

Recommendation A:

Requests approval of Cooperative Agreement No. 23-1002892 with Caltrans to establish roles and responsibilities for the PS&E phase of the I-10 Slover Mountain UP project and authorize the Executive Director, or his designee, to approve Agreement No. 23-10022892 upon approval as to form by General Counsel.

Recommendation B:

Requests approval of Preliminary Engineering Agreement No. 23-1002888 with UPRR to establish roles and responsibilities for the design phase of the I-10 Slover Mountain UP Project and I-10 Kaiser Spur OH, which is related to I-10 Contract 2 and authorize the Executive Director, or his designee, to approve Agreement No. 23-1002888 upon approval as to form by General Counsel.

Financial Impact:

This item is consistent with the Fiscal Year 2022/2023 Budget under Task No. 0820 and Sub-Task No. 0847 and No. 0821.

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 agreements.

Responsible Staff:

Sal Chavez, Project Delivery Manager

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

Contract Summary Sheet

4.a

General Contract Information

Contract No: 23-1002892 Amendment No.: _____

Contract Class: Payable Department: Project Delivery

Vendor No.: 00450 Vendor Name: California Department of Transportation

Description: Cooperative Agreement for I-10 Slover Mountain Underpass

List Any Related Contract Nos.: _____

Dollar Amount

Original Contract	\$	290,000.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Prior Contingency Released	\$	-	Prior Contingency Released (-)	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	290,000.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	290,000.00

Contract Authorization

Board of Directors Date: 1/4/2023 Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? N/A No Budget Adjustment _____

Local _____ Funding Agreement _____ N/A _____

Accounts Payable

Estimated Start Date: 1/4/2023 Expiration Date: 12/31/2039 Revised Expiration Date: _____

NHS: Yes QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:		Total Contingency:	
							\$	290,000.00	\$	-
	Fund	Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name		
GL	4110	40	0820	0847	52001	41100000		MSI FWY		
GL								290,000.00		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-
GL								-		-

Juan Lizarde

Project Manager (Print Name)

Henry Stultz

Task Manager (Print Name)

Additional Notes:

Attachment: 23-1002892_CSS_Caltrans [Revision 2] (8785 : I-10 Slover Mtn - Caltrans Coop & UPRR Engineering Agreement)

Project No. 0823000010

EA 0C254

08-SBD-010-21.46

SBCTA Contract No.: 23-1002892

COOPERATIVE AGREEMENT COVER SHEET

Work Description

TO REPLACE SLOVER MOUNTAIN UNDERPASS (BRIDGE NO. 54-0835) ON I-10,
LOCATED BETWEEN PEPPER AVENUE AND RANCHO AVENUE.

Contact Information

CALTRANS

Raghuram Radhakrishnan, Project Manager

464 West 4th Street

San Bernardino, CA 92401

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Email: raghuram.radhakrishnan@dot.ca.gov

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

Juan Lizarde, Project Manager

1170 West 3rd Street 2nd Floor

San Bernardino, CA 92410

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Project No. 0823000010

SBCTA Contract No.: 23-1002892

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DRAFT

COOPERATIVE AGREEMENT(DRAFT)

This AGREEMENT, executed on and effective from _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

San Bernardino County Transportation Authority, a public corporation/entity, referred to hereinafter as SBCTA.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code, Sections 114 and 130.
2. For the purpose of this AGREEMENT, *To replace Slover Mountain Underpass (Bridge No. 54-0835) on I-10, located between Pepper Avenue and Rancho Avenue.* will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (e.g. Project Study Report, Design Engineering Evaluation Report, or Project Report).
3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENT will be referred to hereinafter as WORK:
 - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. The following work associated with this PROJECT has been completed or is in progress:
 - SBCTA developed the PA&ED (Project Approval and Environmental Document-Cooperative Agreement Nos. 08-1374, 08-1374 A/1, 08-1374 A/2 and 08-1374 A/3.
6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
7. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

8. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

9. SBCTA is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

10. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.
- SBCTA is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.
- PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.
11. SBCTA will provide a Quality Management Plan (QMP) for the WORK in every PROJECT COMPONENT that they are the IMPLEMENTING AGENCY of. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.
12. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

13. Funding sources, PARTIES committing funds, funding amounts, and invoicing/payment details are documented in the Funding Summary section of this AGREEMENT.

PARTIES will amend this AGREEMENT by updating and replacing the Funding Summary, in its entirety, each time the funding details change. Funding Summary replacements will be executed by a legally authorized representative of the respective PARTIES. The most current fully executed Funding Summary supersedes any previous Funding Summary created for this AGREEMENT.

14. PARTIES will not be reimbursed for costs beyond the funds obligated in this AGREEMENT.

If an IMPLEMENTING AGENCY anticipates that funding for the WORK will be insufficient to complete the WORK, the IMPLEMENTING AGENCY will promptly notify the SPONSOR.

15. Unless otherwise documented in the Funding Summary, overall liability for project costs within a PROJECT COMPONENT will be in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
16. Unless otherwise documented in the Funding Summary, any savings recognized within a PROJECT COMPONENT will be credited or reimbursed, when allowed by policy or law, in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
17. WORK costs, except those that are specifically excluded in this AGREEMENT, are to be paid from the funds obligated in the Funding Summary. Costs that are specifically excluded from the funds obligated in this AGREEMENT are to be paid by the PARTY incurring the costs from funds that are independent of this AGREEMENT.

CALTRANS' Quality Management

18. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA) and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
19. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that SBCTA's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

20. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.
21. SBCTA will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.

CEQA/NEPA Lead Agency

22. CALTRANS is the CEQA Lead Agency for the PROJECT.
23. CALTRANS is the NEPA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

24. PARTIES will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTY's responsibilities in this AGREEMENT.
25. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.
26. The PROJECT requires the following environmental permits/approvals:

ENVIRONMENTAL PERMITS/REQUIREMENTS
National Pollutant Discharge Elimination System (NPDES), State Water Resources Control Board

Plans, Specifications, and Estimate (PS&E)

27. As the PS&E IMPLEMENTING AGENCY, SBCTA is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

28. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)	AGREEMENT Funded Cost
100.15.10.xx Quality Management -Reimbursed QMA revenue generating project	Yes

29. This AGREEMENT does not include the RIGHT-OF-WAY PROJECT COMPONENT. Completion of PS&E may depend upon completion of some RIGHT-OF-WAY activities. PARTIES acknowledge that the WORK may not result in a product that can be used to advertise and award a contract for the CONSTRUCTION PROJECT COMPONENT without completing some activities under a separate agreement or by later amending this AGREEMENT.
30. SBCTA will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.
- SBCTA will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the utility agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.
31. SBCTA will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.
32. CALTRANS will not issue the Acceptance of Final Plans, Specifications, and Estimate to SBCTA until the following conditions are met:

- Any new or amended Maintenance Agreement required for the WORK are executed.
- Any new or amended Freeway Agreement required for the WORK are executed.

Schedule

33. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.
34. The IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTIES with a final report of the WORK completed.

Additional Provisions

Standards

35. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:
 - CADD Users Manual
 - CALTRANS policies and directives
 - Plans Preparation Manual
 - Project Development Procedures Manual (PDPM)
 - Workplan Standards Guide
 - Standard Environmental Reference
 - Highway Design Manual
 - Right of Way Manual

Noncompliant Work

36. CALTRANS retains the right to reject noncompliant WORK. SBCTA agrees to suspend WORK upon request by CALTRANS for the purpose of protecting public safety, preserving property rights, and ensuring that all WORK is in the best interest of the State Highway System.

Qualifications

37. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

38. SBCTA will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

39. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. SBCTA, their contractors, consultants, agents and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to SBCTA, their contractors, consultants, and agents at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.
40. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

41. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

42. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

43. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

44. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

45. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.
46. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.
- CALTRANS will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the existing State Highway System right-of-way with funds that are independent of the funds obligated in this AGREEMENT.
47. If HM-1 is found within the PROJECT limits and outside the existing State Highway System right-of-way, responsibility for such HM-1 rests with the owner(s) of the parcel(s) on which the HM-1 is found. SBCTA, in concert with the local agency having land use jurisdiction, will ensure that HM-1 MANAGEMENT is undertaken with minimum impact to PROJECT schedule.

The cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way will be paid from funds that are independent of the funds obligated in this AGREEMENT and will be the responsibility of the owner(s) of the parcel(s) where the HM-1 is located.

48. The CONSTRUCTION IMPLEMENTING AGENCY, currently anticipated to be SBCTA, is responsible for HM-2 MANAGEMENT within the PROJECT limits.

SBCTA and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and SBCTA each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. SBCTA will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

49. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

50. Any PARTY that is responsible for completing WORK may accept, reject, compromise, settle, or litigate claims arising from the WORK without concurrence from the other PARTY.
51. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
52. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.

Accounting and Audits

53. PARTIES will maintain, and will ensure that any consultant hired by PARTIES to participate in WORK will maintain, a financial management system that conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs and billings.
54. PARTIES will maintain and make available to each other all WORK-related documents, including financial data, during the term of this AGREEMENT.

PARTIES will retain all WORK-related records for three (3) years after the final voucher.

PARTIES will require that any consultants hired to participate in the WORK will comply with this Article.

55. PARTIES have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the State Auditor, FHWA (if the PROJECT utilizes federal funds), and SBCTA will have access to all WORK -related records of each PARTY, and any consultant hired by a PARTY to participate in WORK, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation. The auditing PARTY will be permitted to make copies of any WORK-related records needed for the audit.

The audited PARTY will review the draft audit, findings, and recommendations, and provide written comments within thirty (30) calendar days of receipt.

Upon completion of the final audit, PARTIES have forty-five (45) calendar days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTIES is subject to mediation. Mediation will follow the process described in the General Conditions section of this AGREEMENT.

56. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
57. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

58. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

59. The cost of awards, judgements, fines, interest, penalties, attorney's fees, and/or settlements generated by the WORK are considered WORK costs.
60. The cost of legal challenges to the environmental process or documentation are considered WORK costs.
61. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Environmental Compliance

62. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTIES will amend this AGREEMENT to include completion of those additional tasks.

GENERAL CONDITIONS

63. All portions of this AGREEMENT, including the Recitals Section, are enforceable.

Venue

64. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

65. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

66. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by SBCTA, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon SBCTA under this AGREEMENT. It is understood and agreed that SBCTA, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by SBCTA, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
67. Neither SBCTA nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless SBCTA and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

68. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
69. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

70. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

71. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

72. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

73. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of SBCTA will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

74. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

75. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

SIGNATURES

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT. By signing below, the PARTIES each expressly agree to execute this AGREEMENT electronically.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Diane Morales
Acting District Director

Verification of funds and authority:

Corina Harriman
District Budget Manager

Certified as to financial terms and policies:

Darwin Salmos
HQ Accounting Supervisor

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

(NOT FOR SIGNATURE AT THIS TIME)

Raymond W. Wolfe
Executive Director

Approved as to form and procedure:

Juanda Daniel
Assistant General Counsel

FUNDING SUMMARY NO. 01

<u>FUNDING TABLE</u> v. 1			
Source	Party	Fund Type	PS&E
			Totals
LOCAL	SBCTA	Local	3,180,880
Totals			3,180,880

<u>SPENDING SUMMARY</u> v 2			
Fund Type	PS&E		Totals
	CALTRANS	SBCTA	
Local	290,000	2,890,880	3,180,880
Totals	290,000	2,890,880	3,180,880

Funding

1. If there are insufficient funds available in this AGREEMENT to place the PROJECT right-of-way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY will fund these activities until such time as PARTIES amend this AGREEMENT.

That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

2. If there are insufficient funds in this AGREEMENT to implement the obligations and responsibilities of this AGREEMENT, including the applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTY accepts responsibility to fund their respective WORK until such time as PARTIES amend this AGREEMENT.

Each PARTY may request reimbursement for these costs during the amendment process.

3. The cost of any engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds administered by CALTRANS are subject to the current Program Functional Rate. All other funds are subject to the current Program Functional Rate and the current Administration Rate. The Program Functional Rate and Administration Rate are adjusted periodically.

In accordance with California Senate Bill 848, the Administration Rate is capped at 10 percent until January 1, 2023, for Self-Help Counties with a countywide sales tax measure dedicated to transportation improvements.

Invoicing and Payment

4. PARTIES will invoice for funds where the SPENDING SUMMARY shows that one PARTY provides funds for use by another PARTY. PARTIES will pay invoices within forty-five (45) calendar days of receipt of invoice when not paying with Electronic Funds Transfer (EFT). When paying with EFT, SBCTA will pay invoices within five (5) calendar days of receipt of invoice.

5. If SBCTA has received EFT certification from CALTRANS then SBCTA will use the EFT mechanism and follow all EFT procedures to pay all invoices issued from CALTRANS.
6. When a PARTY is reimbursed for actual cost, invoices will be submitted each month for the prior month's expenditures. After all PROJECT COMPONENT WORK is complete, PARTIES will submit a final accounting of all PROJECT COMPONENT costs. Based on the final accounting, PARTIES will invoice or refund as necessary to satisfy the financial commitments of this AGREEMENT.

Plans, Specifications, and Estimate (PS&E)

7. CALTRANS will invoice and SBCTA will reimburse for actual costs incurred and paid.

Contract Summary Sheet

4.c

General Contract Information

Contract No: 23-1002888 Amendment No.: _____

Contract Class: Payable Department: Project Delivery

Vendor No.: 02269 Vendor Name: Union Pacific Railroad

Description: Preliminary Engineering Agreement for I-10 Corridor Contract 2 and Advanced Structures

List Any Related Contract Nos.: _____

Dollar Amount

Original Contract	\$	450,000.00	Original Contingency	\$	-
Prior Amendments	\$	-	Prior Amendments	\$	-
Prior Contingency Released	\$	-	Prior Contingency Released (-)	\$	-
Current Amendment	\$	-	Current Amendment	\$	-
Total/Revised Contract Value	\$	450,000.00	Total Contingency Value	\$	-
Total Dollar Authority (Contract Value and Contingency)				\$	450,000.00

Contract Authorization

Board of Directors Date: 1/4/2023 Committee _____ Item # _____

Contract Management (Internal Purposes Only)

Other Contracts _____ Sole Source? N/A No Budget Adjustment _____

Local _____ Design _____ N/A _____

Accounts Payable

Estimated Start Date: 1/4/2023 Expiration Date: 12/31/2039 Revised Expiration Date: _____

NHS: Yes QMP/QAP: N/A Prevailing Wage: N/A

							Total Contract Funding:		Total Contingency:	
							\$	450,000.00	\$	-
GL	4110	40	0820	0847	52001	41100000	620	MSI FWY	450,000.00	-
GL	4110	40	0820	0821	52001	41100000	620	MSI FWY	-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-
GL									-	-

Juan Lizarde

Project Manager (Print Name)

Henry Stultz

Task Manager (Print Name)

Additional Notes: Costs to be shared by the I-10 Corridor Contract 2 Project and the I-10 Slover Mountain UP Project

Attachment: 23-1002888_CSS_UPRR [Revision 2] (8785 : I-10 Slover Mtn - Caltrans Coop & UPRR Engineering Agreement)

REIMBURSEMENT AGREEMENT PRELIMINARY ENGINEERING SERVICES

Effective Date:

Estimate: \$450,000.00

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (**Project**).

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

NOW THEREFORE, the parties hereto agree as follows:

1. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance, or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

2. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on Exhibit C. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless whether Agency declines to proceed with the Project or Railroad elects not to approve the Project.

3. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities, or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications, and prepare material and force cost estimates for any Project related work performed by Railroad.

4. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

5. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned, or delayed.

6. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

7. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY**

UNION PACIFIC RAILROAD COMPANY,
a Delaware Corporation

Signature

Signature

Printed Name

Kenneth Tom
Printed Name

Title

Manager I, Engineering – Public Projects
Title

Exhibit A

Project Description and Location

Project Description

San Bernardino County Transportation Authority proposes to widen the I-10 freeway below Railroad's track, requiring a new, longer Railroad bridge over the freeway (DOT 747037F/DOT 747036Y), as well as widen I-10 over Railroad's track (DOT 746969Y), at the respective locations referred to below.

Location

Subdivision	DOT	Crossing Type	Milepost	Street Name
Mojave	747037F	Public	491.95	I-10
Mojave	747036Y	Public	491.93	Valley Boulevard
Alhambra	746969Y	Public	527.932	I-10

Exhibit B

Scope of Project Services

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections
- Plan, specification, and construction review
- Project design
- Preparation of Project estimate for force account or other work performed by the Railroad
- Meetings and travel

DRAFT

Exhibit C

Billing Contact Information

Name	Juan Lizarde
Title	Project Manager
Address	1170 West 3 rd Street, 2 nd Floor, San Bernardino, CA, 92410
Work Phone	(909) 884-8276
Cell Phone	
Email	jlizarde@gosbcta.com
Agency Project No.	I-10 Contract 2

DRAFT

Minute Action

AGENDA ITEM: 5

Date: December 15, 2022

Subject:

Interstate 10 Corridor Contract 1 Project - Landscape Design Contract Request for Proposals

Recommendation:

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

Approve the release of Request for Proposals No. 23-1002903 for Landscape Design Services for the Interstate 10 Corridor Contract 1 Project.

Background:

San Bernardino County Transportation Authority (SBCTA) staff requests approval to release Request for Proposals (RFP) No. 23-1002903 for Landscape Design of the Interstate 10 (I-10) Corridor Contract 1 Project.

A Project Study Report/Project Development Study (PSR/PDS) was completed for the I-10 Corridor Project in 2014, and the Project Approval/Environmental Document (PA/ED) for adding one to two express lanes from the Los Angeles/San Bernardino County Line to Ford Street in the City of Redlands was approved in May 2017. The first 10 miles of the I-10 Corridor Project are currently under construction as a Design-Build Project, implementing the express lanes from the San Bernardino County Line through the I-10/I-15 system interchange.

As identified in the approved PA/ED documents, this project will replace existing planting and irrigation systems removed during construction of the current Contract 1 improvements within the California Department of Transportation (Caltrans) right-of-way (ROW), along other highway ROW, or in adjacent public spaces within adjacent communities, in accordance with the Environmental Commitments Record (ECR). However, the drought challenges, Governor's Executive Order to reduce water usage experienced statewide, and the related changes in the landscape policies developed over the past few years, have posed significant challenges to completing the final design and installation of the Contract 1 landscape improvements. These recent changes, including the new SBCTA Measure I Major Projects Program, Landscape Policy No. 34502 approved by the Board in December 2021, bring significant challenges for the Contract 1 contractor to modify and immediately implement under the current design and construction plans. Therefore, staff has developed a revised approach as discussed below.

This modified approach focuses on more effectively completing the revised design and construction contracts as separate, follow-on contracts to the Contract 1 Design-Build Project, to finalize the landscape design and construction improvements. This approach allows staff to modify the landscaping plans, in accordance with the new SBCTA Measure I Major Projects Program, Landscape Policy No. 34502 approved by the Board in December 2021, and coordinate with Caltrans to obtain the approvals for landscape implementation following the Contract 1 express lane construction work.

Entity: San Bernardino County Transportation Authority

Board of Directors Metro Valley Study Session Agenda Item

December 15, 2022

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Staff intends to coordinate with Caltrans to amend the Project cooperative agreement, including funding changes to implement the design, construction and required maintenance for the landscape improvements, planning for a net zero cost change by removing this work from the Contract 1 Design-Build contract. As the RFP progresses forward with the design procurement, staff will update the estimated cost and funding changes and keep the Board apprised of any required revisions or updates and is aiming to remain within the current Project budget at this time.

Financial Impact:

This item is consistent with Fiscal Year 2022/2023 Budget under Task No. 0820 and Sub-Task No. 0823.

Reviewed By:

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

Responsible Staff:

Sal Chavez, Project Delivery Manager

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

San Bernardino County Transportation Authority

EXHIBIT A
I-10 CORRIDOR CONTRACT 1 PROJECT
HIGHWAY PLANTING REPLACEMENT
SCOPE OF WORK

I. APPLICABLE STANDARDS

All documents shall be prepared in accordance with current SBCTA, Caltrans, and local (City) regulations, policies, procedures, manuals, and standards where applicable. CONSULTANT shall obtain, at its expense, all applicable Manuals and Standard Plans.

II. GENERAL DESCRIPTION OF REQUIRED SERVICES

- A. Required services listed below do not supersede the requirements established in the Contract.
- B. CONSULTANT Services include the studies, reports, drawings, plans, specifications, estimates, and special provisions necessary to complete the PR, ED, and PS&E.
- C. The deliverables list for the Supplemental Project Report (SPR), Environmental Revalidation (ER), updated Tree Preservation Plan, General Project Landscape Concept, and Plans, Specification, and Estimate (PS&E) will be refined during the initial planning and scoping Project Development Team (PDT) meeting. Not all deliverables may be required.
- D. CONSULTANT shall develop and maintain a Project schedule. The Project schedule may be presented monthly to the PDT meeting. A deliverables matrix will accompany the schedule. The deliverables matrix will highlight the status of the documents in the review process.
- E. CONSULTANT shall employ appropriate quality control and quality assurance procedures for every deliverable.
- F. CONSULTANT shall identify potential risks and uncertainties related to the delivery and construction of the Project. Risks that may be encountered include, but are not limited to, soil conditions, constructability, factors of safety, impacts to adjacent properties, public safety, and environmental considerations. If at any time during the performance of this Scope of Services, CONSULTANT observes, encounters, or identifies any circumstance that could pose potential risk, CONSULTANT shall notify SBCTA immediately.
- G. Prime contract terms and conditions will be incorporated into the subcontract agreements.
- H. The Task and WBS Structure used for pricing, cost reporting and schedule preparation shall be consistent with the Caltrans Workplan Standards Guide for Delivery of Capital Projects. Project Management activities will be performed in accordance with the Caltrans' Workplan Standards Guide for Delivery of Capital Projects. CONSULTANT shall prepare and submit monthly invoices and project

controls reports. Invoices shall follow SBCTA templates and shall contain all required information.

- I. Project plans and specifications must comply with the Federal Americans with Disabilities Act (ADA) requirements 28 CFR, Part 35 or Part 36, and the *California and Local Building Codes* within the project limits. For ADA requirements, see Chapter 11 "Design Standards," and Section 12.7 of this chapter. Complete the Caltrans Certification of Compliance with Americans with Disabilities Act (ADA) Form TR-040.
- J. The final engineering technical reports must bear the signature, stamp or seal, registration number, and registration certificate expiration date of the registered landscape architect most directly in responsible charge or other registered or certified professional working on the report as specified in Section 9 of the Project Development Procedures Manual.

III. ASSUMPTIONS

- A. The basis for design is the I-10 Corridor Project (EA 0C250, PN 0800000040) Project Report approved on May 15, 2017. Project limits will be from the L.A. County Line to Interstate 15 (I-15).
- B. All plans shall be prepared at 1"=50' scale.
- C. CONSULTANT anticipates two meeting per month during the duration of this contract, including one mandatory monthly PDT meeting.
- D. CONSULTANT will coordinate with SBCTA and Caltrans prior to distribution of all deliverables to determine the points of contact and format of electronic files.
- E. Assume one peer review and two Caltrans reviews for each major deliverable. Deliverable shall be submitted electronically to SBCTA and Caltrans.
- F. The previously approved NEPA and CEQA Environmental Document (Environmental Impact Report/Environmental Impact Statement (EIR/EIS)) will be revalidated.
- G. Caltrans will continue to rely on the screened undertaking previously issued for the project for compliance with Section 106 of the National Historic Preservation Act, and CONSULTANT review or supplemental investigation would not be required.
- H. Assume up to twelve (12) new irrigation controllers and associated electrical points of connection.
- I. Assume all irrigation controllers will be owned and maintained by Caltrans. No irrigation controllers will be within City or County jurisdiction.
- J. Preparation of Electrical Plans for the fiber optic communication will involve splicing a new 12 single mode fiber optic (SMFO) cable to the existing mainline fiber optic cable.
- K. Assume Caltrans shall provide available fiber optic strands.
- L. Assume modification to the fiber optic mainline system will not be needed other than to splice a 12 SMFO cable to connection to the irrigation controllers.

M. Assume eight (8) months for design and one (1) year for construction.

IV. SCOPE OF SERVICES

TASK 3.100.15 - PROJECT MANAGEMENT

Task 3.100.15 Project Management

CONSULTANT shall furnish a Project Manager to coordinate all CONSULTANT operations with SBCTA, including but not limited to, tracking progress of the work and administering subcontracts. CONSULTANT Project Manager shall provide overall project management, coordination, and supervision of project staff to facilitate the performance of the work in accordance with standards and requirements of the SBCTA and other applicable standards and requirements. CONSULTANT Project Manager shall prepare and submit monthly project progress reports to SBCTA Project Manager.

Deliverables:

- *Monthly Progress Reports*

Task 3-100-15-1 Coordination and Meetings

CONSULTANT Project Manager shall conduct regular meetings with SBCTA, and shall conduct meetings and coordination with other stakeholders, including Caltrans and other agencies, in monthly Project Development Team (PDT) meetings or technical workshops and focused meetings as necessary. CONSULTANT Project Manager will be responsible for preparation of agendas and meeting minutes, Communication and distribution of project records and information, and responses to all internal requests for information about the project.

Deliverables:

- *PDT meeting notices, agendas, handouts/exhibits, deliverable matrix, and minutes.*

Task 3-100.15-2 Administration

CONSULTANT Project Manager shall prepare and update the Project schedule on a monthly basis or as needed. Project schedule shall be logical, complete, and shall consider SBCTA peer reviews. CONSULTANT Project Manager shall provide regular reporting on the project status, including, but not limited to, schedule, contract budget, general progress on project tasks, and project issues and concerns. CONSULTANT Project Manager shall maintain project files using the Caltrans Uniform System in hard copies and electronic format.

CONSULTANT Project Manager shall prepare and implement a Quality Control/Quality Assurance (QA/QC) Plan and a Risk Management Plan following SBCTA format and content requirements; CONSULTANT Project Manager will be responsible for adherence to all applicable SBCTA administrative policies and procedures.

Deliverables:

- *Project Schedules*
- *Project Master Files*
- *QA/QC Plan and Risk Management Plan*

TASK 3.160 – PRELIMINARY ENGINEERING, STUDIES, AND SUPPLEMENTAL PROJECT REPORT

Task 3.160.05 Review Updated Project Information

CONSULTANT shall request, collect, assemble, and review all pertinent project information, including, but are not limited to, prior Route 10 Mas Landscape Plan, I-10 Express Lane PALM, I-10 Contract 1 Project revised Landscape Concepts, Project Reports and Engineering Technical Reports, Environmental Documents and Environmental Technical Reports, CAD files and drawings, and relevant correspondence. CONSULTANT shall incorporate the collected materials and information into the Project Master File.

Deliverables:

- *Project Records Files*

Task 3.160.10 Engineering Studies

CONSULTANT shall perform all necessary Engineering Studies and preliminary design work required for the preparation of a Supplemental Project Report, development and refinement of viable Project Build Alternatives, selection of the preferred alternative, and initiation of final design efforts. All engineering studies performed and reports prepared shall meet Caltrans requirements according to the Highway Design Manual, Project Development Procedures Manual, and other pertinent Caltrans guidance. CONSULTANT will be responsible for obtaining any right of entry permits required for field work.

Task 3.160.25 Storm Water Data Report

CONSULTANT shall perform studies to analyze on-site and off-site storm water flows for the project. CONSULTANT shall identify requirements for storm water treatment design features as part of this task. Results of this study shall be considered and utilized in the project preliminary design.

Deliverables:

- *Storm Water Data Report*

Task 3.160.30 Highway Planting Design Concepts

CONSULTANT shall prepare highway planting concepts for the I-10 Contract 1 project limits from the Los Angeles/San Bernardino County Line to I-15. The concept will utilize topographic, including as-built information for the I-10 Contract 1 Express Lane Project, and right-of-way base mapping provided by SBCTA. The concept will be based on vision documents previously prepared by Caltrans and shall also include a design charrette to be held with SBCTA, Caltrans, and the local cities based on the hours budgeted.

Deliverables:

- *Highway Planting Design Concept and Design Charrette*

Task 3.160.40 Right of Way (ROW) Data Sheets

CONSULTANT shall assess project ROW requirements by obtaining ROW information and preparing ROW data sheets for the project. This task shall include the results of utility record searches and cost for any potential relocations. Results of this assessment will be used as basis for estimating ROW costs.

Deliverables:

- *ROW Data Sheets*

Task 3.160.45 Utility Locations Determined for Preliminary Engineering

CONSULTANT shall review utility as-built plans and perform utility record searches. Results of this assessment will support estimating ROW costs.

Deliverables:

- *Utility Research and Costs*

Task 3.160.95 Preliminary Transportation Management Plan

CONSULTANT shall prepare a preliminary transportation management plan in support of the Supplemental Project Report (SPR).

Deliverables:

- *Preliminary Transportation Management Plan*

Task 3.160.15 Supplemental Project Report (SPR)

CONSULTANT shall prepare a Supplemental Project Report following the Caltrans format. The Supplemental Project Report shall be prepared by or under the supervision of a registered landscape architect or a registered engineer in the State of California. The consideration of non-standard features shall be closely coordinated with the SBCTA Project Manager and designee to confirm acceptability by the SBCTA.

Deliverables:

- *Draft and Final Supplemental Project Report*

Task 3.160.45 Base Maps and Plan Sheets for Supplemental Project Report and Environmental Revalidation Development

CONSULTANT shall prepare base maps for highway planting for the SPR & ER phase. These plan sheets shall be included in the Supplemental Project Report and Environmental Revalidation.

Deliverables:

- *Highway Planting Base Sheets*

TASK 165 – ENVIRONMENTAL STUDIES & ENVIRONMENTAL REVALIDATION**Task 165.10 General Environmental Studies**

CONSULTANT shall perform supplemental environmental studies to support Caltrans' revalidation of the EIR/EIS issued under the National Environmental Policy Act (NEPA) in May 2017 for the I-10 Corridor Project (EA 0C250 / 0800000040). Caltrans will continue to act as the Lead Agency under CEQA and NEPA; the preparation of supplemental environmental technical reports shall be performed in consultation with the SBCTA Project Manager or designee and the Caltrans District 8 Environmental Planner assigned to the project. All supplemental environmental studies performed and reports prepared shall meet Caltrans requirements according to the Standard Environmental Reference site (SER) and other pertinent Caltrans guidance. CONSULTANT will be responsible for obtaining any right of entry permits required for field work.

CONSULTANT shall work with Caltrans and SBCTA to determine appropriate level of supplemental documentation for the various tasks listed below. To determine the appropriate level of supplemental documentation to support the CEQA/NEPA Revalidation, CONSULTANT will review previously prepared environmental studies for the I-10 Corridor Project, to identify if any proposed changes to the project would require additional documentation to maintain the validity of the original EIR/EIS determination. CONSULTANT will review the following previously prepared documents:

- Noise Study Report
- Air Quality Report
- Paleontological Evaluation Report
- Environmental Commitments Record
- Initial Site Assessment
- Natural Environmental Study
- Visual Impact Assessment Report

CONSULTANT will review previously prepared environmental documents to identify changes in the project engineering/design, changes to the environmental setting/circumstances, changes in the nature and severity of environmental impacts, or changes to environmental commitments would require supplemental documentation. A brief memo documenting the results of the review and any recommendations for supplemental documentation will be completed for each previously prepared study. The memos will be provided to Caltrans for their consideration in confirming what, if any, supplemental documentation would be required, and/or to support the revalidation of the NEPA/CEQA EIR/EIS determination for the project.

Task 165.10.25 Noise Study Report Review

CONSULTANT will review the previously-prepared Noise Study Report to identify if any changes to the project description or conditions of the site as it pertains to locations of sensitive noise receptors would require additional noise evaluation. The results of the review will be provided in a Noise Study Report Review Memo. It is assumed that additional assessment and/or documentation related to noise would not be required that Caltrans would rely on the Noise Study Report Review Memo to support their determination that the previously issued NEPA/CEQA EIR/EIS remains valid as it pertains to noise.

Deliverables:

- *Noise Study Report Review Memo*

Task 165.10.30 Transportation Air Quality Conformity Findings Checklist

CONSULTANT shall will complete a current Transportation Air Quality Conformity Findings Checklist (Revised August 2020) to document that the updated project remains exempt from all project-level conformity requirements. The current Checklist will be provided to Caltrans to support their determination that the previously-issued NEPA/CEQA CE/CE remains valid as it pertains to air quality.

Deliverables:

- *Transportation Air Quality Conformity Findings Checklist*

Task 165.10.65 Paleontological Resources Compliance Review Memo

CONSULTANT shall review the previously-prepared Paleontological Resources Compliance Memo to identify if any changes to the project description or conditions of the site as it pertains to paleontological resources would require additional evaluation. The results of the review will be provided in a Paleontological Resources Compliance Review Memo. It is assumed that additional assessment and/or documentation related to paleontological resources would not be required that Caltrans would rely on the Paleontological Resources Compliance Review Memo to support their determination that the previously-issued NEPA/CEQA CE/CE remains valid as it pertains to paleontological resources.

Deliverables:

- *Paleontological Resources Compliance Review Memo*

Task 165.10.75 Environmental Commitments Record Review

Upon completion of reviews of previously prepared environmental documentation and supplemental documentation, if any, CONSULTANT shall update the Environmental Commitments Record (ECR) for the project to adjust previously identified commitments and/or add additional comments that may be identified in supplemental documentation.

Deliverables:

- *Updated Environmental Commitments Record*

Task 165.10.80 Initial Site Assessment Checklist

CONSULTANT shall review the previously prepared Initial Site Assessment Checklist to identify if any changes to the project description or conditions of the site as it pertains to hazardous materials would require additional evaluation. The review would include updated searches of applicable hazardous materials databases to identify new incidences of know hazardous materials in and immediately adjacent to the project area and a “windshield” level site survey to identify obvious signs of contamination in the project area. The results of the review will be provided in an updated Caltrans Initial Site Assessment Checklist. It is assumed that completion of a Phase I Initial Site Assessment report would not be required, and that Caltrans would rely on the updated Initial Site Assessment Checklist to support their determination that the previously issued NEPA/CEQA CE/CE remains valid as it pertains to hazardous materials.

Deliverables:

- *Updated Initial Site Assessment Checklist*

Task 160.15 Biological Compliance Memo

CONSULTANT shall review the previously prepared Biological Compliance Memo to identify if any changes to the project description or conditions of the site as it pertains to biological resources would require additional evaluation. The review would include updated searches of applicable special status species databases to identify any newly listed species may be present in or near the project area, or any new known occurrences of special status species in or immediately adjacent to the project area, and will include a “windshield” level site survey to identify if site conditions have substantially changed in a way that would additional investigation for biological resources. The results of the review will be provided in a Biological Compliance Review Memo. It is assumed that completion of reconnaissance level biological surveys would not be required, and no additional biological investigations would be required, and that Caltrans

would rely on the Biological Compliance Review Memo to support their determination that the previously issued NEPA/CEQA CE/CE remains valid as it pertains to biological resources.

Deliverable:

- Biological Compliance Review Memo

Task 165.10.20 Visual Impact Assessment Report Review

CONSULTANT will review the previously-prepared Visual Impact Assessment Report to identify if any changes to the project description or conditions of the site as it pertains to visual impacts. The results of the review will be provided in a Visual Impact Assessment Report Review Memo.

Deliverables:

- *Visual Impact Assessment Report Review Memo*

Task 165.25.15 and 255.15 Environmental Re-evaluation

To support the Supplemental Project Report, CONSULTANT shall complete a NEPA/CEQA Revalidation Form for Caltrans' use in revalidating the previous NEPA/CEQA CE/CE determination. The signed Revalidation Form will be included in the Supplemental Project Report.

During Final PS&E, CONSULTANT shall complete an additional NEPA/CEQA Revalidation Form for Caltrans' use in revalidating the NEPA/CEQA CE/CE determination prior to approval of Final Design. It is expected that additional environmental study reviews and supplemental memos or documentation would not be required to support the final NEPA/CEQA Revalidation Form.

Deliverables:

- *NEPA/CEQA Revalidation Form for the Supplemental Project Report (3.165.25.15) and NEPA/CEQA Revalidation Form for approval of Final Design (3.255.25)*

TASK 3.170 – PERMITS & AGREEMENTS

Task 3.170.05 Determine Required Permits & Task 2.170.10 Obtain Permits

At this time, CONSULTANT does not anticipate obtaining any environmental resource agency permits and agreements based on the scope of work and therefore, CONSULTANT shall obtain and secure a Caltrans Encroachment Permit to perform project surveys:

Deliverables:

- *Caltrans Encroachment Permit*

TASK 3.185 – PREPARE BASE MAPS AND PLAN SHEETS

Task 3.185.15 35% Preliminary Design

CONSULTANT shall prepare preliminary plan set for the project following the Caltrans Highway Design Manual and Caltrans Standard Plans as appropriate. Preparation of the preliminary plan set shall include the preparation of the following sheets:

- Title Sheet (1 sheet)
- Index Sheet (2 sheet)

- Landscape Layout (50 sheets)
- Irrigation Plans (60 sheets)
- Highway Planting Plans (56 sheets)
- Construction Area Signs (4 sheets)
- Electrical Plans (10 sheets)

Deliverables:

- *35% Preliminary Plan Sheets*

Task 185.25.30 Utility Conflicts Map

CONSULTANT shall perform the work necessary to determine potential utility conflicts and consultation with affected agencies.

Deliverables:

- *Utility Plans (50 sheets)*

TASK 3.230 – PREPARE DRAFT PLANS, SPECIFICATIONS & ESTIMATE (PS&E)

Task 3.230.05 Draft Roadway Plans

CONSULTANT shall prepare the Plans, Specifications, and Estimates (PS&E) plans set for the project following the Caltrans Highway Design Manual and Caltrans Standard Plans as appropriate. Preparation of the PS&E plans set shall include, but not be limited to the preparation of the following roadway engineering sheets:

- Title Sheet (1 Sheet)
- Index Sheet (2 Sheets)
- Temporary Water Pollution Control Quantities (2 sheets)
- Utility Plans (50 sheets)
- Construction Area Signs (4 sheets)

Preparation of the plans shall be consistent with Caltrans design standards. CONSULTANT shall perform an internal QA/QC plans check and review and shall submit copies to SBCTA for peer review prior to submittal to Caltrans. CONSULTANT shall notify the SBCTA's Project Manager if the CONSULTANT is seeking any exceptions to any applicable design standards.

Deliverables:

- *65% Plans*
- *95% Plans*

Task 3.230.10 Draft Highway Planting Plans

CONSULTANT shall prepare the Plans, Specifications, and Estimates (PS&E) plans set for the project following the Caltrans Highway Design Manual and Caltrans Standard Plans as appropriate. Preparation of the PS&E plans set shall include, but not be limited to the preparation of the following roadway engineering sheets:

- Landscape Layout including Details and Quantities (63 sheets)
- Erosion Control Legend (2 sheets)

- Irrigation Plans including Details and Quantities (60 sheets)
- Water Efficient Landscape Calculations (5 sheets)
- Highway Planting Plans including Details and Quantities (66 sheets)

Preparation of the plans shall be consistent with Caltrans design standards. CONSULTANT shall perform an internal QA/QC plans check and review and shall submit copies to SBCTA for peer review prior to submittal to Caltrans. CONSULTANT shall notify the SBCTA's Project Manager if the CONSULTANT is seeking any exceptions to any applicable design standards.

Deliverables:

- 65% Plans
- 95% Plans

Task 3.230.15.15 Draft Electrical Plans

CONSULTANT shall prepare the Plans, Specifications, and Estimates (PS&E) plans set for the project following the Caltrans Highway Design Manual and Caltrans Standard Plans as appropriate. Preparation of the PS&E plans set shall include, but not be limited to the preparation of the following roadway engineering sheets:

- Irrigation Service (10 sheets)
- Communication System (6 sheets)
- Electrical Systems Detail (10 sheets)
- Quantities (2 sheets)

Preparation of the plans shall be consistent with Caltrans design standards. CONSULTANT shall perform an internal QA/QC plans check and review and shall submit copies to SBCTA for peer review prior to submittal to Caltrans. CONSULTANT shall notify the SBCTA's Project Manager if the CONSULTANT is seeking any exceptions to any applicable design standards.

Deliverables:

- 65% Plans
- 95% Plans

Task 3.230.20 Transportation Management Plan

CONSULTANT shall prepare a transportation management plan based on the preliminary transportation management plan prepared in the PA&ED phase.

Deliverables:

- *Transportation Management Plan*

Task 3.230.35 Draft Specifications

CONSULTANT shall prepare the Specifications and Special Provisions for the project following the Caltrans Standard Specifications.

Deliverables:

- *Draft Standard Special Provisions*

Task 3.230.4 Draft Quantities and Estimates

CONSULTANT shall prepare the PS&E Quantities and Estimates for the project.

Deliverables:

- *Draft Quantities and Estimates*

TASK 3.255 – PREPARE FINAL PS&E PACKAGETask 3.255.2 Final PS&E Package

This task includes the distribution of the draft final combined PS&E package for final constructability review by Caltrans, SBCTA, and other stakeholders. CONSULTANT shall address comments received and incorporate changes as appropriate in the final combined PS&E package. CONSULTANT will be responsible for the constructability of the project.

Deliverables:

- *Final PS&E Package*

Task 3.225.4 Resident Engineer's Pending File

CONSULTANT shall be responsible for preparing the pending Resident Engineer File and other supplemental PS&E materials, which would include the following:

- Construction Staking Package and Control
- Project Controls for Construction
- Construction Permits, if required
- Quantity Work Book

Deliverables:

- *Pending Resident Engineer File*
- *Supplemental PS&E Materials, if required*

TASK 3.260 – PREPARE CONTRACT BID DOCUMENTSTask 260.8 Draft Contract

CONSULTANT shall assist SBCTA in the preparation of the Construction Contract Bid Documents. Under this task, the CONSULTANT shall develop a draft contract, which shall be consistent with Caltrans standards. Draft contract shall include the plans, specifications, special provisions, applicable Federal, state and local laws, regulations, and requirements and item codes. All contract pay items shall utilize the Basic Engineering Estimate System (BEES) coding.

Deliverables:

- *Draft Construction Contract Package*

TASK 5.270 – CONSTRUCTION ENGINEERING – TECHNICAL SUPPORT

Provide Technical Support to the construction engineering staff including design, traffic, hydraulics, materials, structures design, geotechnical services, environmental, landscape and other specialty staff. Functional support may include attendance at pre-work conferences, on-site construction support including contractor request for information (RFI) and RE pending file review.

TASK 6.295 – ACCEPT CONTRACT/PREPARE FINAL CONSTRUCTION ESTIMATE AND FINAL REPORT

Work involved in the acceptance and final documentation of a construction contract.

Work involved includes coordination with the construction manager and/or Resident Engineer to develop as-built plans in accordance with Caltrans and the City Standards. Work includes the transfer of the red-line As-Built plan mark-ups to the original full size reproducible plan sheets (and CADD file) and forwarding a reproducible set of plans with the transferred As-Built changes to SBCTA, Caltrans and the Cities. CONSULTANT shall complete this task within 30 calendar days of receipt of red-line mark-ups.

Deliverables:

- *Red line construction package*
- *As-Built construction package*
- *Electronic and hardcopy submittal for Caltrans and City records*

V. PROJECT SPECIFIC QUALITY ASSURANCE AND QUALITY CONTROL PLAN REQUIREMENTS

Quality Assurance (QA) encompasses all of the planned and systematic activities implemented within the quality system that can be demonstrated to provide confidence that a product or service will fulfill requirements for quality. Quality Control (QC) consists of operational techniques and activities used to fulfill requirements for quality. For environmental review process, preliminary engineering and final design, QC includes technical checking, review and design verification activities, while the QA activities includes the monitoring, surveillances, auditing and other means of oversight of the QC activities and documentation, to ensure completeness and adherence to the QC procedures.

A project specific quality management plan (herein referred to as a Project QA/QC Plan) shall be developed by the Consultant and submitted to SBCTA for review and approval. The Project QA/QC Plan shall describe how QA and QC will be executed and express by the Consultant and its subconsultants. In lieu of a Project QA/QC Plan, for small projects at the discretion of the SBCTA Director of Project Delivery, a copy of the Consultant's standard QA and QC procedures that are to be followed by the Consultant team (including subconsultants) for the project, will be submitted to SBCTA for review and approval. The standard QA and QC procedures document and any appended project-specific processes, should address the same requirements listed below for the Project QA/QC Plan.

The following is a list of the minimum content and scope of what the Project QA/QC Plan shall contain. When submitted to SBCTA for review, the Project QA/QC Plan will be reviewed and assessed to ensure that these topic areas are covered and adequately addressed by the plan.

Project Introduction and Scope:

- Project description
- Scope of work
- Quality objectives
- List of deliverable documents for each milestone submittal

Project Team Qualifications, Organization, Staff, Roles and Responsibilities:

- A description of the minimum resource requirements for staff competence, skills, experience, and credentials.
- Organization chart showing project staff and lines of QA and QC authority and communications.
- List of project staff members, roles and responsibilities, including verification, QC review and technical checking, Project Management, Project QA Management and Technical Lead duties.

Quality Training:

- Quality training, including a training syllabus, schedule, and methods of tracking the staff that have been trained.

Scheduling of Quality Activities:

- Detailed QA and QC schedule that provides the timing, durations, and dependencies for all QC technical checking, interdisciplinary reviews, internal design verification against project criteria, and internal QA audits.

SBCTA and Caltrans Reviews:

- Formal external (SBCTA and Caltrans) review schedules (Peer Reviews and Constructability Reviews).
- Processes for SBCTA Peer Review and Caltrans review comments tracking, response, resolution, checking of comment incorporation, and closure process.

Internal Reviews:

- Quality procedures related to interdisciplinary design review (IDR) process.
- Technical review of environmental reports.

Management of Requirements:

- The requirements for the development of a Basis of Design report that includes a list of governing project criteria, source documents for the governing criteria, including those from Caltrans, SBCTA and local municipalities.
- Requirements management processes used to track design variation requests, and procedures for changes to the requirements as a result of approved design variances.

Quality Procedures for Project Controls:

- Project QA and QC procedures related to approved project scope changes and associated revisions to estimates and schedule.
- Project QA and QC procedures for configuration management against the baseline design.

Quality Control (QC) Procedures:

- Detailed QC procedures, including descriptions of process steps and documentation of processes for technical checking, QC reviews, and design verification. The procedures for technical checking will include:
 - QC testing and validation of computer software used for the calculations
 - Checking of calculations and data (hand calculations and computer calculations input and output)
 - Checking of drawings and exhibits

- Checking of specifications and contract documents
 - Checking of quantities and cost estimates
 - Review of studies or report-type documents
 - QC of CADD-produced documents
- Checklists to be used to verify: design criteria / technical compliance; submittal contents; CADD compliance; specifications compliance; calculations compliance; and milestone specific level of completion.

Quality Assurance (QA) Procedures:

- The processes for QA monitoring, surveillances, and audits of the QC activities, including when QA audits are to be conducted prior to submittals, and the QC activities and QC documentation to be audited.
- Processes for the management of the implementation of Corrective Action to internal and external QA audit non-conformances and findings.

Quality Documentation:

- Quality Records list or definition.

Document Control procedures, including electronic files and project folders, submittal procedures, control of hardcopies, uploading of scanned hardcopy PDF files, document retention requirements, and the treatment of quality documents. This part of the Project QA/QC Plan may reference sections of a project management plan and/or a separate project or firm document control plan.

Minute Action

AGENDA ITEM: 6

Date: December 15, 2022

Subject:

Right-of-Way Property Updates

Recommendation:

Receive and file the updated list of Right-of-Way property acquisitions for Project Delivery Department projects, which includes changes to the Board of Directors' authorized property lists and provides the current listing of San Bernardino County Transportation Authority Project Delivery Eminent Domain actions.

Background:

The San Bernardino County Transportation Authority (SBCTA) is responsible for the development and delivery of transportation projects. In the course of developing and delivering projects, the acquisition of public and private properties is often required to facilitate the implementation of projects. The intent of this agenda item is to inform the Board of Directors Metro Valley Study Session of SBCTA's success in avoiding costly litigation while acquiring property necessary for SBCTA's Project Delivery projects. This agenda item will also provide a listing of all properties that were approved by the SBCTA Board of Directors (Board) and properties that have been added or deleted for these projects.

On January 2, 1971, Public Law 91-646 the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970," was signed into law by Congress to ensure that people whose real property is acquired, or who must move as a result of the needs of a Federal Aid project, will be treated fairly and equitably and will receive assistance in moving from the property they occupy to a location equal or better. To ensure fair and consistent treatment of property owners and those displaced as a result of the projects, SBCTA developed a Right-of-Way (ROW) Acquisition Procedures Manual compliant with all federal and state laws, statutes, and regulations as applicable, to guide staff through the property acquisition, relocation, and disposition processes. To exercise consistent treatment of property owners, this process is utilized on all property acquisitions whether or not federal funds are utilized.

SBCTA seeks to reach fair settlements with property owners based on the value of just compensation, which is derived from appraisal values. Through the acquisition process, staff is highly communicative with those affected by SBCTA's projects in order to gain a full understanding of each property owner's concerns and the factors concerning the appropriate property appraisal. While many acquisitions are either accepted based on just compensation, or with limited negotiations, there are situations where; due to schedule considerations, lack of property owner response, title issues on the property, or significant differences on the acquisition price; legal proceedings are required. In these cases, while negotiations with the property owners are continued, the Board conducts a Resolution of Necessity (RON) hearing to establish the need for the property, need for the project, and that a fair offer of just compensation has been tendered to the property owner of record.

In cases where a RON hearing occurs, the vast majority of the properties are acquired through a settlement prior to filing of litigation. Settlements occur through contracts that the SBCTA

Entity: San Bernardino County Transportation Authority

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Acquisition Agent negotiates directly with property owners ('Contract' column in Table 1), attorney settlement agreements that the court accepts or settlement agreements resulting from mediation by an unbiased third-party mediator ('Attorney' column in Table 1), or through a trial judgment ('Court' column in Table 1). Only a small proportion of properties actually go to trial to determine just compensation for property acquisition. Due to the cost associated with litigation, it is generally in SBCTA's best interest, and in the best interest of property owners, to settle on a fair determination of just compensation for the real property interests prior to trial. In an effort to meet the schedule and budget, and to follow state and federal requirements, staff remains committed to practicing fair and equitable treatment of those impacted by SBCTA's projects. The following table is an update to one previously provided to the Metro Valley Study Session in December 2021, showing the current status and number of properties acquired for SBCTA's projects and the ultimate disposition as to how a settlement was reached. To summarize, approximately 60% of all property acquisitions occur without a RON, and an overall 99.67% are acquired without going to trial.

Table 1

Project	Properties/Parcels						
	Number Acquired	Acquired with no RON Hearing	Resolution of Necessity (RON)				
			Total	Litigation/ Pending Cases	Settlement Type		
					Contract	Attorney	Court
Interstate 10 Tiptecanoe Avenue Interchange (Caltrans performed ROW acquisition and eminent domain)	63	36	27	0	9	16	2
Interstate 15/Interstate 215 Devore Interchange (SBCTA performed ROW acquisition and Caltrans performed eminent domain)	85	56	29	0	2	27	0
Interstate 215 Barton Road Interchange	37	21	16	0	7	9	0
Lenwood Road Grade Separation	35	10	25	0	17	8	0
Laurel Street Grade Separation	29	22	7	0	6	1	0
Hunts Lane Grade Separation	26	18	8	0	0	8	0
Palm Avenue Grade Separation	9	3	6	0	3	3	0
US 395	67	19	48	0	26	22	0
State Route 210 Base Line/ Lane Addition*	25	21	4	0	1	3	0
State Route 60 Archibald*	6	0	6	3	0	3	0
State Route 60 Central*	6	1	5	2	2	1	0
Interstate 10 Corridor*	183	128	55	10	26	19	0
Mount Vernon Viaduct*	35	30	9	3	5	1	0
Interstate 10 Cedar*	31	19	12	5	0	7	0
Interstate 215 University Parkway*	5	3	2	2	0	0	0
Total	642	387	259	25	104	128	2

*Still in progress

San Bernardino County Transportation Authority

The second part of this agenda item is to provide the Board with a complete listing of properties that were approved by the Board for these various projects, including added or deleted properties. Projects with ROW acquisition requirements are taken before the Board and approved with the following language:

“Authorize staff to appraise properties identified in Table __ and to make offers of Just Compensation to the property owners for the acquisition of property necessary for the XXX (Project); and”

“Authorize the Director of Project Delivery to add or delete parcels in Table __ as the Director of Project Delivery determines necessary for the Project.”

During the course of project development, minor changes to a project's ROW requirements may occur due to design refinements, construction staging revisions, or utility relocation requirements. SBCTA typically tries to minimize the property impacts on every project, but often the identified list of properties occurs relatively early in the final design and ROW phases, which is why there can be changes to these requirements as the project progresses. Attached are the tables with lists for projects which have been previously approved by the Board. While some projects have had additions or deletions from what was originally approved by the Board, others have had no changes.

Annually, complete listings of Board approved property acquisitions, including added or deleted properties, will be provided to the Metro Valley Study Session unless otherwise requested.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

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

Responsible Staff:

Tracy Escobedo, Management Analyst II

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

Approved
Board of Directors
November 1, 2017

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1191-121-26	BOTTINI, STEVEN & BERTA LISA	RESIDENTIAL	PARTIAL TCE
1191-121-25	CU, DENNIS & TERESITA	RESIDENTIAL	TCE
1191-121-24	ROCHESTER, TERRESA	RESIDENTIAL	TCE
1191-121-23	CHIAM, KATHERINE	RESIDENTIAL	TCE
1191-121-22	2015-2 IH2 BORROWER	RESIDENTIAL	TCE
1191-121-21	HOLLEY, MANUEL L	RESIDENTIAL	TCE
1191-121-36	DEJESUS TAVARES PEREZ, JOSE	RESIDENTIAL	TCE
1200-181-01	MDM PTS-LP	RESIDENTIAL	TCE
1200-421-02	FOCUS BASELINE, LLC	VACANT	PE TCE
1200-421-03			TCE
1191-315-09, 10	PLASENCIA, GLORIA	RESIDENTIAL	TCE
1191-294-25	WILLOW CREEK TOWNHOUSES LLC	RESIDENTIAL	PARTIAL TCE
1191-294-26	AGOURA WILLOWCREEK LTD	RESIDENTIAL	PARTIAL
1201-051-16	YN PROPERTIES LLC	COMMERCIAL	PE TCE
1201-051-17	KOAM PROPERTY INVEST. INC	COMMERCIAL	PARTIAL PE
0285-176-16	HIGHLAND AND STERLING LLC	COMMERCIAL	ROE
0290-271-07, 08	ROBERTSON'S READY MIX	INDUSTRIAL	ACCESS AND USE AGREEMENT
0290-271-02	CITY OF REDLANDS / CEMEX	INDUSTRIAL	ACCESS AND USE AGREEMENT
1191-121-34	SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT		PERMIT
1200-181-01	CITY OF SAN BERNARDINO	PUBLIC	PARTIAL ACQUISITION
1200-461-08	ROBERT M. HACKERD TRUST	COMMERCIAL	PARTIAL TCE
1200-461-09			PARTIAL PE TCE AC
1200-461-24		RESIDENTIAL	PE TCE
1200-461-25			PE TCE
1201-091-45	ACAA LIMITED PARTNERSHIP	COMMERCIAL	PARTIAL

Notes: Stricken properties were later deemed unnecessary and bolded properties were added.

TCE- Temporary Construction Easement

PE- Permanent Easement

ROE-Right of Entry

Partial- Partial Acquisition

Attachment: 210 Baseline (8795 : ROW Property Updates)

SR 60 Archibald Avenue Improvement Project Parcel Listing

6.b

**Approved
Board of Directors
September 6, 2017**

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1083-011-01	KUZINA DEVELOPMENT LLC	COMMERCIAL	TCE FEE UE
1083-071-14	SHIL & MINAH PARK	INDUSTRIAL	FEE UE
1083-071-04	DENNYS, INC	COMMERCIAL	TCE FEE UE
1083-071-26	PATEL & JOSHI HOSPITALITY CORP	COMMERCIAL	TCE RE UE
1083-071-10	GOLDEN ARCH LIMITED PARTNERSHIP	COMMERCIAL	TCE UE RE
1083-011-05	MALKHASIAN, GARY K. & MALKHASIAN, ANDREW S.	COMMERCIAL	TCE

Notes: Stricken properties were deemed unnecessary and bolded properties have been added.

TCE- Temporary Construction Easement

UE- Utility Easement

RE- Roadway Easement

Attachment: 60 Archibald (8795 : ROW Property Updates)

SR 60 Central Project Parcel Listing
Approved
Board of Directors
July 11, 2016

6.c

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1015-021-34, 1015-071-10	SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT	DRAINAGE CHANNEL	PERMANENT PARTIAL
1015-041-06	LUCRATIVE NETWORK LLC	COMMERCIAL	TCE PERMANENT PARTIAL
1015-041-07	G6 HOSPITALITY	COMMERCIAL	TCE PERMANENT PARTIAL
1015-041-12	AMTEE INVESTMENTS	COMMERCIAL	TCE PERMANENT PARTIAL
1015-301-01	ELITE DYNAMICS	COMMERCIAL	TCE
1015-271-05	THRIFTY OIL COMPANY	COMMERCIAL	TCE PERMANENT PARTIAL

Permanent Partial- Permanent Partial Fee
TCE- Temporary Construction Easement

Attachment: 60 Central (8795 : ROW Property Updates)

I-10 Corridor Contract 1 Project Parcel Listing
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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0108-381-23	MANEK HOLDINGS, LLC	RESTAURANT	PARTIAL
0108-381-30	MISTY LAKE PROPERTIES LP	RETAIL SALES	EASEMENT
0108-381-32	REGENCY INN ONTARIO, LLC	DAYS INN HOTEL	EASEMENT
0108-382-07	KSKB HOLDINGS LLC	MOBILE HOME PARK	PARTIAL
0108-501-43	CUBE SMART LP	COMMERCIAL	EASEMENT
0108-501-46	W & W ONTARIO PARTNERS LLC	AUTOMOTIVE USES	PARTIAL
0110-144-63	ML CASA III LP	MULTI-FAMILY RESIDENTIAL	PARTIAL
0110-144-68	AMBERWOOD VILLAGE	MULTI FAMILY RESIDENTIAL	EASEMENT
0110-172-03	CITY OF ONTARIO	FIRE DEPARTMENT	PARTIAL
0110-172-09	DE BERARD CHARLES & HELEN TR 6-21- 8	7 ELEVEN / GAS STATION	PARTIAL
0110-172-10	HP LODGING LLC	MOTEL 6	PARTIAL
0110-181-19	1600 E 4TH STREET LLC	PARKING LOT	PARTIAL
0110-191-33	DS HOTEL INVESTMENTS INC	HOTEL	PARTIAL
0110-191-43	ML CASA III LP	MULTI FAMILY RESIDENTIAL	EASEMENT
0110-202-22	GUEREQUE NORMA A	RESIDENTIAL	PARTIAL
0110-202-23	AGUIRRE NICOLAS & IRMA R	RESIDENTIAL	PARTIAL
0110-202-24	PADILLA JOSE A SALVADOR JUANITA	RESIDENTIAL	EASEMENT
0110-202-46	SALEHRABI SHAY S	VACANT	EASEMENT
0110-311-52	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-311-53	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-311-54	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-311-55	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-321-12	PADASH INC	COMMERCIAL	EASEMENT
0110-321-70	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-321-71	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-321-72	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-321-78	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-311-55	CRAIG DEVELOPMENT CORP	VACANT	PARTIAL
0110-351-08	MARTINEZ JUAN	RESIDENTIAL	PARTIAL
0110-375-01	PINEDA JOSE MOLINA	RESIDENTIAL	EASEMENT
0110-375-02	FOREMAN KENNETH W SR & ERICA L	RESIDENTIAL	EASEMENT
0110-375-03	CAMPBELL DANIEL & COREY	RESIDENTIAL	EASEMENT
0110-375-04	HERNANDEZ EDHY I	RESIDENTIAL	EASEMENT
0110-375-05	COURSEY WALTER L & CHERYL L	RESIDENTIAL	EASEMENT
0110-375-06	SANTANA CARLOS H	RESIDENTIAL	EASEMENT
0110-375-07	GODINEZ LEONEL GODINEZ ELIDA	RESIDENTIAL	EASEMENT
0110-375-08	MALDONADO JORGE	RESIDENTIAL	EASEMENT

Attachment: I-10 Corridor Properties (8795 : ROW Property Updates)

I-10 Corridor Contract 1 Project Parcel Listing
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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0110-375-09	SWEIDAN GREGORY B & MARIA	RESIDENTIAL	EASEMENT
0110-375-10	GUTIERREZ GABRIEL GUTIERREZ ORALI	RESIDENTIAL	EASEMENT
0110-375-11	CUEVA DEANN & JUAN	RESIDENTIAL	EASEMENT
0110-375-12	CULWELL DONALD L SR AND IRENE	RESIDENTIAL	EASEMENT
0110-381-01	CAMBIO FAMILY TRUST 1/24/97	RESIDENTIAL	EASEMENT
0110-381-02	THOMAS KADER R	RESIDENTIAL	EASEMENT
0110-381-03	CHEN WEN TU & AMANDA YU FANG	RESIDENTIAL	EASEMENT
0110-422-01	CORTEZ EFRAIN	RESIDENTIAL	PARTIAL
0110-422-02	PEDROZA SERGIO & RAQUEL	RESIDENTIAL	PARTIAL
0110-422-03	TORRES ARMANDO & MARIA ARMEN	RESIDENTIAL	PARTIAL
0110-422-04	CRINER JAMES CHARLES	RESIDENTIAL	PARTIAL
0110-422-05	DAGOBERTO PINEDA	RESIDENTIAL	PARTIAL
0110-422-06	ALCALA GUADALUPE & CARMEN	RESIDENTIAL	EASEMENT
0110-422-07	CORTEZ RAMOS JOSE M ESQUIVEL UILLERMINA	RESIDENTIAL	EASEMENT
0110-422-08	TAMAYO MARIA M TAMAYO ONATHON	RESIDENTIAL	PARTIAL
0110-422-09	GARCIA JESUS	RESIDENTIAL	PARTIAL
0110-422-10	HERNANDEZ SALVADOR HERNANDEZ ALBERTO	RESIDENTIAL	PARTIAL
0110-422-11	JUANMOLINA TR	RESIDENTIAL	PARTIAL
0110-422-12	CEJA JANET	RESIDENTIAL	PARTIAL
0110-422-13	PURDY MARGARET E TR	RESIDENTIAL	PARTIAL
0110-422-14	LUCAS JUAN T CARRIZALES LORIA RODRIGUE	RESIDENTIAL	PARTIAL
0110-422-15	STANSBURY JOHN JR & BRENDA	RESIDENTIAL	PARTIAL
0110-422-16	MARTINEZ MARICELA	RESIDENTIAL	PARTIAL
0110-422-17	PEASE STEVEN D & CHRISTINA D	RESIDENTIAL	PARTIAL
0110-422-18	GONZALES GILBERT M & ROSA L FAM TRU	RESIDENTIAL	EASEMENT
0110-422-19	ELIZONDO FRANCISCA	RESIDENTIAL	EASEMENT
0110-422-20	FERRERI GARY S	RESIDENTIAL	EASEMENT
0110-422-21	FLORES GONZALO ANDRADE HERNANDEZ LAURA	RESIDENTIAL	PARTIAL
0110-422-22	JOSE FRANCISCO AGUILAR	RESIDENTIAL	PARTIAL
0110-422-23	AVILA JOSE ISABEL	RESIDENTIAL	PARTIAL
0110-422-24	ALLENDE MIGUEL & JUANA (SP-IGUEL)	RESIDENTIAL	PARTIAL
0110-422-25	VEGA OCTAVIO S & ROSA P	RESIDENTIAL	PARTIAL
0210-191-13	SEDONA COURT ADJACENT LLC	PARKING LOT	EASEMENT

Attachment: I-10 Corridor Properties (8795 : ROW Property Updates)

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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0210-191-15	AP-TRANSPARK LLC	OFFICE	EASEMENT
0210-191-16	REXFORD INDUSTRIAL REALTY, LP	COMMERCIAL	EASEMENT
0210-192-21	ONTARIO AIRPORT BUSINESS CENTER	PARKING LOT	EASEMENT
0210-192-22	ONTARIO AIRPORT BUSINESS CENTER	VACANT	PARTIAL
0210-192-23	ONTARIO AIRPORT BUSINESS CENTER	VACANT	PARTIAL
0210-192-24	ONTARIO AIRPORT BUSINESS CENTER	VACANT	PARTIAL
0210-193-20	SOUTHWEST REGIONAL COUNCIL OF CARPEN	SCHOOL/PARK	EASEMENT
0210-211-50	PLAZA CONTINENTAL GROUP, LLC	PARKING LOT	PARTIAL
0210-212-20	HEARTHSTONE PROPERTIES POMONA	INDUSTRIAL	PARTIAL
0210-212-28	LARO PROPERTIES LP	COMMERCIAL	EASEMENT
0210-212-29	CITIZENS BUSINESS BANK	PARKING LOT	PARTIAL
0210-212-30	CITIZENS BUSINESS BANK	OFFICE	PARTIAL
0210-212-31	CITIZENS BUSINESS BANK	PARKING LOT	PARTIAL
0210-212-32	501 PONDEROSA LLC	INDUSTRIAL	PARTIAL
0210-212-47	LBA RV-COMPANY, LLC	INDUSTRIAL	EASEMENT
0210-212-55	ONTARIO REAL PROPERTY HOLDINGS LLC	CAR DEALERSHIP	PARTIAL
0210-212-60	PRIME A INVESTMENTS LLC	VACANT	PARTIAL
0210-551-01	CARVANA	VACANT	PARTIAL
0210-551-09	DLR HOLDINGS 4 LLC	OFFICE	PARTIAL
0210-551-12	CENTRELAKE HOSPITALITY INC	HOTEL	PARTIAL
0210-551-13	OSAKA-PANDA ONTARIO LTD	RESTAURANT	PARTIAL
0210-551-14	CHAMPANA DEVELOPMENT GROUP	OFFICE	PARTIAL
0210-551-16	W E ONTARIO LLC	RESTAURANT	PARTIAL
0238-041-30	ZELMAN ONTARIO LLC	SHOPPING CENTER	EASEMENT
0238-051-39	PANCAL ONTARIO PHASE TWO-255 LC	COMMERCIAL	PARTIAL
0238-051-40	PANCAL ONTARIO PHASE TWO-255 LLC	COMMERCIAL	EASEMENT
1008-181-07	5060 MONTCLAIR PLAZA LANE HOLDINGS L	SHOPPING CENTER	PARTIAL
1008-191-01	5060 MONTCLAIR PLAZA LANE HOLDINGS L	SHOPPING CENTER	EASEMENT
1008-191-04	5060 MONTCLAIR PLAZA LANE HOLDINGS L	SHOPPING CENTER	PARTIAL
1008-191-05	CITY OF MONTCLAIR	CHANNEL	EASEMENT
1008-201-01	MORENO STREET PROP LLC	RETAIL SALES	PARTIAL

Attachment: I-10 Corridor Properties (8795 : ROW Property Updates)

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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1008-201-20	BLANCHE CAHVIN FAMILY LTD PARTNERSHIP	RETAIL SALES	PARTIAL
1008-201-22	MONTCLAIR PLAZA PARTNERS, LLC	SHOPPING CENTER	PARTIAL
1008-211-05	CANBEMORE, LLC	INDUSTRIAL	PARTIAL
1008-211-06	MORENO ST LLC	RETAIL (PEGASSUS HOBBIES)	PARTIAL
1008-211-04	BBNE INVESTMENTS MONTCLAIR, LLC	GIANT RV	PARTIAL
1008-211-07	BBNE INVESTMENTS MONTCLAIR, LLC	GIANT RV	PARTIAL
1008-231-08	DEJAGER FAMILY TRUST 12/8/00	COMMERCIAL	EASEMENT
1008-231-21	MKP HOSPITALITY INC	HOTEL	EASEMENT
1008-242-07	CT RETAIL PROPERTIES FINANCE II C	SHOPPING CENTER	PARTIAL
1008-261-10	WITT VIRGINIA R WITT DARWIN E	RESIDENTIAL	EASEMENT
1008-261-45	CHURCH OF CHRIST INLAND VALLEY INC	CHURCH	PARTIAL
1008-272-08	MOUNTAIN SIXTH ASSOCIATES LLC	SHOPPING CENTER	PARTIAL
1008-283-31	BERNAL ARMANDO & MARIA R	RESIDENTIAL	EASEMENT
1008-283-32	MARTIN, BENEDICTO & RUBY T	RESIDENTIAL	EASEMENT
1008-301-25	OBREGON FRANCISCO A & ROSA A	RESIDENTIAL	EASEMENT
1008-301-26	COVERT FAMILY LIVING TRUST (09/03/02)	RESIDENTIAL	FULL
1008-301-27	SBCTA-OWNED	RESIDENTIAL	FULL
1008-301-28	KENNON SHARON	RESIDENTIAL	PARTIAL
1008-301-34	RYNEER JAMES	RESIDENTIAL	PARTIAL
1008-301-35	SBCTA-OWNED	RESIDENTIAL	FULL
1008-311-01	MAKI DONALD	RESIDENTIAL	FULL
1008-311-04	MALETTO ANNETTE R	RESIDENTIAL	PARTIAL
1008-311-05	GABRIEL ALEJANDRE & KAREN	RESIDENTIAL	PARTIAL
1008-311-06	CITY OF MONTCLAIR	MARARTHUR PARK PARK/PARKING	PARTIAL
1008-311-16	PENIEL CHURCH	CHURCH	PARTIAL
1008-311-17	CITY OF MONTCLAIR	MARARTHUR PARK	PARTIAL
1008-311-18	CITY OF MONTCLAIR	MARARTHUR PARK	PARTIAL
1008-311-19	COX COMMUNICATIONS PCS LP	MARARTHUR PARK	PARTIAL
1008-331-07	FORMOSA RENTALS LLC	RESTAURANT	PARTIAL
1008-331-08	9645 ASahi LLC	RESTAURANT	EASEMENT
1008-331-16	PACIFIC MONTE VISTA, LP	PARKING LOT	PARTIAL
1008-341-08	PACIFIC MONTE VISTA, LP	PARKING LOT	PARTIAL

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ASSESSOR PARCEL	OWNER	LAND USE	ACQUISITION
1008-332-03	CITY OF MONTCLAIR	FREEDOM PLAZA	PARTIAL
1008-332-04	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC	CAR DEALERSHIP	PARTIAL
1008-341-04	A & R MANAGEMENT AND DEV CO NO 3 LP BLACK STANLEY & JOYCE FAM	RETAIL SALES	PARTIAL
1008-344-06	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC	COMMERCIAL	TCE FEE
1008-344-07	PRESS ON PROPERTIES, LLC/ONTARIO NISSAN INC	COMMERCIAL	TCE FEE
1008-351-07	A & R MANAGEMENT AND DEV CO NO 3 LP BLACK STANLEY & JOYCE FAM	RETAIL SALES	EASEMENT
1008-651-15	PEACEMAKERS INTERNATIONAL; AGAPE RENEWAL MINISTRY	OFFICE	PARTIAL
1009-142-01	MONTE VISTA COUNTY WATER DISTRICT	MVWD UTILITY BUILDING	PARTIAL
1009-144-43	THE ANDEN GROUP	MULTI FAMILY RESIDENTIAL	PARTIAL
1009-153-58	CITY OF MONTCLAIR	LANDSCAPE SW QUAD	PARTIAL
1009-153-60	CITY OF MONTCLAIR	NO SITUS	EASEMENT
1047-172-02	916 DEODAR STREET LLC	MULTI FAMILY RESIDENTIAL	EASEMENT
1047-172-03	SPANGLER, JEFFREY & DENISE FAM TR 9	RESIDENTIAL	EASEMENT
1047-172-13	BNL LAND, LLC	RESIDENTIAL	EASEMENT
1047-172-15	BNL LAND, LLC	RESIDENTIAL	EASEMENT
1047-172-17	T & S ALLIED INVESTMENTS/ TZYH-DER SUN (PREV: ACOSTA ROSA H)	RESIDENTIAL	EASEMENT
1047-172-19	WALLACE KIRK & ELENA	RESIDENTIAL	EASEMENT
1047-192-61	HEMPHILL LEWIS E TR BIGGS CYNTHIA L TR	COMMERCIAL	EASEMENT
1047-202-01	REED DENISE R	RESIDENTIAL	EASEMENT
1047-202-16	MALDONADO LUIS M & BEATRIZ A	RESIDENTIAL	EASEMENT
1047-202-17	THANH VIET LA PHAM GIANG MINH T	RESIDENTIAL	EASEMENT
1047-202-18	FLORES ANTONIO & BLANCA	RESIDENTIAL	EASEMENT
1047-211-01	MULLIS CHESTER JR & MARY E	RESIDENTIAL	EASEMENT
1047-211-02	RUVALCABA MANUEL & HERMINIA	RESIDENTIAL	EASEMENT
1047-211-06	OPRAC	MEDICAL	EASEMENT
1047-221-28	HERNANDEZ IRENE	RESIDENTIAL	EASEMENT
1047-221-47	WU, ROBERT	MULTI FAMIIY RESIDENTIAL	EASEMENT
1047-221-48	CITY OF UPLAND	UTILITY	EASEMENT
1047-231-02	PARYS HOLDINGS LLC	MEDICAL/DENTAL LABS	EASEMENT
1047-231-05	WSSC MANAGEMENT, LLC	MEDICAL/PHARMACY	EASEMENT
1047-243-10	BUSH, MICHAEL & SUSAN	RESIDENTIAL	PARTIAL
1047-243-11	STEVENSON BILLIE L & DONNA C	RESIDENTIAL	EASEMENT

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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1047-252-01	PÉREZ, JOSE CARLOS	RESIDENTIAL	EASEMENT
1047-252-02	RAMOS, JEANETTE R; FIERRO, MARISA N	RESIDENTIAL	EASEMENT
1047-252-03	DELGADO JOAQUIN B & CECILIA	RESIDENTIAL	EASEMENT
1047-252-04	RAMOS GILBERT R & EVANGELINA	RESIDENTIAL	EASEMENT
1047-252-05	CAVALLO DONALD A	RESIDENTIAL	EASEMENT
1047-252-08	PALICKI FAMILY TRUST 7/8/14	RESIDENTIAL	EASEMENT
1047-252-10	ESPINOSA ERASMO JR & MARY L	RESIDENTIAL	EASEMENT
1047-252-11	ALVIN WILSON BROWN	RESIDENTIAL	EASEMENT
1047-252-12	LEE TIMOTHY RANDALL DAVID & STACI A	RESIDENTIAL	EASEMENT
1047-252-13	MATULIONIS MARGIS & KATHLEEN	RESIDENTIAL	EASEMENT
1047-252-18	CEJA MARY A	RESIDENTIAL	EASEMENT
1047-252-19	HOLMES GLENN R & MARY JANE	RESIDENTIAL	EASEMENT
1047-252-20	PRATT MARY A FAMILY PROVISIONS TR	RESIDENTIAL	EASEMENT
1047-252-21	HALL CHRISTENSEN MARLYS G	RESIDENTIAL	EASEMENT
1047-252-30	MCBRIDE BRIAN T & LINDA J	RESIDENTIAL	EASEMENT
1047-252-31	SHIRELY ESTELLE	RESIDENTIAL	EASEMENT
1047-262-11	EPPS MARY E	RESIDENTIAL	EASEMENT
1047-262-12	MUKHTI INVESTMENT GROUP LLC	RESIDENTIAL	EASEMENT
1047-262-26	THE STEWART GROUP	COMMERCIAL	EASEMENT
1047-262-27	STEWART GROUP LLC THE	PARKING LOT	EASEMENT
1047-272-02	ADAMS JASON M & MONICA	RESIDENTIAL	EASEMENT
1047-272-03	KOKUGA RONALD H & KAREN A	RESIDENTIAL	EASEMENT
1047-272-04	SOTELO NORBERTO & LISA	RESIDENTIAL	EASEMENT
1047-272-05	HAYLER DANIEL & LETICIA	RESIDENTIAL	EASEMENT
1047-281-07	HERRERA ISIDRO R & IRENE F	RESIDENTIAL	EASEMENT
1047-281-08	HERRERA ANTONIO JR	RESIDENTIAL	EASEMENT
1047-281-22	GONZALEZ, JOE H	RESIDENTIAL	EASEMENT
1047-281-23	OSBORN MARVIN & SANDRA FRAMILY TRU	RESIDENTIAL	EASEMENT
1047-281-37	COPELAND CAROLE J LIVING TRUST – ES	RESIDENTIAL	EASEMENT
1047-281-38	ARVIZO TILLIE IRREVOACABLE TR	RESIDENTIAL	EASEMENT
1047-281-54	BANG, MICHAEL	RESIDENTIAL	EASEMENT

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ASSESSOR PARCEL	OWNER	LAND USE	ACQUISITION
1047-281-55	JONES CHARLES & SANDY	RESIDENTIAL	EASEMENT
1047-281-56	CADENA MICHAEL A JR & BERENICE	RESIDENTIAL	EASEMENT
1047-281-57	REYES DAVID J & ROSITA	RESIDENTIAL	EASEMENT
1047-281-58	JOHN REYES AND ELIZABETH T. KOSSMAN; AND DAVID J. REYES	RESIDENTIAL	EASEMENT
1047-292-10	L2 GROUP LLC	RESIDENTIAL	EASEMENT
1047-293-01	CHILDERS BEVERLY TRUST 10/10/12	RESIDENTIAL	EASEMENT
1047-294-01	NEVILLE JON PAUL & GAYLEAN	RESIDENTIAL	EASEMENT
1047-294-02	ESPEJEL LUIS & ANGELES	RESIDENTIAL	EASEMENT
1047-294-03	ANDRADE ALBERT A & SHEILA M	RESIDENTIAL	EASEMENT
1047-294-04	POULTON JIM & SHARON REV TR 11/11/0	RESIDENTIAL	EASEMENT
1047-294-15	HOTALING NICHOLE C BECERRA ALBERT	RESIDENTIAL	EASEMENT
1047-294-16	COGNET GUY BECERRA MARYLN VELAZ	RESIDENTIAL	EASEMENT
1047-393-15	SANCHEZ REBECCA A	RESIDENTIAL	EASEMENT
1047-393-16	BAEZ JOSE A CERVANTES-BAEZ NORMA	RESIDENTIAL	EASEMENT
1047-394-01	CORRALES M JONAVI	RESIDENTIAL	EASEMENT
1047-394-02	PIRRO, WILLIAM F. III & SANDOVAL, DESERIE A.	RESIDENTIAL	EASEMENT
1047-394-03	BRADSHAW FAMILY TRUST 7-20-00	RESIDENTIAL	EASEMENT
1047-394-24	OJEDA MARIO	RESIDENTIAL	EASEMENT
1047-394-25	RUIZ IRENE	RESIDENTIAL	EASEMENT
1047-394-26	FLORES JUAN A FLORES BLANCA E	RESIDENTIAL	EASEMENT
1047-424-01	PEREZ 2003 FAMILY TRUST	RESIDENTIAL	FULL
1047-424-02	CHEN, LI JUN; CHEN, WEN BIN	RESIDENTIAL	EASEMENT
1047-424-03	PHAM, TRAC NGOC	VACANT	EASEMENT
1047-424-04	SAN ANTONIO WATER CO	WELL/WATER	EASEMENT
1047-424-05	LIMON LAMERTO & MIRNA	RESIDENTIAL	EASEMENT
1047-424-06	MEDINA RICARDO & MARIA D	RESIDENTIAL	EASEMENT
1047-424-61	EUCLID GARDEN PARTNERSHIP	MULTI FAMILY RESIDENTIAL	EASEMENT
1047-431-34	ARAIN, MOHAMMAD HASSA SEP PROP FAM TR	MULTI FAMILY RESIDENTIAL	EASEMENT
1047-443-01	ZHU HUILI	VACANT / WEST CUCAMONGA CHANNEL	EASEMENT
1008-331-06	CRYSTAL RIDGE INVESTMENT	COMMERCIAL	PSE PUE TCE

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ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
1047-242-13	CITY OF ONTARIO	PUBLIC	PSE
1047-242-14	CITY OF ONTARIO	PUBLIC	PSE
1047-242-15	CITY OF ONTARIO	PUBLIC	PSE
1047-242-16	CITY OF ONTARIO	PUBLIC	PSE
1047-242-17	CITY OF ONTARIO	PUBLIC	PSE
1047-242-18	CITY OF ONTARIO	PUBLIC	PSE
1047-242-19	CITY OF ONTARIO	PUBLIC	PSE
1047-262-10	LARRY AND LETICIA SCHROEDER (PREV. COBBOLD FAMILY TRUST 2-20-	RESIDENTIAL	PSE
1047-411-14	MACIAS, ANA	RESIDENTIAL	PSE PUE TCCE
1047-411-30	GONZALEZ, MARIA DE JESUS	RESIDENTIAL	PSE PUE TCE
1008-201-19	CHAVIN FAMILY PARTNERSHIP	COMMERCIAL	PSE TCE
1008-371-19	GERSHMAN PROPERTIES/ LMW INVESTMENTS, ET AL	COMMERCIAL	PSE PUE TCE
1009-145-92	CITY OF MONTCLAIR	PUBLIC	FEE
1008-651-09	WU, XIAO BING; 2016 XIAO BING WU REVOCABLE TRUST	COMMERCIAL	PSE TCE
0110-321-12	DWAA P PETROLEUM PROPERTY, LLC <i>(Please Note: This item was included in the July 20 Board item; however, was not included in the Initial E-76)</i>	COMMERCIAL	FEE PUE TCE
0110-321-79	ONTARIO CAPITAL PARTNERS, LLC	VACANT	TCE
0210-192-18	SW ONTARIO, LLC	COMMERCIAL	TCE
0210-192-19	SW ONTARIO, LLC	COMMERCIAL	TCE
0210-192-20	SW ONTARIO, LLC	COMMERCIAL	TCE
0210-193-29 (prev 0210-193-16)	ADMINSURE <i>(Please Note: Due to work on this property, Adminsire is added back to the list).</i>	COMMERCIAL	FEE EASEMENT

Notes: Stricken properties were deemed unnecessary and bolded properties were added.

TCE- Temporary Construction Easement

PUE-Permanent Utility Easement

PSE- Permanent Subsurface Easement

Partial- Partial Acquisition

Full- Full Acquisition

Attachment: I-10 Corridor Properties (8795 : ROW Property Updates)

Mt. Vernon Viaduct Project Parcel Listing
Approved
Board of Directors
January 9, 2019

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0138-174-01	FRANCISCO & ROSA LANDEROS	RESIDENTIAL	FULL
0138-174-02	JOSEPH LOPEZ	RESIDENTIAL	FULL
0138-174-05	ALBA RECINOS	RESIDENTIAL	FULL
0138-174-06	STEVEN & JULIANNE TORRIJOS	RESIDENTIAL	FULL
0138-174-07	ROBERT & MARILYN ALCANTAR	RESIDENTIAL	FULL
0138-174-08	VIVIAN TRAN	RESIDENTIAL	FULL
0138-174-11	SERGIO LOPEZ	RESIDENTIAL	FULL
0138-174-12	LUPE BECERRA & LUISA VARGAS	RESIDENTIAL	FULL
0138-174-18	ANTONIO & MARIA OCHOA	RESIDENTIAL	FULL
0138-174-20	CHRISTINE LEVARIO	RESIDENTIAL	FULL
0138-174-19	CHRISTINE LEVARIO	INDUSTRIAL	FULL
0138-174-24	MP OPPORTUNITY PARTNERS I LYC	RESIDENTIAL	FULL
0138-174-25	MARIA TORO	INDUSTRIAL	FULL
0138-174-26	JUAN CAMEY	RESIDENTIAL	FULL
0138-182-01	CHRISTOPHER MUNOZ	RESIDENTIAL	FULL
0138-182-02	LUIS SOLIS & CONSUELO DIAZ	RESIDENTIAL	FULL
0138-182-03	DESIDERIO & EULALIA TORRES	RESIDENTIAL	FULL
0138-182-04	ENRIQUE QUEZADA	RESIDENTIAL	FULL
0138-182-34	BENJAMIN GONZALES	RESIDENTIAL	FULL
0138-182-05	BENJAMIN GONZALES	INDUSTRIAL	FULL
0138-182-07	RAMON MONTECINO & REBECCA RODRIGUEZ	RESIDENTIAL	FULL
0138-182-08	RAMON MACIEL	RESIDENTIAL	FULL
0138-182-09	JUAN CHAVARIN	RESIDENTIAL	FULL
0138-182-10	ANA LOPEZ	INDUSTRIAL	FULL
0138-182-11	GUADALUPE LOPEZ	RESIDENTIAL	FULL
0138-182-12	ISIDRO LEDESMA	RESIDENTIAL	FULL
0138-182-13	VIJAY PHARAR	RESIDENTIAL	FULL
0138-182-35	AGAPITA & LEON ALVAREZ	RESIDENTIAL	FULL
0138-182-36	KINGSLEY MONTCALIR LP	RESIDENTIAL	FULL
0138-182-37	DAVID & TERESA NUNEZ	RESIDENTIAL	FULL
0138-182-38	RAUL TEJEDA	RESIDENTIAL	FULL
0138-174-22	NORA MENDOZA	RESIDENTIAL	FULL
0138-251-04	BANUELOS, NICOLAS	RESIDENTIAL	FULL
0138-251-05	ROMERO, RAMON	COMMERCIAL	FULL
0138-251-06	OBEZO, MARCO	RESIDENTIAL	FULL
0138-251-07	TORBINER, KENNETH & ASYA	RESIDENTIAL	FULL
0138-251-08	LABSVIR, ARNIA	COMMERCIAL	FULL
0138-251-09	LABSVIR, ARNIA	COMMERCIAL	FULL
0138-251-10	CORDOVA, ANDRIAN AND LAURA	RESIDENTIAL	TCE
0138-251-03	MAGANA, ARNOLDO	RESIDENTIAL	TCE
0138-191-01	OLMOS, JOSE M. & BERTHA	COMMERCIAL	PARTIAL
0138-181-25	DESAI, MAHESHKUMAR V & ANUP	COMMERCIAL	PARTIAL

Attachment: Mount Vernon Viaduct (8795 : ROW Property Updates)

Mt. Vernon Viaduct Project Parcel Listing
Approved
Board of Directors
January 9, 2019

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0138-181-24	DESAI, MAHESHKUMAR V & ANUP	COMMERCIAL	PARTIAL
0138-181-23	DESAI, MAHESHKUMAR V & ANUP	COMMERCIAL	PARTIAL
0138-181-22	DESAI, MAHESHKUMAR V & ANUP	COMMERCIAL	PARTIAL
0138-181-46	BRIKEN HOLDINGS, INC.	COMMERCIAL	PARTIAL
0138-182-19	JLM ENTERPRISE	COMMERCIAL	FULL
0138-182-20	JLM ENTERPRISE	COMMERCIAL	FULL
0138-182-21	JLM ENTERPRISE	COMMERCIAL	FULL
0138-211-01	AT&SF (BNSF)	AERIAL (PUBLIC FACILITY)	AERIAL
0138-221-06	AT&SF (BNSF)	AERIAL (PUBLIC FACILITY)	AERIAL
0138-283-40	GUZMAN, ARTURO	COMMERCIAL	PARTIAL
0138-283-16	HERNANDEZ, ERASMO	RESIDENTIAL	PARTIAL
0138-283-17	JFM TRUST	COMMERCIAL	PARTIAL
0138-283-18	JFM TRUST	COMMERCIAL	PARTIAL
0138-283-13	YANEZ, MARTIN / RAMIREZ, RUBEN	RESIDENTIAL	TCE
0138-283-19	BOOKIE BOSS INC.	COMMERCIAL	PARTIAL
0138-291-01	AGUINALDO, FERDINAND	COMMERCIAL	PARTIAL
0138-291-18	LUISJUAN, FRANCES	RESIDENTIAL	PARTIAL
0138-291-17	LI, BEI	RESIDENTIAL	PARTIAL
0138-291-16	GUTIERREZ, EDUARDO	RESIDENTIAL	PARTIAL
0138-291-02	MERUELO, ALEX	COMMERCIAL	TCE
0138-291-03	MERUELO, ALEX	COMMERCIAL	TCE
0138-291-04	MERUELO, ALEX	COMMERCIAL	TCE
0138-291-05	MERUELO, ALEX	COMMERCIAL	TCE
0138-291-19	MERUELO, ALEX	COMMERCIAL	TCE
0138-291-01	CLEAR CHANNEL (VACANT LOT)	COMMERCIAL	PARTIAL
0138-182-21	OUTDOOR ADVERTISING (JFM PROP)	COMMERCIAL	FULL
0138-181-26	Valdez, Loretta Yanez	RESIDENTIAL	TCE

Notes: Stricken properties were later deemed unnecessary and bolded properties were added.

TCE- Temporary Construction Easement

Partial- Partial Acquisition

Full- Full Acquisition

Attachment: Mount Vernon Viaduct (8795 : ROW Property Updates)

I-10 Cedar Project Parcel Listing

Approved
Board of Directors
December 5, 2017

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0253-171-16, 0253-211-56	BORUCHIN , JOHN TR	EMPTY LOT EMPTY LOT	SE PARTIAL
0253-201-15	NAZARI FAMILY LIVING TRUST - 6-30-99	EMPTY LOT	PARTIAL TCE
0253-201-16	FLORES , MARIA ESPERANZA	RESIDENTIAL	PARTIAL TCE
0253-201-17	CASILLAS, ANTONIO G	RESIDENTIAL	PARTIAL TCE
0253-201-18	PECK, JAMES M	EMPTY LOT	PARTIAL TCE
0253-052-23	WILLIAMS, DENNIS, R JR.	RESIDENTIAL	PARTIAL TCE
0253-052-24	JIMENEZ, ROBERT E & RACHEL R FAM. TR.	RESIDENTIAL	PARTIAL TCE
0253-052-25	ALVARADO, EDUARDO R	RESIDENTIAL	PARTIAL TCE
0253-052-26	BOECHE, HAROLD A TR.	RESIDENTIAL	PARTIAL TCE
0253-052-27, 0253-052-28	O AND R FOUR WHEEL DRIVE CENTER	COMMERCIAL	PARTIAL TCE
0253-052-39	HHH SAN BERNARDINO LLC	COMMERCIAL	PARTIAL TCE
0253-192-30, 0253-192-32	GOMES, AMANDA K	EMPTY LOT	PARTIAL TCE RE
0253-192-53	KOSS FAMILY TRUST	COMMERCIAL	PARTIAL TCE
0253-203-35	PEREZ, REGGIE	RESIDENTIAL	PARTIAL TCE
0253-203-32	RAMIREZ, RAMON	RESIDENTIAL	PARTIAL TCE
0253-203-36	MOJICA, HECTOR L	RESIDENTIAL	PARTIAL TCE
0252-161-08	LOPEZ, JAVIER O	COMMERCIAL	TCE
0252-161-09, 0252-161-10	BLOOMINGTON PARK & RECREATION DIST	PUBLIC PARK	TCE
0252-161-11	OWENS, WILLIAM H TESTAMENTARY TRUST	RESIDENTIAL	TCE
0252-161-12	CAMPGROUNDS OF AMERICA LLC	RESIDENTIAL	TCE
0252-161-36	TOMAN, MARY A TR	EMPTY LOT	TCE

Attachment: I-10 Cedar (8795 : ROW Property Updates)

I-10 Cedar Project Parcel Listing

**Approved
Board of Directors
December 5, 2017**

ASSESSOR PARCEL NUMBER (APN)	OWNER	LAND USE	ACQUISITION TYPE
0252-161-61	COFRANCESCO, LOUIS K & EVELYN LIV TR	RESIDENTIAL	TCE
0252-161-65	HAMULA, KIRK D & ORALIA Z REV TR 9-1	COMMERCIAL	TCE
0252-161-57, 0252-161-58	LOG CABIN MOBILE HOME PARK LLC	RESIDENTIAL	TCE
0253-205-01	HERNANDEZ, FREDDIE S	RESIDENTIAL	TCE
0253-205-21	DEL RIO, VICTOR M	RESIDENTIAL	TCE
0253-241-07	SECURE RV STORAGE INC.	COMMERCIAL	TCE
0253-205-23	GARCIA, ALFREDO P	RESIDENTIAL	TCE
0253-205-25	GOMEZ, GEORGE & ALICE A REV TR 12-9-	RESIDENTIAL	TCE
0253-205-26, 0253-205-27	SANCHEZ, FRANCISCO JAVIER CESENA	RESIDENTIAL	TCE
0253-205-28	COTA, GREGORIO	RESIDENTIAL	TCE
0253-205-29	GARCIA, STEVE	RESIDENTIAL	TCE
0253-205-24	JAHNKE, NATALIE C	EMPTY LOT	TCE
0253-211-50, 0254-232-05, 0253-171-07, 0253-242-14	SOUTHERN PACIFIC CO (UPRR)	COMMERCIAL	TCE

Notes: Stricken properties were later deemed unnecessary and bolded properties were added.

TCE- Temporary Construction Easement

RE- Roadway Easement

Partial- Partial Acquisition

SE- Slope Easement

Attachment: I-10 Cedar (8795 : ROW Property Updates)

I-215 University Parkway

Approved

Board of Directors

Date: March 4, 2020

Assessor Parcel Number	Owner	Current Land Use	Rights Needed
0266-072-33	Kaymaz, Jimmi	Commercial	TCE, Access Control
0266-072-32	Choi, Junghwan and Elaine	Commercial	TCE, Access Control
0266-591-08	San Bernardino Scottish Rite Building Association	Commercial	TCE, Access Control
0266-561-23	G&M GAPCO, LLC	Commercial	Access Control
0266-561-03	SB Hotel North	Commercial	Access Control

Notes: Bolded properties were added.

TCE- Temporary Construction Easement

Minute Action

AGENDA ITEM: 7

Date: December 15, 2022

Subject:

State Route 71 Corridor - Project Updates

Recommendation:

Receive an update on the roadway improvement efforts along the State Route 71 corridor.

Background:

On September 15, 2022, an item was requested to be placed on a future Board of Directors Metro Valley Study Session (MVSS) agenda on the status of various projects along the State Route 71 (SR-71) corridor. There are currently three large-scale transportation projects along the corridor: 1) *71/91 Interchange Project* on the south end of the corridor led by Riverside County Transportation Commission (RCTC); 2) *SR-71 Freeway Conversion Project* on the north side of the corridor led by Los Angeles County Metropolitan Transportation Authority (LA Metro) and California Department of Transportation (Caltrans) District 7, and; 3) *Pine Avenue Extension and SR-71 Interchange Project* led by the City of Chino. There have been significant funding, schedule, and construction updates on each of these projects, and thus staff would like to present an update on each of the projects and provide Board members with an opportunity to openly discuss potential future projects along SR-71. It is worth noting that San Bernardino County Transportation Authority (SBCTA) is currently not leading any transportation projects along the SR-71 corridor.

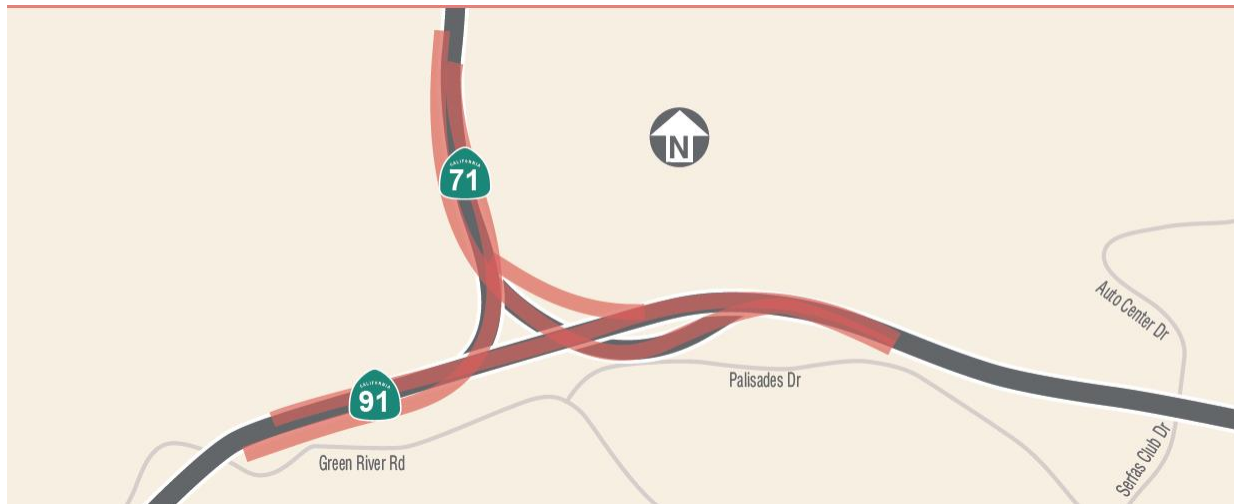
The 71/91 Interchange Project

The 71/91 Interchange serves as a gateway between Riverside, Orange and San Bernardino Counties and is a vital link for commuters and freight vehicles that travel along State Route 91. RCTC, in partnership with Caltrans, has received project approvals and has completed final design for the State Route 71/State Route 91 (71/91) Interchange Project in Corona. RCTC received the final piece of funding in December 2020 to improve this congested and operationally deficient interchange. RCTC recently awarded the contract to begin construction of the project. (Total Project Construction Cost: \$150 million)

The project will:

- Replace the existing single-lane loop connector between eastbound SR-91 and northbound SR-71 with a new, two-lane, direct connector ramp;
- Build a new, separate eastbound auxiliary lane from Green River Road to east of the 71/91 interchange; and
- Realign the eastbound SR-91 on-ramp from Green River Road to improve access to the 71/91 interchange.

Entity: San Bernardino County Transportation Authority



The SR-71 Freeway Conversion Project

SR-71 is a major regional highway transportation facility traversing parts of Los Angeles, San Bernardino, and Riverside County. It is a connecting link for major east-west corridors and serves as an inland passageway for interregional travel between San Diego and the eastern portion of the Los Angeles area. The route also serves heavy commuter traffic originating in the communities of Chino, Chino Hills, Ontario and Pomona that is destined for Orange and Los Angeles Counties. The purpose of this project is to alleviate congestion by increasing capacity on SR-71 from Interstate 10 (I-10) to the Los Angeles/San Bernardino County line to handle the forecasted traffic volumes in coming years due to extensive development in the region. (Total Project Construction Cost: Phase 1: \$174 million and Phase II: \$170 million)

Phase 1 (Mission Boulevard to Los Angeles/San Bernardino County line)

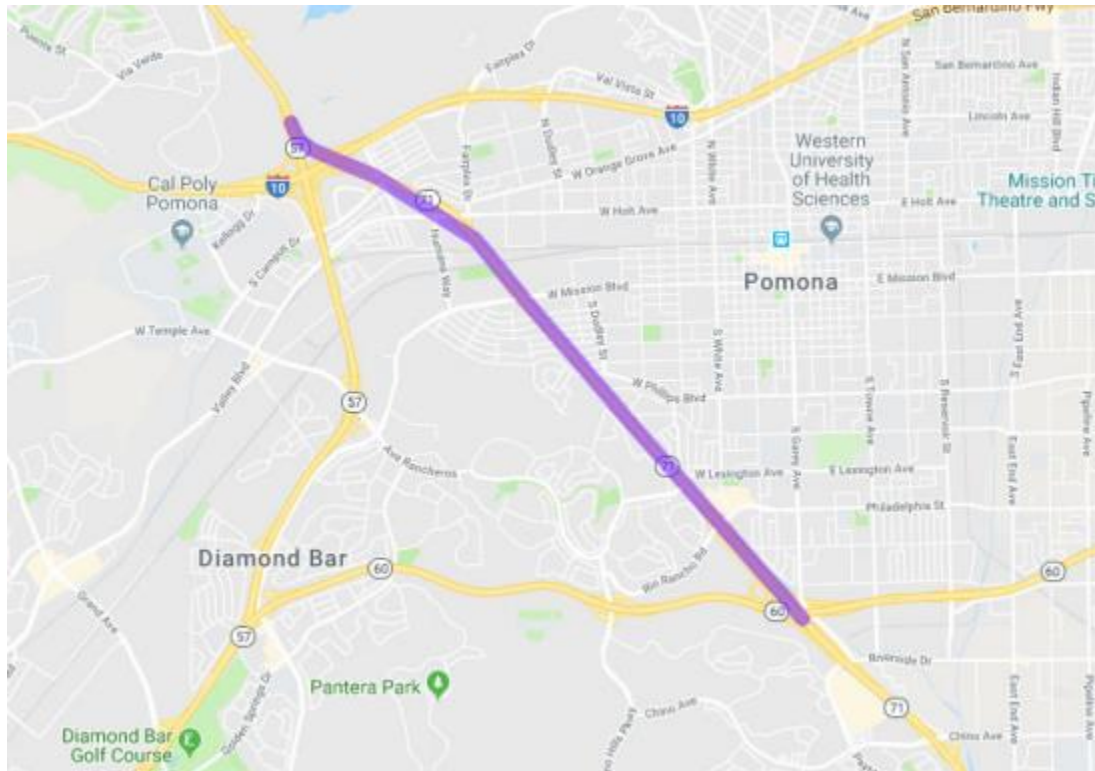
Construction Phase: Spring 2021 to Spring 2024

Phase 2 (I-10 to Mission Boulevard)

Construction Phase: Spring 2024 to Spring 2027

The Project will:

- Widen SR-71 to add one mixed flow lane and one High Occupancy Vehicle (HOV) lane in each direction between I-10 and the Los Angeles/San Bernardino County line;
- Convert three (3) miles of existing 4-lane expressway to a full 8-lane standard freeway; and
- Replace two existing bridge structures over railroads and an existing pedestrian overcrossing as well as constructing retaining walls and sound walls.



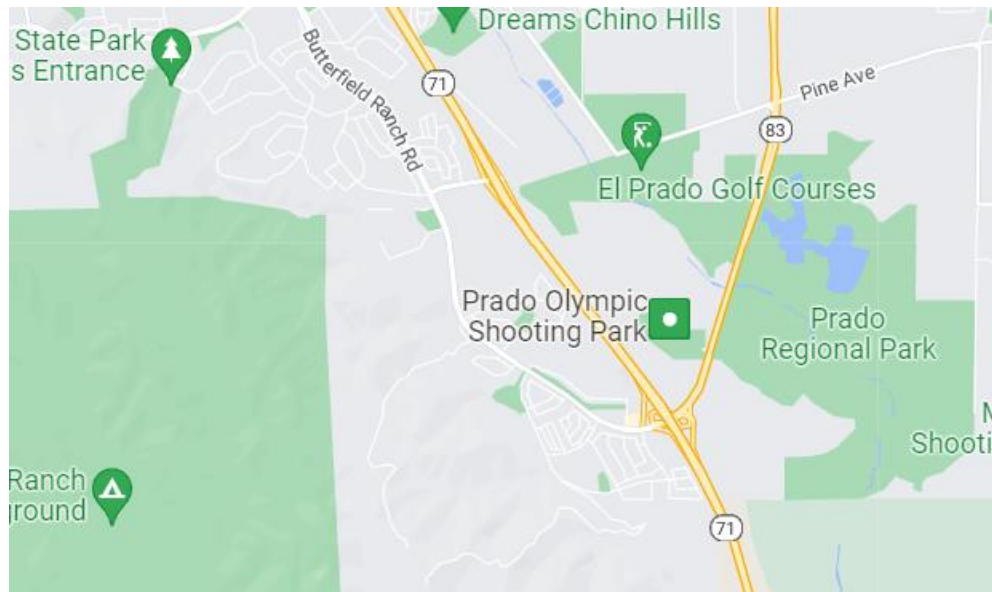
Pine Avenue Extension and SR-71 Interchange Project

Segment of Pine Avenue in the City of Chino currently terminates at El Prado Road, approximately 0.6 miles due east of the SR-71/Pine Avenue Interchange. The Pine Avenue Extension will make this connection to enable direct access to the east from the interchange. This will eliminate more circuitous routes by which residents and businesses currently need to access SR-71. See map below.

The segment of Pine Avenue in the City of Chino Hills is classified as a 4-lane urban arterial from SR-71 to El Prado Road, and a 4-lane arterial from El Prado Road to Euclid Avenue (SR-83). The City of Chino's General Plan for Pine Avenue calls for an ultimate buildout right-of-way width of 78 feet from its westerly limit to SR-83. (Total Project Cost Estimate: \$45 million)

The latest information provided to SBCTA by the City of Chino indicates the following concerning the Pine Avenue Extension project from El Prado Road to SR-71.

- Environmental clearance is substantially complete
- Design is 95% complete
- Advertisement for construction is expected in Fiscal Year 2023/2024
- Construction would be completed in Fiscal Year 2025/2026

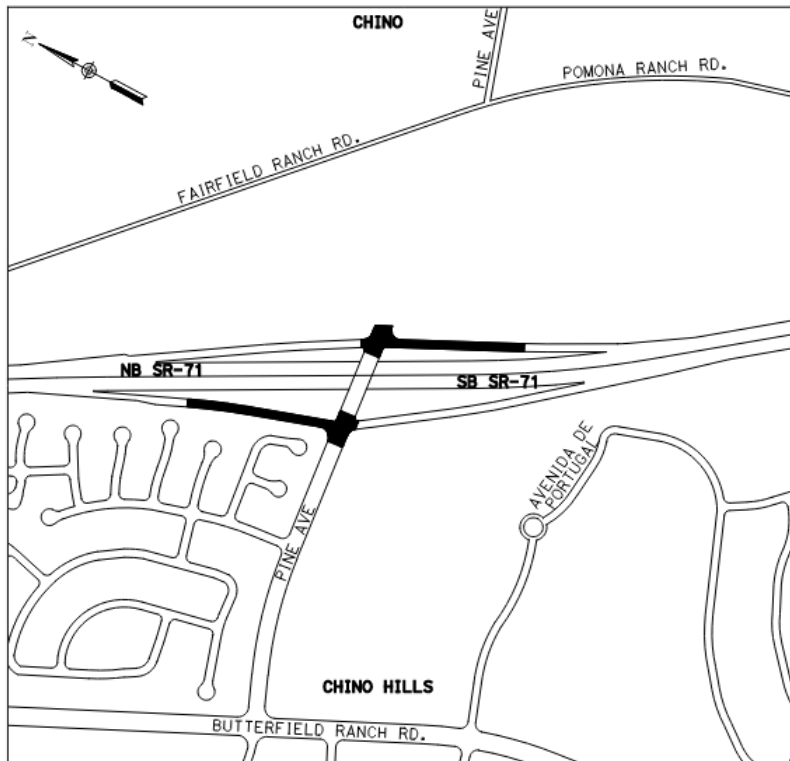


Further, the City of Chino, in cooperation with Caltrans District 8, is proposing to improve the existing State Route 71/Pine Avenue Interchange that is located in the City of Chino Hills. The SR-71/Pine Avenue Interchange currently only serves residents and businesses on the west side of the interchange since Pine Avenue dead ends on the east side just inside Caltrans right-of-way. The purpose of the interchange improvements is to alleviate future anticipated congestion at the SR-71/Pine Avenue Interchange after the opening of the Pine Avenue Extension Project. The traffic volumes at the interchange are projected to increase and improvements are needed to address the expected growth in the area. This new connection will provide the cities of Chino, Ontario, and Eastvale with more direct and shorter access to SR-71 and is projected to increase the demand at the interchange. (Total construction cost for the interchange improvements: \$2.9 million)

Specifically, the SR-71 Interchange Project will:

- Widen SR-71 southbound and northbound off-ramps to provide one designated left-turn lane, one shared left/through/right-turn lane, and one designated right-turn lane
- Install a new traffic signal at the intersection of SR-71/Pine Avenue from the northbound SR-71 onto Pine Avenue
- Restripe Pine Avenue bridge to provide two through lanes and one left-turn lane in the westbound direction and two left-turn and two through lanes in the eastbound direction
- Add a new sidewalk on the south side of Pine Avenue east of the interchange

All environmental technical studies have been approved by Caltrans. Environmental compliance for the project is anticipated in December 2022. Construction is set to begin in September 2023 and is expected be completed in March 2025.



Project Location

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

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

Responsible Staff:

Josh Lee, Deputy Director of Planning

Approved
 Board of Directors Metro Valley Study Session
 Date: December 15, 2022

Witnessed By:

Minute Action

AGENDA ITEM: 8

Date: December 15, 2022

Subject:

San Bernardino Regional Housing Trust

Recommendation:

That the following be reviewed and recommended for final approval by the Board of Directors, acting as the San Bernardino Associated Governments (SBCOG), at a regularly scheduled Board meeting:

Authorize SBCOG to initiate the process of establishing the San Bernardino Regional Housing Trust, including the process of establishing a new Joint Powers Authority, upon receipt of award of Regional Early Action Planning 2.0 funds.

Background:

In response to an increasing need for: 1) access to affordable housing across the San Bernardino region; 2) the lack of sufficient funding to produce needed affordable housing (due in part to the dissolution of redevelopment agencies); and 3) an increased interest in solutions to comprehensively address regional housing needs, the San Bernardino Council of Governments (SBCOG), in coordination with the San Bernardino County Transportation Authority (SBCTA), is developing pathways for increased funding to support housing-related programs. One such pathway is the establishment of a regional housing trust fund, which would serve as a funding mechanism to support housing programs.

In 2021, in response to increasing concern around the region's housing shortage, the City/County Manager's Technical Advisory Committee (CCMTAC) of SBCOG formed an Ad Hoc. The Ad Hoc expressed interest in exploring the feasibility of implementing a housing trust fund for the San Bernardino region. In response, in January 2022, SBCOG released a Draft San Bernardino Regional Housing Trust White Paper (White Paper) that detailed the potential benefits, structures, and an assortment of relevant case studies regarding the formation of a Regional Housing Trust Fund. In the White Paper, it is recommended that a housing trust serving the San Bernardino region be structured as a Joint Powers Authority (JPA) made up of member agencies with a non-profit component that would enable the San Bernardino Regional Housing Trust (Housing Trust) to solicit and accept private donations. It is further recommended that SBCOG administer the Housing Trust to utilize the existing staff resources and expertise related to the pursuit of regional grant funds, and to better connect housing with transportation efforts at a regional scale.

Staff has worked extensively with the CCMTAC and the Ad Hoc since January 2022 to prepare material that can be used in the formation of the Housing Trust. Through the collaborative nature of the work, staff has developed a framework, structure, and pathway for the potential creation of a new JPA that will be its own separate legal entity, to be known as the San Bernardino Regional Housing Trust (SBRHT).

Entity: San Bernardino Council of Governments

The SBRHT's purpose and vision are "To attract significant funding and affordable housing development interest into the San Bernardino region." The goals of the SBRHT are to:

- Attract affordable housing developers
- Increase/preserve the region's affordable housing supply
- Increase equitable access to community resources
- Provide financial relief for vulnerable and cost-burdened households
- Protect against displacement, overcrowding, and poor housing conditions

These goals will be achieved through the prioritized Housing Trust activities established by the new JPA. However, based on the feedback received from the Ad Hoc, and concurred with by the CCMTAC so far, the goals include:

- Gap financing for housing development
- Land banking for member jurisdictions
- Local housing program funding and technical support
- Housing preservation or rehabilitation
- Funding for partner Non-Government Organizations
- Housing and services for those experiencing homelessness

In order to implement the programs identified, research has been completed on key funding opportunities, which include:

- Grant funding pursuits
- Local agency level revolving loan funds
- Nonprofit component
- Vehicle Miles Traveled mitigation bank

In addition to these programs and funds that can be sought through the SBRHT, staff is seeking a large initial grant award through Southern California Association of Governments (SCAG) to fund the first 3 years of programing and start-up costs for \$14 million. These grant dollars will then be leveraged to gain access to a state fund that matches 1:1, up to \$5 million. With these opportunities, staff estimates that approximately as much as \$30 million could be utilized as the initial program funds for the Housing Trust.

Programming priorities of the Housing Trust will be prescriptive by the funding type. However, the JPA can identify an average amount to be considered by the Housing Trust. The new JPA will finalize the funding allocations by program through the Administrative Plan. So at this point, the program funds are not yet determined, but for at least the "New Construction of Affordable Housing" we can provide a potential look at what the Housing Trust can fund:

The Housing Trust Strategic Plan contains a Local Funding Gap Analysis wherein the recently completed and pipeline affordable housing projects are broken down. Based on that analysis, we can determine that the average debt for construction of the projects is approximately 10%. Staff proposes that this will be the funding gap area within which the Housing Trust will work. The Housing Trust will not be able to completely eliminate the need for debt, but it can lower the dollar amount. By leveraging city and county contributions, the Housing Trust can maximize the ability of the developer to reach its full funding picture by lowering the debt need. By lowering the debt need, the Housing Trust hopes to achieve one of the fundamental goals of establishing

the Housing Trust, that is, to bring more housing development to the region. The Housing Trust would be able to match city and/or county contributions up to a Housing Trust total of \$5 million for new construction of affordable housing through the State's Local Housing Trust Fund Program.

Other programs under the Housing Trust, including Affordable Housing Preservation/Rehabilitation, Community Land Trusts, Workforce Housing, and technical assistance, etc. will be funded through the SCAG Regional Early Action Planning (REAP) 2.0 funds for the first three (3) years. Allocations of funds under this program will be created and approved by the new Housing Trust JPA. In addition to these funds sources, staff will actively seek out earmark funds and work on establishing a partnership with a non-profit organization to accept private donations. These funds will also be addressed through the Administrative Plan to be approved by the new Housing Trust JPA.

It is the desire of the SBCOG and CCMTAC that the Housing Trust be self-sustained outside of administrative costs. Administrative costs will be funded with membership dues and donations. The programs implemented would be grant funded or revolving to ensure a constant stream of dollars for the priority activities. The current political climate in the State of California is such that housing is a priority issue, and there are ample funding opportunities available for housing that are currently "being left on the table." The Housing Trust would be a mechanism by which the San Bernardino region can gain access to these funds and maximize leverage on housing funding.

All member agencies of SBCOG are invited to participate in the new JPA. SBCOG would be managing the Housing Trust program for the benefit of the new JPA's participating member jurisdictions. In doing so, the function of program administration is borne by SBCOG, and there is a cost associated with managing the program. That \$315,000 cost will be allocated across the Housing Trust JPA member jurisdictions. As has been set by precedent with many programs and projects SBCOG/SBCTA administers on behalf of its members, the cost is typically split among jurisdictions by population. Staff recognizes the vast population share difference between large and small jurisdictions in the San Bernardino region, and thus, to narrow the cost gap, staff proposes the tiered approach with a built-in minimum and maximum membership fee structure. This will significantly minimize the funding contribution gap between various member jurisdictions.

Population	Annual Admin Fee
Up to 25,000	\$10,000
25,001 – 50,000	\$15,000
50,001 – 75,000	\$20,000
75,001 – 100,000	\$25,000
100,001+	\$30,000

Staff is proposing the same voting rights as the existing SBCTA and SBCOG Boards, that is, one vote per jurisdiction so that all member agencies have an equal voice on how the Housing Trust funds will be allocated. The reasoning for this recommendation is as follows:

San Bernardino Council of Governments

1.) There is no “return to source” issue with regard to the potential funds received and allocated through the Housing Trust. All funds will originate outside of this region and are supplemental to funds that roll into the San Bernardino region. The Housing Trust will seek funds that can be leveraged by existing agency funds. Any program match by the local jurisdiction will be leveraged with outside funds. The jurisdictional membership dues in comparison to the outside implementation program funding is expected to be very small and minimizes the possible funding inequities.

An alternative approach such as creating a Board of Directors wherein member jurisdictions are given additional votes for paying a bit more of the cost allocation would likely be perceived as inequitable. For instance, a structure that permits larger jurisdictions to essentially purchase votes to steer a larger portion of the outside funds toward their respective priorities would not be perceived as equitable.

2.) Staff is proposing that the allocation of resources and funds be considered by program on a sub-regional basis rather than by jurisdiction. With the understanding that each jurisdiction needs to see a return on the annual investment, allocation by program will allow for jurisdictions to seek resources for their respective needs rather than compete on a jurisdiction by jurisdiction basis. Staff will propose a plan be prepared that provides a project look-ahead to ensure needs of the member jurisdictions are met. The project prioritization list will be modeled after similar documents under SBCTA and will allow for an understanding of project readiness, schedules, and budgets. As it is likely that most programs under the housing trust will be restricted by grant requirements and schedules, project selection may be determined by the funding agencies.

Based on the above reasons, staff proposes that one vote per jurisdiction allows for equitable discourse and Housing Trust policy implementation across the region.

The attached reports provide better information regarding the formation of the Housing Trust, and give a detailed overview and analysis of background information needed to formally establish the Housing Trust. The Draft Strategic Plan (Attachment 2) includes:

- A summary of all outreach and engagement conducted for the Housing Trust to date
- An assessment of housing needs within the San Bernardino region
- An analysis of funding opportunities for funding programs of the Housing Trust
- An inventory of existing and pipeline affordable housing developments in San Bernardino
- A scope of work and line item budget identifying estimated administration costs

In order to get a sense of how many jurisdictions will be participating in the Housing Trust, SBCOG is requesting Letters of Intent from interested jurisdictions so staff can prepare for implementation of the JPA and finalize the grant application to SCAG. On September 7, 2022, the SBCTA/SBCOG Board authorized SBCTA/SBCOG staff to submit a REAP 2.0 grant application to SCAG that includes a proposal to establish a Housing Trust in the County of San Bernardino.

Board of Directors Metro Valley Study Session Agenda Item

December 15, 2022

Page 5

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget. Any budget amendment items would be subsequent to this and will be in conjunction with award of REAP 2.0 funds.

Reviewed By:

This item is also scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022. The topic of establishing a housing trust in the County has been reviewed and discussed at City/County Manager's Technical Advisory Committee meetings and Planning Directors Technical Forum meetings on multiple occasions.

Responsible Staff:

Monique Reza-Arellano, Council of Governments and Equity Programs Manager

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

San Bernardino Council of Governments

HOUSING TRUST OFFICERS, STAFF TIME, CONTRACT EMPLOYEE, ADMINISTRATIVE COST

	COSTS	HOURS/FY	SCOPE OF WORK
EXECUTIVE OFFICERS			
EXECUTIVE DIRECTOR	\$ 8,289.74	15	Provide Direction and Oversight
Director of SPAI	\$ 3,281.50	10	Review Procurement/Risk
DEPUTY EXECUTIVE DIRECTOR	\$ 7,316.24	20	Provide Direction and Oversight
CFO	\$ 8,219.30	24	Provide Direction, Oversight, Financial direction
Total	\$ 27,106.78	69	

ADMINISTRATIVE COSTS			
STIPENDS	\$ 6,000.00		\$100/board member/meeting (based on 15 Board Members)
TRAVEL	\$ 1,000.00		Based on COG (half of COG budget estimate)
MILEAGE	\$ 746.38		Based on 0.625 mileage rate for interested jurisdictions
Administrative Staff	\$ 18,611.42	160	Clerk of the Board & Deputy COB support of Board & quarterly meetings
Risk Management	\$ 2,352.75	10	Review insurance language for consultants, manage COIs, manage insurance broker, submit jpa insurance application, pay insurance bill
Accounting Supervisor	\$ 3,130.22	20	Review and approve AR and AP postings and provide data to auditors
Accountant	\$ 4,402.59	30	Bank reconciliation, audit, journal entries
Accounting Assistant - AP	\$ 2,381.89	30	post AP transactions
Accounting Assistant - AR	\$ 3,161.11	30	post AR transactions
Senior Accounting Assistant	\$ 4,136.18	30	Payroll and budget
Procurement Manager (1 year cost)	\$ 2,245.00	10	2 procurement/3 years for contract employee
Procurement Analyst (1 year cost)	\$ 11,757.10	80	2 procurement/3 years for contract employee
Total	\$ 59,924.63	400	

CONTRACTED SERVICES			
INSURANCE	\$ 5,000.00		
AUDIT	\$ 8,000.00		
1 CONTRACT EMPLOYEE	\$ 160,000.00		
LEGAL SUPPORT	\$ 54,000.00		General Counsel's, Administrative Analyst Time, and on-call/outside legal counsel as needed
Sheriff	\$ 683.76		\$85.47*2 hours per 4 meetings
	\$ 227,683.76		

Total Cost
\$ 314,715.17



STRATEGIC PLAN

Attachment: SBCTA_ Strategic Plan_ Compressed (9013 : San Bernardino Regional Housing Trust)

PREPARED BY:
DUDEK

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INTRODUCTION

8.b

In response to an increasing need for access to affordable housing across the San Bernardino region, the lack of sufficient funding to produce needed affordable housing, due in part to the dissolution of redevelopment, and an increased interest in solutions to comprehensively address regional housing needs, the San Bernardino Council of Governments (SBCOG) / San Bernardino County Transportation Authority (SBCTA), referred to as SBCOG from this point forward, is developing pathways for increased funding to support housing-related programs. One such pathway is the establishment of a regional housing trust fund, which would serve as a funding mechanism to support housing programs.

In 2021, in response to increasing concern around the region's housing shortage, the City/County Managers Technical Advisory Committee (CCMTAC) of the San Bernardino Council of Governments (SBCOG) formed an adhoc subcommittee (Subcommittee). The Subcommittee expressed interest in exploring the feasibility of implementing a housing trust fund for the San Bernardino region. In response to the request of the Subcommittee, in January 2022, SBCOG released a Draft San Bernardino Regional Housing Trust White Paper that details the potential benefits, structures, and an assortment of relevant case studies regarding the formation of a Regional Housing Trust Fund. In the White Paper, it is recommended that a housing trust serving the San Bernardino Region be structured as a Joint Powers Authority (JPA) made up of participating members with a non-profit component that allows the Housing Trust to solicit and accept private donations. It is further recommended that a Housing Trust should be administered by SBCOG to utilize existing staff resources and expertise related to the pursuit of regional grant funds and to better connect housing with regional transportation efforts.

To better inform the formation of the San Bernardino Regional Housing Trust Fund (Housing Trust), this report provides a detailed overview and analysis of background information needed to formally establish the Housing Trust. This includes a summary of all outreach and engagement conducted for the Housing Trust to-date, an assessment on housing needs within San Bernardino, an analysis of funding opportunities for funding programs of the Housing Trust, and inventory of existing and pipeline affordable housing developments in San Bernardino. The analyses will provide the foundation for the Administrative Plan of the Housing Trust, which will detail the purpose and structure, participating jurisdictions, administrative responsibilities, and program objectives of the Housing Trust.



OUTREACH SUMMARY

8.b

In 2021, in response to increasing concern around the region's housing shortage, the Technical Advisory Committee (TAC) of the San Bernardino Council of Governments (SBCOG) expressed interest in exploring the feasibility of implementing a housing trust fund for the San Bernardino region. In response to the request of the TAC, in January 2022, SBCOG in collaboration with the San Bernardino County Transportation Authority (SBCTA) released a Draft San Bernardino Regional Housing Trust White Paper. The White Paper details the potential benefits, structures, and an assortment of relevant case studies regarding the formation of a San Bernardino Regional Housing Trust Fund (Housing Trust). In the White Paper, it is recommended that a housing trust serving the San Bernardino Region be structured as a Joint Powers Authority (JPA) made up of participating members with a non-profit component that allows the Housing Trust to solicit and accept private donations. It is further recommended that a Housing Trust should be administered by SBCOG to utilize existing staff resources and expertise related to the pursuit of regional grant funds and to better connect housing with regional transportation efforts.

The release of the White Paper garnered interest in a Housing Trust across the region. Building on this momentum, SBCOG conducted a robust outreach effort to engage the SBCOG member jurisdictions, housing trust professionals, and other interested parties. This summary provides a description of the outreach conducted prior to the establishment of the Housing Trust. The contacted parties consist primarily of member jurisdictions of SBCOG. Additionally, representatives of other local or regional housing trusts, jurisdictions, and organizations in Southern California were also consulted. The outreach served to identify and gauge the interest in developing a Housing Trust, while addressing questions, and collecting information on local housing needs and priorities.

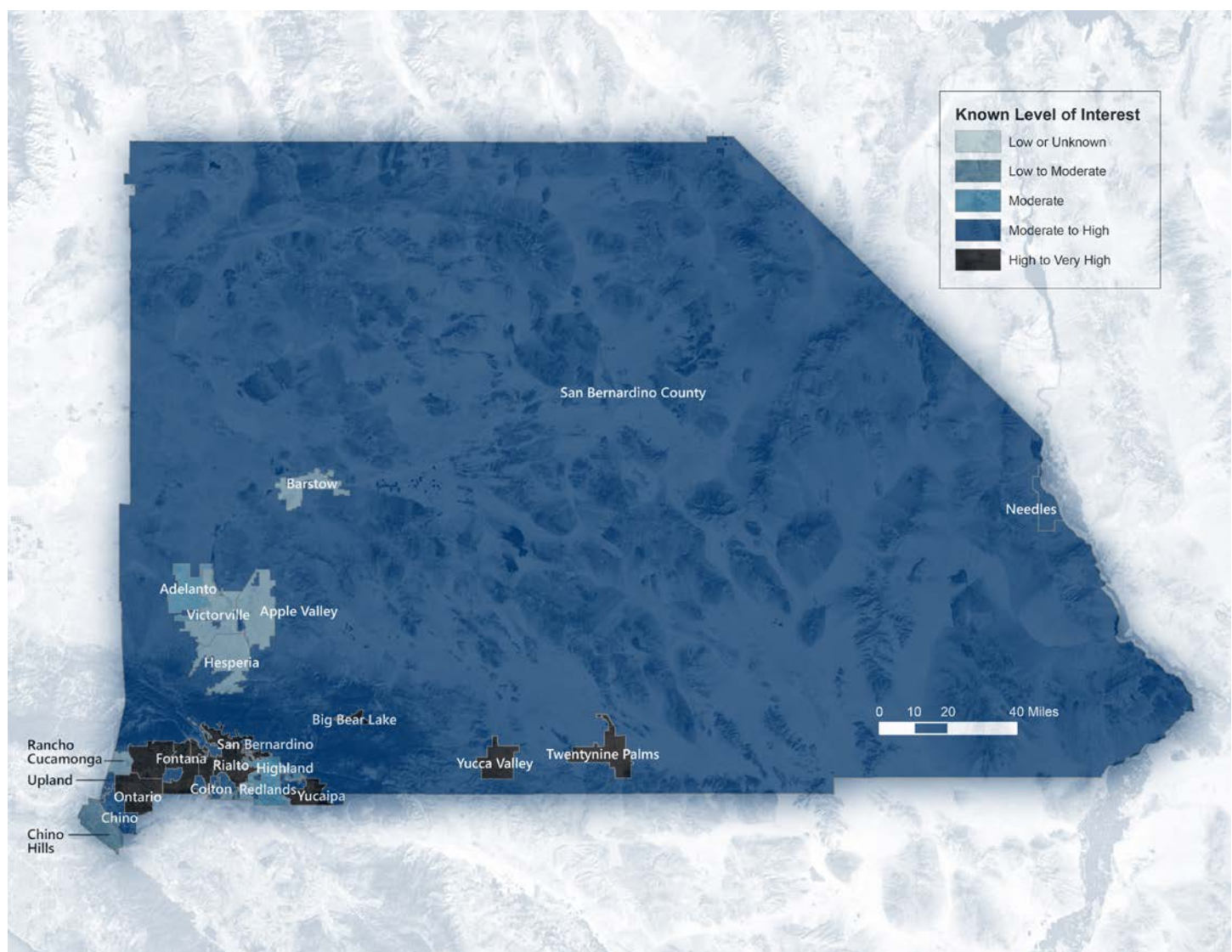
Representatives from 24 cities and towns of San Bernardino County were contacted, as well as representatives from the County of San Bernardino and its Housing Authority, and representatives from housing trusts and non-profits across Southern California. Presentations were provided to the COG Board, Planning Directors, and the City Managers TAC, one-on-one meetings were held with all COG member jurisdictions that expressed interest, and a survey was sent out to the SBCOG listserv. Those consulted provided insight on the development of a Housing Trust for the San Bernardino region. Other local or regional housing trusts, jurisdictions, and organizations that were consulted include the County of Orange, Orange County Housing Finance Trust (OCHFT), and San Gabriel Valley Regional Housing Trust (SGVRHT).

Attachment: SBCTA_Strategic Plan_Compressed (9013 : San Bernardino Regional Housing Trust)

SBCOG MEMBER INTEREST

Through the outreach conducted, representatives from jurisdictions expressed their respective jurisdictions level of interest in the Housing Trust and housing-related priorities. A list of all jurisdictions is provided below, and each is categorized based on its known level of interest in participating in the Housing Trust. Categories include “highly interested,” “potentially interested,” or “unknown/uninterested,” as shown in Figure 1, Jurisdiction Interest in Housing Trust Participation.

Figure 1. Jurisdiction Interest in Housing Trust Participation



SBCOG MEMBER JURISDICTION – HOUSING PRIORITIES, ISSUES, CONCERNS, AND IDEAS

Outreach conducted by SBCOG provided an overview of the White Paper detailing what a Housing Trust is, what varying structures can be used for administering a Housing Trust, and what we have learned from neighboring Housing Trusts. Housing Trust interest and housing-related priorities were solicited through outreach and engagement including one-on-one meetings, meetings with the COG Board, the COG CMTAC, Planning Directors, and a survey. The following summarizes the varying housing priorities, issues, concerns, and ideas that were expressed by representatives of the varying SBCOG member jurisdictions.

- **Organization, Structure, and Administrative Cost of the Housing Trust:**

Most jurisdictions expressed strong interest in understanding the exact cost and benefits that will apply to their respective cities/county.

- Grants should be sought after to offset the cost of membership.
- There needs to be a clear benefit of participation.
- A population-based methodology for determining the membership fee should be considered.
- Offsetting the cost of the fee is important, but all participants should pay a fee to participate to demonstrate a clear commitment.
- The structure for the allocation of funds should ensure that funds are allocated to all participating jurisdictions. Should avoid weighted voting powers for larger cities. Small cities want a seat at the table.
- If weighted toward small cities, it takes the burden off the large cities to construct.
- All participants should be full participants and partial participation should not be included within the structure.
- The Housing Trust should establish readily deployable solutions to assist in the near-term as well as long-term solutions.
- Can Housing Authorities join the Housing Trust? Yes. The Joint Exercise of Powers Act allows two or more public agencies to jointly exercise powers by agreement to form a Joint Powers Authority (JPA). The term “public agency” is defined very broadly and can include, but is not limited to, the federal government or any federal department or agency, this state, another state or any state department or agency,

a county, county board of education, county superintendent of schools, city, public corporation, public district, regional transportation commission of this state or another state, a federally recognized Indian tribe, or any joint powers authority. Housing authorities are independent agencies governed by the U.S. Department of Housing and Urban Development, so while they qualify as a public agency, there may be bureaucratic or political constraints to housing authorities joining a JPA.

- **Funding Sources:**

Many jurisdictions expressed ideas about potential funding sources for the Housing Trust.

- The trust should pursue grants on behalf of the participants.
- A ballot measure could bring funds in to support the Housing Trust.
- Seek opportunities to coordinate with large employers. This could be a linkage fee, or a donation tied to the number of employees. Many employees in the warehouse sector are commuting long distances.
- Consider linking fees for housing to vehicle miles traveled fees.
- There is money to spend but no staff to administer funds.
- Participating jurisdictions can impose new fees or tap into existing ones to pay into the Housing Trust.
- Jurisdictions can place funds into the Housing Trust that they may have difficulty expending by the deadline.
- Jurisdictions should not be required to allocate general funds or in-lieu fees toward the Housing Trust.

- **Expenditure of Funds:**

While there are many priority areas where jurisdictions have expressed interest in expending available funds, specifics of how funds would be expended were also discussed.

- Funds can provide a source of gap financing for developments that are seeking or have secured funding.
- Resources could be allocated by need and interest or geographically.
- Funding could be prioritized for those projects receiving Low Income Housing Tax Credits (LIHTC).

- **Housing for those Experiencing Homelessness:**

Jurisdictions expressed a need to support housing and services for those experiencing homelessness.

- The County oversees many homelessness services and the level of influence the Housing Trust could have on homelessness could play into participation from the County.
- Existing Permanent Supportive Housing can serve as models for developers. There are some waiting in households for supportive housing units to become available.
- Staffing can be a challenge for administering programs.
- The supply and availability of affordable housing is directly tied to homelessness.
- Emergency shelters are needed in the interim until people can get into housing.
- There is a need for a taskforce on homelessness.
- Wraparound services are needed. Need to pair with services tied to mental health.

- **Housing Rehabilitation:**

Some expressed a need for the rehabilitation and conversion of existing structures.

- Adaptive reuse can increase units, expedite the development process, and reduce development costs. This can be particularly useful for Supportive Housing, as these units tend to fill up quickly.
- New construction takes too long. Rehabilitation and conversion can be used to expedite the process. Modular housing is another solution for reducing the cost of development.
- Acquisition and rehabilitation projects are not competitive for funding.
- Reserves are limited and do not provide enough for acquisition and rehabilitation.
- Hotels can present opportunities for conversion.

- **Workforce and Missing Middle Housing:**

Workforce and missing middle housing refers to housing types that fall somewhere between a single-family home and a mid-rise apartment building, such as townhomes, duplexes, triplexes, and bungalow courts, offering increased housing opportunities for households earning between 80% and 120% of the area median income. These housing types are an important component of a diverse housing stock, as they can expand

the diversity and affordability of housing, especially in lower density neighborhoods. Many conversations led to a focus on the need for more workforce and missing-middle housing.

- Much of the affordable housing that is being developed in the region is affordable to households earning between 30% and 60% of the area median income.
- Housing vouchers support households earning up to 80% of the area median income, but there are few housing types for those earning up to 120% of the area median income.
- Single-bedroom units are in high demand. This is the most desirable unit type for older and aging adults.
- Households need to have access to wealth building and to pass wealth and housing along to families.
- Some households need further support to remain in their homes.

- **Land Banking:**

Land banks acquire, hold, manage, and sometimes redevelop property in order to return these properties to productive use to meet community goals, such as increasing affordable housing or stabilizing property values. Many jurisdictions expressed an interest in land banking.

- When surplus land is available, it is good to take the opportunity. Few surplus sites are suited for residential uses. They are typically industrial, too small, not zoned for housing, or not a developable piece of property.

- **Community Land Trusts (CLTs):**

CLTs are a form of shared-equity homeownership that maintain the units as affordable over a long-term. CLTs typically make units affordable through the use of subsidies and maintain long-term affordability to future purchasers through a legally binding mechanism, such as a long-term ground lease or a deed covenant. CLTs are generally managed by a nonprofit or quasi-governmental organization and governed by a body comprised of purchasers of CLT homes, members of the public, and governmental and nonprofit stakeholders to ensure they remain grounded in the needs of the community.

- CLTs and land banking can go hand-in-hand. As land can be donated for the purposes of support a CLT.

- Some CLT models do not prioritize ownership and it can be difficult to see the benefits.
- The benefits of the CLT model should be communicated clearly.

- **Coordination with Other Agencies and Organizations:**

- It's important to reach out to the tribal groups and work with the San Bernardino Valley Community College District.
- Loma Linda hospital and the university could certainly be interested in participating.
- Potential coordination with the federal government, although it may be challenging, the Department of Defense.
- Seek opportunities to coordinate with Western Riverside COG.
- Coordinate with other trusts such as the San Diego County Innovative Housing Trust.
- There is a lot of interest in housing trusts from localities in the Inland Empire. It is important to follow the progress of others to share information.
- Seek opportunities to coordinate with Habitat for Humanity.
- Coordinate with Housing Authorities across the region.

- **Other:**

A variety of other housing priorities, concerns, and needs were discussed that are not categorized. They are as follows.

- There is a strong need for more housing overall. All types of housing at all income levels.
- There is a need for funds to support soft costs of development such as predevelopment, land acquisition, and funding for entitlements.
- The loss of Redevelopment Agencies has left a large gap in the localities ability to support households with grants and loans for home improvement, provide rent relief, and financial support for housing production and rehabilitation.
- There are no sustainable sources of funding for cities to support affordable housing.
- The cost of land is rising, and residents are driving to jobs outside of the region. It is important to do more locally (jobs and housing). People need to have the option to live where they work.

- There may be more than can be done in the realm of accessory dwelling units.
- There are several entities and developers that want to provide housing for seniors, veterans, and those with disabilities but there are limited funds.
- The cannabis industry is expanding more rapidly than the housing supply, and this is creating a housing supply issue. There needs to be coordination and proactive action to address these concerns. This could look like linkage fees or community benefits agreements.
- Develop creative and cooperative solutions to housing that can be replicated across the region.

OUTSIDE ORGANIZATIONS CONSULTED

In addition to the outreach conducted to the SBCOG member jurisdictions, the following organizations were consulted to provide insight into best practices and strategies for housing trust funds. The following organizations were consulted:

- Orange County Housing Finance Trust (OCHFT)
- County of Orange (County)
- San Gabriel Valley Regional Housing Trust (SGVRHT)
- Inland SoCal Housing Collective (ISCHC)

Key takeaways from meetings with these organizations are detailed below.

Orange County Housing Finance Trust

Orange County Housing Finance Trust (OCHFT) was established by statute in 2018 as a JPA consisting of the County of Orange and 23 cities in Orange County. OCHFT provides funding for housing and services to support those experiencing homelessness. Funding for projects is allocated between Service Planning Areas (SPAs), where geographic boundaries guide public health planning.

The OCHFT receives much of its support through the County of Orange, including significant financial contributions. The County of Orange provided seed funding for administrative costs to the OCHFT for the first year and provides annual contributions. OCHFT notes that the County of Orange is one of their largest contributors and the funding allows the trust to maximize funds provided through the state Local Housing Trust Fund grant program. The Trust partners with the Orange County Community Foundation, which accepts funding on their behalf while pursuing philanthropic opportunities without having a separate board and separate audit.

The County of Orange recognized the challenges of starting up the trust fund, so it provided support by covering all administrative costs for the first year of the housing trust. During the second year, all members contributed based on population size as detailed by the JPA bylaws. By year 3, the housing trust received administrative grant funding. The County continues to provide \$200,000 in contributions each year regardless of grant funding. A trust can receive grant funding as soon as the trust is formed, and the OCHFT has recommended to pursue grants as early as possible. There were two NOFAs released in 2 years, and the trust is currently on their third round. The County currently provides 5% of the local housing trust fund (LHTF) towards administrative expenses, and REAP funding is through the Orange County Council of Governments (OCCOG). Since the agency matches dollar to dollar with the state, up to \$5 million, more funds are available for more projects.

County of Orange

In 2017 there was momentum building around the Orange County housing need, specific to housing for those experiencing homelessness. The County of Orange (County) has always seen itself as a regional participant, especially in the housing realm and wanted to leverage their positions to bring cities together to collaborate, which is what led to the formation of the OCHFT. The County looked into different Housing Trust models and coordinated with participants to develop a JPA Housing Trust. This strategy unified the participants to use one strong voice to garner support from the State, rather than 34 different voices. The JPA was structured so that the cities have the majority of the appointments to the board and the chair and vice chair switch out between county and non-county. This allows the County to react to the needs of the cities.

The County supported the OCHFT in the first year through staffing to set up the Trust as a separate JPA governing body. Through a Master Services Agreement, the County contributes \$20 million to the OCHFT and \$5 million through its General Fund. The Local Housing Trust

Fund matching grants helps their money go further. The OCHTF also has a Memorandum of Understanding (MOU) with the County for services annually, not to exceed \$165,550. The services provided include—but are not limited to—accounting services, cost, revenue, and budget services, financial reporting, and information technology. At least 90% of the projects that receive funding from the County also receive funding from the OCHTF.

San Gabriel Valley Regional Housing Trust

The San Gabriel Valley Regional Housing Trust (SGVRHT) is established as a JPA and includes member cities from San Gabriel Valley, a region in Eastern Los Angeles County. The trust is restricted to affordable housing and is legislatively able to accept public and private financing and funds. The SGVRHT negotiated with city managers of participating cities to have an administrative fee. The administrative fee is divided between 20 cities and supports at least one full-time staff person and one part-time staff person at a cost of \$300k a year. The contributions made per city is population based and the most any city provides is \$20,000 annually. The trust allows for affiliate membership for those jurisdictions that wish to participate but do not need funds invested back into their boundaries, an affiliate membership rate is fixed at \$2,000 annually. This provides a benefit for both the trust and for partners who wish to contribute.

The trust provides gap financing on a competitive basis for affordable housing developments, applicants that receive funding from the participating jurisdictions are prioritized for funding awards. Additional projects that the trust has provided funding for include a tiny home shelter pilot project and surplus property that was converted into veteran housing. They are looking to the community land trust model, as well as affordable senior housing that is at-risk of converting to market-rate. One of the key challenges faced by households in the region is that they cannot apply for the first-time homebuyer program because the median household income and income limits are incompatible.

The San Gabriel Valley Regional Housing Trust expressed interested in pursuing a 501(c)3 component, which would qualify it for additional grant programs and would provide incentives for donors. This would aid in diversifying funds from a variety of sources including those from both public and private investments. In order to establish SGVRHT for 501(c)3, the trust will be required to identify a fiscal sponsor before pursuing private funding sources. The County is not a member of the SGVRHT, but provides financial assistance through Measure H. Through the State's 2022 budget SGVRHT was awarded a \$21 million dollar grant. This will be divided up between several programs, including approximately \$8 million for pipeline projects, \$4 million for projects to support those experiencing homelessness, and \$8 million for its revolving loan program.

San Diego County Innovative Housing Trust

The San Diego County Board of Supervisors directed the creation of the Innovative Housing Trust Fund (IHTF) to increase the regional supply of affordable housing for low income and vulnerable populations. The efforts of IHTF were sparked through an evaluation of excess properties for lease or sale in the county. Since its inception in 2017, the IHTF has helped to create 1,397 affordable units across 20 developments in the region, leveraging over \$560 million in public and private capital sources. The IHTF is different than other trusts, in that it does not have any ongoing dedicated resources. Instead, the Board of Supervisors allocates funding when it is available. As of June 2022, the trust has had two allocations of \$25 million and one allocation of \$20 million. Because the trust does not have a dedicated funding source, they are ineligible for State matching grants, although they are currently evaluating establishing an in-lieu fee program to provide dedicated funding. IHTF staff noted the importance of having a dedicated funding source, to ensure that you have funding from year to year.

Funding of the IHTF is prioritized for development in unincorporated areas, developments that have already secured other sources of funding, and higher preference is given to projects in vehicle miles traveled (VMT) efficient areas. Allowable uses of funds include acquisition, rehabilitation, and new construction of affordable housing. IHTF acts as a lender and provides funds in the form of gap loans. With initial investments in 2017, in June of 2022, the trust has yet to see significant revenues from interest, as several projects are still under construction.



HOUSING NEEDS ASSESSMENT

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Housing supply is one of the most critical issues today facing the State of California, including San Bernardino County. The state and county face a significant housing supply and affordability crisis spurred by high land costs, rising construction costs, and limited financing options. These issues and challenges have become localized with compounding, interrelated impacts on housing supply, homelessness, and economies at the local and regional scale. A series of actions are needed at the local, regional, and statewide level to address these growing housing challenges. One such regional action is a regional housing trust fund, which can raise funds for affordable housing production, preservation and rehabilitation, and other affordable housing-related activities. The Housing Needs Assessment provides a regional analysis of demographic and economic characteristics, housing challenges, and housing needs in San Bernardino County. This report provides an assessment of housing-related data that will be used as a baseline to inform the San Bernardino Regional Housing Trust Fund.

GEOGRAPHIES

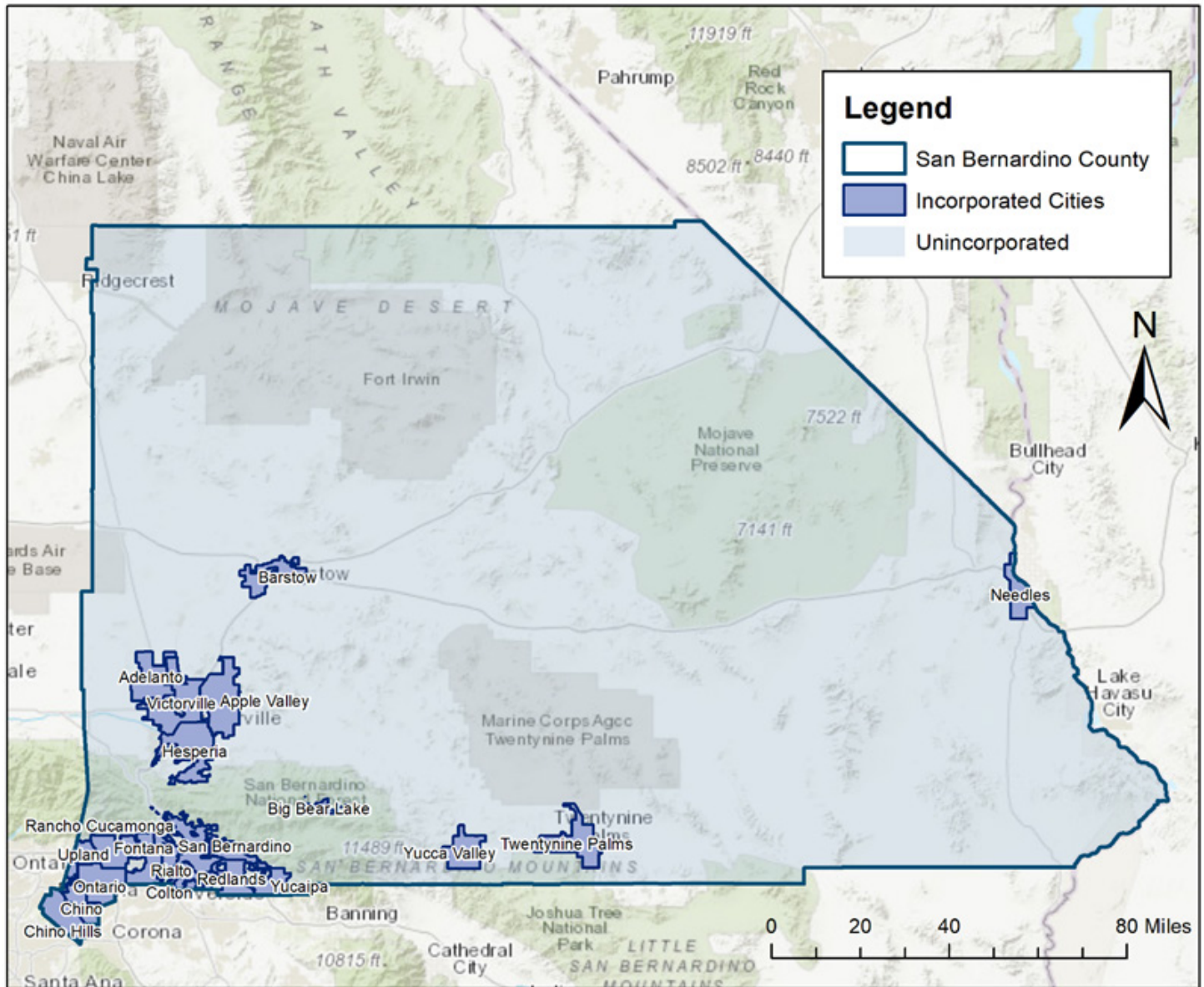
As the largest county in the United States, San Bernardino County (County) comprises a large portion of Southern California. The region is defined by urbanized areas in the southwest, the developing Victor Valley, which is comprised of four cities with expanding residential development, resort communities in the mountains, and vast desert areas with scattered rural communities. San Bernardino County's 24 cities and towns and the San Bernardino County Board of Supervisors work collectively as the San Bernardino Council of Governments (SBCOG) to address regional matters. The jurisdictions that make up the SBCOG are shown in **Figure 2, Incorporated and Unincorporated Areas in San Bernardino County**. The Southern California Association of Governments (SCAG) is the metropolitan planning organization for a six-county region, including San Bernardino County, which is shown in **Figure 3, San Bernardino County in the SCAG Region**. The County faces unique opportunities and challenges compared to its neighboring coastal counties within the SCAG region, which are detailed through this analysis.

DATA SOURCES

This analysis uses State and federal data that is publicly available, as well as private sources. Together, the sources will provide an overview of existing and projected trends relating to demographics, economics, and housing market conditions. These sources include the following:

- U.S. Census Bureau Decennial Census
- U.S. Census Bureau American Community Survey (ACS)
- U.S. Census Bureau Longitudinal Employer-Household Dynamics (LEHD)
- U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) dataset
- California Department of Finance
- California Tax Credit Allocation Committee (TCAC)
- Center for Neighborhood Technology
- California Housing Partnership
- Southern California Association of Governments

Figure 2. Incorporated and Unincorporated Areas in San Bernardino County Figure



3. San Bernardino County in the SCAG Region



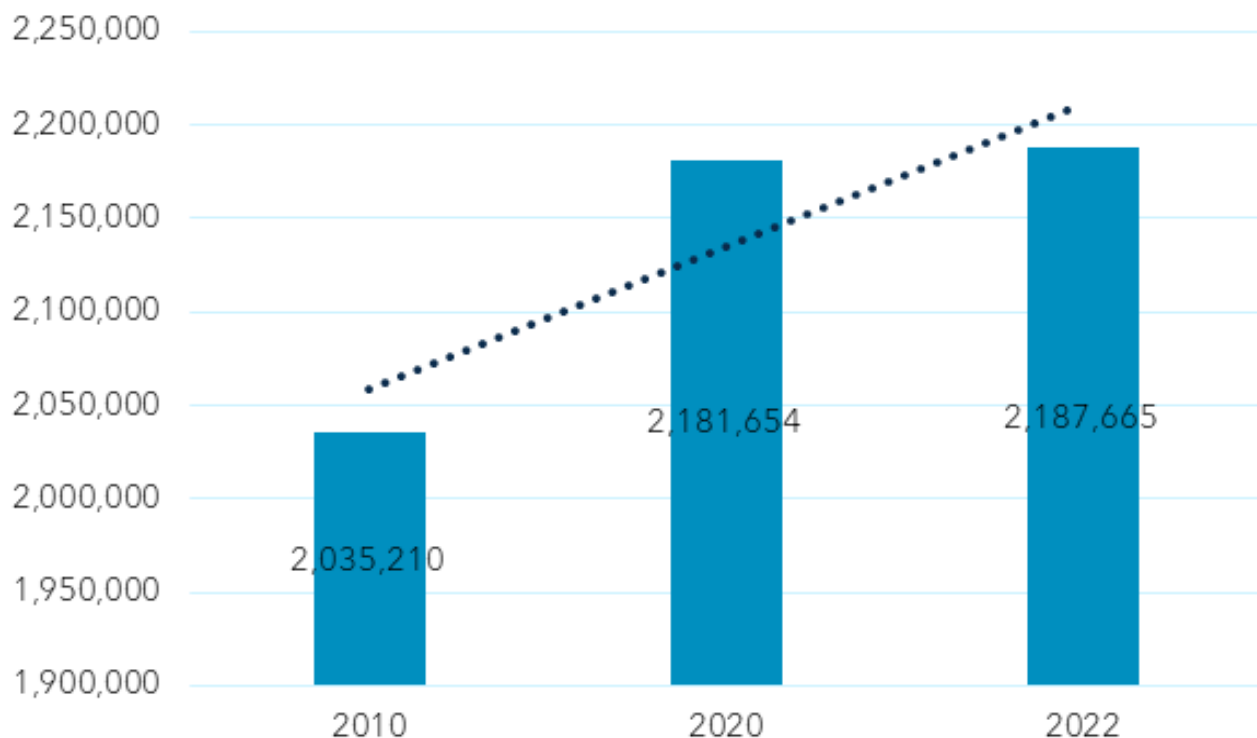
Attachment: SBCTA_Strategic Plan_Compressed (9013 : San Bernardino Regional Housing Trust)

POPULATION

San Bernardino County is one of the most populous counties in the State of California. In 2022, the County's population size was ranked 5th in the State of California and 4th in the SCAG region. Within the County, the City of San Bernardino was the most populated city in 2022. Population trends in the region from **Figure 4, Population Change** and **Figure 5, Population Compared to SCAG Region**, are provided below.

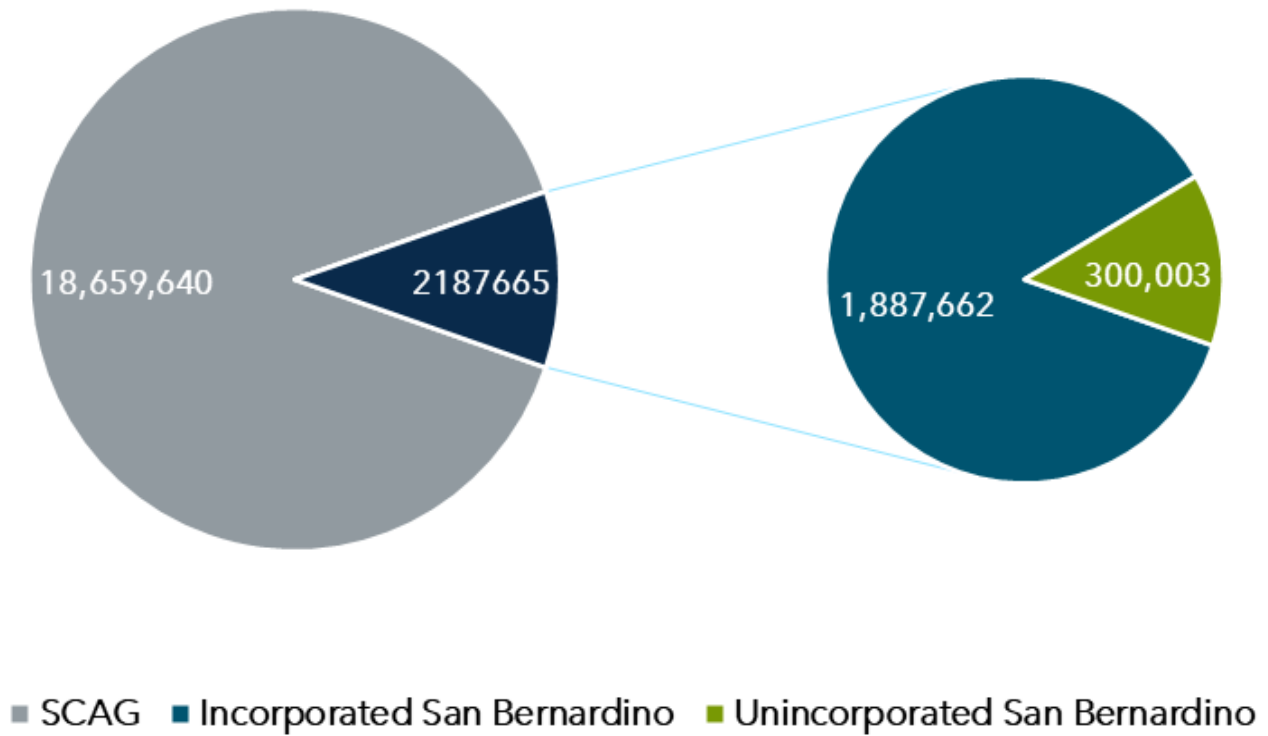
- Between 2010 and 2022, the total population of San Bernardino County increased from 2,035,210 to 2,187,665, or 7.5%.
- In 2022, the total population of San Bernardino County accounted for 11.7% of the total population of the SCAG region.
- Between 2010 and 2022, Victorville had the largest population growth of all the jurisdictions in the County at 20,658 persons. Fontana had the second-largest population growth of 16,740, and Ontario had the third-largest population growth of 15,592 persons.
- Between 2010 and 2022, Chino had the largest percent increase of population at 18.0%.

Figure 4. Population Change (2010–2022)



Source: California Department of Finance E-5, 2010, 2020, and 2022.

Figure 5. Population Compared to SCAG Region



Source: California Department of Finance E-5, 2022.

ECONOMIC CHARACTERISTICS

Economic and employment trends can identify whether households are making adequate income to support their housing needs and if populations are at-risk of facing poverty. The following section highlights economic and employment trends in San Bernardino County.

Housing Costs

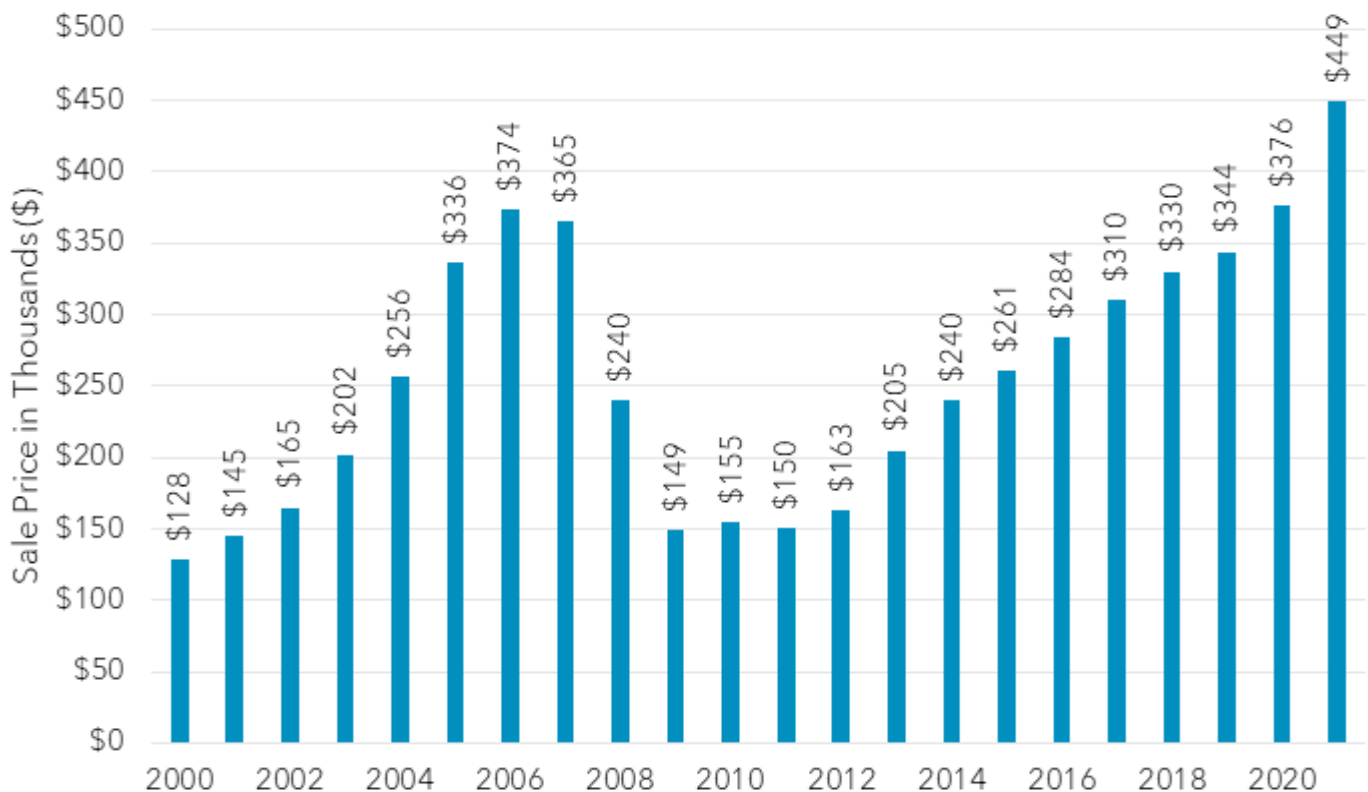
Households in San Bernardino County are affected by housing market conditions, such that the affordability of housing is impacted. This section summarizes the market conditions of for-sale and rental units.

Home Sales Price

The median home sale price in San Bernardino County between 2000 and 2021 is illustrated in Figure 6, Median Home Sale Price in San Bernardino County.

- In 2021, the median home sale price in San Bernardino County is the highest it has been since 2000, at \$449,000, an increase of more than 19% from 2020.

Figure 6. Median Home Sale Price in San Bernardino County (2000–2021)



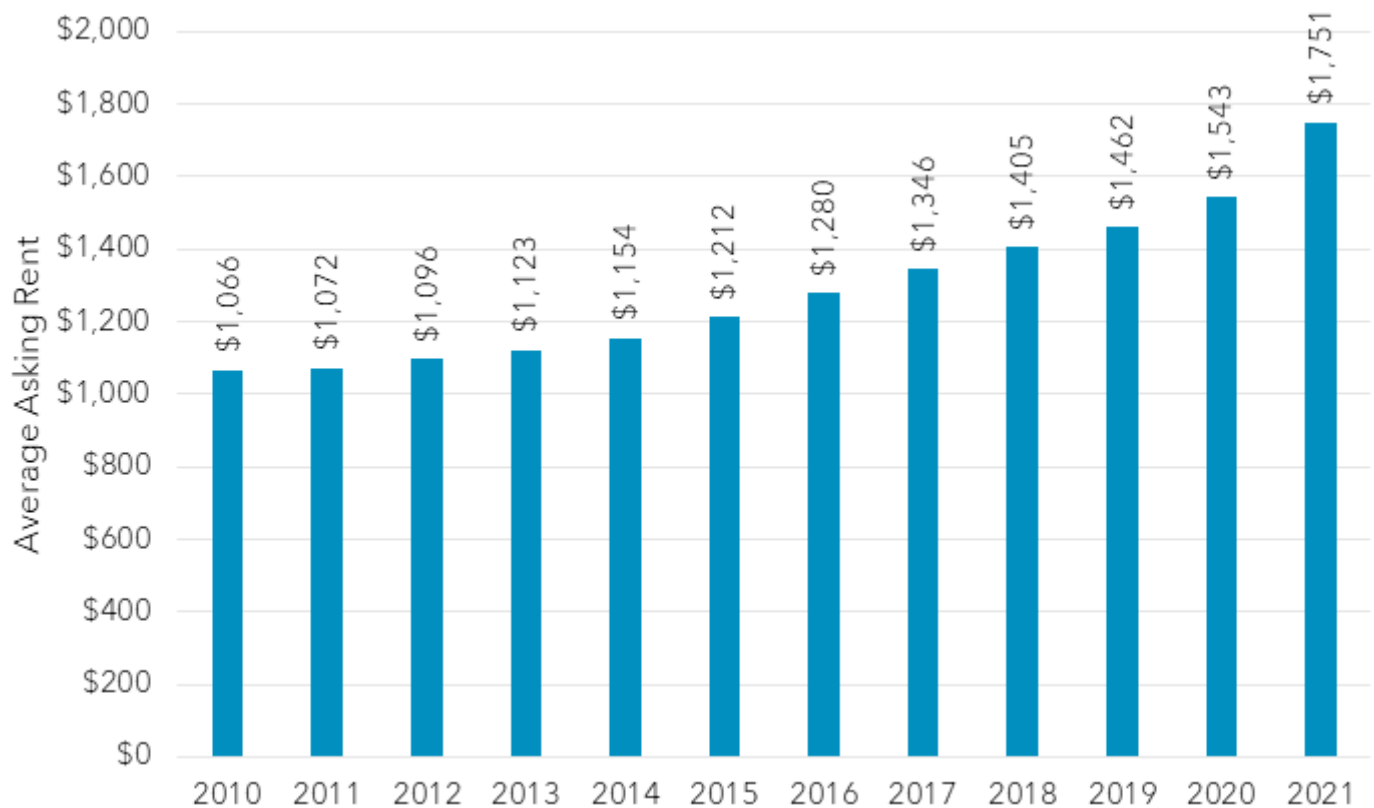
Source: California Department of Finance E-5, 2021.

Rental Price

The average asking rent in San Bernardino County is shown in Figure 7, Annual Average Asking Rent, San Bernardino County. The affordability of rent based on income category and household size is outlined in Table 1, 2022 HUD Income Limits.

- Between 2010 and 2021, the annual average asking rent for a two-bedroom home increased from \$1,066 to \$1,751.
- In 2021 between the beginning and end of the year, average rents increased from \$1,664 to \$1,813, an increase of nearly 9%.
- Households need to earn at least \$6,043 a month (\$72,516 annually) to be able to afford a monthly rent of \$1,813.

Figure 7. Annual Average Asking Rent, San Bernardino County (2010–2020)



Source: California Housing Partnership. 2021. <https://chpc.net/housingneeds>. Source: U.S. Department of Housing and Urban Development.

Income

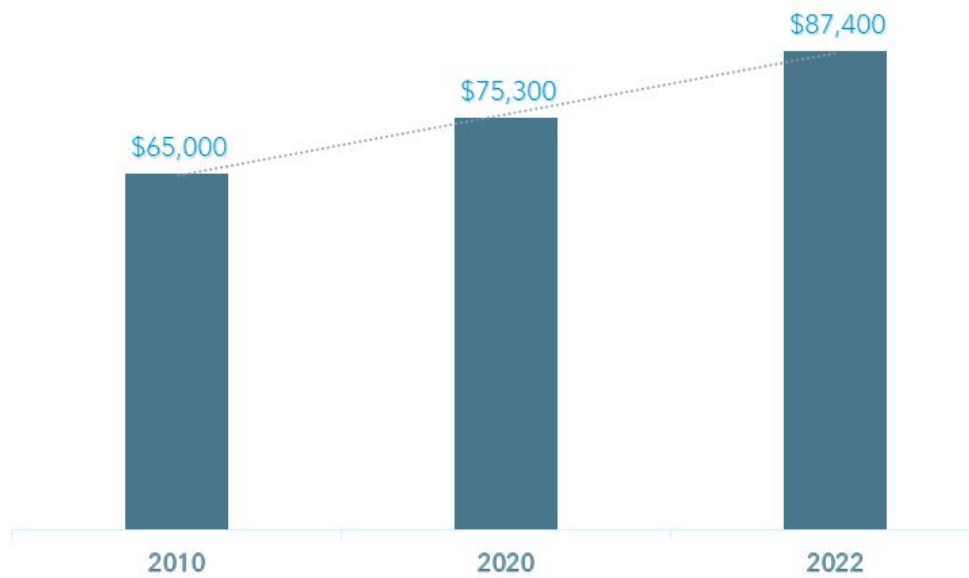
Table 1 shows the 2022 HUD Income limits for low- very low-, and extremely low-income groups by persons in the family and Figure 8, Median Family Income, indicates the Median Family Income from 2010 to 2022.

- Households meeting HUD income limits for 5 or more persons in family in the Low-Income (80% of AMI) category would be able to afford the average monthly rent of \$1,813 (two-bedroom household).
- From 2021 to 2022, the median family income increased by 12% at rate slightly higher than the average asking rent increase at 9%.

Table 1. 2022 HUD Income Limits

Income Category	Persons in Family							
	1	2	3	4	5	6	7	8
Low-Income (80% of AMI)	\$49,300	\$56,350	\$63,400	\$70,400	\$76,050	\$81,700	\$87,300	\$92,950
Very Low-Income (50% of AMI)	\$30,800	\$35,200	\$39,600	\$44,000	\$47,550	\$51,050	\$54,600	\$58,100
Extremely Low-Income (30% of AMI)	\$18,500	\$21,150	\$23,800	\$27,750	\$32,470	\$37,190	\$41,910	\$46,630

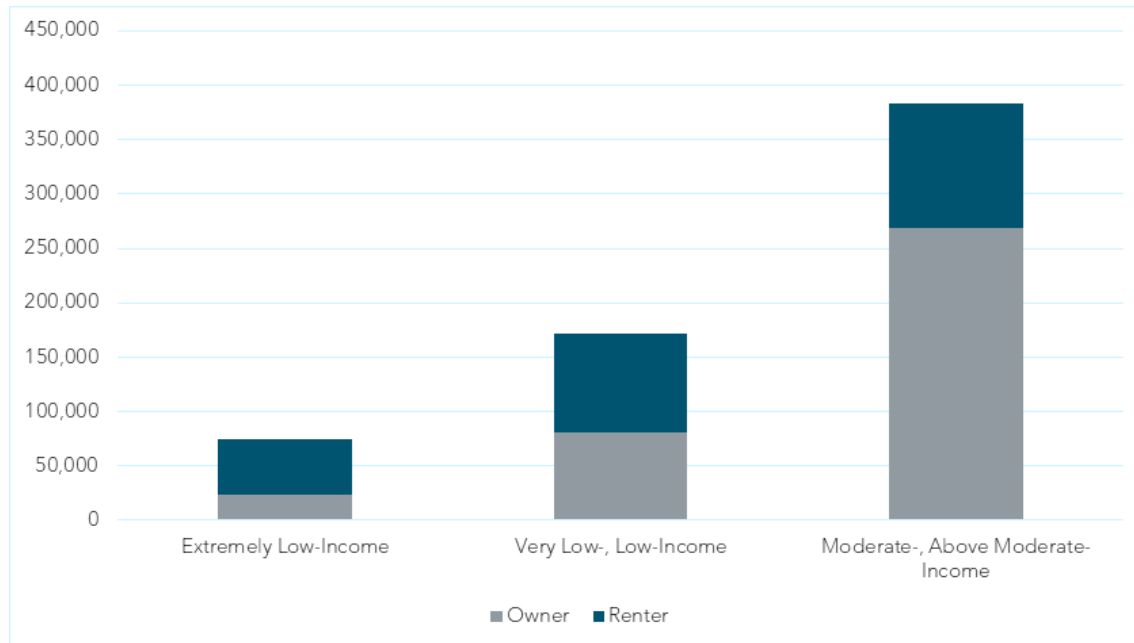
Source: U.S. Department of Housing and Urban Development. 2022. <https://www.huduser.gov/portal/datasets/il.html>.

Figure 8. Median Family Income (2010–2022)

Source: U.S. Department of Housing and Urban Development. 2010 and 2022. <https://www.huduser.gov/portal/datasets/il.html>.

While median income trends indicate an increase of 16% in the last 2 years, Figure 9, Income Category Distribution, provides a comprehensive understanding of the distribution of various income groups, based on HUD income categories, and are highlighted below:

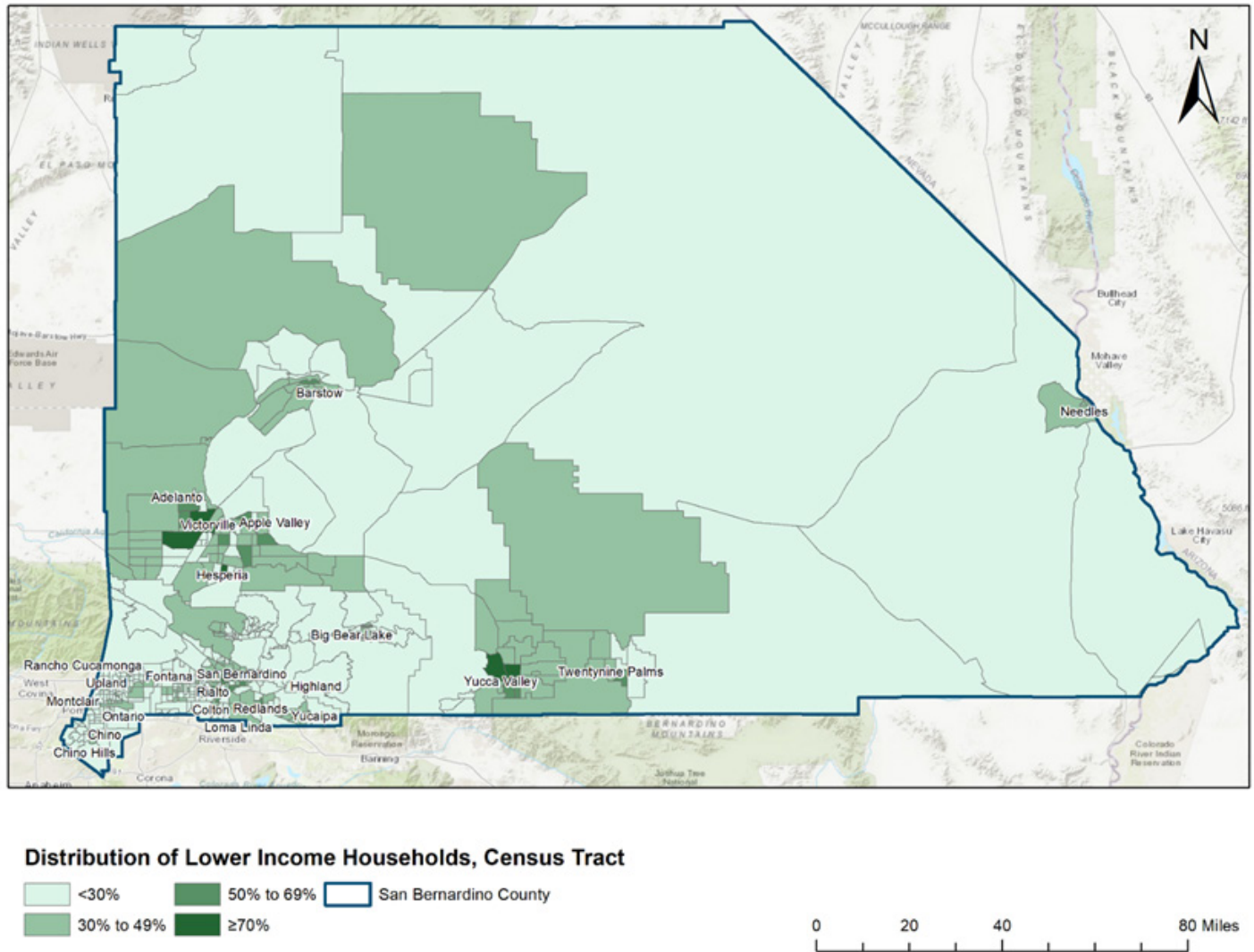
- Extremely Low-Income income households in the County are disproportionately made up of renters, who are the most at-risk of displacement cause by sudden rent increases.
- Figure 9 also highlights the wealth gap as lower-income groups make up 40% of the households while between and moderate- and above moderate-income groups make up 60%.

Figure 9. Income Category Distribution

Source: CHAS (Comprehensive Housing Affordability Strategy). 2014–2018 ACS, U.S. Department of Housing and Urban Development. <https://www.huduser.gov/portal/datasets/cp.html#2006-2018>.

Lower-income households are not evenly distributed throughout the County with Census tracts near or in Victorville, Hesperia and Yucca Valley indicating more than 70% of lower-income households as shown in **Figure 10, Distribution of Lower-Income Households**.

Figure 10. Distribution of Lower-income Households

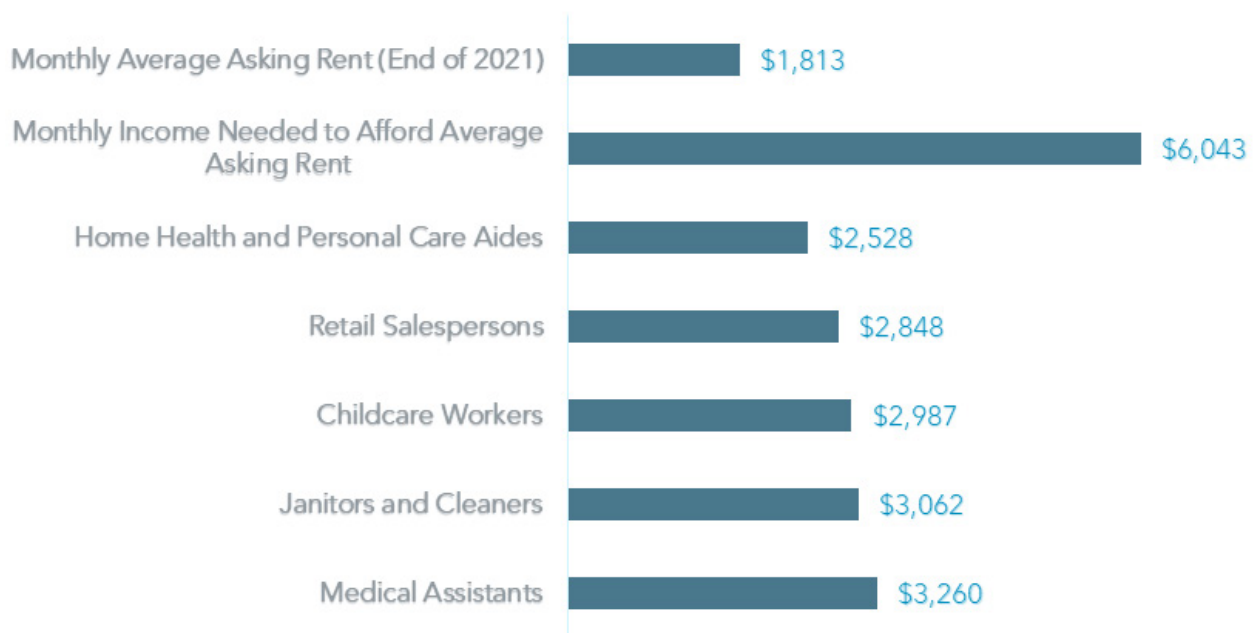


Source: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data; Dudek, 2022.

Figure 11, Income Compared to Rent Prices, provides the average monthly income across major job sectors in the County compared to the monthly income needed to afford average asking rent.

- A lower-income family (80% or less of AMI) of four would not be able to afford the monthly income needed to afford average asking rent for a two-bedroom unit.
- Average wages for the industries highlighted in Figure 11 would be considered severally cost burden as the average rent exceeds monthly income by more than 50%.

Figure 11. Incomes Compared to Rent Prices



Source: California Housing Partnership. Accessed June 2022. <https://chpc.net/housingneeds/>.

The challenge of housing costs and income for lower-households in the County is further reflected in **Figures 12a and 12b**, which show the percentage of total households (renter and ownership) that are considered to be burdened by their housing costs. Households that spend more than 30%, but less than or equal to 50%, of their gross incomes on housing costs are considered to be cost burdened and households that spend more than 50% of their gross incomes on housing costs are considered to be severely cost burdened. The figures highlight the following:

- There is a need for more affordable housing as nearly 50% of lower-income households (earning 80% or less of the AMI) experience moderate or severe cost burden.
- Lower-income renter households are disproportionately impacted by cost burden as 29% of all lower-income renters experience some level of cost burden, 11% of which are severely cost burdened.

Figure 12a. Low-Income Households Spending 30% - 50% of Income on Housing by Tenure

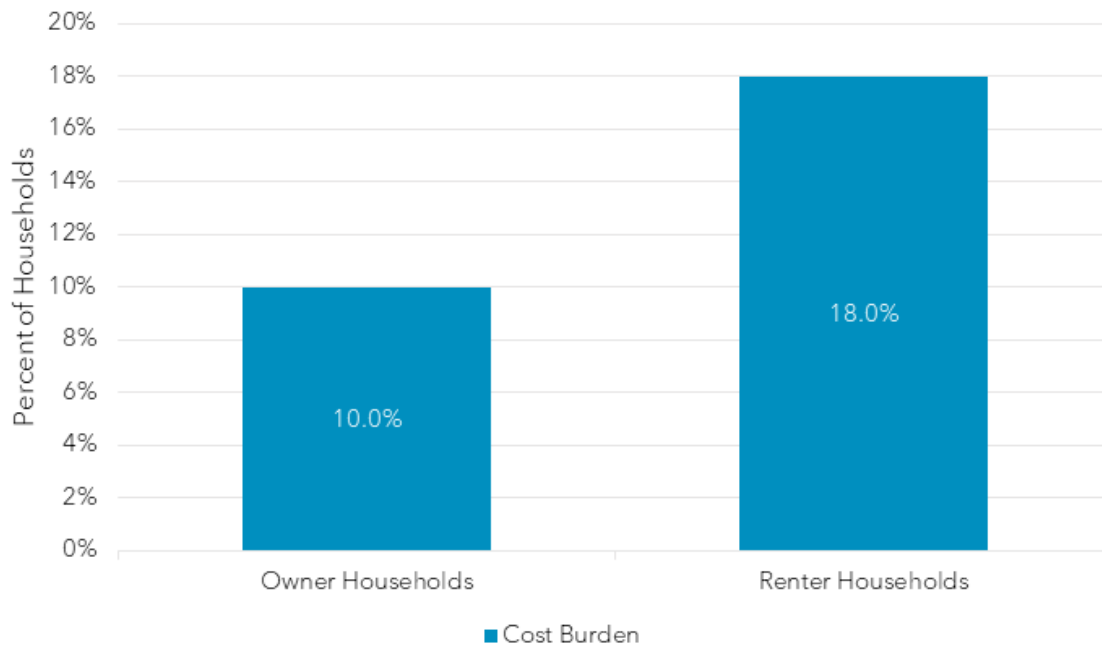
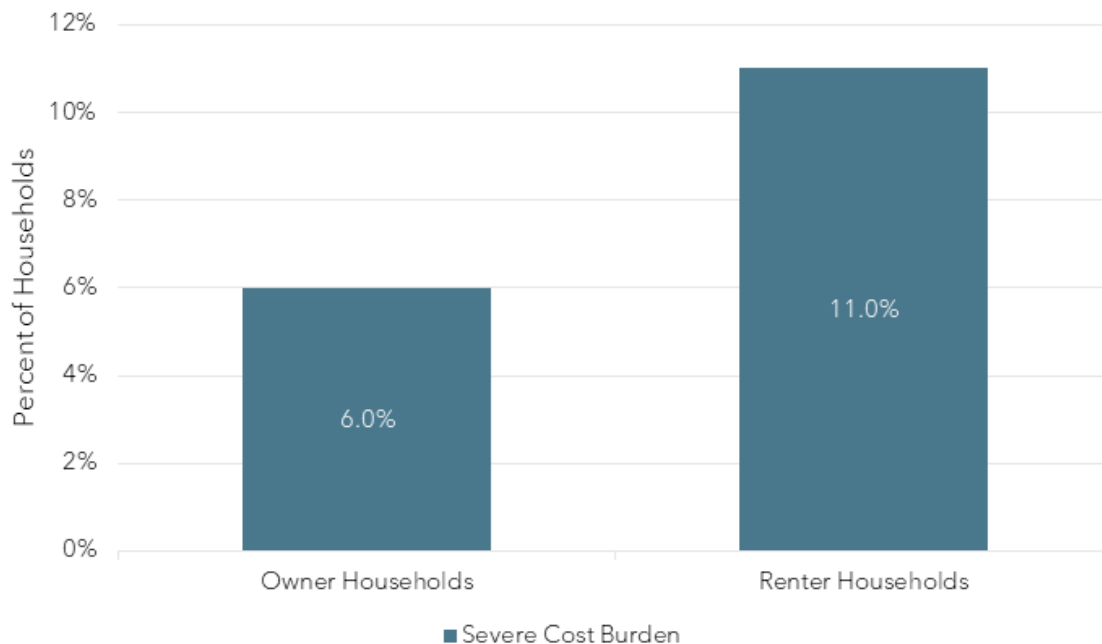


Figure 12b. Low-Income Households Spending More than 50% of Income on Housing by Tenure

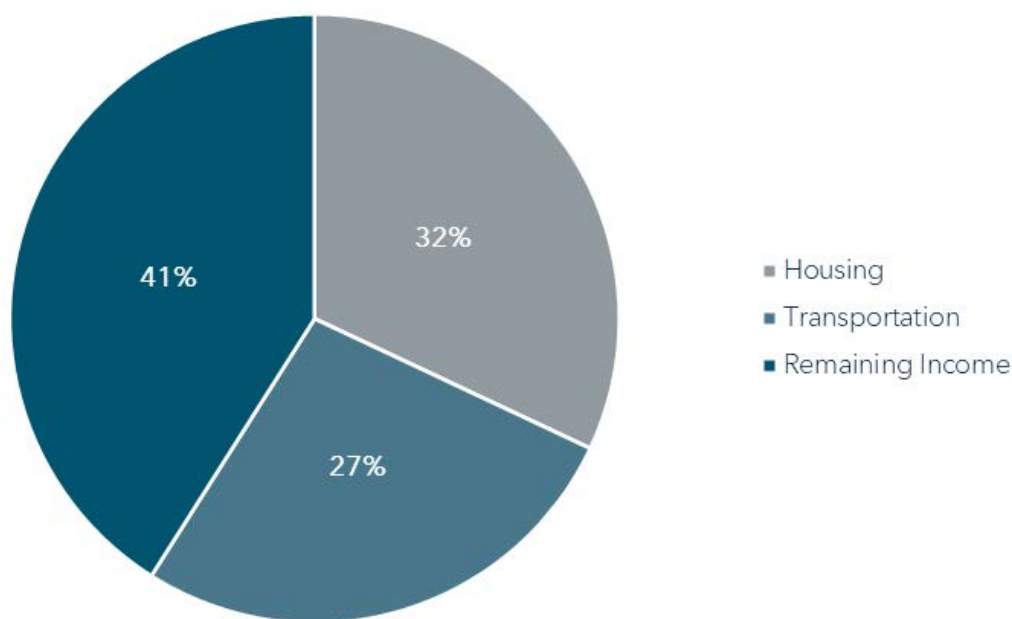


Source: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data.

In addition to housing costs, transportation is typically a household's second largest expenditure. Figure 13, Income Spent on Housing and Transportation Costs, factors both housing and transportation costs to provide a more comprehensive analysis of the true cost of housing. For example, people who move further from their job for more affordable housing prices, will often spend a greater amount of their income on transportation costs. In the San Bernardino region:

- The average combined housing and transportation costs are 59% of household income.
- Nearly half of the San Bernardino region households spend between 54% and 78% of their income on housing and transportation costs.

Figure 13. Average Percent of Income Spent on Housing and Transportation Costs



Source: Center for Neighborhood Technology. 2017. Housing and Transportation Index.

Regional Commute Patterns

In 2019, San Bernardino County employed 879,084 workers, including those who live in nearby counties. Further, 769,630 residents of the county were employed whether they worked within the county or elsewhere. Figure 14, Inflow/Outflow Job Counts, shows the commute patterns of both residents and those employed in San Bernardino County. Most workers employed in San Bernardino County live in the county, at 46.9%. San Bernardino County also employs 24.1% of workers who reside in Los Angeles County, and 11.4% of workers who reside in Riverside County.

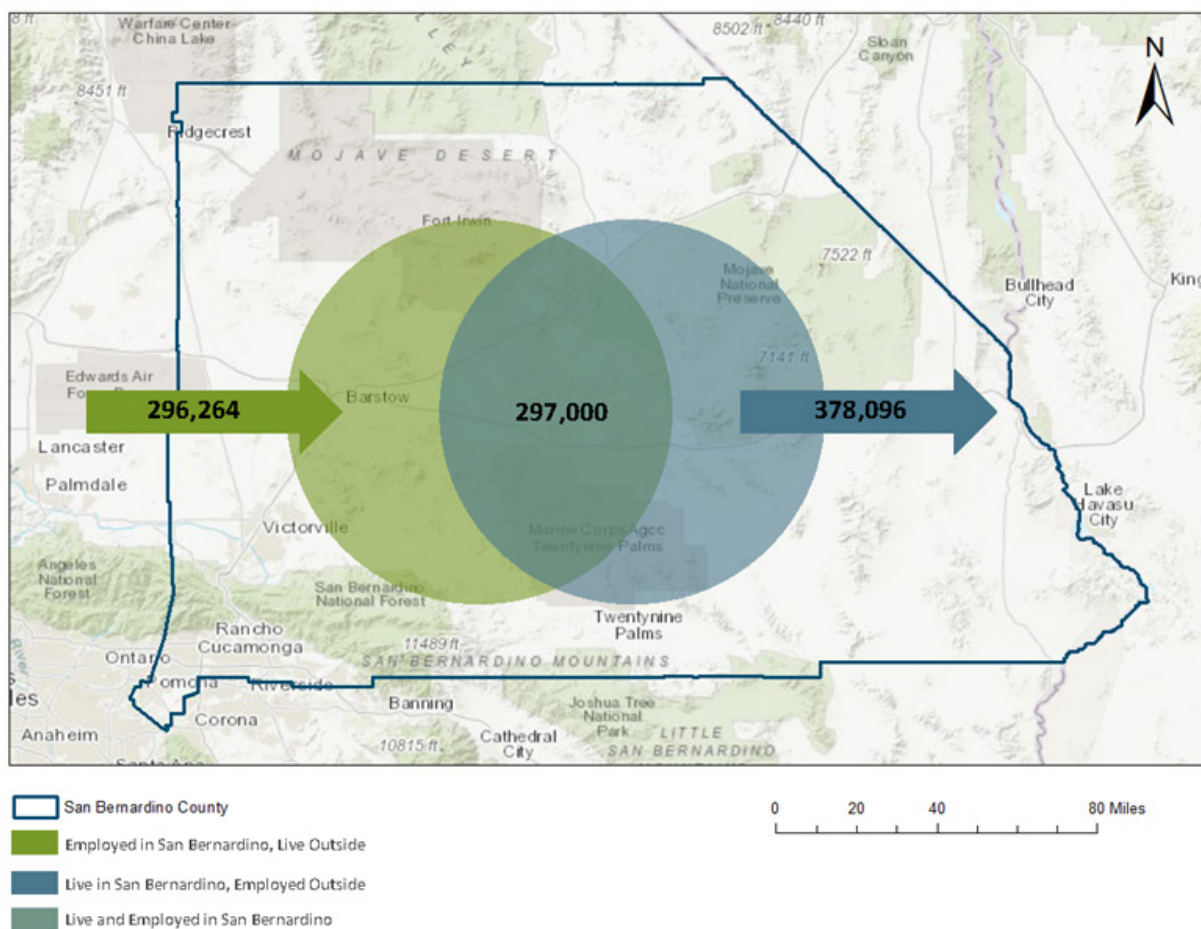
- Most workers employed in San Bernardino County work in the City of San Bernardino (16.2%), followed by Ontario (13.1%), and Rancho Cucamonga (9.9%).
- More than 53.6% of San Bernardino County residents work within the county, while 17.5% of residents work in nearby Riverside County, and 15.5% of residents work in

Los Angeles County.

- The City of San Bernardino employed the most residents in the county at 11.4%. This is followed by Fontana (9.9%), and Rancho Cucamonga (8.4%).

It should be noted, that total trips decreased from 73 million in 2019 to 45 million in 2021/2022, due to travel restrictions in response to the COVID-19 pandemic. This is a total reduction in travel activity of 39-percent. The majority of trips (85-percent) are local within San Bernardino County. Proportions of total trip purposes; whether from home to a non-workplace location, from home to the workplace and back, or trips that do not come or go from home; remained the same between 2019 to 2021/2022.¹

Figure 14. Inflow/Outflow Job Counts (All Jobs)



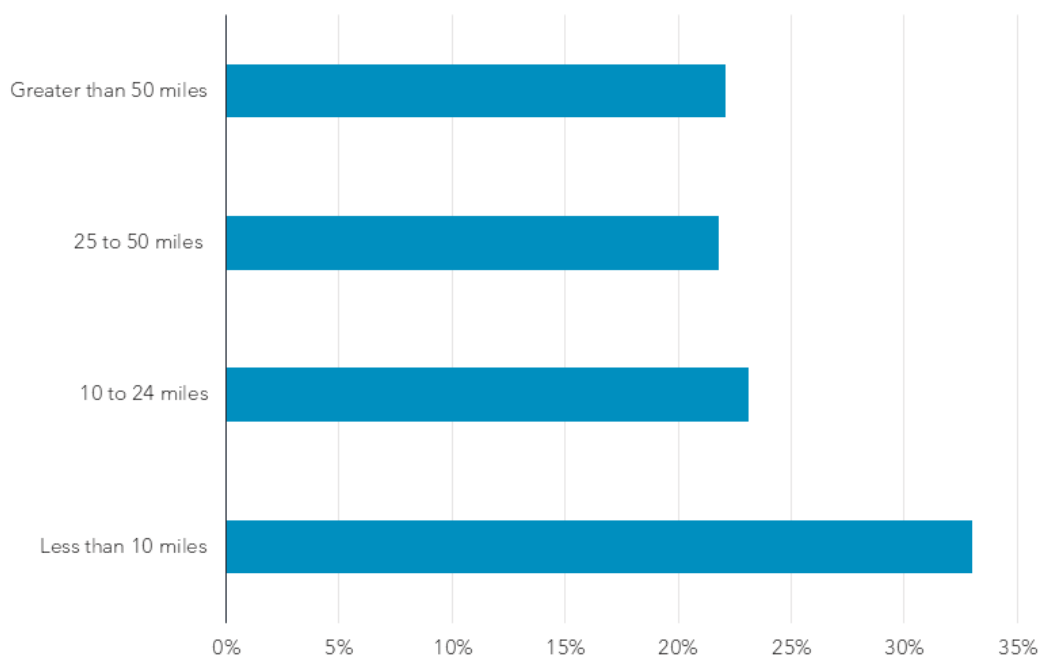
Source: United States Census Bureau. 2019. <https://onthemap.ces.census.gov/>.

¹Fehr & Peers "Travel Patterns: San Bernadino County" and "Travel Patters: Unincorporated Area". Accessed September 7, 2022.

In dispersed areas, households need to own more vehicles than in urbanized areas and rely upon driving farther distances, which in turn drives up the cost of living. The annual household transportation cost in San Bernardino County is \$14,814. Households own an average of 1.92 vehicles, and 27% of household income is spent on transportation. Figure 15, County Residents Distance to Work, summarizes the distance County residents drive from home to work.

- Commute distances are generally evenly dispersed across the four mileage categories.
- While the 33% of working residents fall within the shortest commute distance of less than 10 miles, 43% of working residents likely rely on a vehicle to commute as the commute varies from 25 to more than 50 miles.

Figure 15. County Residents Distance to Work



Source: United States Census Bureau. 2019. <https://onthemap.ces.census.gov/>.

HOUSING STOCK, PRODUCTION, AND NEEDS

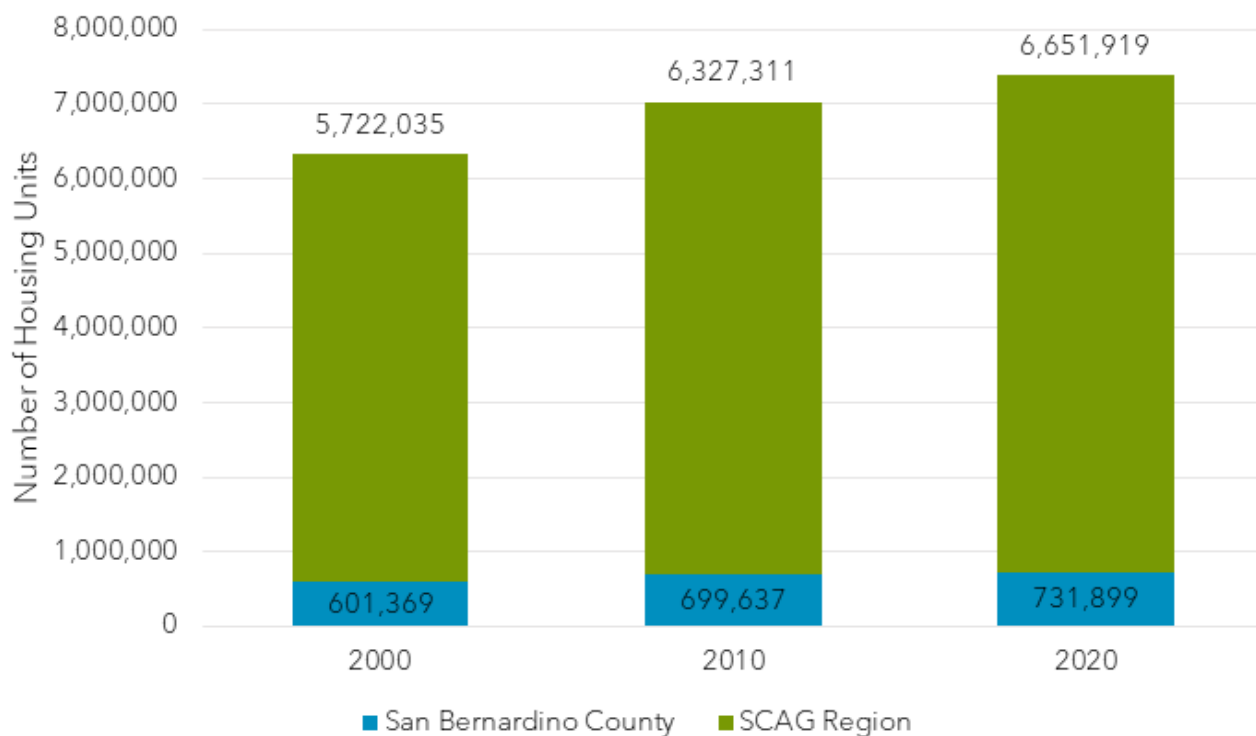
The following section highlights housing characteristic such as stock, tenure, and market trends, which is important to understanding the types of housing-related needs in San Bernardino County.

Housing Stock

In 2022, San Bernardino County was estimated to have 740,654 housing units. The total number of housing units in San Bernardino County and the SCAG region from 2000 to 2010 is illustrated in Figure 16, Number of Housing Units.

- In the County, the total number of housing units increased from 601,369 units in 2000 to 731,899 units in 2020. In the SCAG region, the total number of housing units increased from 5,722,035 units to 6,651,919 units in 2020.
- From 2000 to 2020, the County has produced housing a rate faster than the SCAG region, with a 21.7% increase in housing stock at the County level and 16.2% increase at a regional level for the SCAG region.
- Single family detached units accounted for the largest share (71.0%) of residential units in San Bernardino County. Multifamily units of five or more units were the second-most common type of housing (13.2%).

Figure 16. Number of Housing Units (2000–2020)



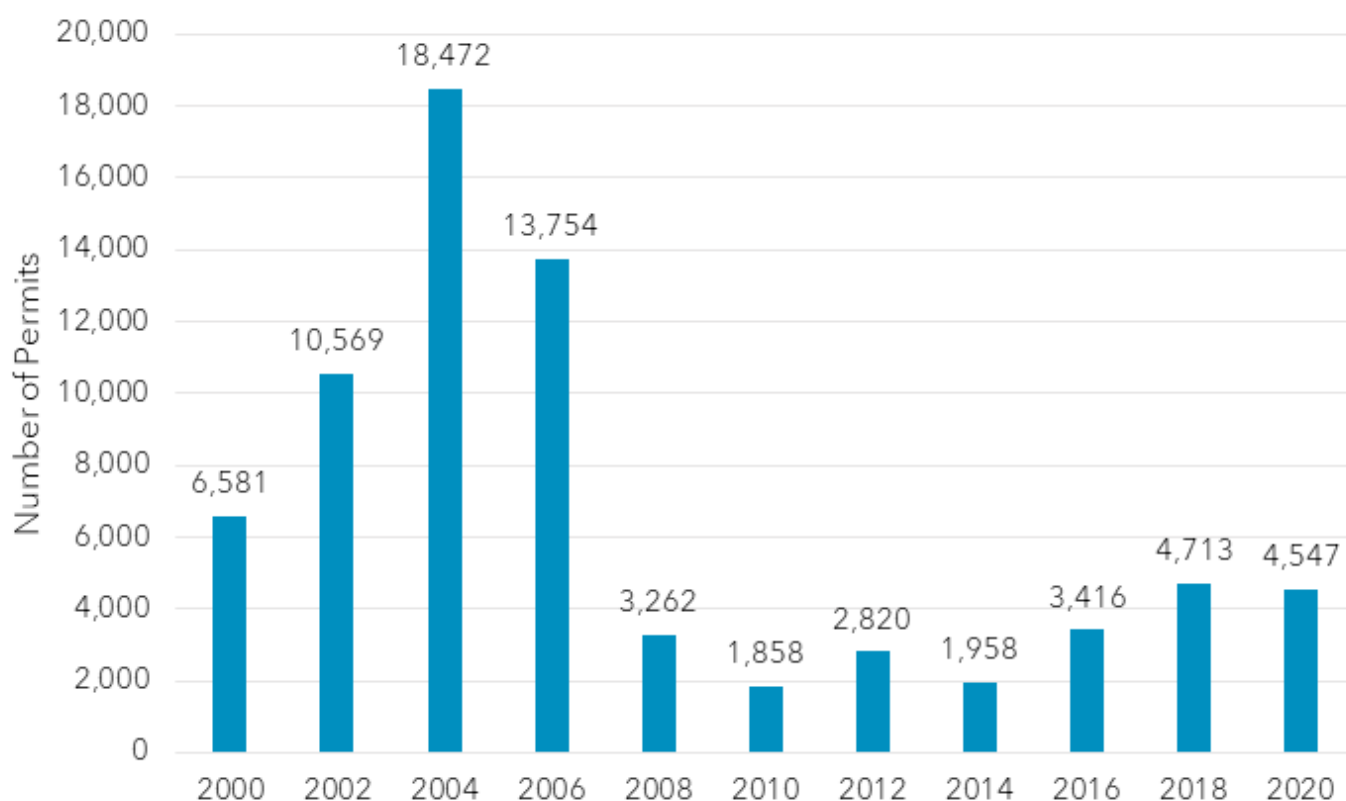
Source: California Department of Finance, E-8, 2000 and 2010; E-5, 2020.

Housing Production

The total number of residential permits issued in San Bernardino County are illustrated in Figure 17, Total Residential Units Permitted in San Bernardino County.

- In 2020, permits were issued for 4,547 residential units in San Bernardino County. The average number of permits issued in the County between 2000 and 2006 was considerably larger than the following years, due to the economic recession in the late 2000s.

Figure 17. Total Residential Units Permitted in San Bernardino County (2000–2020)



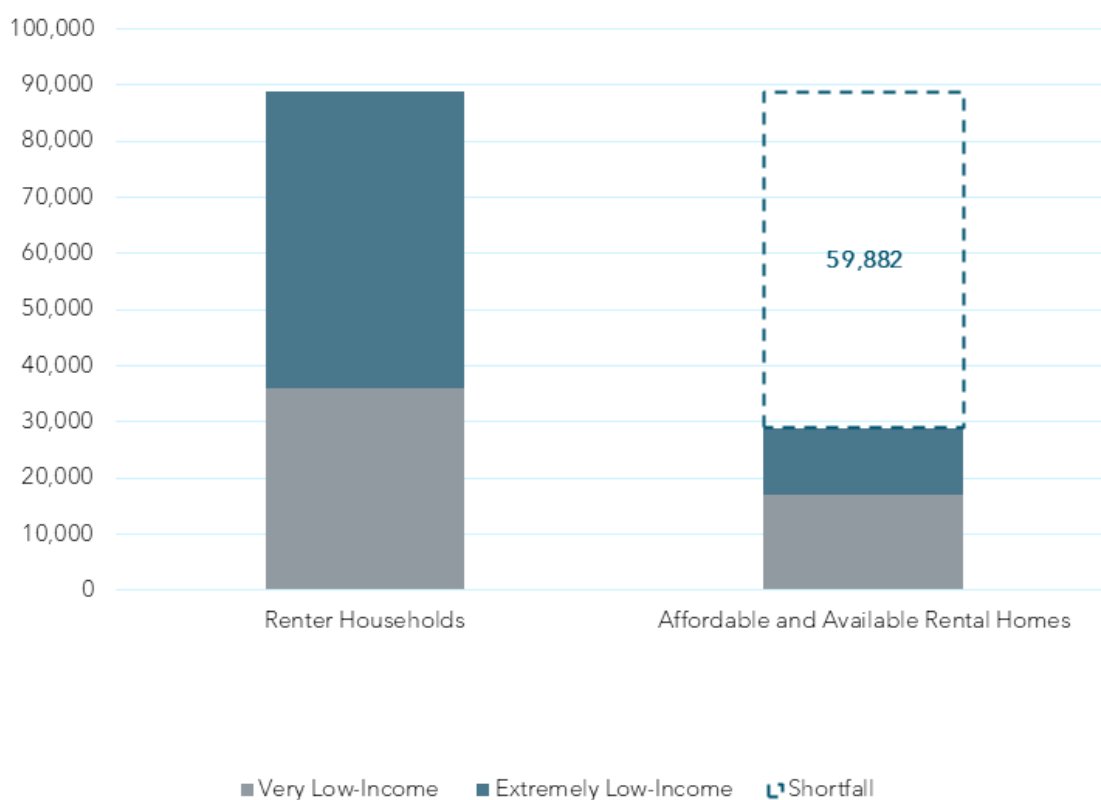
Source: Construction Industry Research Board, 2000–2020.

Housing Needs

Housing production rate in San Bernardino County is greater than the SCAG region as indicated by Figures 16 and 17 in the previous section. However, there is currently a shortage of affordable housing as highlighted through the cost burden and rental price data which impact renters the most. Figure 18, Affordable Homes Shortfall, indicates the number of very low- and extremely low-income renter households compared to the available number of affordable and available rental homes in the County.

- There is a shortfall of 59,882 housing units to accommodate low-income renters in the County.

Figure 18. Affordable Homes Shortfall

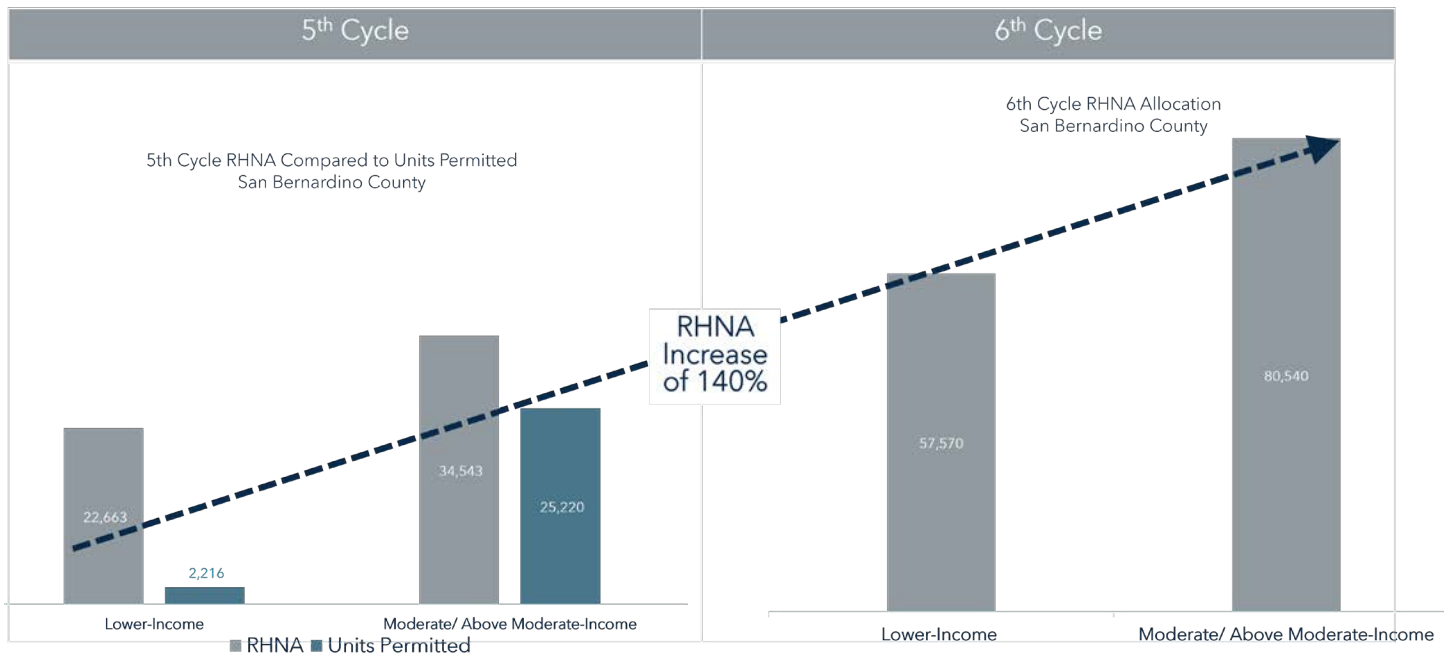


Source: California Housing Partnership. 2019. <https://chpc.net/housingneeds>.

San Bernardino County is planned to accommodate 138,110 residential units through 2029 per the Regional Housing Needs Allocation (RHNA) methodology. The SCAG region overall is planned to accommodate 1,341,827 residential units through 2029.

- The 5th Cycle RHNA Allocation for San Bernardino County was 22,663 for lower income and 34,543 for moderate- and above moderate-income.
- The County achieved 10% of its lower RHNA income unit and 73% of its moderate- and above moderate-income RHNA unit target for the 5th Cycle.
- The 6th Cycle RHNA Allocation for San Bernardino County for lower-income units increased by 154% from the 5th Cycle and increased by 133% from the 5th Cycle for moderate- and above moderate-income.

Figure 19. 5th Cycle RHNA and Production Compared to 6th Cycle RHNA



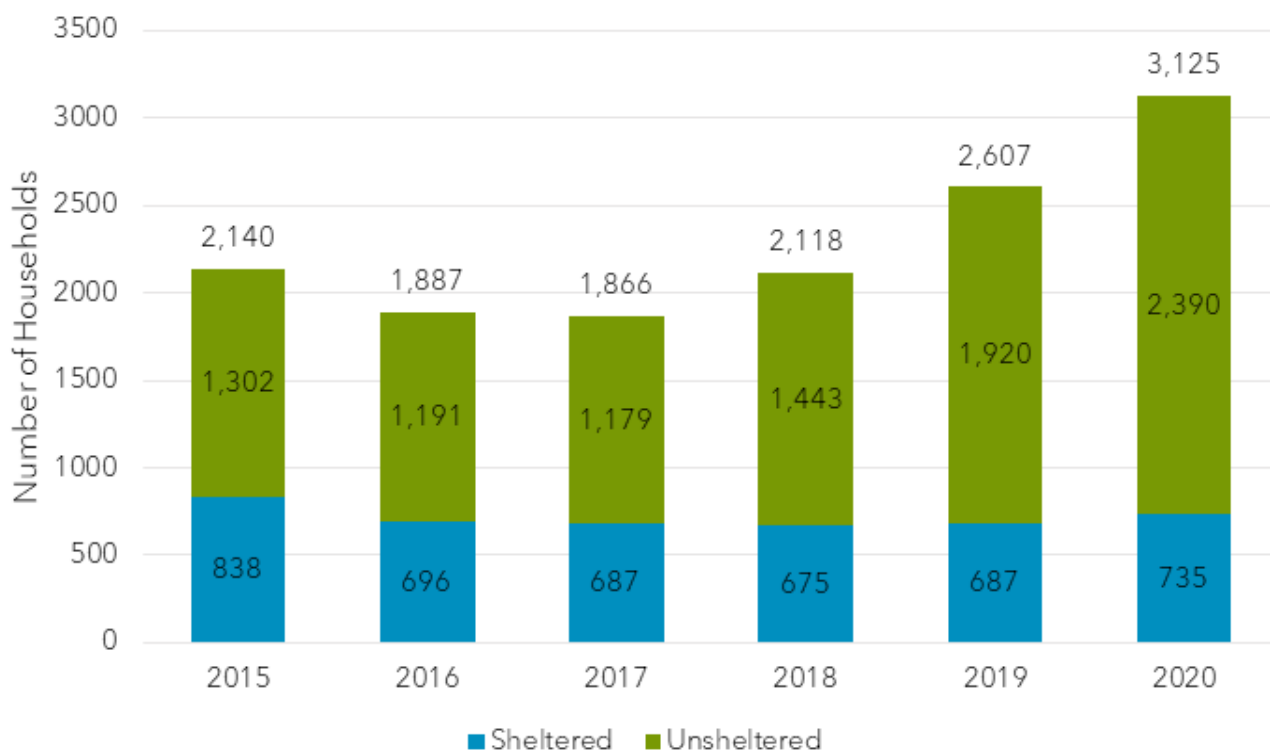
Source: California Department of Housing and Community Development, Accessed June 2022, <https://www.hcd.ca.gov/community-development/housing-element/index.shtml>

The shortfall of housing for lower-income households directly impacts the unsheltered population, as lower-income households struggle to compete for the low availability of affordable housing. An insufficient supply of affordable housing leaves vulnerable households with few options and exacerbates issues such as household overcrowding and homelessness.

As shown in Figure 20, Persons Experiencing Homelessness in San Bernardino County, there is an upward trend in the number of persons experiencing homeless in the region. The number of shelters and housing needed to serve those experiencing homelessness has not kept pace and this has led to a greater increase of those persons who are experiencing homelessness and are unsheltered.

- From 2019 to 2020, the number of persons experiencing homelessness increased by 19.8%
- From 2015 to 2020, the percentage of persons experiencing homelessness has increased by 46%.

Figure 20. Households Experiencing Homelessness in San Bernardino County (2015–2020)



Source: San Bernardino County Homeless Count and Subpopulation Survey, 2015–2020.



FUNDING OPPORTUNITY ANALYSIS

8.b

Housing trusts use different forms of revenue to raise funds such as grants, loans, donations, taxes, and fees. Some housing trusts will receive a majority of their funding from one funding source, such as fees, but many seek out a variety of funding sources. Ensuring a variety of funding sources, is advantageous for trusts, as it can increase flexibility in how funds may be expended and can help to better leverage funds for additional revenues. The type of funding opportunities available to housing trusts is dependent on the formation of the trust (e.g., public, public/private, non-profit). Additionally, the type of funding pursued by a housing trust can determine how funding is allocated toward the specific goals and needs of the trust. None of the funding sources that would be pursued by the Housing Trust would compete against any existing funding pursuits across the region, but would instead increase overall funding opportunities for the region.

PRIORITY PROGRAMS

Housing trust programs are those steps that carry out the overarching goals of a housing trust to assist in the implementation of activities. Programs of a housing trust often act as an investment strategy, creating additional funding streams for the implementation of housing trust activities. The following programs should be prioritized by the Housing Trust.

- **Funding Pursuits.**
There are many funding opportunities available to Housing Trusts. The Housing Trust should pursue funding opportunities through grant applications and private donations and should coordinate with participating member jurisdictions on local funding pursuits. Further detail on funding opportunities is provided within this chapter. None of the funding sources that would be pursued by the Housing Trust would compete against any existing funding pursuits across the region but would instead increase overall funding opportunities for the region.
- **Revolving Loan Fund.**
Revolving loan funds can be structured as construction loans, loans for gap financing, or loans to fund other housing related activities and can provide revenue to the Housing Trust by replenishing the fund through interest gained. While revolving loan funds require seed funding, they can be a good mechanism for providing a continuous stream of revenues. Loans should be prioritized for construction and gap financing in early years of the Housing Trust, as this will ensure a quicker return on investment.

- **Nonprofit Component.**

The Housing Trust should identify an existing nongovernmental nonprofit organization with an independent board of directors to activate 501(c)3 activities so that the Housing Trust may accept charitable contributions. Potential organizations include the Inland Empire Community Land Trust or Neighborhood Partnership Housing Services.

- **VMT Mitigation Bank.**

As a response to recent state legislation (SB 743, 2013; effective July 2020) encouraging the overall reduction of greenhouse gas emissions through the monitoring of and mitigating for Vehicles Miles Traveled (VMT) incurred by future land use and transportation investments, SBCTA is actively pursuing the development of a Pilot VMT Mitigation Bank. Guided by Board action in July 2020, the pilot program would create a monetary value for VMT reduction such that a developer or an agency building a VMT-generating project could purchase VMT reduction credits. The money exchanged for credits could be applied to local, regional, or state level VMT reduction projects or actions. SBCTA has identified the Housing Trust as one such potential beneficiary of generated revenues; a certain percentage (identified by SBCTA) would fund the activities outlined by the Housing Trust's Bylaws.

While planning for the Pilot VMT Mitigation Bank is underway, additional work and funding are needed to move forward in this process. SBCTA anticipates applying for REAP 2.0 grant funding in late 2022/early 2023 to develop the needed program components (fee structure, VMT mobile application, participant verification process, etc.). Depending on the REAP 2.0 opportunity, SBCTA is anticipating that the pilot program could be implemented as soon as 2024, with revenues collected and distributed by 2025.

SECONDARY PROGRAMS

Community Development Financial Institution. If the Housing Trust develops a nonprofit component, the Housing Trust could operate as a Community Development Financial Institution (CDFI). CDFIs are private community-based non-governmental financial institutions that provide affordable lending to underserved populations or low-income people. Many private housing trusts are certified with the U.S. Department of Treasury as CDFIs. If the Housing Trust were established as a CDFI, it would gain access to competitive monetary awards through the Capital Magnet Fund, which awards grants to finance affordable housing solutions and community revitalization efforts that benefit low-income households and communities.

Grants and Loans

Current State and Federal Funding Opportunities

Table 2 provides a summary of funding programs that provide funds, either through grants or loans, for housing development activities. The California Department of Housing and Community Development (HCD) is the main agency that provides funding opportunities for new or existing housing trusts and housing activities. Programs specifically developed for the establishment of new housing trusts are described below. Other agencies that provide funding are the California Strategic Growth Council, which provides funding for housing activities under the Transformative Climate Communities Program and the Affordable Housing and Sustainable Communities Program, and the Governor's Office of Planning and Research and California Air Resources Board, which co-funds the Regional Early Action Planning 2.0 Grant with the HCD.

The Transformative Climate Communities and Affordable Housing and Sustainable Communities Programs are funded through the General Fund's Climate Budget. The Transformative Climate Communities Program funds projects including affordable and sustainable housing developments that reduce greenhouse gas emissions in disadvantaged communities that are ranked in the top 25% of California Communities Environmental Health Screening. The Transformative Climate Communities Program requires applicants to develop and implement projects that address three of Transformative Climate Communities' 11 strategies. Strategies that housing trusts established as a JPA or non-profits can select are: Equitable Housing and Neighborhood Development, Land Acquisition for Affordable Housing, and Solar Installation, Energy Efficiency, and Appliance Electrification or Water Efficiency. The Affordable Housing and Sustainable Communities Program provides funding for affordable housing development and transportation infrastructure for disadvantaged and low-income communities and households. The goal of this program is to reduce the need and use of personal vehicles by increasing the supply of affordable housing that allows residents to live near jobs, stores, transit stops, and other daily needs.

The Regional Early Action Planning (REAP) 2.0 Grant is a new program created from the 2021 California Comeback Plan. The program is funded through Federal COVID-19 Fiscal Recovery Fund and State General Funds. REAP 2.0 builds upon REAP 1.0 and "integrates housing and climate goals."⁵ This program provides funding to housing development activities that reduces vehicle usage, increases housing affordability, and advances equity.

⁵ California Department of Housing and Community Development, Accessed June 2022, Regional Early Action Planning (REAP) Website, <https://www.hcd.ca.gov/regional-early-action-planning>

Table 2. Summary of Current State and Federal Funding Opportunities^a

Program and Organization	Type of Funds	Maximum Funds Available	Match Requirement	Expenditure Deadline	Examples of Eligible Housing Activities—See Guidelines for Entire List
Local Housing Trust Fund— HCD ¹	Grant	\$5 million	100%	3–5 years	<ul style="list-style-type: none"> • Loans for acquisition • Predevelopment expenses and development of affordable rental housing projects • Rehabilitation of homes owned by income-eligible homeowners • Down payment assistance to qualified first-time homebuyers
National Housing Trust Fund— HCD	Loan	\$10 million per project	Not Required	5 years	<ul style="list-style-type: none"> • New construction of multifamily permanent housing for extremely low-income households
Permanent Local Housing Allocation— HCD	Grant	\$20-30 million ²	Not Required	5 years	<ul style="list-style-type: none"> • The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, and affordable rental and ownership housing. • Matching portion of funds placed in housing trusts and available through the Low- and Moderate-Income Housing Asset Fund • Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments • Homeownership opportunities, including, but not limited to, down payment assistance

Table 2. Summary of Current State and Federal Funding Opportunities^a

Program and Organization	Type of Funds	Maximum Funds Available	Match Requirement	Expenditure Deadline	Examples of Eligible Housing Activities—See Guidelines for Entire List
Regional Early Action Planning 2.0 Grant— HCD, CSCG ³ , Governor's Office of Planning and Research, CA Air Resources Board	Grant	Based on County Population Projections as of July 1, 2021	Not Required	2–4 years	<ul style="list-style-type: none"> • Establishing and funding an affordable housing catalyst fund, trust fund, or revolving loan fund for location efficient project • Affordable housing development programs • Housing development soft costs, such as predevelopment costs • Accelerating infill development that facilitates housing supply, choice, and affordability through various planning programs, services, or capital expenditures
Multifamily Housing Program (AB ⁴ 434 Super NOFA ⁵)— HCD	Loan	\$35 million per project; \$80 million in Super NOFA fund awards	Not Required	3 years	<ul style="list-style-type: none"> • Property acquisition • On-site improvements related to the Rental Housing Development • Architectural, appraisal, engineering, legal and other consulting costs, and fees, which are directly related to the planning and execution of the Project Rent-Up Costs
Joe Serna, Jr. Farmworker Housing Grant (AB 434 Super NOFA)— HCD	Grant	\$3 million; \$80 million in Super NOFA fund awards	Not Required	3 years	<ul style="list-style-type: none"> • Projects must be intended for Agricultural Workers • Property acquisition • Onsite improvements related to the Rental Housing Development • Architectural, appraisal, engineering, legal, and other consulting costs, and fees, which are directly related to the planning and execution of the Project, and which are incurred through third-party contract

Table 2. Summary of Current State and Federal Funding Opportunities^a

Program and Organization	Type of Funds	Maximum Funds Available	Match Requirement	Expenditure Deadline	Examples of Eligible Housing Activities—See Guidelines for Entire List
Veterans Housing and Homelessness Prevention Program (AB 434 Super NOFA)—HCD	Loan	\$15 million per project; \$80 million in Super NOFA fund awards	Not Required	5 years	<ul style="list-style-type: none"> • Projects must be intended for Veterans and their families • Property acquisition • On-site improvements related to the Rental Housing Development • Architectural, appraisal, engineering, legal and other consulting costs, and fees, which are directly related to the planning and execution of the Project, and which are incurred through third-party contract
Affordable Housing and Sustainable Communities—CSGC	Grant, Loan	\$30 million per project area (Loan, Grant, or Combination)	90%	6 years	<ul style="list-style-type: none"> • New construction • Acquisition and Substantial Rehabilitation (including preservation of affordable housing at-risk of conversion to market rate) • Conversion of one or more nonresidential structures to residential dwelling units • Soft costs such as those incidentally but directly related to construction or other pre-development components
Transformative Climate Communities (Implementation) CSGC	Grant	\$35 million	50%	6 years	<ul style="list-style-type: none"> • New construction • Acquisition and substantial rehabilitation including preservation of affordable housing at-risk • Conversion of one or more nonresidential structures to residential dwelling units • Affordable housing or mixed-use developments

Table 2. Summary of Current State and Federal Funding Opportunities^a

Program and Organization	Type of Funds	Maximum Funds Available	Match Requirement	Expenditure Deadline	Examples of Eligible Housing Activities—See Guidelines for Entire List
HOME Investment Partnership Programs - US Department of HUD ⁶	Grant, Loan	\$150,000-200,000 (Grant); \$7 million (Loan)	Not Required	3.3 years	<ul style="list-style-type: none"> • Rental new construction or rehabilitation project • Acquisition-only down payment assistance or with rehabilitation • Tenant based rental assistance • Infill new construction
CalHome Program - HCD	Grant	\$300,000- 5 million	Not Required	3 years	<ul style="list-style-type: none"> • First-time homebuyer mortgage or Owner-occupied rehabilitation assistance • Technical assistance for self-help homeownership projects • Loans for ADU/JADU construction or repair or homeownership project development projects
Homekey - HCD	Grant	\$200,000-300,000 per door (Capital); \$50,400 per unit (Operating)	Not Required, but if provided additional funding is available	8 months or 4 years ⁷	<ul style="list-style-type: none"> • Acquisition and/or rehabilitation of motels, hotels, hostels, or other sites and assets • Conversion of units from nonresidential to residential • New construction of dwelling units • Leasing of properties for non-congregate housing

Notes:

- a Program guideline are subject to change each year. The table summarizes the most current guidelines for each program, accessed in May and June 2022.
- 1 California Department of Housing and Community Development
- 2 Funds are allocated based on a formula. Maximum funds available are based on 2021 allocations.
- 3 California Strategic Growth Council
- 4 Assembly Bill
- 5 Notice of Funding Availability
- 6 Housing and Urban Development
- 7 Capital funds must be expended by 8 months of the date of award and operating funds by June 30, 2026.

Key Funding Opportunities for Housing Trusts

Most of the funding opportunities listed in Table 2 allow housing trusts formed as a JPA to directly apply for program funds. Some funding programs are of particular importance for housing trusts, as the funding is offered in the form of a grant and housing trusts may be ideal applicants. The programs listed in Table 2 that should be prioritized by the Housing Trust are further detailed as follows.

- **Local Housing Trust Fund**

The Local Housing Trust Fund program (LHTF) provides matching grant funds to housing trusts. Funds may be used for the development or rehabilitation of affordable housing (construction loans, predevelopment finance loans, acquisition costs, or similar costs); housing to serve those experiencing homelessness (emergency shelters, permanent supportive housing, transitional housing); affordable homebuyer or homeowner projects, or for the development of accessory dwelling units. Matching funds are provided on a dollar-for-dollar basis, up to \$5 million annually. Housing trusts must have ongoing sources of revenues such as membership dues and a percentage of each NOFA is set aside for new housing trusts.

- **Affordable Housing and Sustainable Communities**

The Affordable Housing and Sustainable Communities (AHSC) program awards funds to projects that integrate land use and transportation strategies to reduce vehicle miles traveled. This program requires a defined project area that includes a transit stop and supports affordable housing development. This program would best serve the Housing Trust for a specific development. This could be through a coordinated effort with an affordable housing developer or through a grant pursuit for the development of a publicly owned site.

- **Transformative Climate Communities**

Similar to the AHSC program, the Transformative Climate Communities (TCC) funds projects that implement other state objectives such as greenhouse gas reduction. TCC provides implementation grants for projects that are shovel-ready, located near transit, and provide or are near a planned or existing community benefit. Community benefits can include multimodal improvements, community gardens, parks, or similar uses. This grant would best serve the Housing Trust for a specific development, ideally in a community with an adopted TCC plan.

Funding Opportunities for Outside Applicants

The majority of programs listed in Table 2 allow housing trusts and organizations formed as a JPA to directly apply for program funds. However, there are programs that require housing trusts to work or partner with their local government agency to receive or apply for funds. The following programs in Table 2 require collaboration.

- **Regional Early Action Planning 2.0**

REAP 2.0 allocates most of program funds to Metropolitan Planning Organizations, including SCAG. A portion of funds go to rural, tribal, and other entities. SCAG represents the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura and may partner with other forms of governments or entities or suballocate funds to a regional housing trust fund. Suballocations are based on housing, land use, transportation, climate change, equity, and planning priorities.

- **Permanent Local Housing Allocation**

The Permanent Local Housing Allocation Program allocates its funds to entitlement and non-entitlement jurisdictions. Entitlement jurisdictions are defined as principal cities of Metropolitan Statistical Areas, other metropolitan cities with populations of at least 50,000, and qualified urban counties with populations of at least 200,00 (excluding the population of entitled cities). Allocated funds for entitlement jurisdictions, which includes San Bernardino County⁶, are based on the Community Development Block Grant formula allocation. A local government receiving the entitlement or non-entitlement allocation may delegate a Local or Regional Housing Trust Fund to submit an application on its behalf and administer its allocation of program funds.

- **HOME Investment Partnership Program**

Federal HOME Investment Partnership Program (HOME) funds are allocated to participating jurisdictions, often counties or cities, and are restricted for use within their jurisdictions. Funds can be used for affordable housing development, rehabilitation, and tenant assistance, but must serve low- to very low-income levels. A participating jurisdiction may be allowed to use a for-profit or nonprofit lender to administer its HOME homebuyer assistance program, such as a housing trust or partner to the trust, if it provides both the HOME financing and other mortgage financing to HOME-assisted homebuyers. To do so, a participating jurisdiction must implement safeguards such as specifying in a written agreement the forms, amounts, and any conditions of homeownership assistance the lender is authorized to provide.

⁶ Needles, Big Bear Lake, Grand Terrace, Yucca Valley, Loma Linda, Barstow, Twentynine Palms, Montclair, Adelanto, Colton, Yucaipa, Highland, and Redlands

- **CalHome Program**

Only local public agencies and nonprofit corporations are eligible to apply for the CalHome Program. A consortium with a single administrator can be established on behalf of all jurisdictions in a consortium to help less experienced localities to qualify for funding, provided there is a Memorandum of Understanding between the parties. A housing trust would benefit from this as a nonprofit, if funding is provided through its jurisdictions, or as an administrator of a consortium of local public agencies. The Housing Trust Fund of Santa Barbara County, a nonprofit, was awarded a \$1.76 million grant which helped relaunch its Workforce Homebuyer program.

- **Homekey**

Homekey provides funding to house those experiencing or at-risk of experiencing homelessness. This includes acquisition, rehabilitation, or preservation to provide housing such as emergency shelters, transitional housing, or permanent supportive housing. Applicants are required to be cities, counties, cities and counties, and all other state, regional, and local public entities (alone or acting jointly), including councils of government, metropolitan planning organizations, and regional transportation planning agencies. The Housing Trust could utilize Homekey funds to assist jurisdictions in providing housing for those experiencing homelessness.

Eligible Use of Funds

Table 2 provides examples of eligible projects and activities for each program. To view a comprehensive list of eligible uses of funds, refer to the most recent program guidelines. Most programs are specifically designed for housing activities. However, there are some programs with a broader focus, such as the reduction of greenhouse gas emissions, but incorporate affordable housing activities as a way to meet the program's overall goal (e.g., Transformative Climate Communities, Affordable Housing and Sustainable Communities Programs, and Regional Early Action Planning 2.0 Grant). There are other programs that require funds to be used for specific groups or targeted areas such as agricultural workers (Joe Serna, Jr. Farmworker Housing Grant), veterans (Veterans Housing and Homelessness Prevention Program), individuals eligible for health care assistance (Housing for a Healthy California), and disadvantaged communities (Transformative Climate Communities and Affordable Housing and Sustainable Communities).

Programs for New Housing Trusts

Certain state or federal programs designate specific funds for new housing trusts. The Local Housing Trust Fund Program administered by the California Department of Housing and Community Development typically reserves 15% of funds for new housing trusts. The minimum amount a new housing trust can request is \$750,000 (maximum is \$5 million) and sources of ongoing revenues must be sufficient to pay for the new trust fund's operating costs for a minimum of 5 years. Ongoing revenues include public or private sources of revenue. If there are insufficient applications from new housing trusts in a given funding year, then the remaining 15% of reserved funds for new housing trusts become available to existing housing trust funds.

The Local Housing Trust is one of the most well-known programs to secure funds for new and existing housing trusts, but there is another program that provide funds specifically for new housing trusts. The REAP 2.0 Grant was developed to provide coronavirus recovery through financial assistance of activities that meet housing goals and reduce vehicle usage. Approximately 80% of the funding available for REAP 2.0 comes from the Federal COVID-19 Relief funds and 20% comes from State General Fund dollars. Therefore, REAP 2.0 also uses the "United States Department of Treasury's Final Ruling on State and Local Fiscal Recovery Funds (SLFRF)" as guidance on eligible uses of funds, specifically for the 80% of funds sourced from the Federal COVID-19 Relief funds⁷. SLFRF allows REAP 2.0 program funds to be used to "establish and fund an affordable housing catalyst fund, trust fund, or revolving loan fund for location efficient projects as long as the fund is spent by the expenditure deadline (June 30, 2026)."⁸

Past Funding Availability for Housing Trusts

Funding availability for programs listed in Table 2 has varied over the years. Table 3 provides a summary of past funding opportunities and total funding amount available for each Notice of Funding Availability (NOFA) released. Not all programs provide past NOFA documents consecutively and some programs have been recently formed, so past NOFA documents only go back 1 or 2 years. Almost all funding for programs has increased over the years, with two programs receiving a slight decrease in funds in 1 year. The Local Housing Trust Fund has repeatedly had \$57 million allocated to the program and the REAP 2.0 Grant had a high increase in funds due to the Federal COVID-19 Relief. Both programs have specific activities or funds allocated for new housing trusts.

⁷ United States Department of Treasury's Final Ruling on State and Local Fiscal Recovery Funds (SLFRF)
⁸ Regional Early Action Planning Grant Program 2.0 2022 Draft Guidelines

Table 3. Summary of Past Funding Opportunities for Housing Trusts

Program and Organization	Type of Funds	Year	Release of Notice of Funding Availability	Total Funding Available	More Information
Local Housing Trust Fund— HCD ¹	Grant	2022	April	\$57 million	Not Available
		2021	May	\$57 million	
		2020	April	\$57 million	
National Housing Trust Fund— HCD	Loan	2021	December	\$160 million	Funding for federal years 2018-2021 were used for the Housing for a Healthy California Program
		2019	May	\$33 million	
		2018	June	\$30 million	
Permanent Local Housing Allocation— HCD	Grant	2021	May	\$304 million	Formula Component (Non-Entitlement and Entitlement)
		2020	February	\$195 million	
Regional Early Action Planning 2.0 Grant— HCD, CSCG ² , Governor's Office of Planning and Research, CA Air Resources Board	Grant	2022	Summer	\$600 million	REAP 2.0 Draft Guidelines are currently available and approximately \$510 million will go towards Metropolitan Planning Organizations' Direct Allocation
		2020	February	\$119 million	REAP 1.0
Multifamily Housing Program (AB ³ 434 Super NOFA ⁴)— HCD	Loan	2022	March	\$275 million	Part of the Multifamily Finance Super NOFA (AB 434) providing \$650 million in funding for all programs
		2021	July	\$220 million	\$20 million each year was set aside for project(s) selected pursuant to Executive Order N-06-19
		2020	August	\$195 million	

Table 3. Summary of Past Funding Opportunities for Housing Trusts

Program and Organization	Type of Funds	Year	Release of Notice of Funding Availability	Total Funding Available	More Information
Joe Serna, Jr. Farmworker Housing Grant (AB 434 Super NOFA) - HCD	Grant	2022	March	\$80 million	Part of the Multifamily Finance Super NOFA (AB 434) providing \$650 million in funding for all programs
		2021	February	\$86 million	Not Available
		2019	December	\$74 million	
Veterans Housing and Homelessness Prevention Program (AB 434 Super NOFA)—HCD	Loan	2022	March	\$95 million	Part of the Multifamily Finance Super NOFA (AB 434) providing \$650 million in funding for all programs
		2021	May	\$75 million	Not Available
		2020	January	\$75 million	
Affordable Housing and Sustainable Communities—CSGC	Grant, Loan	2021	February	\$405 million	Not Available
		2019	November	\$550 million	
		2018	November	\$395 million	
Transformative Climate Communities—CSGC	Grant	2022	March	\$105 million	Three implementation grant awards of \$35 million each
		2019	October	\$56.4 million	Two implementation grant awards of \$28.2 million each
Housing for a Healthy California—HCD	Grant, Loan	2021	December	\$160 million	Uses \$160 million in federal National Housing Trust Fund (NHTF) funding
		2020	June	\$43.5 million	Combined \$33 million from 2020 NHTF funds and \$10.5 million from 2019 NHTF funds

Table 3. Summary of Past Funding Opportunities for Housing Trusts

Program and Organization	Type of Funds	Year	Release of Notice of Funding Availability	Total Funding Available	More Information
HOME Investment Partnership Programs - U.S. Department of HUD ⁵	Grant	2021 and 2020	December	\$72 million	NOFAs released for 2020 and 2017 cover two years of funding
		2019	October	\$42 million	
		2018 and 2017	June	\$72 million	
CalHome Program— HCD	Grant	2021	September	\$57 million	Not available
		2020	August	\$57 million	
		2019	November	\$57 million	
Homekey— HCD	Grant	2021	September	\$1.45 billion	•\$1.2 billion is derived from the Coronavirus State Fiscal Recovery Fund (CSFRF) established by the federal American Rescue Plan Act of 2021
		2020	July	\$600 million	•\$550 million is derived from the state's direct allocation of the federal Coronavirus Relief Fund

Notes:

- 1 California Department of Housing and Community Development
- 2 California Strategic Growth Council
- 3 Assembly Bill
- 4 Notice of Funding Availability
- 5 Housing of Urban Development

PRIVATE DONATIONS

Table 4. Examples of Potential Donor or Partner Organizations

Donor Organization	Housing Trust Donation Recipients	More Information
Bank of America	Silicon Valley Housing Trust and Santa Barbara County Housing Trust	No information Available
Wells Fargo	Silicon Valley Housing Trust and Housing Endowment and Regional Trust of San Mateo County	
Chase	Silicon Valley Housing Trust	
Kaiser Permanente		
1st Capital Bank	San Luis Obispo County Housing	
Union Bank of California		
California Association of Realtors		
Stater Bros. Market	N/A	Stater Bros. Charities funds nonprofit organizations that support causes such as children's well-being and health
Cal State San Bernardino	N/A	Ventura County Housing Trust Fund received donations from Cal State Channel Islands University
Lowe's Home Improvement	City of Redding	Seed money for City of Redding (Note— Housing trust no longer exists)
Esri		Esri has been noted through outreach as a potential collaborator in the Housing Trust. This could be through charitable donation or through other coordination.
Amazon	Ventura County Housing Trust Fund San Luis Obispo County Housing Trust Fund	The Ventura County Housing Trust Fund uses AmazonSmile, which allows a proportion of profits made through Amazon using a special link to be donated into the housing trust.
FedEx		Fedex has been noted through outreach for this effort as a potential collaborator in the Housing Trust. This could be through charitable donation or through other coordination.
UPS		UPS has been noted through outreach for this effort as a potential collaborator in the Housing Trust. This could be through charitable donation or through other coordination.

Previous and current housing trusts have been able to secure private donations to help fund their programs. The ability for a housing trust to receive donations is dependent on the filing status. The Silicon Valley Housing Trust files as a 501(c)(3) corporation and is one of the housing trusts that provides a comprehensive list of all their donors on their website⁹. It is acknowledged that the Silicon Valley Housing Trust is a unique case because of the numerous opportunities for private donations available in the area. However, some of the donors in the Silicon Valley region could be applicable to San Bernardino. Table 4 provides a list of potential organizations that could be of interest to SBCOG for either charitable donations or for potential partnerships to develop solutions to the regional housing needs that impact residents as well as the private sector. These organizations have a presence in the San Bernardino region, and some have previously donated to housing trusts. Additional organizations that have been identified through outreach as potential Housing Trust partners include Logistix, Habitat for Humanity, NEW Economics for Women, Heart 2 Serve Inc., and Pelican Communities. As stated above, the filing status of the housing trust would determine how San Bernardino Housing Trust can receive donations. The Orange County Housing Finance Trust, formed in 2019, is formed as a JPA and has formed a partnership with an existing non-profit so that it may receive tax-exempt donations to fund more affordable and supportive housing.

The San Luis Obispo County Housing Trust Fund which also files as a 501(c)(3) has also raised a lot of capital through donations and provides links on the trust's website for the public to make personal donations. An innovating mechanism San Luis Obispo County uses is partnering with AmazonSmile. AmazonSmile donates 0.5% of the price of eligible purchases to a user's charity of choice. To be eligible to receive donations from AmazonSmile, an organization must be listed in Candid's GuideStar, a repository of nonprofit organizations.

TAXES AND FEES

Taxes and fees can be implemented by local governments and can be utilized as another form of revenue for housing trusts. New or existing taxes and fees may be utilized by participating member jurisdictions to provide funds for annual Housing Trust membership dues. In the 2016, the Sonoma County Community Development Commission reviewed the revenue sources of 37 housing trusts in California in their "Prospects for a Sonoma County Housing Trust Fund ¹⁰" report and found that in-lieu and mitigation fees were the most common type of fees for housing trusts in California. The Institute for Local Government also published a report, "Establishing a Local Housing Trust Fund: A Guide for California Officials,"¹¹ and listed the most commonly used taxes and fees for housing trust in California, which include the following:

⁹ Silicon Valley Housing Trust Website

¹⁰ Prospects for a Sonoma County Housing Trust Fund (2016) Report. https://sonomacounty.ca.gov/Microsites/Permit%20Sonoma/Documents/Pre-2022/_Documents/Documents/Building%20HOMES%20-%20Prospects%20for%20a%20Sonoma%20County%20Housing%20Trust%20Fund.pdf. Accessed June 2022.

¹¹ Establishing a Local Housing Trust Fund: A Guide for California Officials (2007) Report

- **Developer Fees.**

Developer fees include linkage/impact fees, and in-lieu/mitigation fees. These fees can be applied to commercial or residential development. Linkage/impact fees are applied to commercial development projects and are used to meet the demand of affordable housing created by economic growth. In-lieu/mitigation fees are typically included in inclusionary housing programs and are fees that developers can pay to opt out of building affordable housing units. The Urban Institute published a report, “Determining In-Lieu Fees in Inclusionary Zoning Policies,”¹² to assist local governments in determine whether in-lieu fees should be established and how to structure them.

- **Local Sales Tax.**

Local sales tax includes property taxes, real estate excise taxes, and hotel and motel taxes. Some local governments will directly contribute these tax funds to housing trust funds.

- **Redevelopment Tax Increment Set Asides.**

Additional property taxes that come from increased value of an area due to improvements, also known as tax increments, are received by redevelopment agencies. These agencies must set aside a percent of the tax increment to fund affordable housing. Local housing authorities may administer these funds.

- **Loan Repayment Fees.**

Loan repayment fees from private or nonprofit developers that construct affordable housing are typically used to create revolving funds. These funds are constantly replaced by the same funds used from the account, but also can grow due to interest paid.

Each state has requirements for using public revenues for specific activities. The fees listed above are used by housing trusts in California. Other fees commonly used by housing trusts in the state include real estate transfer tax, boomerang funds, business registration fee and operation tax, short-term rental tax, and “membership” fees. Housing trust funds, such as the Housing Endowment and Regional Trust of San Mateo County, have required jurisdictions that are members of the trust to commit a percent of their annual appropriations to the trust. Funds that are committed are considered “membership” fees and create a dedicated source of revenue for the trust during its first years of establishment. Local taxes and fees are only applicable at the local level but can be tapped into by localities to assist in housing trust membership dues.

12 Determining In-Lieu fees in Inclusionary Zoning Policies (2020) Report (Brief)



HOUSING TRUST ACTIVITIES

8.b

Housing trust activities are those implementation actions which the housing trust fulfills through the expenditure of funds. Activities can include, but are not limited to, new construction of affordable housing, predevelopment activities for affordable housing development, down payment assistance for first-time homebuyers, gap financing for affordable housing developers, preservation or rehabilitation of existing affordable housing, land acquisition for development of affordable housing, and establishment of housing or services for those experiencing homelessness. Further, housing activities that a housing trust undertakes can serve a variety of housing needs. Those primary housing needs that have been identified for the Housing Trust include housing for middle income earners or workforce housing, housing for lower-income households, housing for first-time homebuyers, and housing for those experiencing homelessness. Priority activities of the Housing Trust have been identified through outreach conducted for this effort and are detailed in this section.

PRIORITY HOUSING TRUST ACTIVITIES

The following details those priority activities that have been identified through outreach and that have been determined to be feasible endeavors by the Housing Trust.

Gap Financing for Housing Development

Financing for housing developments can be complex, often requiring the stacking of multiple funding sources, and funding is even more complex for affordable housing developments. Housing Trusts can provide grants for gap financing to assist developers in closing the gap between the market-rate rents or sales prices needed to make a project feasible, bringing the rent or sale of housing down to levels that low- and moderate-income households can afford. Further, gap financing can provide affordable housing developers with a competitive advantage, as they can leverage funds to acquire additional funding through state and federally administered programs. Gap financing would be provided on a competitive basis through the Housing Trust, where funds would be available based on geographic boundaries. The specific distribution of funds will be determined by a methodology agreed upon by the board of the Housing Trust.

Housing Preservation or Rehabilitation

Preservation or rehabilitation of existing structures is often a lower-cost alternative to new construction. Preservation of existing affordable housing units can reduce displacement of lower-income residents and even create new pathways for cooperative housing ownership models. Further, the rehabilitation or conversion of existing structures can expedite the development process and reduce the overall costs of development. Housing trusts can provide financing in the form of grants or low interest loans to support preservation, rehabilitation, and conversion for affordable housing.

Land Banking

Acquiring and holding land can strategically hold properties until they can be developed with affordable housing, without concern for an increasing cost of land. Housing trusts can acquire and assemble properties and even look within existing public land inventories to seek key opportunity sites suitable for housing development. Housing trusts can support affordable housing developments, housing rehabilitation or preservation, or even housing cooperatives such as community land trusts through land leases, land grants, or land loans.

Housing and Services for those Experiencing Homelessness

Funds from housing trusts can be used for the development and ongoing operation of emergency shelters, transitional, supportive, or permanent housing and accompanying supportive services for individuals experiencing or at-risk of experiencing homelessness. Housing trusts may offer funds to build the capacity of local nonprofits to help maintain or grow their in-house supportive services or may provide grants or low-interest loans to support the development of housing types for homelessness.

Local Program Support

Housing trusts can provide funds to support existing local programs such as first-time homebuyer programs, homelessness programs, fair housing programs, or other local programs that may need bolstering to support the local housing need.

Technical Support

Housing trusts can utilize resources to provide local technical support at the regional scale. This can include trainings, draft ordinances, and other guidance to help localities implement best practices for programs that can build housing funds, coordinate community benefits agreements, or other resources that can support housing related activities. Support for new funding streams can be prioritized for programs that will allocate a proportion of the funds toward the Housing Trust.

Table 5. Housing Activities breaks down each of the priority housing trust activities as well as some secondary housing trust activities that may be pursued in the future.

Table 5. Housing Trust Activities

Activity	Implementation	Recommendations	Priority
Gap Financing for Housing Development	Funds to support gap financing can be released through notices of funding availability (NOFA) that are awarded based on a competitive basis.	It is recommended that in the early stages of the housing trust, low-interest loans are issued for construction, as this can create an option for establishing a revolving loan fund, which can have quicker results due to shorter term limits compared to predevelopment loans.	High
Housing Preservation or Rehabilitation	Funds to support housing preservation or rehabilitation can be released through notices of funding availability (NOFA) that are awarded based on a competitive basis. Local jurisdictions would be eligible applicants that could tap into these funds to support existing preservation and rehabilitation efforts.	It is recommended that the Housing Trust prioritize efforts to preserve and rehabilitate structures for affordable housing, as this can be an effective way to get units on the ground, while ensuring efficient use of funds.	High
Land Banking	Many agencies in the region may have publicly-owned lands that are suitable for housing development. The Housing Trust can use its regional connections to conduct a county-wide inventory of lands and seek opportunities for holding properties for future housing development. Further, the Housing Trust could purchase available lands in areas most advantageous for future housing. Available lands can be noticed through requests for proposals (RFP).	It is recommended that the Housing Trust prioritize a county-wide inventory of publicly-owned lands to seek opportunities to bank lands prior to the disposal of sites. Seeking opportunities early can help prevent any missed opportunities and banking lands can ensure that the price does not continue to rise.	High
Housing and Services for those Experiencing Homelessness	Funds to support housing and services for those experiencing homelessness can be released through notices of funding availability (NOFA) that are awarded based on a competitive basis.	Funds should be prioritized for those projects that are already recipients of a dedicated source of funding either through Federal, State, County, Housing Commission, or local funds.	High

Table 5. Housing Trust Activities

Activity	Implementation	Recommendations	Priority
Local Program Support	Local program support can provide a range of funding opportunities to support local housing-related priorities. Through this activity, the Housing Trust can release funds on a competitive basis for participating member jurisdictions.	It is recommended that applications list eligible activities that will result in positive impacts for lower- and moderate-income households. Applications can be prioritized based on those local programs that best align with the overarching goals and objectives of the Housing Trust.	High
Technical Support	Technical support can be provided to create resources that can assist localities across the region.	It is recommended that technical support activities be aligned with the overarching goals and objectives of the Housing Trust and result in products that support localities across the region through technical expertise and minimal needed local staff resources.	High
First-Time Homebuyer Program	Housing trust funds can be used to issue low-interest loans for qualifying first-time homebuyers. Loans can provide down payment or closing cost assistance, as well as long-term loans.	It is recommended that the Housing Trust only implement such a program once the housing trust is fully established and determines that this is a priority, as the long terms on such loans can be draining and provide opportunities to only a select few.	Medium
Community Land Trusts (CLT)	CLTs are mechanisms for creating affordable homeownership units and maintaining the units as affordable by retaining ownership of the land and requiring the homebuyer to purchase only the home that is situated on the land. CLTs are generally managed by non-profit organizations to ensure they remain grounded in the needs of the community.	Many of the aforementioned housing trust activities can support existing CLTs or the establishment of new CLTs. It is recommended that CLTs be administered and owned by communities and that the Housing Trust provide technical or financial assistance for CLTs.	Medium



AFFORDABLE HOUSING INVENTORY

8.b

The affordable housing inventory provides an overview of federally and state-subsidized affordable rental properties, many of which also receive local subsidies, within the County of San Bernardino. The countywide affordable housing inventory currently includes a total of 14,010 units across 167 developments, as shown in **Figure 21, Affordable Housing Projects in San Bernardino County (2022)**.

The inventory includes affordable projects that were either completed or awarded funding during the last 50 years (1971–2021). Projects that have completed construction or rehabilitation are categorized in the inventory as existing affordable projects. Projects that have been awarded funding but have not yet completed construction or rehabilitation are categorized in the inventory as pipeline projects. As of June 2022, there are currently five pipeline projects in the region with a total of 321 new affordable units and an additional 237 existing affordable units undergoing rehabilitation.

Financing for the affordable housing projects in the inventory come from one or more of the following general funding sources:

- **LIHTC Program**

The Low-Income Housing Tax Credits (LIHTC) program is the largest source of federal support for the creation and preservation of dedicated affordable housing is administered by state and local housing finance agencies. The LIHTC program is an indirect subsidy program that provides a dollar-for-dollar tax reduction against federal tax liability, provided to developers based on the criteria set out in the states' qualified allocations as 9% and 4% credits. In addition to Federal tax credits, California makes additional State tax credits available for the development of affordable housing in the state.

- **HUD Financing Program**

The U.S. Department of Housing and Urban Development (HUD) is a federal agency that supports community development and homeownership, enforces the Fair Housing Act, and oversees programs to assist low-income and underserved households with their housing needs.

- **USDA Financing Program**

The U.S. Department of Agriculture (USDA) is a federal agency that offers loans, grants, and loan guarantees to support economic development and housing in rural communities.

- **HCD Financing Program**

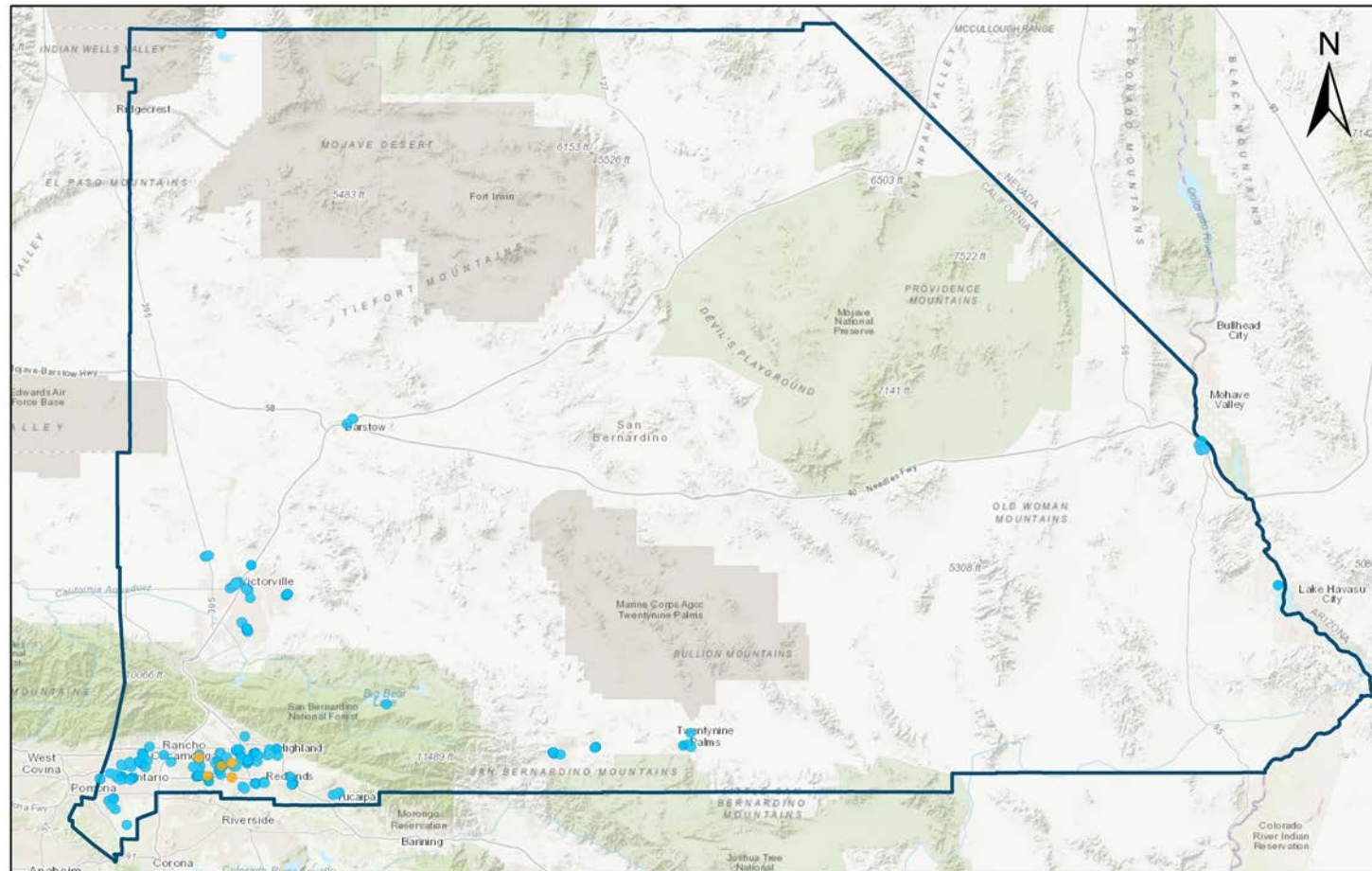
The California Department of Housing and Community Development (HCD) is a state government agency that oversees a number of programs and allocates loans and grants to preserve and expand affordable housing opportunities and promote strong communities throughout California.

- **CalHFA Financing Program**

The California Housing Finance Agency (CalHFA) is California's affordable housing bank that provides financing and programs that support affordable housing opportunities for low- to moderate-income households.

As shown in **Figure 23, Affordable Housing Projects in Western San Bernardino County (2022)**, the majority of affordable projects are located in the densely populated southwestern portion of the county, with the remainder located on the eastern side of the county as reflected in **Figure 22, Affordable Housing Projects in Eastern San Bernardino County (2022)**.

Figure 21. Affordable Housing Projects in San Bernardino County (2022)



Affordable Housing Inventory

Project Status

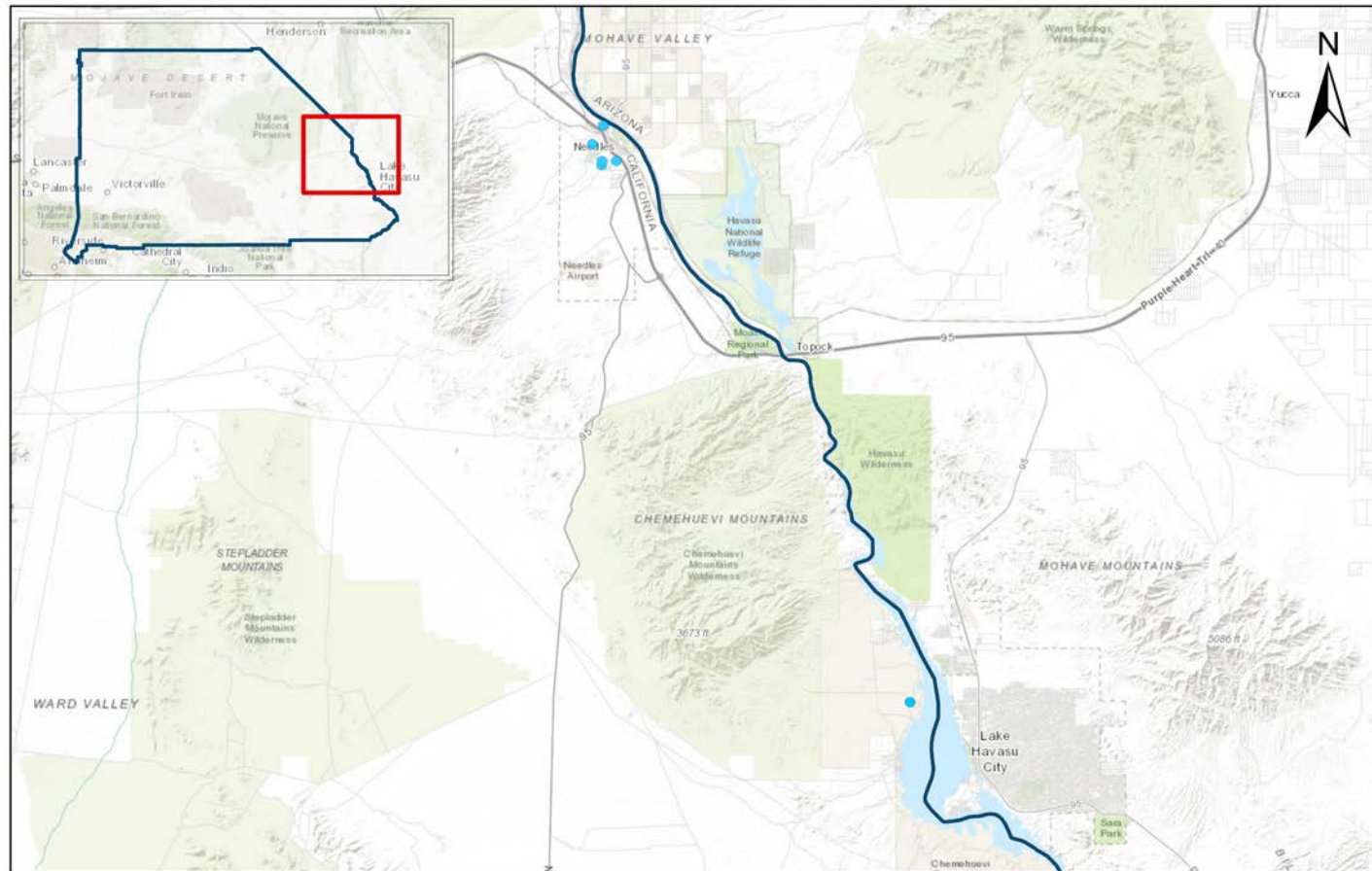
- Existing Affordable Housing
- Pipeline Affordable Housing Development

San Bernardino County

Source: California Tax Credit Allocation Committee, 2022
California Housing Partnership, 2022

0 20 40 80 Miles

Figure 22. Affordable Housing Projects in Eastern San Bernardino County (2022)



Affordable Housing Inventory - Eastern Area

Project Status

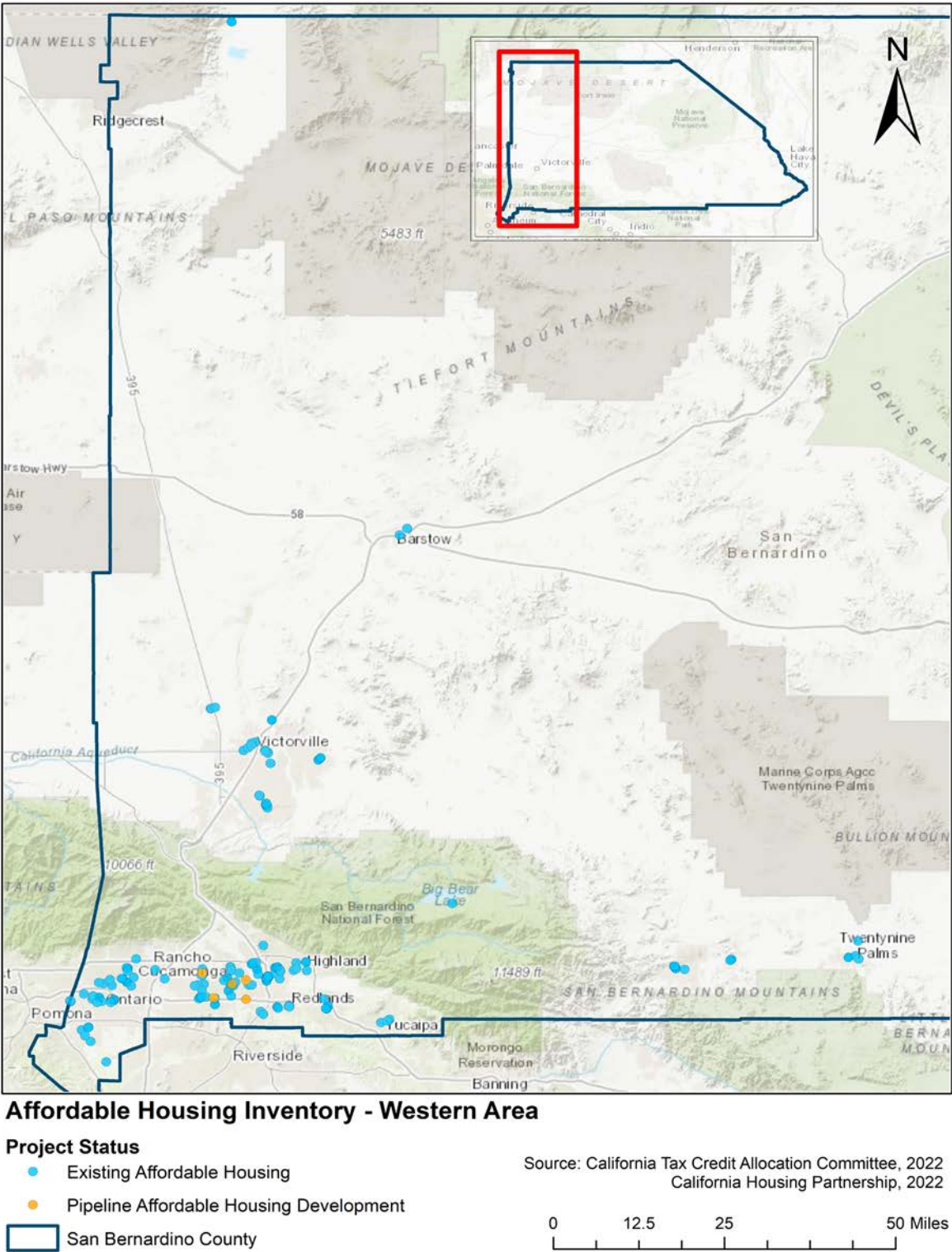
- Existing Affordable Housing
- Pipeline Affordable Housing Development

San Bernardino County

Source: California Tax Credit Allocation Committee, 2022
California Housing Partnership, 2022

0 5 10 20 Miles

Figure 23. Affordable Housing Projects in Western San Bernardino County (2022)



Attachment: SBCTA_Strategic Plan_Compressed (9013 : San Bernardino Regional Housing Trust)



LOCAL FUNDING GAP ANALYSIS

8.b

OVERVIEW AND METHODOLOGY

As part of the analysis completed for the San Bernardino Regional Housing Trust Fund Administrative Plan, a comprehensive analysis was performed to evaluate local gap funding sources. The analysis provides an overview of the funding profile, or representation of the project funding over the life of the project, including an assessment of local funding sources used to close the funding gap between available funds and the project's cost, for affordable housing projects in San Bernardino County (County). The analysis provides information on funding sources from various local jurisdictions and entities to highlight gap funding mechanisms that the Regional Housing Trust Fund can employ to support future affordable housing development in the region.

The analysis primarily relied on applications to the California Tax Credit Allocation Committee (TCAC) for Low Income Housing Tax Credits (LIHTC(s)) to paint a picture of how LIHTC developments in the County assemble permanent financing. The TCAC applications for LIHTCs provide project specific information like the number of units, unit affordability (i.e., market rate or low-income units), housing type, location, and the total development costs and anticipated permanent financing sources to support construction. Based on the application details, each affordable housing project's capital stack (the funding or investment structure of a project) was analyzed and used to inform the assessment of local funding sources.

The analysis pulls from TCAC applications for LIHTCs for new construction projects in the County between 2018 through June of 2022. Applications for both recently completed TCAC projects (recently completed projects) (projects that have completed construction and are operating under a TCAC regulatory agreement) and projects in the TCAC pipeline (pipeline projects) (projects that have been awarded credits but have not yet completed construction) were included as part of the analysis. Although TCAC applications for LIHTCs also include acquisition and rehabilitation projects, only new construction projects that have been awarded credits were included in the analysis as they can be easily compared. In addition, new construction projects must leverage additional funding sources as part of their capital stack, typically relying the most on local funding sources. These recently completed and pipeline projects in the County, provide methods to filling the funding gaps for future affordable housing projects in the region and underscore the important role those local entities have in the funding process for affordable housing.

AFFORDABLE HOUSING

Recently Completed and Pipeline Projects

A total of nine new construction projects (including recently completed and pipeline projects) with 766 residential units in the County received funding through the LIHTC program between 2018 and 2022. Five of the projects, with a total of 445 residential units, recently completed construction. The remaining four projects are in the County's affordable housing pipeline. Once completed, the pipeline projects will produce a total of 321 new residential units. An overview of the total development costs and capital stack funding sources for the new construction projects are provided in the following sections. All nine projects, including recently completed and pipeline projects, were accounted for in the overview.

Total Development Cost

Based on recently completed and pipeline projects, the average cost for the development of an affordable multifamily rental unit in the County is \$412,838 per unit, as detailed in Table 6, Development Cost by TCAC Project - Recently Completed and Pipeline Projects in San Bernardino County. Looking exclusively at development costs for projects in the pipeline, the average per unit cost is \$452,805 per unit. The costs range from approximately \$335,000 to \$515,000 per unit.

When broken down by housing type, most of the affordable housing projects in the County are large family projects, which average \$430,434 per unit. Based on the development costs of Day Creek Villas, the recently completed senior housing project, projects serving the senior population have a development cost of approximately \$342,000 per unit, which is lower and may be attributed to the size of the units typically targeted towards smaller, older adult households.

Table 6. Development Cost by TCAC Project - Recently Completed and Pipeline Projects in San Bernardino County

TCAC Number	Project Name	City	Housing Type	Affordable Units	Development Cost	
					Total	Per Unit
Recently Completed Projects						
CA-18-001	Ontario Emporia Family Apartments	Ontario	Large Families	74	\$32,167,639	\$428,902
CA-18-130	Day Creek Villas ¹	Rancho Cucamonga	Seniors	78	\$31,430,508	\$334,367
CA-18-775	Day Creek Villas ¹	Rancho Cucamonga	Seniors	46	\$16,124,848	\$350,540
CA-18-634	Virginia Holt Apartments (Vista Verde)	Ontario	Large Families	100	\$37,154,345	\$367,865
CA-18-639	Crestview Terrace (of Arrowhead Grove)	San Bernardino	Large Families	147	\$77,767,250	\$422,648
Pipeline Projects						
CA-19-017	Sierra Avenue Family Apartments	Fontana	Large Family	59	\$26,594,800	\$434,939
CA-19-059	Bloomington Housing Phase III	Bloomington	Large Family	97	\$48,000,414	\$468,372
CA-20-580	Las Terrazas Apartments	Colton	Large Family	111	\$43,915,962	\$392,107
CA-21-128	Rialto Metrolink South	Rialto	Large Family	54	\$28,368,975	\$515,800
Total, Pipeline Projects				321	\$146,880,151	\$452,805
Total, All Projects				766	\$341,524,741	\$412,838
Large Family Projects				642	\$293,969,385	\$430,434
Senior Projects				124	\$47,555,356	\$342,454
1. The Day Creek Villas project application was submitted as a hybrid application comprised of a 9% LIHTC component (CA-18-130) and a 4% LIHTC component (CA-18-775).						

Data Source: TCAC, 2022.

Funding Sources

A capital stack is the different layers of financing sources that go into funding the purchase and improvement of a project. In order to close the gap between development costs and the rents that would be affordable to lower- and moderate-income households, developers of affordable housing projects utilizing LIHTCs typically have to layer between four to eight sources of funding, while others have to layer more¹³ (including equity).

Based on the nine TCAC applications for recently completed and pipeline projects in the County between 2018 and 2022, new affordable residential projects required an average of seven financing sources, ranging between four to 10 funding sources. Funding sources in the project's capital stack include federal, state, private, and local sources. (Refer to **Figure 24** for a breakdown of the capital stack composition specific to the pipeline projects).

As shown in **Table 7, Funding Type by TCAC Project - Recently Completed and Pipeline Projects in San Bernardino County**, all nine projects in the County relied on LIHTCs, permanent debt, and local funding sources, with LIHTCs accounting for the largest portion of funding. LIHTCs come in two varieties, 9% credits and 4% credits. Projects receiving 9% tax credits can expect that the credits will pay for approximately 65% of the development costs of the project, while projects receiving 4% tax credits can only expect that the credits will pay for approximately 30% of the project costs. However, projects receiving 4% tax credits can also be awarded tax-exempt bonds, which enable them to receive less expensive debt financing to help make up for the shortfall in funding. Across all of the affordable projects analyzed (shown in Table 7), state and federal LIHTCs make up approximately 50 percent of the project's required funds, ranging from a low of 29 percent to a high of 65 percent for individual projects. Private permanent debt accounts for 10 percent of the capital stack and ranged from two to 25 percent on an individual project basis.

Although variable across individual projects, local funds and contributions account for the second most significant funding source overall, with an average of approximately 34 percent across all projects. On a per project basis, the local funding sources portion of total development costs ranges from a low of 10 percent to a high of 49 percent. Additionally, LIHTC applications submitted to TCAC are scored on a number of factors, including the amount of local funds leveraged. This points to the important role that local funding sources play in addressing funding gaps and in competing for LIHTC required to achieve financial feasibility and in supporting the development of new affordable projects in the County.

The remaining layers of financing come from state and private sources. On average, state sources account for 13 percent of the capital stack; however, it should be noted that only four of the nine projects received funds from state programs, and while state funds make up 40 percent of one project's capital stack, the other three range from three to six percent of total funds. These allocations came from the Transformative Climate Communities Program, Affordable Housing and Sustainable Communities Program, Special Needs Housing Program and No Place like Home Program funds. An additional six percent of funds are provided by private sources, and only three projects relied on development funds from private sources.

¹³ <https://turnercenter.berkeley.edu/wp-content/uploads/2021/04/LIHTC-Complexity-Final.pdf>

Table 7. Funding Type by TCAC Project - Recently Completed and Pipeline Projects in San Bernardino County

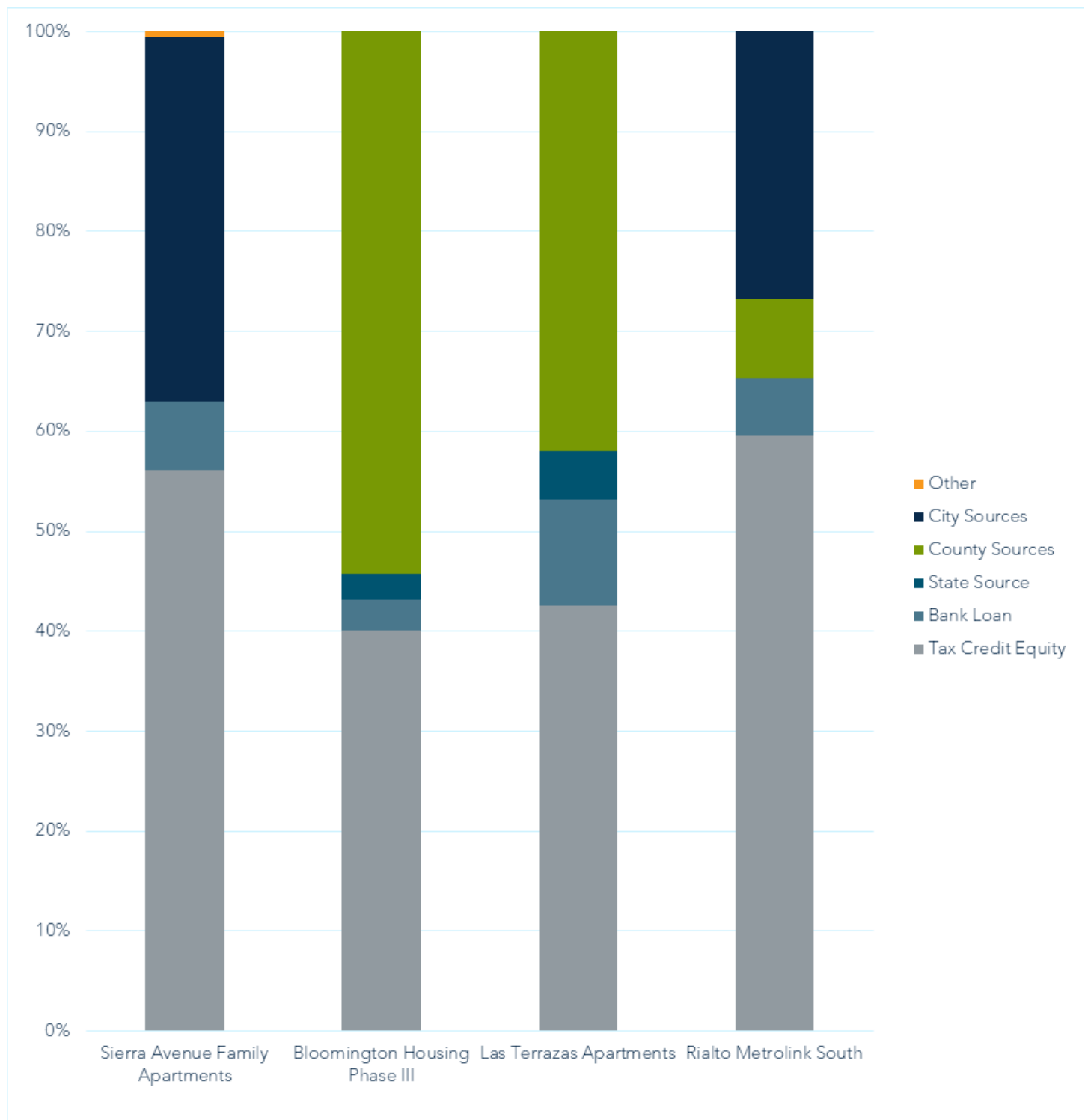
TCAC Number	Project Name	City	Affordable Units	Funding Type by Percent				
				LIHTC	Debt	State	Private	Local
Recently Completed Projects								
CA-18-001	Ontario Emporia Family Apartments	Ontario	74	49%	2%	0%	0%	49%
CA-18-130	Day Creek Villas¹	Rancho Cucamonga	78	65%	10%	0%	0%	25%
CA-18-775	Day Creek Villas¹	Rancho Cucamonga	46	32%	14%	0%	9%	45%
CA-18-634	Virginia Holt Apartments (Vista Verde)	Ontario	100	36%	12%	40%	3%	10%
CA-18-639	Crestview Terrace (of Arrowhead Grove)	San Bernardino	147	29%	25%	5%	8%	35%
Pipeline Projects								
CA-19-017	Sierra Avenue Family Apartments	Fontana	59	56%	7%	0%	0%	37%
CA-19-059	Bloomington Housing Phase III	Bloomington	97	52%	4%	3%	0%	41%
CA-20-580	Las Terrazas Apartments	Colton	111	52%	13%	6%	0%	29%
CA-21-128	Rialto Metrolink South	Rialto	54	60%	6%	0%	0%	35%
Total, Pipeline Projects			321	55%	7%	5%	0%	35%
Total, All Projects			766	48%	10%	13%	6%	34%
Large Family Projects			642	48%	10%	13%	5%	34%
Senior Projects			124	49%	12%	0%	9%	35%
1. The Day Creek Villas project application was submitted as a hybrid application comprised of a 9% LIHTC component (CA-18-130) and a 4% LIHTC component (CA-18-775).								

Data Source: TCAC, 2022.

Local Gap Funding Sources for the TCAC Pipeline

Local funding resources help to ensure that affordable housing projects are economically feasible, often providing an essential layer of financing that closes the gap between available funds and the project's cost. Local gap funding sources account for roughly 35 percent of the required funds to support construction of the four affordable housing developments in the County's TCAC pipeline. Local gap funding amounts range from \$8,358,000 from San Bernardino County HOME funds in the Las Terrazas Apartments, to a low of \$592,000 from the County's Inland Valley Development Agency funds. Across all pipeline projects, the local funds total \$52.1 million, with an average of \$162,322 per unit.

The composition of funding sources that make up the capital stack of each pipeline project is presented in **Figure 24, Capital Stack Composition for TCAC Pipeline Projects**. Refer to **Figure 24** for a visual representation of local sources relative to federal, debt, and state sources.

Figure 24. Capital Stack Composition for TCAC Pipeline Projects

Data Source: TCAC, 2022.

Local Funding Sources

The local gap fund contributions include a range of funding sources and vary between three to six local sources per project. The funding sources detailed below primarily focus on those used by the projects in the pipeline.

HOME Funds

The HOME Investment Partnerships Program (HOME) is the largest federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. HOME funds are awarded annually as formula grants (noncompetitive awards based on a predetermined formula) to participating jurisdictions. The program's flexibility allows states and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancements, or rental assistance or security deposits.

Only one of the recently completed projects received HOME funds, however, all four pipeline projects received local funding contributions through the allocation of local HOME dollars from the City of Fontana or the County. The City of Fontana and the County are entitlement jurisdictions eligible to receive HOME funds directly from the United States Department of Housing and Urban Development. Between 2019 and 2021 the County received approximately \$22.9 million in HOME funds, and the City of Fontana received approximately \$4.7 million in HOME funds¹⁴.

The four pipeline projects received a total of \$15.7 million in HOME funds. The Sierra Avenue Family Apartments in the City of Fontana received a \$1.6 million allocation in HOME funds from the City of Fontana. The three other projects in the TCAC pipeline received a total of \$14.1 million in HOME funds from the County, ranging from approximately \$2.2 million to \$8.4 million, or \$36,000 to \$75,000 per unit.

Land Donation or Land Loans

One of the challenges in building new affordable homes is acquiring land suitable for housing. High land costs can pose as an obstacle to developing affordable housing for lower-income families. However, local funding contributions in the form of public land can help reduce the cost of land, and therefore, the overall cost of the project. The assistance can provide affordable housing developers a way to compete with market rate developers for land.

All four pipeline projects received a local funding contribution in the form of a land lease, land grant, or land loan from public agencies, ranging from \$2.45 million to \$6.7 million and totaling approximately \$15.8 million. In addition, all five recently completed projects also received a local contribution in the form of free or subsidized land from a public agency. This is a critical funding method for supporting affordable housing development in the region.

¹⁴ <https://www.hudexchange.info/grantees/allocations-awards/>

Impact Fee Waivers/ Deferrals

While impact fees and permitting fees can serve an important purpose, they can also increase the cost of development. Local jurisdictions can encourage the development of new affordable housing by reducing or waiving these fees for qualifying projects to reduce overall development cost. Rather than reducing or waiving fees, some local jurisdictions allow payment on a deferred basis. Deferred fee payments allow developers to make payments after securing long-term, lower-cost financing, while the community still collects the expected revenue and avoids budget shortfalls in other areas.

The Sierra Avenue Family Apartments is the only pipeline project that financed a portion of the development through deferred developer fees. The value of the deferred developer fee was approximately \$151,000. Additionally, three of the recently completed projects received developer fee deferrals totaling approximately \$208,000 across all three projects.

Housing Trust Fund/ Housing Authority

Two pipeline projects received direct loans from the local municipal housing trust fund or housing authority. The Sierra Avenue Family Apartments received funds from the City of Fontana Housing Trust in the amount of \$1 million and the Rialto Metrolink South project received funds from the Rialto Housing Authority in the amount of \$4.55 million. Additionally, two of the recently completed projects received approximately \$3.8 million and \$12.3 million funds from the San Bernardino Housing Authority and the Ontario Housing Authority, respectively.

Other Funding Sources

Additional local gap funding contribution sources for the TCAC pipeline projects include the following:

- **Grants**

The Bloomington Housing Phase III project received \$2 million in grants, including \$500,000 from the County (tax exempt bond proceeds), and \$1.5 million in grant funds from the Inland Empire Health Program.

- **Loans**

Additional gap funding contributions included an approximately \$3.5 million loan from the City of Fontana's Supplemental Educational Revenue Augmentation Fund for the Sierra Avenue Family Apartments, and a \$5.35 million loan from the County for the Bloomington Housing Phase III project. In addition, Las Terrazas Apartments received an approximately \$1.4 million loan from the County's Neighborhood Stabilization Program funds and an approximately \$590,000 loan from the Inland Valley Development Agency, a Joint Powers Authority comprised of the County and the Cities of Colton, Loma Linda, and San Bernardino.

- **Reimbursements**

The Bloomington Housing Phase III project received \$2.1 million from the County through reimbursement for a public park and community center that will be located to the north of the development.

Housing Choice Vouchers

The Housing Choice Voucher program is federally funded by HUD and administered at the local level through public housing agencies. The program can help to offset the cost of housing for qualified households by providing tenant-based assistance to low-income families or individuals through vouchers to help pay for the rent of any rental unit that meets program guidelines. These tenant-based Housing Choice Vouchers are awarded to households and are used to pay the difference between what is affordable for the household to pay and the market rate rent. Tenant-based Housing Choice Vouchers ensure low-income households are free to choose their own housing on the open market, instead of only being able to find assistance through public housing or a deed-restricted affordable housing unit.

Project-Based Vouchers

As part of a public housing agency's Housing Choice Voucher program, a public housing agency may elect to administer up to 30 percent of their voucher to project-based vouchers. Unlike tenant-based vouchers, which are tied to a particular family, project-based vouchers are attached to units in a specific property. Because project-based vouchers are tied to the unit, the assistance remains with the unit when a family moves from the project-based voucher unit. Public housing agencies can use up to 20 percent of their Housing Choice Vouchers for project-based vouchers and an additional 10 percent for projects that assist veterans or people experiencing homelessness; are located in properties that provide supportive housing to older adults or people with disabilities; or are located in areas where the poverty rate is 20 percent or less. In addition, project-based vouchers can typically only be dedicated to a maximum of 25 percent of the project's units or to 25 total units, whichever is greater (exceptions exist for projects in low-poverty areas or if residents are eligible for supportive housing.) These restrictions aim to encourage mixed-income communities to give access to lower-income families to resource rich areas.

When project-based vouchers are used, the property owner agrees to reserve the specified units in a building for occupancy by eligible families through a Housing Assistance Payment contract and the public housing agencies refer families to the project owner to fill unit vacancies. The anticipated proceeds from the contract sometimes function as a form of gap funding in Low Income Housing Tax Credit (LIHTC) projects. Developers can use the contract as collateral and as a regular source of income that will be needed for the project to repay its debt service. The Housing Assistance Payment contract therefore provides a layer of certainty that helps makes these projects more attractive to investors and lenders.

The certainty of rental income provided by project-based vouchers affect the ability to leverage private debt and equity. Under a long-term, project-based subsidy contract, the rents

are predictable and adjust annually for inflation. This influences debt capacity and provides invaluable predictability for securing financing. However, since rental assistance in the form of project-based vouchers is considered an operating subsidy, it is not often included as part of the permanent financing information on TCAC applications¹⁵. This is the case with several of the recently completed and pipeline TCAC project in Table 7. While not included as part of the project's capital stack funding sources, the Bloomington Housing Phase III, Las Terrazas Apartments, and Rialto Metrolink South pipeline projects received rental subsidies in the form of HUD project-based Housing Choice Vouchers, in addition to two of the recently completed projects (Day Creek Villas (CA-18-130) and Crestview Terrace (of Arrowhead Grove)).

Leveraging LIHTCs with project-based Housing Choice Vouchers can make projects more attractive to private lenders who underwrite loans to projects based on their income potential, and their ability to pay debt service on a loan. Project-based vouchers provide the difference between the fair market rent paid by the Housing Choice Voucher rent subsidy program and the affordable rent that could otherwise be charged to a low-income household under the LIHTC program. Higher rental income means a project can support higher debt service payments, which means the property can support a larger loan from a private lender. Leveraging project-based vouchers with LIHTCs combines the equity generated through LIHTCs with the long-term, comparatively higher income from the project-based Housing Choice Vouchers to maximize the benefits of both programs¹⁶.

The stable source of future income for a development offered by project-based Housing Choice Vouchers can be integral to the financing package that makes constructing or rehabilitating affordable housing possible. The commitment of project-based rental subsidies is a vital part of affordable housing financing by providing ongoing funding that ensures that the housing development will remain financially viable while continuing to serve extremely low-income households for many years. When used with additional government subsidies, project-based vouchers can help to make development feasible.

While the Housing Choice Voucher program is a federal program, its effectiveness depends on local initiative and policy determinations. Leveraging project-based voucher can help local governments to maximize the impact of their limited gap financing budgets to serve more households, while helping developers offer rental apartments to households at lower incomes. By project-basing a share of their Housing Choice Vouchers, local public housing agencies within the region expand the potential for leveraging project-based vouchers, and thereby the opportunity for millions in additional funding for the development of affordable housing in the region. By working together, cities and public housing agencies can allocate project-based vouchers to units in new or rehabilitated developments funded or facilitated by the city with HOME, CDBG or local housing trust funds¹⁷. By layering local funds for development and rental subsidies administered by public housing agencies, these developments can serve households at a broader range of income levels than they would otherwise be able to and increase the supply of affordable units in the region.

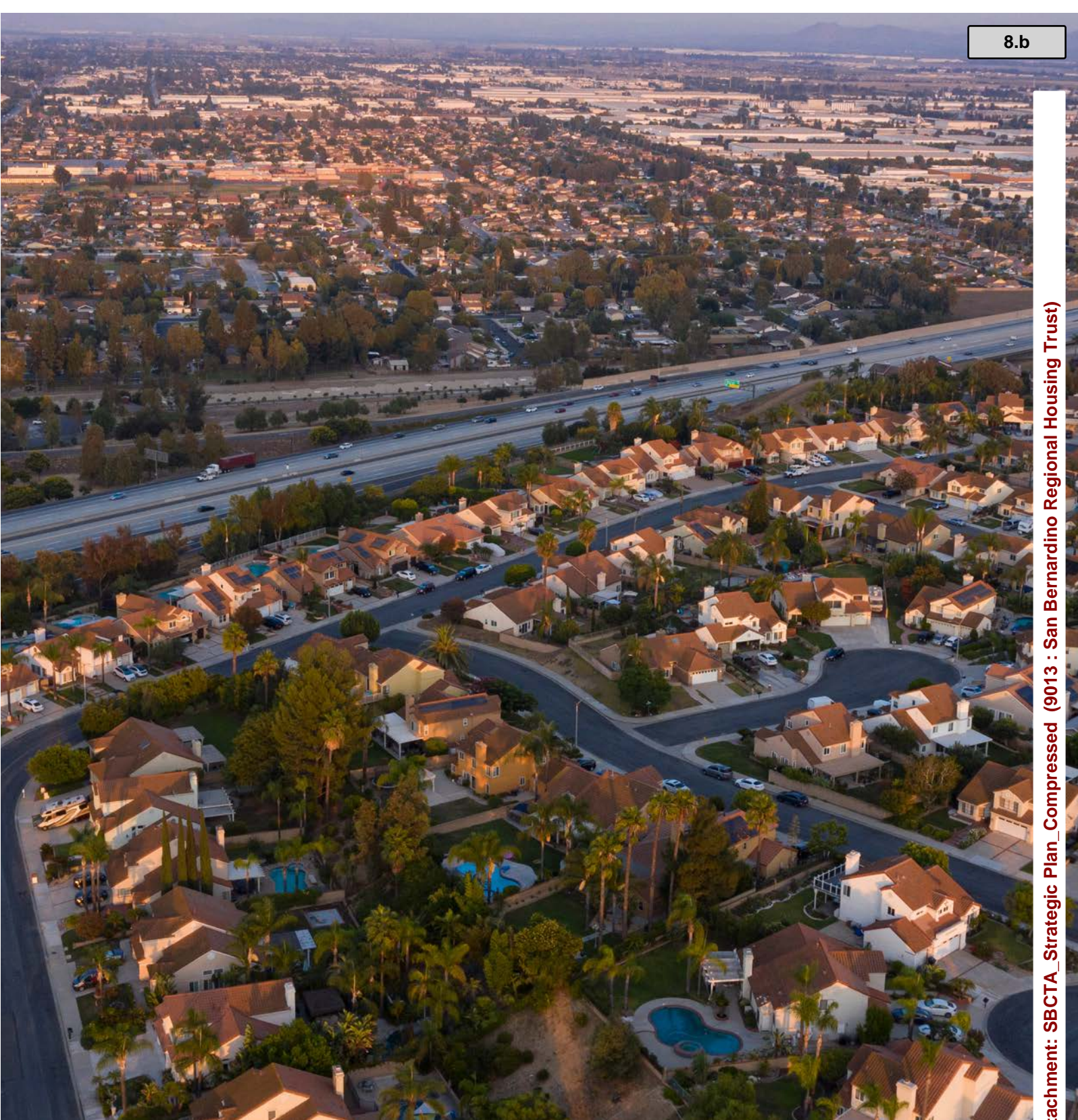
15 <https://turnercenter.berkeley.edu/wp-content/uploads/2021/04/LIHTC-Complexity-Final.pdf>

16 https://1p08d91kd0c03rlxhmtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2015/11/25_MacArthurS8Rept_2008_11_09.pdf

17 <https://localhousingsolutions.org/plan/pha-city-collaboration/>

Findings on Per Unit Gap Funding Need

Based on the development costs and funding sources analyzed above, local funds provide a notable layer of financing that closes the gap between available funds and the project's cost, highlighting the important role that local resources can play in funding affordable housing in the County and underscoring the importance of supplementing federal or state funding with local resources. As previously noted, local gap funding sources account for roughly 34 percent of the required funds to support affordable projects in the County that were recently completed or in the project pipeline. In areas where the local jurisdiction is unable to provide local supporting funds, the above analysis suggests that the Housing Trust should aim to provide an average (either on its own or leveraged with another source) of nearly \$160,000 per unit in gap financing to support the delivery of units throughout the San Bernardino region. Gap financing in this amount would result in approximately six (6) units for every \$1 million in funds allocated to gap financing from the Housing Trust. However, this does not account for any other gap funding sources that are likely to be provided. This figure is based on the average local gap financing provided for recently completed and pipeline projects in the County.



**SAN BERNARDINO
REGIONAL HOUSING TRUST**



SAN BERNARDINO
REGIONAL HOUSING TRUST

REGIONAL HOUSING TRUST WHITE PAPER

Attachment: SB Housing Trust White Paper_April 2022 (9013 : San Bernardino Regional Housing Trust)

PREPARED BY:

DUDEK

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INTRODUCTION

Housing trust funds, or housing trusts, offer a great opportunity to increase housing supply in San Bernardino County, southern California's once affordable residential outpost now on the rise as an economic hub, but with shrinking housing opportunities. There are a variety of administrative structures for housing trusts, but the most impactful is the regional model. Given the limited capacity of local jurisdictions to devote resources to trust administration, and San Bernardino Council of Governments' (SBCOG) well-established role in the region, SBCOG is both qualified to and capable of administering a regional housing trust that would address regional housing needs while minimizing duplication of resources across San Bernardino County. This Executive Summary provides an overview of housing trusts and recommendations for instituting a SBCOG-administered housing trust, which the full white paper discusses in more depth. In addition to expanding on the contents of this Summary, the White Paper includes an analysis of existing housing trusts (Appendix A), including several interviewed for this paper, which serves as the central foundation of the included recommendations.

FRAMING THE ISSUE

The entire state, including San Bernardino County, faces a significant housing supply and affordability crisis spurred by high land costs, rising construction costs, and limited financing options. While each of these factors has worsened over the last few decades, the most significant change may be the funding void created by lost redevelopment funds, which previously contributed between 30 and 60 percent of per-unit project costs to an affordable housing development.¹ These community challenges have become regional issues with compounding, interrelated impacts on housing supply, homelessness, and economies at the local and regional scale.

In San Bernardino County, housing is a substantial expense, reflecting the largest single monthly expenditure for many individuals and families. Quality housing is not affordable for everyone, and those with lower incomes are most likely to live in unhealthy, overcrowded, or unsafe housing conditions.² Housing supply has not kept pace with population growth throughout the region. Instead, growth is being accommodated through increases in persons per household, resulting in household overcrowding.³

1 Washburn, A., July 19, 2020, Personal Communication.

2 San Bernardino County, 2018, Community Indicators Report, http://www.sbcounty.gov/Uploads/CAO/Feature/Content/SB_2018_RE-PORT_-3_.pdf

3 Department of Finance data (Table E-5) indicates that the average persons per household has increased in all jurisdictions in San Bernardino County from 2010 to 2021, including the unincorporated San Bernardino County. Furthermore, the increase in average persons per household is greater than the overall statewide increase.

With a much higher demand (or need) for housing units than there is supply, both home and rental prices have increased to stymie the influx of interest. Significant portions of San Bernardino County pay more than 30 percent of their gross income towards housing payments, and higher housing costs put lower income households at risk of living in substandard housing or of experiencing homelessness. Without a concerted effort to expand the affordable housing supply, increasing numbers of households will become unable to afford housing in San Bernardino County as rents and housing prices continue to rise.

WHAT ARE HOUSING TRUSTS?

A housing trust fund is a program or independent organization that raises funding to dedicate to housing production, preservation, and related activities. A housing trust can provide a mechanism for local agencies to make ongoing investments in affordable housing using both direct revenues and leveraged matching funds available from State and federal sources, available exclusively for housing trust programs. Housing trusts have many benefits including, but not limited to, serving as a flexible source of gap financing for affordable housing, giving regions the ability to compete for otherwise restricted State funds, increasing homeownership opportunities with down-payment assistance for lower-income families, and supporting homeless assistance.

Housing trusts in California have become increasingly popular in recent years as local and regional jurisdictions across the state seek solutions to the statewide housing crisis. Local and regional housing trusts in California generally share the following three characteristics:

1. They receive ongoing revenues, rather than being dependent on annual appropriations from general funds or similar sources.
2. Funds are primarily designated to support affordable housing, rather than market rate housing or other community goals—State and federal matching funds, as well as most dedicated tax revenues or fees are exclusively available to support affordable housing.
3. They benefit from funding sources not restricted to housing activities, rather than relying exclusively on dedicated housing funds, and may benefit from the flexibility of offsetting public fund allocations with revenue captured from the private sector.

HOUSING TRUST ADMINISTRATION, PROGRAMMING, AND FUNDING SOURCES

The organizational structure, programming, and funding sources of a housing trust are all interrelated and co-dependent. For example, the organizational structure informs what kind of funding opportunities are available to the trust fund, the funding sources impact the programming types that can be supported by the trust, and the funding sources impact the stability of the organizational structure. This is primarily due to the restrictions imposed on funding sources available. Decisions regarding each component of the trust must be considered in relation to the effect on the other two components.

ADMINISTRATION OPTIONS AND RECOMMENDATIONS

Housing trusts are operated by a variety of organization types and models including individual jurisdictions, a consortium of multiple local agencies, and nonprofit organizations. Each organizational structure has benefits and drawbacks, which the full white paper discusses in more depth. In general, local city- and county-administered trusts benefit from more accessible public funding and institutional government knowledge, but they operate slowly and often lack adequate staff time and resources to devote to a housing trust. Nonprofit models benefit from greater autonomy and flexibility to diversify and leverage funding sources, but they are unable to tap into public funds and some government grants, such as the Permanent Local Housing Allocation funds, which only eligible cities and counties can apply for. Operating under either a public or nonprofit organizational structure, Joint Powers Authority (JPA)-administered housing trusts have risen in popularity in recent years due to their reliable government support, ability to pool resources, and greater flexibility to pursue and leverage funds. Trusts administered by a JPA can operate as a quasi-local governmental organization (holding equal power with other jurisdictions participating in the JPA) or as a nonprofit.

While obtaining seed funding to initiate a trust can be more difficult for nonprofits, they tend to glean funds from outside resources for affordable housing more effectively in the long term. When paired in a hybrid nonprofit/JPA organizational structure, housing trusts have the flexibility and autonomy of a nonprofit with the financial support and government backing of participating cities and counties. Furthermore, utilizing a JPA fosters multi-jurisdictional cooperation, which unites local jurisdictions to address regional issues such as housing, and amasses resources to reduce cost and duplication of efforts. All California-based housing trusts interviewed view JPA-administered trusts favorably. It is recommended that a SBCOG-administered housing trust be

organized as a nonprofit/JPA hybrid to maximize stability and access to funding opportunities.

FUNDING SOURCES AND RECOMMENDATIONS

There are a variety of revenue streams for housing trusts administered by the State and federal government, local governments, and private sources. Funds available from public entities, especially at the State and federal level, are often stringent, exacting specific requirements in order for housing trust programs to qualify. Private sources, although more difficult to obtain initially, more often provide funding with fewer restrictions or requirements. Appendix B provides an analysis of a variety of public and private sources of revenue ranging from the State-administered Permanent Local Housing Allocation (PLHA) funds to commercial linkage fees to private donations.

A SBCOG-administered trust should consider a variety of revenue sources. The following initial list of sources, both one-time and ongoing, have been preliminarily identified as appropriate for SBCOG to pursue seed funding and establish program stability in the first five to ten years of operation:

- State Permanent Local Housing Allocation (PLHA) program grant funds from participating member jurisdictions
- State-matching Local Housing Trust Fund grant funds
- National Housing Trust Fund grant funds
- Transient Occupancy Tax revenue from participating member jurisdictions
- Inclusionary zoning in-lieu fee revenue from participating member jurisdictions
- Community Benefit Agreement revenue
- Discretionary local revenue from participating member jurisdictions

PROGRAMING OPTIONS AND RECOMMENDATIONS

A housing trust fund must specify in its bylaws what types of projects, programs, and activities the trust will fund. Activities could include, but are not limited to, new construction of affordable housing, predevelopment activities for affordable housing development, down payment assistance for developers or first-time homebuyers, preservation or rehabilitation of existing affordable housing, land acquisition for development of affordable housing, and establishment of housing for those experiencing homelessness. Housing trusts funnel revenue into defined programs that carry out these intended activities and greater goals. The most common program for housing trusts in California is a revolving loan fund.

Some housing trust activities are more effective tools for creating affordable housing than others, depending on the resources available and local context. This report recommends that a SBCOG-administered housing trust initially prioritize short-term, low-interest loans in a revolving loan fund to maximize affordable housing development, and then expand over time to longer-term loans, Community Reinvestment Act (CRA) loans, and Community Impact Notes (CINs) as the housing trust grows in size and stability.

IMPLEMENTATION

It is recommended that the SBCOG-administered trust take the following steps to establish a housing trust over the course of one to two years. The final step listed below will likely take two to three years to implement before the housing trust will have stability and funding for programming and standard operation.

- 1. Trust structure.** Identify interested and eligible jurisdictions for participation; determine JPA structuring SBCOG depending on whether or not the trust achieves participation of SBCOG full membership and participant jurisdictions' interests.
- 2. Housing issues.** Identify housing needs and priorities in the SBCOG region; establish and implement a campaign to foster public support of the housing trust.
- 3. Official trust formation.** Enact intent to establish trust within SBCOG; develop Administrative Plan for housing trust operation; adopt new JPA or amend existing SBCOG JPA for housing trust administration; adopt resolutions to join at the jurisdiction level; form the nonprofit component of the housing trust.
- 4. Activity start-up.** Pursue revenue; transition to ongoing implementation.

INTRODUCTION

8.c

This paper provides an introduction to housing trust funds, or housing trusts, examining trust fund organizational models, operation and administration logistics, and funding sources. This information is examined through the lens of the (SBCOG) to understand the feasibility of establishing a SBCOG-administered housing trust fund and how such a fund should be established to best support housing production throughout San Bernardino County. The analysis culminates with recommendations for administration and operation, revenue sources, and implementation next steps.





HOUSING TRUST FUND INTRODUCTION

A housing trust fund is a program or independent organization that raises funding to dedicate to housing production, preservation, and related activities, such as grant funding for construction or rehabilitation, infrastructure, land acquisition, or impact fees; low-interest construction, acquisition, or gap financing loans; and grants or loans that implement home weatherization programs, incentivize the production of affordable accessory dwelling units, support transitional or emergency housing and shelters, or preserve existing multifamily housing.

A housing trust can provide a mechanism for local agencies to make ongoing investments in affordable housing using both direct revenues and leveraged matching funds available from State and federal sources, available exclusively for housing trust programs.

A housing trust fund as a nonprofit model has similarities to a community land trust (CLT), though they serve complementary, rather than duplicative purposes. CLTs are typically structured as nonprofit organizations and can serve a variety of purposes, though they are most commonly used to preserve housing affordability and support lower-income families' ability to build wealth. As the name suggests, the CLT model is based on land acquisition and ownership, recognizing that it is the value of land, not the residential structure, that increases over time. As explained by the organization Community-Wealth.org, a CLT "acquires land and maintains ownership of it permanently. With prospective homeowners, it enters into a long-term, renewable lease instead of a traditional sale. When the homeowner sells, the family earns only a portion of the increased property value. The remainder is kept by the trust, preserving the affordability for future low- to moderate-income families."⁴ Locally, the newly formed Inland Empire Community Land Trust works to support the affordability of both for-sale and rental housing.⁵ As noted above and described in more detail in the following sections, a housing trust, by contrast, primarily serves to meet the gap funding needs of affordable housing. A housing trust fund could theoretically work collaboratively with a CLT to provide gap funding to assist in the acquisition of the land and production affordable housing.

⁴ Community-Wealth.org, 2020. <https://community-wealth.org/strategies/panel/clts/index.html>
⁵ Inland Empire Community Land Trust, 2020. <https://www.ieclt.org/about>

BENEFITS OF HOUSING TRUSTS

Housing trusts offer general benefits to communities by providing safe affordable homes for all income levels, including extremely low- or no-income households. They ensure long-term investment in affordable housing; address homelessness, gentrification, and displacement; and advance transit-oriented development and access to upward mobility. The following benefits are particularly applicable in the context of the SBCOG region:

- **Flexible source of gap financing.** A revolving loan fund, as a function of a housing trust, provides access to a flexible source of capital that can be used in combination with traditional sources of revenue to fund affordable housing development. Gap funds provided through a revolving loan fund serve as a bridge between the amount a borrower can obtain to finance housing development in the private sector and the remaining dollars needed to initiate construction.
- **Ability to compete for State funds.** The State makes funds available to housing trusts in California annually with specific requirements for eligible applicants. Operation of a housing trust would expand the region's access to State housing funds to include revenue streams otherwise unavailable, such as Local Housing Trust Fund (LHTF) funds.
- **Homelessness assistance.** Housing trust funds are flexible resources for homelessness assistance, allowing and fostering distinct programs targeted to one or more aspects of homelessness. Housing trust funds can devote portions of their revenue to augment existing emergency and transitional homeless programs, assist supportive service organizations, or create new homeless housing or support services. Homelessness is often a product of housing shortages when extremely low-income households are forced out of the housing market when the demand for housing exceeds the supply, driving up housing prices and the cost of rents. Housing trust funds can help to expand the housing market with both affordable housing for people at risk of experiencing homelessness, and market rate housing to lessen the housing shortage and housing price inflation rates.

HISTORY OF HOUSING TRUSTS IN US AND CALIFORNIA

The first housing trust funds in the United States were implemented in Maryland and California during the 1970's. They proved to be effective models for permanent affordable housing revenue streams, and the concept soon spread to other states. Virtually every state in the U.S. now has local and /or State housing trust funds. A few states have created more than one State housing trust fund, including Connecticut, Illinois, Massachusetts, Nebraska, Oregon, and Washington. The Federal Government established the National Housing Trust Fund (NHTF), administered by the U.S. Department of Housing and Urban Development (HUD), in 2008 and began implementing the program in 2016, distributing \$174 million through funding solicitations, generally administered by states. In 2016 approximately \$10.1 million of NHTF funds were allocated to California. Within the state, NHTF funding is further distributed by the California Department of Housing and Community Development (HCD).

Housing trusts in California have become increasingly popular in recent years as local and regional jurisdictions across the state seek solutions to the statewide housing crisis. California has passed legislation encouraging and/or enabling local jurisdictions to dedicate public funds to affordable housing. However, California is one of four states that have created housing trust funds legislatively but do not currently have public revenues committed to the funds. As of 2016, 45 local and regional housing trusts in California generally share the following three conditions:

- They receive ongoing revenues, rather than being dependent on annual appropriations from general funds or similar sources.
- Funds are primarily designated to support affordable housing, rather than market rate housing or other community goals—State and federal matching funds, as well as most dedicated tax revenues or fees are exclusively available to support affordable housing.
- They benefit from funding sources not restricted to housing activities, such as those that could otherwise be devoted to other community goals (e.g. environmental conservation, economic development, or transportation), rather than relying exclusively on dedicated housing funds, and may benefit from the flexibility of offsetting public fund allocations with revenue captured from the private sector.

HOUSING TRUST APPLICABILITY TO SBCOG

The entire state, including San Bernardino County, faces a significant housing supply and affordability crisis spurred by high land costs, rising construction costs, and limited financing options. While each of these factors has worsened over the last few decades, the most significant change may be the funding void created by lost redevelopment funds, which previously contributed between 30 and 60 percent of per-unit project costs to an affordable housing development.⁶ Major housing challenges in the SBCOG region include:

- **Housing supply shortage:** The housing supply has not kept up with population growth. Between 2014 and 2021, 24,202 new housing units were constructed while the population grew by 80,958, indicating that population growth is being accommodated through increases in persons per household.⁷ Older generations are living and staying healthier longer and therefore are choosing to stay in their homes. Paired with increasing demands from the Millennial generation seeking housing, homes are in higher demand than they have ever been before.
- **High housing prices:** With a much smaller housing supply than the market demands, both home and rental prices have increased to stymie the influx of interest. Significant portions of San Bernardino County pay more than 30 percent of their gross income towards housing payments. Up to 60 percent of homeowners and up to 80 percent of renters in some communities overpay for housing, meaning they spend more than 30 percent of their income housing, making it far more difficult for renters to save for a down payment on a home.⁸
- **Low rate of new affordable housing construction:** At the end of 2020, San Bernardino County jurisdictions had constructed approximately five percent of very low-income units and 16 percent of low-income units allocated in the 5th RHNA cycle.⁹ Depending on the type of housing (e.g. senior, family, or veteran), affordable housing developments in the region typically require between 10 and 20 percent of funding to come from local sources. Despite growing need, a lack a funding sources has inhibited the development of much needed affordable housing in San Bernardino County.

⁶ Washburn, A., July 19, 2020, Personal Communication.

⁷ Department of Finance data (Table E-5) indicates that the average persons per household has increased in all jurisdictions in San Bernardino County from 2010 to 2020. Furthermore, the increase in average persons per household is greater than the overall statewide increase.

⁸ CA Department of Housing and Community Development, AFFH Data and Mapping Resources, <https://affh-data-resources-cahcd.hub.arcgis.com/>, accessed on October 14, 2021

⁹ CA Department of Housing and Community Development, 5th Cycle Annual Progress Report Permit Summary, <https://hcd.ca.gov/community-development/annual-progress-reports.shtml>, accessed on October 13, 2021.

A housing trust offers a creative solution to begin to address the funding limitations that stifle the development of affordable housing in the SBCOG region and leverages SBCOG's unique strengths as a convener adept at facilitating collaboration.

In response to recent changes to housing-related legislation, SBCOG has been working closely with its member jurisdictions to provide increased support as it relates to General Plan Housing Elements and their implementation. In 2021, SBCOG's member jurisdictions formed a housing subcommittee to explore regional solutions to providing housing. SBCOG provides a supportive platform for the region through their strong regional voice that can garner political support and access to available resources that cities and counties do not have. SBCOG is in the early stages of developing a regional equity study and a regional housing strategy.

SBCOG is organized as a Joint Powers Authority (JPA), that represents local governments to provide cooperative planning, coordination, and technical support on issues not constrained by political boundaries. As the regional population continues to grow, community challenges become regional challenges that have compounding, interrelated impacts. SBCOG focuses on regional matters important to future growth, including housing, with duties that complement rather than duplicate jurisdictional activities.

Due to its role as a regional council, SBCOG is advisory in nature and lacks traditional government powers of taxation, regulation, or decision implementation. SBCOG currently works through its committee structure and amassed resources to reduce duplication of efforts, which could include establishment of a regional housing trust fund. SBCOG's reliance upon member jurisdictions to follow through on decisions would require that member jurisdictions take individual action to participate in a regional housing trust administered by SBCOG.

SBCOG's JPA explicitly permits the agency to apply for grants under federal, State, or local programs, which could include application for grants in representation of the housing trust. To establish a housing trust fund, SBCOG would modify its joint powers agreement to explicitly permit administration of the trust, with specified limitations for participating cities and the county within San Bernardino County. Other requirements, including funding prerequisites, and SBCOG-specific recommendations are discussed in the following sections.

ORGANIZATIONAL STRUCTURE

Housing trusts are operated by a variety of organization types and models including individual jurisdictions, a consortium of multiple local agencies, and nonprofit organizations. These organizations often apply for grant funding to augment funds or to provide start-up resources. Some of the largest and most viable revenue sources in California have relatively strict eligibility requirements, typically restricting funding availability to cities, counties, or tribal governments and/or 501(c)(3) nonprofit organizations. Organizational models with the ability to attract the primary funding sources appropriate for a governmental agency, such as SBCOG or its member jurisdictions, to operate are examined below.

LOCAL CITIES AND COUNTIES

Local cities applying for funding would be considered a Local Housing Trust, whereas a county or consortium of multiple cities would be considered a Regional Housing Trust. Local cities and counties are eligible for State and federal funding that may not be accessible to other types of agencies or organizations. Cities and counties have the benefit of established networks to initiate conversations regarding housing needs. Additionally, elected officials often trust city staff as the in-house experts on planning and housing-related issues. An established relationship of trust may spur initial support for a housing trust from elected decision makers, helping to get the trust off the ground. However, the amount of staff, time, and funding needed to administer a housing trust can raise challenges for some local cities.

LOCAL JURISDICTION—JPA VARIATION

Local cities and counties can also enter into a joint power agreement to cooperatively provide funding for affordable housing in a greater region. Housing trusts operating as a Joint Powers Authority (JPA) receive reliable government support, often through membership requirements and dues established in the JPA's bylaws, and benefit from coordination among jurisdictions. JPA's have many of the same powers as the JPA's member jurisdictions, though they do not have the authority of eminent domain or the ability to issue bonds without a credit rating. SBCOG could operate as an equal member under this agreement, and SBCOG's current experience operating as a JPA would translate smoothly into administration of a housing trust with this JPA variation.

NONPROFIT

Nonprofit organizations may have greater difficulties obtaining seed funding to initiate a housing trust fund due to fewer available federal or State grants with applicant restrictions and no prior resume of affordable housing development upon initiation. However, nonprofits have greater autonomy to pursue private industry money, bank investments, and collaborations with multiple local and regional jurisdictions, effectively diversifying and creatively leveraging funding sources to increase community dollars funneled to affordable housing. Nonprofits have the flexibility to serve as a financial intermediary and can be approved to operate as a Community Development Financial Institution (CDFI), enabling them to issue CINs and further diversify their sources of revenue. In addition, employing a combination of sources to fund the housing trust diversifies income sources, ensuring the trust is fiscally stable in the long-term. As they grow and become more successful over time, nonprofit housing trust models tend to more effectively bring in larger donations from outside resources and leverage those funds more effectively towards affordable housing development.

NONPROFIT—JPA VARIATION

Nonprofit housing trusts have the flexibility to form a JPA. As discussed in a previous section, a housing trust acting as a JPA is largely given the same powers as the JPA's member jurisdictions. San Mateo's Housing Endowment and Regional Trust (HEART) is structured as a JPA/nonprofit partner housing trust, in which HEART holds equal power as the County and cities in the trust. Under their JPA agreement, cities and the County are required to contribute a portion of their general fund appropriations to HEART annually. The portion is based on the jurisdiction's population, the number of jobs in the jurisdiction, and the projected rate of growth.

A JPA cannot act as a CDFI, thereby constraining its ability to capture revenue through CINs. JPA/nonprofit housing trusts have the option of forming a subsidiary to be eligible as a CDFI. Operation as a JPA/nonprofit, rather than a consortium of local jurisdictions/JPA, further increases the housing trust's flexibility to pursue and creatively source new funds. San Mateo's HEART is one of the few JPA/nonprofit partner housing trusts in the West, but their model has successfully received funds from a diverse array of sources.

ORGANIZATIONAL OVERSIGHT

When operating outside of an individual city's or county's purview, housing trust funds have an advisory body, or board of directors. This board can provide the housing trust fund with a broad range of expertise and provide a way to maintain a connection with the communities served and their needs. Virtually all boards of directors have some responsibility for developing or advising on the policies that govern the fund. In some cases, the board helps recommend applicants for funding.

The board of directors can also help buffer the housing trust fund process from politics when controversial decisions – such as constructing new high-density multifamily projects in established lower-density neighborhoods – are made. Representation on the board of directors can range from interagency coordinating bodies, with staff from different agencies, to a broad membership of housing advocates, low-income individuals, service providers, bankers, realtors, apartment owners, developers, and others. Not all participating jurisdictions need representation on the board either. In the VCHT, for example, only five seats of the 12 participating jurisdictions are reserved for government representation. Regardless of affiliation, members in the board of directors should all have experience with low-income housing or homelessness. The executive director of the trust should also sit on the board.

While the voices that comprise the board of directors should be varied and diverse, they should be condensed into a relatively small group to ensure efficient communication and collaboration. Boards are best kept relatively small to allow representation without compromising the operational efficiency of oversight. Decisions should be made by majority vote, not unanimous consensus.

HOUSING TRUST FUNDING SOURCES AND OPERATING COSTS

8.c

FUNDING SOURCES

Some of the most common forms of revenue sources for housing trusts in California include dedicated fees (such as commercial linkage fees or housing impact fees) implemented by jurisdictions to support the development of housing, redevelopment tax increment set-aside funds, discretionary local revenues, grant and charitable contribution funds, loan repayments and commercial development loans, and State-funded local housing trust funds. Common housing trust fund revenue source types and examples of each are listed below:

- **State and federal grants**, such as the California Permanent Local Housing Allocation and National Housing Trust Fund Program
- **Bonds**, such as general obligation and revenue bonds
- Tax increment funds and taxes, such as real estate tax increments, real estate transfer taxes, and transient occupancy taxes
- **Fees**, such as development impact, commercial linkage, document recording, business license, and inclusionary zoning in-lieu fees
- **Revolving loan funds**, which are revenue replenishing programs housing trusts can administer
- **Private sources**, such as donations and community benefit agreements

Trusts should have diversified revenue sources that include dedicated funds, such as inclusionary housing program fees or a portion of a transient occupancy tax (TOT), so that the trust does not have to compete with other priorities during annual budget reviews of local governments or charitable organizations, allowing the trust to plan for long-term housing investments and minimize funding uncertainty. Appendix B includes a description and additional information on a variety of housing trust funding mechanisms.

HOUSING TRUST FUND OPERATING COSTS

TRUST ESTABLISHMENT COSTS

Many successful housing trust administrators report that the majority of housing trust start-up investments funded administrative costs. The County of Ventura Housing Trust Fund (CVHTF), for example, reported that approximately 90 percent of funds were allocated to administrative costs in its first few years of operation, prior to rolling out any programming. This is because housing trust start-ups often require significant personnel time to set up collection systems; layer seed funding; and solicit public, nonprofit, and private agencies for seed funding. Over time, CVHTF's administrative costs have decreased overall and revenues have increased. In 2019, administrative costs accounted for 77 percent of CVHTF's expenses, or 51 percent of all annual income received. Start-up time frames for other housing trusts are discussed in Appendix A.

For San Mateo's HEART, the County of San Mateo provided seed grant money from its General Fund. During the first few years of operation, over 85 percent of funds were allocated to administrative costs, primarily for general trust management and set-up. Most of the grant funding and private contributions in the subsequent few years went towards start-up costs. In 2015, the Chico-based North Valley Housing Trust (NVHT) received a three-year commitment of \$40,000 per year as start-up funds from the City of Chico. In 2020, NVHT was able to leverage local contributions with matching funds from locally-contributed PLHA funds, State matching funds, and several grants to initiate NVHT's revolving loan fund. NVHT no longer receives funds from the City of Chico and all matching fund sources since their start-up have changed. This evolution of funding sources is common for housing trusts given ongoing changes to eligibility requirements and depletion of available grants.

ONGOING ADMINISTRATIVE COSTS

The organization authorized to administer a housing trust fund on behalf of a local jurisdiction must be clearly designated in an ordinance or resolution and identified in the trust's administrative guidelines. Administration includes holding, investing, and managing the fund account, with administrative costs typically covered by a percentage of the fees collected for the fund itself. Most regional and local jurisdictions cap administrative costs at 10 percent of the fund to maximize the creation of housing. Other external sources of administrative funding could include other public agency programs, interest earned by the fund, or fees charged for applications or other services provided by the trust fund.

A 2011 study performed by the Washington State Department of Commerce, titled the “Affordable Housing Cost Study,” found that developing housing trust fund-expertise with in-house staff, as opposed to contracting with various outside parties for different housing trust activities, allows for more informed analysis of proposed and ongoing housing activities. Experienced staff insights into potential risks and opportunities that could alter costs incurred from trust fund activities help reduce uncertainty and minimize unnecessary expenditures. Consolidating resources to employ in-house trust fund staff effectively minimizes administration and project-level costs. For a SBCOG administered housing trust, participating member jurisdictions would authorize management of their dedicated revenue sources to SBCOG.

EXISTING HOUSING TRUST ADMINISTRATIVE STAFFING MODELS

With 1.5 full-time staff members, Ventura County’s CVHTF provides a good model for a relatively small trust. Since receipt of seed funding in 2006, CVHTF took about seven years to raise enough funding through the 2008 Housing Recession to initiate a revolving loan fund in 2013. As of 2019, operating/personnel costs account for 77 percent of their yearly expenses of approximately \$298,000. The remaining expenses cover costs of loan servicing, developing a new housing land trust, fundraising efforts, and overseeing the loan program.

In comparison, the Chico-based NVHT was founded in 2015 and has only one employee working 0.75 time. This trust is relatively small due to its rural location in Butte County where there are very few large corporations, limiting access to the types of corporate donations that are more readily available in cities and economic hubs. NVHT is currently only making its second loan, with about \$40,000 in annual administrative costs comprising 8 percent of the organization’s annual operating budget of \$500,000. The funds used for housing programs are separate from the operating budget and are expected to reach \$2 million through grants and State matching funds this year. These funds are separated because some grants and donations restrict eligible activities.

San Mateo’s HEART has two full-time staff and an annual operating budget of about \$500,000. HEART has avoided increasing staff to keep operating costs low and preserve the low interest rates of its loans, keeping them competitive. Loan underwriting and bookkeeping are both performed several times per year by consultants because HEART has found that intermittent contracting, rather than hiring more in-house staff, has reduced operating costs. HEART also partners with the County to receive legal services and occasional help with underwriting.

ADMINISTRATIVE COST MINIMIZATION STRATEGIES

Compared to local trusts, regional housing trusts are better able to minimize costs by capturing economies of scale through consolidated administrative and operations expenses. SBCOG has extensive practice in fostering cost savings through collaborative planning. Existing housing trust fund administrators interviewed for this paper recommended such consolidation to minimize resource expenditure, capitalize on shared information, and better leverage funds for housing throughout the region. In addition, existing trust administrators cite the benefits of relieving local governments of the administration and management of some affordable housing work, which has been difficult to manage internally since the dissolution of redevelopment agencies in 2012.

Other housing trusts reduce costs by sharing office space with other agencies or operating within larger agencies to minimize overhead. Existing trusts also reported retaining services, such as bookkeeping and website creation, at low or no cost through partnerships with participating local jurisdictions or regional public agencies. Small nonprofits recommend forgoing annual fundraising events, which are common sources of revenue for more established trusts, due to the large energy and time demands. These trusts reported that directly asking potential donors for money without hosting an event has been an effective alternative fund raiser without the added cost.

HOUSING TRUST PROJECTS AND PROGRAMMING

8.c

Housing trust activities are those implementation actions which the trust fulfills through the expenditure of funds. Housing trust programs are those steps that carry out the overarching goals of a housing trust to assist in the implementation of activities. Programs of a housing trust often act as an investment strategy, creating additional funding streams for the implementation of housing trust activities.

HOUSING TRUST ACTIVITY TYPES

A housing trust fund must specify what types of projects and programs (which may be restricted by funding sources) will be funded by the trust in its Administrative Plan. The following types of activities are common among housing trusts and could be appropriate in the SBCOG region. Specific housing trust programs to fulfill these activities are discussed in the following section.

- **New construction of affordable housing.** Housing trusts may provide funding for the development of affordable housing, including affordable housing for households with disabled and/ or elderly members, restricted to long-term or indefinite affordability terms. This is often administered through a revolving loan fund, discussed in the Housing Trust Programs section below.
- **Preservation or rehabilitation of existing affordable housing.** Housing trust funds can support the preservation or rehabilitation of existing multi-family housing and single-family housing, which is often a lower-cost alternative to new construction. Preservation and rehabilitation of existing affordable housing units reduces displacement of low-income residents, thereby preserving existing low-income neighborhoods.
- **Land acquisition for development of affordable housing.** Housing trusts can also provide financing for the acquisition of available, buildable land. High land prices can be a significant barrier to housing development in California and relieving affordable housing developers of this steep cost burden can help bridge this crucial gap.
- **Establishment of transitional, supportive, or permanent homeless housing.** Funds from housing trusts can be used for the development and ongoing operation of transitional, supportive, and permanent housing and accompanying supportive services for individuals experiencing homelessness both acutely and chronically. Housing trusts may offer funds to build the capacity of local nonprofits to help maintain or grow their in-house supportive services for individuals and families experiencing homelessness. Funds could also be

directed towards local governments' homeless programs, augmenting existing services or addressing unmet needs of the population experiencing homelessness.

- **Predevelopment activities.** Housing trusts may consider providing cash flow to affordable housing developers, often through low-interest loans, to fund predevelopment costs. These costs can include preliminary land surveys, architectural designs, permitting costs including associated infrastructure or development impact fees, financing fees, and other up-front cost barriers to affordable housing development.
- **Down payment assistance for developers or eligible, first-time homebuyers.** Housing trust funds can provide down payment assistance for both developers and first-time homebuyers. Low-interest down payment assistance to affordable housing developers can help reduce the debt incurred by the development, and make the initial planning work for affordable housing financially viable. For first time homebuyers, down payment assistance provided through small loans can help moderate income families become homeowners when they lack the resources to obtain mortgage financing through traditional bank loans.
- **Support for community land trusts.** Housing trusts can provide financing for the acquisition of land, housing rehabilitation, or affordable housing construction to support community land trusts. Community land trusts are typically run by non-profits where affordable housing units are owned by the residents, but the land is owned by the non-profit, maintaining affordability.

HOUSING TRUST PROGRAMS

A housing trust can carry out its goals and intended activities through a variety of programs. Some programs that might be effective in other states may not be feasible in California given existing State law, so this paper focuses on viable and popular options in California. The most common program for California housing trusts, discussed below, is a revolving loan fund, which can include a first-time homebuyer component. Less common approaches include: forming a housing land trust, or issuing low-risk, low-return loans from private organizations via community impact notes (CINs), which serve as the intermediary for affordable housing developers to receive low-rate development loans from banks under the Community Reinvestment Act (CRA). These programs are discussed in further detail below.

REVOLVING LOAN FUND

Existing housing trusts report that low-interest construction loans and gap financing, or “bridge”, loans are the most feasible options for establishing a revolving loan fund due to their shorter term limits and smaller lending needs compared to acquisition or predevelopment loans. In contrast, acquisition and predevelopment loans inherently carry more risk, so housing trust revolving loan funds should avoid these until developing greater lending capabilities after years of growth. To minimize risk, successful housing trust administrators also recommend only working with experienced affordable housing developers because of the complex structure of fund layering to break even on affordable housing development. Considerable seed funding is needed to establish a revolving loan fund and, due to various regulations and restrictions, not all funding sources can be used for revolving loan funds.

FIRST-TIME HOMEBUYER REVOLVING LOAN FUNDS

Revolving loan funds can be structured as first-time homebuyer programs, which can be effective in communities with higher rates of homeownership units and single-family units. However, some housing trust administrators note that the long terms on these loans can be draining to any revolving loan fund and do not provide housing opportunities for as many people as other types of revolving loan funds.

COMMUNITY REINVESTMENT ACT LOANS

The Community Reinvestment Act (CRA) was created to encourage deposit institutions (including most banks but excluding credit unions) to extend credit to low-income communities, by requiring investment in specified community development activities, which includes support of affordable housing development in the community. Instead of specifying criteria for evaluating the performance of financial institutions, the law directs that the evaluation process should accommodate the situation and context of each individual institution. While there are no minimum or maximum requirements for funding, banks are required to commit dollars to the community through eligible activities. Qualifying banks can receive CRA credit by supporting “CRA qualified” community development activities including loans to borrowers for affordable housing rehabilitation and construction or investments directly to housing trusts.

The CRA establishes the level of community development activity investment required for banks based on size (small, intermediate, and large). Small local branches have limited budgets and typically make nominal contributions to community activities. Larger investment dollars in community development, which would better benefit a housing trust, generally originate from the bank's corporate office or regional headquarters. Some banks are not actively aware of CRA requirements or the scope of investment opportunities available to them, such as investment in affordable housing. Advocating for the CRA to meet local needs in recent years has resulted in more than \$50 billion newly invested into California communities. Agreements negotiated with communities and community members can result in commitments of between 10 and 20 percent of California deposits to be reinvested in local communities.

In San Bernardino County, SBCOG could collaborate with jurisdictions, especially those with larger minority populations and low-income communities, to advocate for commercial development loans or support for affordable housing from banks operating locally. Banks will not lend to inexperienced housing trusts, so CRA funding is not a viable seed funding option. New housing trusts must first gain experience administering a housing trust fund to develop a record of success before being considered for CRA funding. Additionally, CRA funds are not eligible for State matching funds, so these would be obtained without intention of additional leveraging from the State. However, these funds are an effective strategy to harness revenue from other economic sectors to address the housing crisis, which existing housing trust administrators recognize is an important strategy to addressing the housing crisis.

COMMUNITY IMPACT NOTES

A promissory note is a written promise to pay another party a definite sum of money by a specified future date with no secured collateral. The promissory note investor purchases the note as a secured debt to become a lender under specified terms for the note's principal, interest rate, and maturity date. These types of loans are neither government-insured nor guaranteed. A nonprofit can issue promissory notes, or Community Impact Notes (CINs) in the context of a housing trust. The nonprofit housing trust must be certified as a Community Development Financial Institution (CDFI) by the US Department of Treasury CDFI Fund for administration of loans to private entities.¹⁰ The housing trust's ability to repay the CINs would be dependent upon the economic success of its lending activities.

¹⁰ Housing Trust Silicon Valley, 2017, Community Impact Notes Offering Memorandum, <https://housingtrustsiliconvalle.app.box.com/s/ccjdb8qg390alolpdziin0ix1iv0xnj3>, accessed April 3, 2020.

The trust can use the proceeds of CINs to fund housing development. Housing trusts can establish a CIN template to give private companies or agencies the ability to invest in the trust's loan fund. CIN loan funds often have a fixed return but are attractive to some investors because they provide an opportunity to be part of a workforce housing solution, increasing housing opportunities for low- and moderate-income households. Terms for CIN programs vary, but often range from 1 to 10 years with no fees. For example, the SVHT acts as the issuer of CINs to fund its activities; these CINs have maturity rates at 5 years or 10 years, with 1.5 percent and 2.0 percent interest rates, respectively. Like any loan, there are risks and uncertainties associated with lending.

LAND ACQUISITION FOR HOUSING LAND TRUST

Obtaining land to be held in a perpetual trust ensures readily available for low-income and/or supportive housing development. Housing prices in the region are high, in part, due to the high cost of land. Factoring out the cost of land through public land acquisition would make homes more affordable and attainable for residents of San Bernardino County, including those looking to move to the region for employment. The trust would work with local jurisdictions, school districts, and transit agencies to identify their vacant, underutilized lots for donation to the trust. This trust could also accept monetary and land donations from private sources. Monetary donations would go towards the trust's acquisition of land for affordable housing.

RECOMMENDATIONS

ESTABLISH A SBCOG-ADMINISTERED REGIONAL HOUSING TRUST

A housing trust has the potential to significantly enhance San Bernardino County's housing landscape. A trust would be most effective structured as a regional body to avoid unnecessary strain on the limited resources of local jurisdictions while leveraging the region's collaborative strengths. SBCOG's existing staffing infrastructure is skilled in all requisite administrative areas including executive leadership, financial accounting, and administration. The agency has operated as a regional body, previously known as San Bernardino Associated Governments, governed by a joint powers agreement since 1973 and has a track record of achieving meaningful results through programs such as the administration of Measure I funding.

While SBCOG has minimal experience with regional housing programs, their role as a regional transportation agency strategically positions them as an optimal organization to administer a housing trust on behalf of interested jurisdictions in San Bernardino County. Through the San Bernardino County Transportation Authority, SBCOG is responsible for cooperative regional planning and furthering an efficient multi-modal transportation system countywide. SBCOG successfully leverages regional, state, and federal partnerships to improve the transportation network system in the region. Through regional transportation planning and implementation, SBCOG promotes smart growth practices that link transportation and land use planning. Traditional measures of housing affordability do not consider transportation costs, however SBCOG recognizes that transportation costs are largely a function of the location of housing in the regional context. Regional transportation strategies must consider regional land use and housing strategies to ensure balanced communities.

The following recommendations are intended to guide establishment of a SBCOG-administered housing trust fund using best practices identified for meeting the SBCOG region's housing financing needs.

ADMINISTRATION AND OPERATION

ORGANIZATIONAL MODEL

Establishing a regional housing trust as a dual JPA/nonprofit will provide SBCOG and member jurisdictions with the greatest opportunity to achieve economies of scale and access to the widest variety of revenue streams possible. By simultaneously acting as a nonprofit and a JPA, the housing trust fund would maximize flexibility to obtain and leverage funds, with access to sources available

to both nonprofit and JPA models, including State matching funds. Nonprofits tend to be more flexible in how they can operate and what funding sources they can accept from donors, especially in the private sector. A nonprofit entity will diversify and more creatively leverage funding sources across jurisdictions, introducing funding streams into the trust than could fund operation alone. JPA-administered housing trusts ensure reliable government support, are better able to pool resources, and provide greater flexibility to pursue and leverage funds, similar to nonprofits.

SBCOG could establish a new nonprofit to create a hybrid trust model. Similarly, SBCOG's membership could approve a revision to the existing joint powers agreement or establish a separate JPA for the housing trust. Establishing a separate JPA would be the best solution if some member jurisdictions opt not to participate in the trust. The JPA agreement to initiate the trust, would need to incorporate the following conditions:

- All JPA member jurisdictions are in compliance with State Housing Element law and therefore eligible for federal and State funding.
- All JPA member jurisdictions agree to be part of the housing trust through adoption of a local ordinance.

SBCOG will be the agency responsible for administering and overseeing the regional housing trust in representation of all interested member jurisdictions. SBCOG will also adopt a resolution requiring interested member jurisdictions to take formal action to join the regional housing trust, disclosing eligibility to receive State matching funds through compliance with current State housing law. Each eligible member jurisdiction will elect to participate in the housing trust fund through adoption of an ordinance. Member jurisdictions not explicitly electing to participate in the trust and devote revenue to the housing trust fund would not be eligible to receive funds or resources from the trust.

REVENUE ALLOCATIONS

The SBCOG-administered trust should maintain as much flexibility with the application of its funding resources as possible. This includes avoiding the enactment of any internal mechanisms that devote funds proportionally to participating jurisdictions based on the location of revenue collection within the region. Multiple successful housing trust administrators report that siloed funds from each participating jurisdiction reduce the trust's ability to leverage these funds to their greatest potential. Furthermore, many jurisdictions have regulatory, political, or economic barriers to implementing housing projects, despite having the political will for affordable housing

development and financial investment in the trust. For example, if City A were to invest \$80,000 into the housing trust fund with the stipulation that the money must be reinvested in City A, but City A's zoning requirements discourage developers from affordable housing projects, then that \$80,000 would sit unused in the housing trust fund. In the meantime, a housing project in City B would use other housing trust funds to develop a \$1.5 million project. If City A instead invested that money with no stipulations, the housing trust fund could leverage that money to increase donations to the project in City B threefold, increasing the project size and resources provided in the original \$1.5 million project to add an additional \$240,000 in value.

Like transportation and environmental quality, housing supply and affordability is a regional issue. A regional approach to affordable housing can assist in combating income and racial segregation, by increasing opportunities for lower-income households to pursue housing choice across a variety of communities. San Bernardino County is a diverse region where in 2020 64% of the population is non-White or of more than one race and no communities throughout the region consist of a majority White population. Further, San Bernardino's 2021 area median household income of \$77,500 is low, when compared to the state, with an area median income of \$90,100 in the same year. A regional strategy for addressing the housing needs of lower-income households could create new opportunities for upward mobility in an already diverse County where incomes are lower.

While some jurisdictions may initially oppose the practice of investing in the housing trust without a guaranteed return on investment within their jurisdictional boundaries, the benefits far exceed the drawbacks. State-compliant Housing Elements must provide adequate sites with appropriate zoning for housing development in each income category. Currently, there is not a requirement that jurisdictions have to achieve buildout of their RHNA requirements once planned for in the Housing Element. Therefore, investing in the housing trust for the creation of housing within the jurisdiction's boundaries does not divert resources away from other necessary investments that would preclude their ability to remain State-compliant. On the contrary, jurisdictional investment in affordable housing trusts is highly praised by HCD. Other housing trusts report that participation in their housing trust assists cities with meeting Housing Element requirements and helps them obtain credits for the creation of affordable housing.

Jurisdictions that elect to participate should commit to allocating revenue annually to the housing trust fund for the first five to ten years, granting resources relative to their jurisdiction's size, number of jobs, and projected growth rate. The SBCOG housing trust JPA should enact a

formula based on those factors to determine annual allocation requirements. While individual contributions may vary annually based on the number of participating jurisdictions, the total allocations should meet a minimum threshold of \$230,000 annually to support housing trust fund activities.¹¹ This amount will allow the housing trust to perform administrative activities and pursue State matching funds, which will then provide funding for other identified housing activities. Ensuring adequate funding through the establishment of the housing trust will provide the trust with leverage for acquiring additional funding, resulting in a housing trust that will yield clear results through the implementation of activities. The trust should not guarantee that a member jurisdiction's allocation will be directly reinvested in their community. However, when housing programs or projects come up in that jurisdiction, the housing trust should direct the jurisdiction's investments into that project to the maximum extent feasible.

OVERSIGHT AND STAFF

The housing trust should have a Board of Directors to oversee the allocation of funds. The Board should consist of jurisdiction representatives, both elected officials and staff, as well as at-large representatives from the private sector. Both the CVHTF and San Mateo County's HEART operate with large 19-member Boards of Directors. When CVHTF first began, city representation came from elected officials but was switched to City staff representation after the first few years to remove political motivations and utilize city staff's in-house expertise. CVHTF also recommends keeping the size of the Board of Directors smaller for better communication and coordination of priorities across the region.

Staffing should be provided via a new department within SBCOG. SBCOG comprises SBCOG and the San Bernardino County Transportation Authority (SBCTA) and through SBCOG's collective collaboration on regional efforts, this approach will leverage the agency's in-house staff expertise and existing connections to resources in the region.

REVENUE SOURCES

SBCOG should consider all of the revenue sources discussed in the Housing Trust Funding Sources section, however based on an initial analysis, the following one-time and ongoing sources are identified as potentially being the most appropriate to pursue in the context of the SBCOG region and should be considered first. For more information on each revenue source, refer to Appendix B.

¹¹ \$230,000 was the minimum total threshold requirement in 2019 for San Mateo's HEART, which is the only other JPA/non-profit model in California. Only JPAs can set minimum requirements for participating member jurisdictions, although Ventura County's CVHTF received at least \$50,000 from all member jurisdictions electing to participate in the housing trust in 2019.

STATE AND FEDERAL GRANTS

PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM

The new PLHA Program offers consistent funding to local jurisdictions for affordable housing construction and supportive services. Although the annual allocations will vary, the 2019 allocation is broken down by jurisdiction in Appendix B. While local allocations may not be sufficient to close a housing project funding gap when kept within the local jurisdiction, they can be delegated to a regional housing trust and leveraged with other local PLHA or other funds to be an effective short- or long-term source of funding.

- Funding Stage: Both start-up and ongoing.
- Eligible Activities: PLHA supports a variety of activities including affordable housing construction, affordable ADU construction, and homelessness services.
- Administration Limitations: A local government sharing the funds with a housing trust can use no more than 5 percent of the allocation for administrative costs for activities for which the allocation was made. However, staff and overhead costs related to carrying out the activity costs are not subject to the cap on administrative costs.
- Housing Trust Type Currently Eligible: city or county.

STATE-MATCHING LOCAL HOUSING TRUST FUND

As described in Appendix B, the State-Matching Local Housing Trust Fund (LHTF) is a competitive grant process, but it awards large matching grants. HCD releases NOFAs periodically and a portion of program funds is set aside each year as matching funds for the first year of operation for new housing trusts. SBCOG should pursue both initial and annual funds.

SBCOG should note all State-matching funds require that housing developers use prevailing wage, limiting the activities that the grant can fund upon award.

- Funding Stage: Both start-up and ongoing.
- Eligible Activities: Loans for acquisition, predevelopment expenses, development of affordable rental housing projects, transitional housing projects, emergency shelters and homeownership projects, including down payment assistance to qualified first-time homebuyers, and for rehabilitation of homes owned by income-eligible homeowners. No more than 20 percent of each allocation may assist moderate-income households, and at least 30 percent of each allocation is required to assist extremely low-income households.

- Administration Limitations: Administrative expenses are limited to five percent of the grant.
- Housing Trust Type Currently Eligible: Nonprofit, city or county.

NATIONAL HOUSING TRUST FUND PROGRAM (NHTF)

The National Housing Trust Fund (NHTF) serves as the primary source of federal funding for housing trusts and is administered by HCD. At least 80 percent of each annual grant must fund rental housing, and up to 10 percent can fund homeownership housing. The SBCOG housing trust should review the notice of funding availability (or NOFA) annually to confirm eligibility and alignment with its priorities to determine whether SBCOG should apply for funds.

- Funding Stage: Start-up and ongoing.
- Eligible Activities: Real property acquisition, site improvements and development hard costs, related soft costs, demolition, financing costs, operating cost assistance for rental housing (up to 30 percent of each grant), administrative and planning costs (up to 10 percent of each grant)
- Administration Limitations: Administrative expenses are limited to 10 percent of the grant.
- Housing Trust Type Currently Eligible: trusts, partnerships, limited partnerships, local public entities, corporations, limited liability corporations.

TAX INCREMENT FUND FUNDS AND TAXES

TRANSIENT OCCUPANCY TAX (TOT)

While most local jurisdictions in San Bernardino County already levy a TOT, many local regulations currently exclude short-term rentals (such as Airbnb and VRBO) from the definition of a transient occupancy facility. Upon establishment of a trust, participating members of a housing trust should evaluate their definition of transient occupancy facilities to determine if short-term vacation rental units are included. The inclusion of short-term vacation rentals in the definition of transient occupancy facilities can act as a source of additional funds for jurisdictions with an existing TOT. Participating members without TOTs, should consider the establishment of new TOTs on short-term vacation rentals. The incoming revenues would be placed in the member jurisdiction's general fund and then transferred annually to the SBCOG-administered housing trust fund.

- Funding Stage: Ongoing.
- Eligible Activities: Activities compliant with the established nexus between transient occupancy facilities and the associated loss of affordable housing in the community.
- Administration Limitations: Language in the jurisdictions' municipal codes would be

examined to ensure there are no restrictions prohibiting support of administration activities or activities outside the local jurisdiction's limits.

- Housing Trust Type Currently Eligible: Nonprofit, JPA, city or county.

INCLUSIONARY ZONING IN-LIEU FEES

Inclusionary housing ordinances can create new affordable homes without needing new government funding. Inclusionary requirements ensure that every community provides homes affordable to a range of income levels. By providing affordable housing options, a community's labor force such as hospital workers, retail clerks, and childcare workers can afford to live in the communities they serve. Cities and counties are authorized by the state to adopt an inclusionary housing ordinance for the creation of affordable housing.

Participating housing trust members can consider the allocation of in-lieu fees to the trust fund. Cities would want to first consider how in-lieu fees are being utilized. The dedication of in-lieu fees into the housing trust could free up staff time with the administration of such fees and could result in the expenditure of fees for on-the-ground implementation of housing trust activities. SBCOG could provide support to member jurisdictions to provide guidance on the feasibility of implementing new local inclusionary ordinances. SBCOG should provide additional support to member jurisdictions interested in establishing a housing trust fund if the jurisdiction agrees to direct a portion of in-lieu fees to the housing trust fund.

- Funding Stage: Ongoing.
- Eligible Activities: Development of affordable housing, conditional upon the contributing jurisdiction's regulations stipulating that the in-lieu fees be directed to community-specific housing projects.
- Administration Limitations: SBCOG would not be able to easily leverage funds from an inclusionary ordinance in the jurisdiction's regulations stipulate that the in-lieu fees be directed to community-specific housing projects. Language in the jurisdictions' inclusionary ordinances and municipal codes would be examined to ensure there are no restrictions prohibiting support of administration activities or activities outside the local jurisdiction's limits.
- Housing Trust Type Currently Eligible: Nonprofit, JPA, city or county.

PRIVATE SOURCES

COMMUNITY BENEFIT AGREEMENTS

Community Benefit Agreements (CBAs) would help SBCOG leverage developer commitments to fund housing trust activities. In exchange for widespread public support from a community group(s) for the development project, SBCOG should collaborate with member jurisdictions to engage medical centers, large-scale developers, schools and the military as they develop plans to expand.

- Funding Stage: Initial and ongoing.
- Eligible Activities: Assist the development and preservation of affordable housing.
- Administration Limitations: None. CBAs are negotiated on a case-by-case basis, so SBCOG would ensure that the agreement would not place restrictions on trust fund operation and administrative costs.
- Housing Trust Types Currently Eligible: Nonprofit, JPA, city or county.

OTHER FUNDING SOURCES

DISCRETIONARY LOCAL REVENUES

Participating member jurisdictions should appropriate money from their general fund to invest in the future of the housing trust in good faith, giving the new housing trust start-up costs to then pursue additional external funding. If SBCOG opts to use a nonprofit approach, the COG should ask interested member cities and/or the county to commit to general fund allocations for the next five to ten years. If SBCOG is able to use a JPA/nonprofit approach, it would include stipulations in the JPA agreement requiring that member jurisdictions allocate money from their general fund annually, based on an agreed-upon formula.

While cities could also choose to dedicate money from their existing affordable housing funds, it is recommended that SBCOG advocate more strongly for general fund allocations so that the trust brings in resources not already dedicated to housing.

- Funding Stage: Initial and ongoing.
- Eligible Activities: Assist the development and preservation of affordable housing.
- Administration Limitations: None. Existing housing trusts often use discretionary local revenues to fund administrative costs.
- Housing Trust Types Currently Eligible: Nonprofit, JPA, city or county.

FUND ACTIVITIES

Some housing trust activities are more effective tools for creating affordable housing than others, as discussed in the Housing Trust Projects and Programming section. Housing trust administrators interviewed for this report generally recommended prioritizing specific activity/program types to maximize affordable housing development and shared best practices for each, discussed in Appendix A. Paired with a preliminary assessment of various revenue stream restrictions and barriers to housing in the SBCOG region, the following three programs would likely be appropriate for a SBCOG-administered housing trust and should be strongly considered.

REVOLVING LOAN FUND

Successful housing trusts report that the most impactful way to encourage affordable housing consistently is through loans to developers. Once seed funding is obtained, SBCOG would use that money to provide reduced rate loans to affordable housing developers. Repayments from these developers over time would establish a revolving loan fund and ongoing revenue source for the trust. To start, SBCOG should provide construction loans and bridge loans to seasoned, low-risk developers because they are short-term loans with limited uncertainty. This strategy will ensure that money comes back into the revolving loan fund in a shorter time frame with less risk associated with the loan, allowing the trust to provide units more quickly than loans committed to a first time homebuyer program (which typically provide larger loans from 15 to 30 years to fewer households). SBCOG should also avoid administering pre-construction and acquisition loans during the first few years of a revolving loan fund because they carry higher risk and require larger commitments.

COMMUNITY REINVESTMENT ACT LOANS

Money from community reinvestment act loans can fund the development of affordable housing, with the SBCOG-administered housing trust acting as the intermediary between affordable housing developers and banks. Since corporate offices or regional headquarters for banks typically have larger budgets to invest in the community, SBCOG should reach out to mid-sized and big banks in the region to solicit investment in the housing trust once the trust has been in operation for a few years. SBCOG would seek out banks with headquarters in San Bernardino County, such as Banner Bank, First Foundation Bank, and Desert Community Bank, to donate money to the housing trust fund to meet their CRA requirements. SBCOG should also seek CRA contributions from local branches in participating member jurisdictions without any mid-sized or large-scale

banks. While these small sized branches often donate money to local events or parades, SBCOG and partnering local government staff should implore them to shift contributions to the housing trust fund.

CRA funds are ineligible to receive State matching funds, so dollars contributed from CRA to the SBCOG-administered trust will be less impactful than other sources. In addition, this money cannot be used as seed funding because banks will not typically lend to inexperienced housing trusts, but they can help augment trust fund activities in the long-term. As with all other funds, the Administrative Plan for the housing trust would encourage SBCOG to direct funds obtained from different communities back into those communities when feasible, rather than diverting them to finance other communities' housing activities.

COMMUNITY IMPACT NOTES

A SBCOG-administered trust should become certified as a CDFI to administer low-interest loans to private investors to bring private sector dollars into the affordable housing market, as discussed in the Housing Trusts Project and Programming section. SBCOG's housing trust would establish a Community Impact Note (CIN) template to set up terms for loans to private agencies or companies. It is recommended that the terms of loans range from one to 10 years to keep housing trust payment commitments relatively short-term. The template should also provide multiple short-term loan options, such as a five year loan template and a ten year loan template, to provide potential investors with more flexibility in the investment opportunity. SBCOG's CINs should have no fees to increase their benefits for lenders, given that the loans have low rates of return.

HOUSING TRUST IMPLEMENTATION

TRUST ESTABLISHMENT

Steps to establish a housing trust using a JPA/nonprofit organizational model include the following:

1. Identify Participating Jurisdictions

SBCOG would solicit interest from member jurisdictions in establishing a housing trust fund and then work with those interested member jurisdictions to move through the steps below.

2. Joint Powers Agreement

Because SBCOG currently operates as a JPA, it could move forward with either of the below approaches, contingent upon interest from SBCOG member jurisdictions:

- a. Amend the existing joint powers agreement to become a housing trust if all member jurisdictions are interested in participating in the housing trust. The modified joint powers agreement would authorize administration of a SBCOG housing trust through an Administrative Plan.
- b. Establish a new, separate JPA with interested member jurisdictions.

While both options presented above are viable, it is likely that not every SBCOG member jurisdiction will want to participate in the housing trust and that it would therefore be cleaner to establish a new JPA, so it is recommended that SBCOG pursue the latter option. It is assumed that a new JPA will be formed for the following steps of trust establishment. However, if all member jurisdictions agree to participate, then the former option above is recommended and the subsequent steps of trust establishment remain relatively unchanged. The trust should establish a minimum threshold for membership at four jurisdictions.

3. Identify Housing Need

SBCOG and participating member jurisdictions would collaborate to determine housing needs for localized areas and the region. These needs would inform the activities allowed and prioritized in the Administrative Plan drafted in later steps and would inform campaign goals and messaging. This process should be integrated with the regional housing needs allocation (RHNA) and preparation and implementation of local housing elements to the extent possible, both taking cues from and informing these other planning documents.

4. Campaign

Interviews with administrators of successful housing trusts in California indicate that the greatest predictor for housing trust success is strong support from local government, elected leaders, and the business community. The campaign for a housing trust should demonstrate need for additional housing support and resources in San Bernardino County. The messaging to these groups should be clear about the need the trust will address and potential impacts from the trust, some of which are demonstrated through examples offered in this paper. Soliciting support from local activists and political leaders can help push the campaign without delving the housing trust into the political fray. Strong support from the local community will bring revenue into the project early and help establish a strong foundation to build the trust to great heights.

SBCOG and participating member jurisdictions would enact a campaign to generate community

interest and support for the new housing trust fund. More details about the campaign are in the following section.

- a. SBCOG would provide interested jurisdictions with messaging and information about the benefits of housing trusts to bring to their local elected officials, political activists, and nonprofits.
- b. This campaign for the trust would be an ongoing activity through each step of trust set-up.

5. Enact Intent to Establish Trust

SBCOG would pass an initial ordinance authorizing its establishment of the regional housing trust fund conditional upon:

- a. SBCOG drafting an Administrative Plan for agreement by all participating member jurisdictions.
- b. Participating member jurisdictions taking formal action to join the regional housing trust (e.g. by passing an ordinance).

6. Administrative Plan

SBCOG would draft an Administrative Plan for the fund. This plan would be reviewed by all participating jurisdictions, and SBCOG would allow at least one round of comments by each jurisdiction. The Administrative Plan would include the following components:

- a. Defining the purpose and structure of the housing trust.
- b. Assigning participating members' authorities.
- c. Stipulating member authorities' annual contribution requirements using a formula based on the member jurisdictions' population, jobs, and projected growth.
- d. Outlining SBCOG'S administrative duties and responsibilities. This would include identification of existing staff or formation of a new department.
- e. Creating a Board of Directors to manage initial and ongoing housing trust fund activities and goals. This would include details about board governance, meeting protocols, and administration and oversight.
- f. Establishing a housing trust funds account and a sub-account specifically for administrative purposes.
- g. Enacting annual reporting procedures for SBCOG to maintain records and publish efforts for member jurisdictions to review.
- h. Establish procedures to allow member jurisdictions to enter or leave the trust in the future. Procedures should require the leaving jurisdiction provide written notice of exit six months prior to start of new financial year and stipulate that the city/county will assume responsibility for administrative fees for managing existing projects in its jurisdiction.

7. Adopt New JPA

Upon completion of the Administrative Plan, SBCOG would adopt a new JPA in partnership with all interested jurisdictions to officially enact the housing trust. This JPA would establish a new public entity separate from the parties to the agreement, providing the common power as described in the agreement.

- a. The JPA would incorporate language from the Administrative Plan into the official agreement.
- b. The JPA must state the trust's application for 501(c)(3) tax-exempt status with the Internal Revenue Service (IRS) is completed or pending and specify that the trust has a charitable purpose, which is to develop funds for affordable housing.

8. Jurisdiction Resolutions

Interested jurisdictions would individually pass resolutions to join the regional housing trust.

- a. Participating jurisdictions would include language in their individual resolutions committing to pay membership dues annually as to be part of the JPA/nonprofit housing trust. The resolution would also contain language certifying eligibility to receive State funds through compliance with current State housing law.
- b. A designated representative from each participating jurisdiction would subsequently sign the JPA, agreeing to conditions of the JPA and Administrative Plan.
- c. At this time, the participating member jurisdiction would be required to pay membership dues to the trust.

9. Nonprofit Component

Given that SBCOG would likely form a new JPA to enact the housing trust, SBCOG could also form an accompanying nonprofit to administer the trust using the dual JPA/nonprofit organizational model. SBCOG could work with an established non-profit that is experienced in accepting large donations to enter into an agreement for a partnership. SBCOG could also apply for the housing trust's 501(c)(3) tax-exempt status with the Internal Revenue Service (IRS). General filing instructions are as follows:

- a. Draft and file the articles of incorporation. This would include the organization's name, specify its use for charitable purposes by developing funds for affordable housing, identify an agent for service of process, and list any limitations on corporate powers. If the Board of Directors is named in the articles of incorporation, then these articles would be signed by the board.

- b. Appoint the Board of Directors, if not named in the articles of incorporation.
- c. Attach the trust's bylaws, which is the joint powers agreement for the housing trust and draft a conflict of interest policy.
- d. Provide proof of the participating members' consent to the joint powers agreement.
- e. Obtain an employer identification number (EIN). This can be done online.
- f. File the initial registration form (Form C T-1) with the California Attorney General's registry of Charitable Trusts.
- g. File the Statement of Information (Form SI-100) with the Secretary of State.
- h. Apply for federal tax exemption with the IRS (Form 1023) and receive a letter of determination from the IRS.
- i. Apply for California tax exemption with the California Franchise Tax Board (FTB) using Form 3500A and a copy of the IRS determination letter (in step above) and receive an affirmation of exemption letter from the FTB.

A partnership with an existing non-profit that has housing trust experience may be a preferred approach.

10. Revenue Pursuit

Once nonprofit status has been approved, SBCOG would begin pursuit of revenue sources, operating as a dual JPA/nonprofit housing trust. This would include the following actions, not necessarily completed in this order:

- a. Collect annual membership dues from participating jurisdictions.
- b. Solicit private donations from large local corporations and businesses.
- c. Collaborate with local jurisdictions to collect their PHLA allocations to help leverage State matching funding.
- d. Apply for State matching funding, NTHF grant funding, and other grants.
- e. Follow protocol established by the US Department of Treasury to become a CDFI. Once registered as a CDFI, draft a CIN template to offer low-interest loans to private entities.
- f. Partner with participating jurisdictions to negotiate CBAs with developers for allocation of funds to the housing trust.
- g. Provide continual support for cities attempting to impose TOT fees or inclusionary zoning requirements for allocation of those funds to the housing trust fund.

11. Transition to Ongoing Implementation

SBCOG would manage the resulting income sources and allocate them toward programs meeting established priorities. Growth would be managed over time and the Board of Directors would steer the goals of the housing trust over the long-term.

APPENDIX A: Existing Housing Trust Profiles

8.c

The following table lists all housing trust funds in California cataloged by the Housing Trust Fund Project through 2020. This list is not exhaustive of all housing trust funds in the state. Of the 46 jurisdictions on this list, 14 are located in Southern California, 2 are in Central California, and the remaining 32 are located in Northern California.

JURISDICTION	HOUSING TRUST FUND	YEAR CREATED	ADMINISTERING AGENCY
Alameda County	Affordable Housing Trust Fund	2003	Housing and Community Development (public)
Anaheim	Housing Trust Fund	2005	Community Development Department (public)
Berkeley	Housing Trust Fund	1990	Housing Development (public)
Butte, Shasta, Yuba, Sutter, Tehama, Siskiyou, Glenn, Plumas, Lassen, Modoc, Trinity, and Colusa Counties	Housing Trust Fund	2015	North Valley Housing Trust (private/nonprofit)
Campbell	Housing Trust Fund	2006	Community Development Department (public)
Citrus Heights	Affordable Housing Trust Fund	2003	Housing and Grants Division (public)
Cupertino	Affordable Housing Fund	1987	Community Development Department (public)
Elk Grove	Affordable Housing Fund	2003	Planning (public)
Emeryville	Housing Trust Fund	2014	Economic Development and Housing (public)
Fremont	Affordable Housing Development Fund	2014	Housing Division (public)
Livermore	Housing Trust Fund	2005	Community Development (public)
Long Beach	Housing Trust Fund	2005	Housing Services Bureau (private/nonprofit)
Los Angeles	Affordable Housing Trust Fund	2002	Housing Department (public)
Los Angeles	Affordable Housing Impact Trust Fund	2017	Chief Administrative Officer (public)
Los Angeles: Skid Row	Affordable Housing Trust	1989	Skid Row Housing Trust (private/nonprofit)

Attachment: SB Housing Trust White Paper_April 2022 (9013 : San Bernardino Regional Housing Trust)

JURISDICTION	HOUSING TRUST FUND	YEAR CREATED	ADMINISTERING AGENCY
Los Angeles County	Affordable Housing Trust Fund	2013	LA County Community Development Commission (public)
Mammoth Lakes	Housing Trust Fund	2003	Mammoth Lakes Housing (private/nonprofit)
Marin County	Workforce Housing Trust Fund	2004	Community Development Agency (public)
Menlo Park	Below Market Rate Housing Program	1988	Community Development (public)
Monterey, San Benito, and Santa Cruz Counties	Housing Trust Fund	2016	Monterey Bay Economic Partnership (private/nonprofit)
Morgan Hill	Senior Housing Trust Fund	Not available	Not available
Mountain View	Housing Trust Fund	Not available	Not available
Napa County	Affordable Housing Fund	1992	Napa Valley Housing Authority (public)
Oakland	Affordable Housing Trust Fund	2003	Department of Housing & Community Development (public)
Orange County	Housing Trust	2010	Orange County Housing Trust (private/nonprofit)
Orange County ¹	Housing Finance Trust	2019	Orange County Housing Finance Trust (JPA)
Oxnard	Affordable Rental Housing Trust Fund	2003	Housing Department (public)
Palo Alto	Affordable Housing Fund	1974	Planning and Community Development (public)
Pasadena	Housing Trust Fund	1993	Housing and Community Development Department (public)
Petaluma	Housing Fund	2003	Housing Division (public)
Sacramento	Affordable Housing Trust Fund	2020	City of Sacramento (public)
Sacramento City and County	Housing Trust Fund	1989	Housing and Redevelopment Agency (public)
San Diego	Housing Trust Fund	1990	San Diego Housing Commission (public)

¹ This trust is not explicitly for housing for homelessness. Given the JPA model, it is included in this list.
Source: Housing Trust Fund Project, 2020; City of West Hollywood, 2020; Monterey Bay Economic Partnership, 2020; North Valley Housing Trust, 2020; Skid Row Housing Trust, 2020; City of Sacramento, 2020.

JURISDICTION	HOUSING TRUST FUND	YEAR CREATED	ADMINISTERING AGENCY
San Francisco City and County	Housing Trust Funds	1987; 2012	Office of Housing (public)
Alhambra, Arcadia, Azusa, Baldwin Park, Claremont, Covina Diamond Bar, Duarte, El Monte, Glendora, Irwindale, La Canada Flintridge, La Verne, Monrovia, Montebello, Pasadena, Pomona, San Gabriel, South El Monte, South Pasadena, Temple City, and West Covina	Housing Trust Fund	2020	San Gabriel Valley Regional Housing Trust
San Jose	Housing Trust Fund	2003	Department of Housing (public)
San Jose	Housing Impact Fee Fund	2014	Department of Housing (public)
San Luis Obispo County	Housing Trust Fund	2003	San Luis Obispo County Housing Trust Fund (public)
San Mateo County	Housing Endowment and Regional Trust	2003	HEART of San Mateo County (private/nonprofit)
San Mateo County	Affordable Housing Trust Fund	2013	San Mateo County Department of Housing (public)
Santa Barbara County	Housing Trust	2005	Housing Trust of Santa Barbara County (private/nonprofit)
Santa Clara County	Housing Trust Silicon Valley	1997	Housing Trust Silicon Valley (private/nonprofit)
Santa Cruz	Affordable Housing Trust Fund	2003	Housing Division (public)
Santa Monica	Citywide Housing Trust Fund	1986	Housing Division (public)
Santa Rosa	Housing Trust	2004	Economic Development and Housing (public)
Sonoma County	County Fund for Housing	2005	Department of Community Development (public)
Sunnyvale	Housing Trust Fund	Not available	City of Sunnyvale (public)
Ventura County	Housing Trust Fund	2010	Housing Opportunities Made Equal (private/nonprofit)
West Hollywood	Affordable Housing Trust Fund	1986	Rent Stabilization and Housing Division (public)

The following nine California-based housing trusts have different organizational structures, funding sources, and fund activities, but each demonstrates the ability to incite housing change despite divergent regional contexts. Some housing trusts examined below are located in Northern California due to the higher occurrence of housing trusts in Northern California and specifically housing trusts operating under the private/nonprofit model, the organization model recommended for SBCOG. The table below provides an overview of each of the housing trusts examined in this paper.

HOUSING TRUST	ANNUAL BUDGET	PROGRAMS AND ACTIVITIES
County of Ventura Housing Trust Fund	Annual budget for 2019: \$451,849 (revenue) \$297,957 (expenses)	Revolving loan fund, pro-bono consulting for affordable housing developers
Orange County Housing Trust	Annual budget for fiscal year 2019- 2020: About 5 million.	Provides gap financing for developers creating permanent supportive and affordable housing projects. They have also provided short-term residual loans in the past with a smaller budget and interest in faster turnover on loan terms.
Orange County Housing Finance Trust	Fiscal Year 2019-2020 Contributions and Grants: \$6.5 million	Funding for permanent supportive or affordable housing restricted to persons or families who qualify as extremely low-income.
San Diego County Innovative Housing Trust	Annual budget for fiscal year 2021-2022: \$25 million.	Provides gap financing to create or preserve affordable housing and permanent or transitional housing for those at risk of experiencing homelessness.

San Mateo HEART	Annual budget for fiscal year 2015-2016: \$1.6 million (revenue), \$756,594 (expenses)	Revolving loan fund (both First Time Homebuyer Loans and Development Loans), Green and Livable Accessory Dwelling Unit Resource (GLADUR) program
San Mateo County Housing Trust	Not disclosed	Revolving loan fund for multifamily affordable rental housing projects. This includes predevelopment, construction, and permanent loans to developers for new developments and rehabilitation loans for existing affordable rental housing.
Skid Row Housing Trust	Annual budget 2018: \$39 million	Revolving loan fund, supportive services for the homeless, development and ongoing management and operation of permanent and supportive housing
West Hollywood Affordable Housing Trust Fund	Annual budget 2019: \$1.7 million	Provide residual receipt loans for acquisition and rehabilitation or construction of new affordable housing developments with affordability restrictions for 55 or 57 years. Loans are forgivable if the term is fulfilled to annuity. They are interested in expanding to fund a first-time homebuyer program in the future.
San Gabriel Valley Regional Housing Trust	2022 State Budget Allocation: \$21 million FY 2020-2021 Total Income = \$647,450	Emergency shelter pilot project (tiny homes) and gap funding for affordable housing development.

COUNTY OF VENTURA HOUSING TRUST FUND

The nonprofit County of Ventura Housing Trust Fund (CVHTF), since rolling out housing support in 2012, has issued over \$9 million in approved loans, constructed 365 affordable housing units, helped 15 affordable housing developments in 70 percent of cities within the county, and raised \$6.7 million through grants, investments, sponsorships, and fundraisers.¹²

- Organizational Structure: 501(c)3 Nonprofit
- Year Established: 2005, first loan in 2012
- Percent of expense budget dedicated to operating costs: 77 percent
- 2019 annual budget: \$451,849 (revenue), \$297,957 (expenses)
- Programs and activities administered: Revolving loan fund, pro-bono consulting for affordable housing developers
- Top revenue sources: Revolving Loan Program, events, donations and grants, local government grants
- Best practice recommendations:
 - Do not accept funds from local governments earmarked to come back into that jurisdiction.
 - Leverage funding creatively through layering of all different sources.
 - Only work with seasoned affordable housing developers.
 - Recycle money from State matching funds through a revolving loan program to gradually remove State's restrictions from repaid money.
 - Focus on providing short-term loans such as construction loans or gap financing and avoid pre-construction loans or first-time homebuyer loans during first few years of the trust due to higher risks and larger loan amounts.
 - Seek guidance and feedback from the developer community often.

ORANGE COUNTY HOUSING TRUST

Orange County Housing Trust (OCHT) is a nonprofit private capital-funded housing trust powered by NeighborWorks Orange County (NWOC) and Orange County Business Council (OCBC) – two leading organizations committed to making Orange County a vibrant place to live, work and play. NWOC and OCBC have retooled OCHT, originally established in January 2010, as a financing vehicle for grantors, foundations, and corporations to leverage public and private funding to bring future permanent supportive and affordable housing projects to Orange County. Using the Housing Trust of Silicon Valley as a model, the OCHT engages local businesses to help tackle the housing issues

¹² Housing Trust Fund Ventura County, 2019, Everyone Deserves a Home: 2019 Annual Report.

facing the county. The Disneyland Resort provided a \$5 million grant for seed funding to provide housing support in Anaheim, which financed a 102-unit affordable housing development. The OCHT Board of Directors is comprised of the region's top business leaders including The Irvine Company, U.S. Bank, OCBC, Disneyland Resort, and FivePoint Holdings. The trust operates within NWOC's organizational structure as a program, which keeps operation costs low.

- Organizational Structure: 501(c)3 Nonprofit
- Year Established: Established in 2010, revitalized in 2019
- Percent of expense budget dedicated to operating costs: No restrictions on operating costs, but it amounts to about \$48,000/year to administer with in-house staff at NWOC. There are no official staff positions for the trust.
- Annual budget for Fiscal Year 2019-2020: About \$5 million, due to Disneyland donation
- Programs and activities administered: Provides gap financing for developers creating permanent supportive and affordable housing projects. They have also provided short-term residual loans in the past with a smaller budget and interest in faster turnover on loan terms.
- Top revenue sources: Private investments
- Best practice recommendations: Nonprofit housing trust funds struggle more with obtaining seed funding, but nonprofits should be persistent because it takes a long time and lots of labor to obtain money from private sources. Private organizational models have the benefits of avoiding politics and involvement from government that comes from public ownership in a housing trust fund.

ORANGE COUNTY HOUSING FINANCE TRUST

The Orange County Housing Finance Trust (OCHFT) was formed by legislation in 2018 to address the housing needs of those experiencing or at-risk of experiencing homelessness. OCHFT is a JPA structured trust between the County of Orange and 23 cities throughout the county. The trust is structured to distribute funding between the Service Planning Areas in the county, which are boundaries used for providing homelessness services. Between 2020-2021 the trust released 2 NOFAs, funding 13 developments for permanent supportive housing. More than \$10.5 million was made available through the 2022 NOFA. The trust entered into an agreement with the County of Orange, which allocates \$20.5 million in Mental Health Services Act funds and \$5 million in County general funds over five years as dedicated and matching funds to the trust for development of affordable and supportive housing.

- Organizational Structure: Joint Powers Authority with Nonprofit Partnership

- Year Established: Established in 2018 by statute
- Administrative Budget: OCHFT notes that at least \$300,000 is needed for the first year of administrative costs. The County of Orange provides \$200,000 annually to support administrative costs.
- Fiscal Year 2019-2020 Contributions and Grants: \$6.5 million
- Programs and activities administered: Funding for permanent supportive or affordable housing restricted to persons or families who qualify as extremely low-income.
- Top revenue sources: County Mental Health Services Act Funds and Local Housing Trust Funds
- Best practice recommendations: The ability for the trust to utilize funds to apply for state matching funds provides a mutually beneficial partnership between the trust and the County. The trust partners with an established non-profit that accepts donations on behalf of the trust. The non-profit is experienced in accepting large donations and their fee comes from the donation itself, so the trust is able to keep overhead costs low.

SAN DIEGO COUNTY INNOVATIVE HOUSING TRUST FUND

The San Diego County Board of Supervisors directed the creation of the Innovative Housing Trust Fund (IHTF) to increase the regional supply of affordable housing for low income and vulnerable populations. Since its inception in 2017, the IHTF helped create 1,397 affordable units in 20 developments in the region, leveraging over \$560 million in public and private capital sources.

- Organizational Structure: Local Housing Trust
- Year Established: 2017
- Annual budget for Fiscal Year 2021-2022: \$25 million for affordable housing.
- Programs and activities administered: Gap financing to create or preserve affordable housing and permanent or transitional housing for those at risk of experiencing homelessness.
- Top revenue sources: County budget allocation.
- Best practice recommendations: Foster public-private partnerships.

SAN GABRIEL VALLEY REGIONAL HOUSING TRUST

The San Gabriel Valley Regional Housing Trust is a joint powers authority (JPA) created by Senate Bill 751 (Rubio) in early 2020. The Trust was established with the stated purpose of funding the planning and construction of housing for the homeless population and persons and families of extremely low, very low, and low income within the San Gabriel Valley, by receiving public and private financing and funds, authorizing and issuing bonds and other debt instruments. The Trust designated \$835,000 in capital funding for a non-congregate (tiny home) Emergency Shelter Pilot Program totaling up to 60 units for emergency shelter. In 2021, the State earmarked \$21 million of its the budget for the trust. The JPA is governed by a nine-member Board of Directors, seven of whom are representatives from jurisdictions that are members of the SGVRHT and two of whom are experts in housing and homelessness.

- Organizational Structure: Joint Powers Authority
- Year Established: February 2020, first grant awarded in February 2021
- FY 2020-2021 Total Income: \$647,450 and \$21 million earmark in State budget announced in 2021
- Programs and activities administered: Emergency shelter pilot project (tiny homes) and gap funding for affordable housing development.
- Top revenue sources: State Budget, Measure H Funds, and Homeless Initiative Innovation Funds
- Best practices: A variety of funding sources will allow more flexibility to address the strongest housing needs. Land banking is an ideal strategy for community land trusts. Create NOFA applications that don't require applicants to go through lengthy processes that they have already been through for other funds. Even cities that do not want affordable housing in their communities may still want to address housing needs at a regional scale. Therefore, it is important to provide an option for being a supporter of the trust without being a member.

SAN MATEO HOUSING ENDOWMENT AND REGIONAL TRUST

In San Mateo County there are two regional housing trusts, a County-administered trust (explored in detail below) and San Mateo's Housing Endowment and Regional Trust (HEART) is a JPA/ nonprofit fund operated throughout the County. While the County fund primarily uses sales taxes through Measure K to fund housing projects, HEART cannot directly obtain this funding and therefore uses different sources to augment housing support. To avoid duplication of services,

the two entities collaborate often to fund different types of projects and policies, harness different funding sources based on their eligibility, and partner on projects when appropriate. HEART noted that, while the County releases a NOFA for developers semiannually, development deals typically occur more often and much faster, so developers can work with HEART instead to minimize time and money lost in the bureaucratic cycle of hearings, long review periods, and commission meetings.

San Mateo's HEART, both a Joint Powers Authority and nonprofit, has raised over \$12 million since 2003—\$2.9 million from the private sector and \$9.5 million from the public—to fund the construction, renovation, or purchase of over 805 homes for low- and moderate-income families, representing nearly 10 percent of all new units built in San Mateo County in the last five years. This fund is invested in many developments representing a combined \$217 million in direct economic activity, stimulating both construction and permanent jobs. HEART's investment work has leveraged over \$18 in funds from other sources for every \$1 from HEART to bring additional resources into the region.¹³

- Organizational Structure: Joint Powers Authority and 501(c)3 Nonprofit
- Year Established: 2003
- Percent of expense budget dedicated to operating costs: 94 percent
- Annual budget for Fiscal Year 2015-2016: \$1.6 million (revenue), \$756,594 (expenses)
- Programs and activities administered: Revolving loan fund (both First Time Homebuyer Loans and Development Loans), Green and Livable Accessory Dwelling Unit Resource (GLADUR) program
- Top revenue sources: public investment from the County of San Mateo and matching grants from the State of California
- Best practice recommendations:
 - Gain activist interest to generate support for the trust without the trust becoming overtly political itself.
 - Establish strong relationships with local jurisdictions.
 - Communicate often with local developers.
 - Direct investment dollars from local jurisdictions back into their jurisdiction whenever possible.
 - Hire outside consultants intermittently to perform loan underwriting or bookkeeping to keep in-house staffing low and reduce administrative costs
 - Operate as a dual Joint Powers Authority and nonprofit to allow the flexibility to operate with power as a jurisdiction while receiving money from the state and private

13 HEART of San Mateo, 2020, <https://www.heartofsmc.org/about-heart/>, accessed on April 7, 2020.

contributions.

- Avoid accepting housing-dedicated funds from local governments because that money will theoretically be spent on housing in their own jurisdiction anyway.
- Require that cities commit a percentage of their annual appropriations for the first five to ten years of the trust as their “membership dues”.

SAN MATEO COUNTY HOUSING TRUST

The County’s Department of Housing (DOH) operates the countywide regional housing trust. The fund was initially started when the Board of Supervisors (BOS) allocated \$13.4 million of unrestricted General Funds to affordable housing purposes, as derived from a one-time distribution of housing trust funds held by former redevelopment agencies in San Mateo County. The County housing trust fund currently primarily uses sales taxes through Measure K to fund housing projects both in the unincorporated county and within cities. Measure K is a direct appropriation from the County’s BOS every two years. The allocation has increased over the years as demand from developers has increased, evidenced by more applications and larger loan requests. They also receive funding from HCD’s No Place Like Home (NPLH) fund and the California Emergency Solutions and Housing Program. The County releases two NOFAs annually, collaborating with developers throughout the year to ensure that their NOFA meets the needs of the affordable housing development community. Administrative costs are low for this fund, and it is set up so that most housing trust funds go directly towards the projects.

- Organizational Structure: County (Department of Housing)
- Year Established: 2013
- Percent of expense budget dedicated to operating costs: Not disclosed. DOH notes that they charge a 1.5 percent administrative cost fee as part of the loan application process, but it does not cover DOH’s costs to administer the trust.
- Available funds released in June 2019: \$27.6 million available for affordable housing. Note that this is one of two NOFAs typically released per year.
- Programs and activities administered: Revolving loan fund for multi-family affordable rental housing projects. This includes predevelopment, construction, and permanent loans to developers for new developments and rehabilitation loans for existing affordable rental housing.
- Top revenue sources: Measure K funds
- Best practice recommendations:
 - Release NOFAs on a consistent schedule because it allows developers to anticipate the

funds and better plan for affordable housing projects.

- Foster open and strong relationships with the development community and ask for feedback on programs.
- Work closely with jurisdictions to determine what they need without duplicating efforts.

SKID ROW HOUSING TRUST

The Skid Row Housing Trust (SRHT), a nonprofit focused on ending homelessness in Los Angeles County, has invested in 26 housing developments in 30 years, providing nearly 2,000 people with permanent homes and thousands more with transitional support on the way to more independent living. In 2018, SRHT generated revenue from development and service fees, foundation and corporate grants, government grants, and contributions for development of supportive and transitional housing.¹⁴

- Organizational Structure: 501(c)3 Nonprofit
- Year Established: 1989
- Percent of expense budget dedicated to operating costs: 11.8 percent
- 2018 annual budget: \$39 million
- Programs and activities administered: Revolving loan fund, supportive services for the homeless, development and ongoing management and operation of permanent and supportive housing.
- Top revenue sources: Development and service fees
- Best practice recommendations: not available for interview

WEST HOLLYWOOD AFFORDABLE HOUSING TRUST FUND

The West Hollywood Affordable Housing Trust Fund (AHFT) is a City-operated housing trust fund established in 1986 to offset development impacts and generate additional resources to meet the affordable housing need. The City's policy requires residential and commercial developers to provide affordable housing or pay an in-lieu fee to finance affordable housing development in the city. These two revenue streams provide the largest sources of revenue annually, but they vary widely based on the development cycle each year. For example, the City has annual revenue totals ranging from 1.8 million to 11 million in the past five years, solely due to varying contribution requirements written into development agreements. The West Hollywood AHFT requires at least 20 percent of units be designated low-income, and 60 percent of units be designated low- to

¹⁴ Skid Row Housing Trust, 2020, <https://skidrow.org/about/impact/>, accessed on April 7, 2020.

moderate-income in all affordable housing projects funded. They perform nexus studies every three to four years to ensure the commercial linkage fees and residential in-lieu fees provide an adequate return on investment without crippling potential development projects and investor interests.

- Organizational Structure: City (Rent Stabilization & Housing Division)
- Year Established: 1986
- Percent of expense budget dedicated to operating costs: 5-10% of administrative costs are permitted in the terms of money received from the residential in-lieu fees and the commercial linkage fees.
- 2019 annual budget: \$1.7 million (\$1.8 million in 2018, \$3.4 million in 2017, \$11 million in 2016, and \$2.1 million in 2015)
- Programs and activities administered: Provide residual receipt loans for acquisition and rehabilitation or construction of new affordable housing developments with affordability restrictions for 55 or 57 years. Loans are forgivable if the term is fulfilled to annuity. They are interested in expanding to fund a first-time homebuyer program in the future.
- Top revenue sources: Residential in-lieu fees (projects less than 10 units must pay an in-lieu fee or restrict at least one unit to be affordable; projects with 11 or more units must dedicate 20% of units for low-income households) provide at least \$600,000 annually and commercial linkage fees (commercial projects over 10,000 square feet must pay \$9/square foot to the housing trust fund) contributes at least \$600,000 annually to the fund as well.
- Best practice recommendations: Given SBCOG'S scope, it would be very effective for any new trust to operate at a regional level and follow a JPA approach to give smaller communities with limited resources the ability to create affordable housing and address the housing shortage at a regional level. Seeing the benefits of a regional JPA approach to housing trust funds, West Hollywood is interested in banding together with other cities in Los Angeles to do follow a similar model in the future. Perform nexus studies every few years if fees are adopted to fund the housing trust to ensure they do not impose severe financial barriers to development. Work with developers continuously to understand barriers to affordable housing development and alleviate unnecessary development constraints.

KEY TAKEAWAYS FROM TRUST INTERVIEWS

The following synthesizes key takeaways reiterated by multiple established trusts in personal interviews.

1. Stable funding exists in the form of revolving loan funds, allocation of development fees, and matching funds from the state. While private donations and State budget allocations may occur in large sums, they are not indicative of funding that may be available annually.
2. Local support from the public and decision-makers is crucial to establish a housing trust. Lack of community support often stems from misinformation regarding the greater need for more affordable housing, so an effective campaign and outreach is critical for success.
3. Community Impact Notes (CINs) are an effective source of revenue for trusts. Trusts that do not currently offer CINs as a program note that it is their goal to become a CDFI and issue CINs in the future.
4. Housing is a regional issue, and this should be emphasized in campaign messaging to local government staff and officials whenever possible. However, local jurisdictions may be averse to contribute funds when there is no set guarantee of reinvestment back into their community. Therefore, funds should be reinvested back into jurisdictions that contribute housing trust funds whenever feasible, though not established as a requirement. For example, if TOT revenues are funneled to a housing trust, then the trust should attempt to directed towards housing activities in that community.
5. Be wary of contributions from jurisdictions that may have that money earmarked for activities specific to their jurisdictional boundaries. For example, cities or counties with an inclusionary zoning ordinance may have regulations requiring that affordable housing in-lieu fees be directly invested back into that community. Therefore, any money donated from those jurisdictions would be earmarked to ensure they are allocated to activities in that jurisdiction. While this delineation of funds provides cities with protections on their investments, they restrict the ability of the housing trust to further leverage funds to enact greater change in the regional community.
6. Only provide loans to seasoned affordable housing developers, and work with them continuously to minimize development uncertainty and address barriers to affordable housing creation.
7. Reduce administrative costs by keeping staffing low, contracting out for underwriting services, and sharing costs with other nonprofits or partner agencies when possible.
8. Seek guidance and feedback with the developer community often to ensure programs funded by the trust are effective and user-friendly.

APPENDIX B: Housing Trust Funding Sources

8.c

STATE AND FEDERAL GRANTS

PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM

Funded through the \$75 real estate transaction fee established by Senate Bill (SB) 2, the PLHA Program is intended to provide a permanent source of funding for local governments to support affordable housing. PLHA funds are flexible and can be used for a variety of housing-supportive efforts, including as matching funds for local or regional housing trusts.

The 2019-2023 5-year PLHA Allocation for SBCOGs participating jurisdictions is estimated at approximately \$31 million in formula (non-competitive) grants and competitive grants in San Bernardino County, with total funding available contingent upon the real estate transaction fees from year to year.¹⁵ The first NOFA for formula grants was issued in February 2020. Applications will program five years of PLHA formula funding and be issued on an annual basis, as real estate transaction fees are collected. While applications can only be submitted in response to a NOFA, local jurisdictions unable to submit applications for the 2020 NOFA, may apply in 2021 to redeem funding allocated for 2020. Under the Program, a Joint Powers Authority, such as a SBCOG-administered housing trust, could be delegated funds by a local jurisdiction, those funds could then be leveraged as matching funds needed to secure revenue from the competitive PLHA funds.

JURISDICTION	FUNDING AMOUNT
Entitlement Communities	
Apple Valley	\$1,725,366
Chino	\$1,496,190
Chino Hills	\$1,063,710
Fontana	\$5,886,732
Hesperia	\$3,034,662
Ontario	\$5,520,108
Rancho Cucamonga	\$2,702,856
Rialto	\$3,586,716
City of San Bernardino	\$273,393
Upland	\$1,667,022
Victorville	\$3,736,620
County of San Bernardino	\$727,093

¹⁵ The San Bernardino County PLHA allocation includes cities with populations smaller than 50,000. As an urban county, it is the County's responsibility to utilize those funds within those those unincorporated areas and cities with populations smaller than 20,000.

STATE-MATCHING LOCAL HOUSING TRUST FUND (LHTF) PROGRAM

The California Department of Housing and Community Development (HCD) distributes matching State funds for local and regional housing trust funds in California. Funding is restricted to the following applicant types: a city, county, or city and county; a charitable nonprofit organization permitted in Section 501(c)(3) of the Internal Revenue Code; and Native American Tribes. For a SBCOG-administered trust to be eligible for funds, member jurisdictions would need to take action to form the trust and identify SBCOG as the partner agency representing the participating jurisdictions. All participating member jurisdictions must have a State law-compliant housing element to be eligible for funding.

Eligible sources of funds to be matched by State funds include taxes, fees, loan repayments, and public or private contributions. Funds restricted for housing use by State or federal law, including the Home Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) Program, or redevelopment agency Low and Moderate Income Housing Fund (LMIHF) funds administered by HCD, cannot be used as matching funds. While local (single jurisdiction) housing trusts are not allowed to apply for matching funds using their Permanent Local Housing Allocation (PLHA) funds, regional housing trusts can receive matching funds from PLHA funds. As a new regional housing trust, a SBCOG trust would be eligible to request a minimum match of \$750,000 and a maximum of \$5 million, if using PLHA funds.

State matching funds require that all construction workers be paid prevailing wage, which can make affordable housing project costs infeasible, even with the additional funding. As a work around, existing housing trusts often separate State matching funds from other funding sources that do not invoke prevailing wage, and use those funds for expenses not related to construction such as administrative costs, loan underwriting fees, or homelessness services. If developers opt to use State matching funds through a housing trust's revolving loan fund (explored below), the returned capital from the loan repayments is no longer held to prevailing wage requirements.

NATIONAL HOUSING TRUST FUND PROGRAM (NHTF)

NHTF is an affordable housing production grant program supporting affordable housing for low- and very-low-income households. This is the only federal resource dedicated explicitly to housing trusts. Administered at the State level through HCD, this grant funds production or preservation of affordable housing, and housing trusts are eligible applicants to receive this funding. The grant requires that at least 80 percent of each annual grant is for rental housing and allows for up to

10 percent each for homeownership housing and the trust fund's administrative and planning costs.¹⁶ NHTF funds may be used for the acquisition, new construction, reconstruction, and/or rehabilitation of housing with suitable amenities. All NHTF-funded rental housing must be restricted to affordable housing for at least 30 years. All NHTF-funded homeownership housing must have an affordability restriction for a period of 10, 20 or 30 years, depending on the amount of NHTF investment in the unit. HCD further specifies eligible activities through the annual release of a NOFA; in 2018, eligible activities were limited to new multifamily construction for all applicants.

BONDS

GENERAL OBLIGATION (GO) BONDS

General Obligation (GO) bonds are a popular type of municipal bond for housing trusts, invoked via a new tax rather than a specific project's revenue. To put them on the ballot, proposed GO

bond measures must be adopted by resolution by the jurisdiction's elected officials and must receive a two-thirds majority vote. In 2016, Alameda County voters approved a \$580 million Affordable Housing GO bond, Santa Clara County voters approved a \$950 Homelessness and Housing GO Bond, and Oakland voters approved an infrastructure GO bond that included \$100 million for housing. Each of these bonds include a portion that directly funds a local affordable housing trust. GO bonds may be a feasible housing trust funding source in some SBCOG jurisdictions, though many may struggle to garner sufficient elected official or voter support for approval.

REVENUE BONDS

Revenue bonds are municipal bonds supported by specific revenue streams and are tax exempt because they are entirely financed by a specific project. For example, mortgage revenue bonds are directly repaid by the individual buyer. While the lack of municipal backing power on this type of bond increases the risk, it also increases the rate of interest paid back on the bond. The City of Santa Rosa's housing trust issued tax-exempt revenue bonds for public purpose developments that require below market interest rate financing to meet community needs. The City Council approved multiple types of revenue bonds including both single-family housing mortgage revenue bonds and multifamily rental housing revenue bonds. Local jurisdictions should have guidelines to consider requests for revenue bonds to preserve potential bond buyer confidence in the jurisdiction and form the basis for short and long-term policy objectives.

¹⁶ U.S. Department of Housing and Urban Development, Community Planning and Development, 2015 National Housing Trust Fund Fact Sheet, <https://files.hudexchange.info/resources/documents/National-Housing-Fund-Trust-Factsheet.pdf>, accessed March 28, 2020.

TAX INCREMENT FUNDS AND TAXES

Property tax-based strategies can effectively generate revenue in strong housing markets where home values continue to appreciate over time. Local jurisdictions can contribute directly to the housing trust fund from discretionary local revenues using a designated portion of existing local revenue sources or establishing a new tax increment fund or tax. While establishing new taxes is less popular with the general public, they provide a reliable, steady source of revenue for housing trust funds. Types of tax increment funds or other taxes include:

REDEVELOPMENT TAX INCREMENT FUNDS

With voter approval, a city or county can establish redevelopment areas using the redevelopment of blight as a nexus for allocating additional property taxes collected in the area to improve the neighborhood's housing. Housing trusts then receive additional property taxes resulting from increased property value as the area improves. For example, Philadelphia's Housing Trust Fund has reported a 4.7 percent increase in property values near housing trust fund developments, accounting for inflation.¹⁷ In California, Los Angeles County directs tax increment revenue collected from designated redevelopment areas annually to their Affordable Housing Trust Fund. A Community Revitalization and Investment Authority (CRIA) can also be created to authorize the revitalization of disadvantaged communities through affordable housing via tax increment financing.

REAL ESTATE TRANSFER TAX

A real estate transfer tax is a sales tax, based on the value of the property and assessed at the State, county, and/or city level, most often used as general revenue. However, real estate transfer taxes can be dedicated to specific uses, such as affordable housing development. Real estate transfer taxes typically range from 0.01 to 0.40 percent and often include exemptions for low-income households and first-time homebuyers. Real estate transfer tax increases are not restricted under California's Proposition 13, as they are not considered property taxes.

Real estate transfer taxes must be approved by a vote of the local jurisdiction. General law cities are authorized to impose a tax of up to \$0.55 per \$1,000 of value. There is no cap on the real estate tax for charter cities, so San Bernardino County's six charter cities, Adelanto, Big Bear Lake, Loma Linda, Needles, San Bernardino, and Victorville, could impose the tax above this statutory

¹⁷ Center for Community Change, 2016, The 2016 Housing Trust Fund Survey Report, https://housingtrustfundproject.org/wp-content/uploads/2016/10/HTF_Survey-Report-2016-final.pdf, accessed March 23, 2020.

limit if desired. To enact a real estate transfer tax, a local jurisdiction can either propose a measure for increasing the real estate transfer tax to generate general revenue, which only requires a majority vote to pass, or propose a measure that specifically funds affordable housing, which requires a two-thirds vote to pass.

Real estate transfer taxes are popular funding sources for affordable housing in the state, but are often created through general revenue measures, rather than specifically for affordable housing due to the less stringent vote requirements. A companion measure, requiring a two-thirds majority to pass, is required to accompany a general revenue measure to clarify the use of collected funds, such as the diversion of funds to a SBCOG-administered trust for housing. For example, the City of Santa Rosa has a real estate transfer tax collected based on the sale of homes in the city, which provided approximately \$3.8 million in FY 2019-2020. This money is funneled to the General Fund and then, per the companion measure, transferred to the housing trust fund for housing-related programs annually.

TRANSIENT OCCUPANCY TAX

The transient occupancy tax (TOT) is a voter-approved tax that is charged for the use of any transient occupancy facility, such as a hotel. The tax is required to be paid by the guest to the operator of the transient facility at the time that rent is paid. A jurisdiction can allocate the TOT collection toward affordable housing by establishing a nexus to the generated need for and/or loss of affordable housing in the local jurisdiction's TOT ordinance. For example, a hotel, lodging, or short-term rental generates significant income for local jurisdictions. Hotels and motels create many low-paying jobs in areas that often lack affordable housing for these workers. Additionally, short-term rentals, such as Airbnbs and vacation rentals by owner (commonly known as VRBOs) reduce the supply of housing available for sale or long-term rental and increase the costs of long-term rents overall.

Often, short-term rentals are not included in the TOT's definition of transient occupancy facilities, so these facilities are exempt. SBCOG member jurisdictions can leverage funds from local TOTs to support a housing trust fund by increasing the existing TOT or revising the definition of transient occupancy facilities to include short-term rentals. By law, a new TOT or increase to an existing TOT rate requires a majority vote of the general public. TOT revenues are typically allocated to the general fund, unless approved as a special TOT tax, which requires a two-thirds vote for approval. A special TOT tax would allow direct allocation of funds to affordable housing upon demonstrating a reasonable nexus. There is no statewide cap on the TOT.

The City of Sacramento has a TOT rate of 12 percent and increased revenue collected from the TOT by including short-term rentals in their definition of transient occupancy facilities beginning in 2016. The additional revenue collected is allocated to affordable housing. Both the City of Pismo Beach and the Town of Mammoth Lakes have enacted TOT ordinances on short-term rentals and annually allocate collected taxes towards the creation of affordable housing. Pismo Beach's Municipal Code Chapter 17.09 provides an example TOT ordinance with model nexus language, and the Town of Mammoth Lakes provides clear definitions for all transient occupancy facilities that generate taxable revenue for member cities to reference.¹⁸¹⁹

FEES

Fees are a pragmatic strategy to generate revenue from private entities without imposing blanket taxes on the general public. In addition, fees do not require voter approval to be initiated; they simply need approval from the local government's elected body. Fees require a nexus be established between the activity charged and the resulting activity funded, thereby ensuring that money is reinvested into the community. Common fees imposed by local governments that could support a housing trust are described below.

DEVELOPMENT IMPACT FEES AND COMMERCIAL LINKAGE FEES

Many jurisdictions have impact and commercial linkage fees to support affordable housing. Commercial linkage fees may be assessed on all new non-residential development under the assumption that the facilities will stimulate the creation of low-wage jobs but will not provide on-site affordable housing for low-wage workers. Los Angeles, San Diego, and West Hollywood have all adopted commercial linkage fees for housing production. Similarly, housing impact fees may be assessed on new market-rate residential development under the assumption that new residents will generate increased demand for services and, in turn, low-wage jobs to fulfill that demand. The fee revenue is distributed to support the development of housing affordable for the new employees and/or residents attracted to the new development. Local jurisdictions could deposit these linkage or housing impact fees into the housing trust fund. To enact a fee for the housing trust, existing fees could be diverted to the housing trust fund by a vote of the local jurisdictions' governing bodies, or a new developer impact fee or commercial linkage fee could be established in individual jurisdictions.²⁰ City and county staff would prepare an ordinance and resolution to specify such details as the fee's purpose, nexus to affordable housing, and methods for fee calculation.

¹⁸ City of Pismo Beach Municipal Code, 2020, <https://www.prcity.com/DocumentCenter/View/25961/Pismo-Beach-Outside-Coastal-Zone-Short-Term-Rental-Ordinance>, accessed April 8, 2020.

¹⁹ Town of Mammoth Lakes Municipal Code, 2020, https://library.municode.com/ca/mammoth_lakes/_codes/code_of_ordinances?nodeId=TIT3REFI_CH3.12TROCTA#TIT3REFI_CH3.12TROCTA_3.12.040TAIM, accessed April 8, 2020.

²⁰ Institute for Local Government, 2007, Establishing a Local Housing Trust Fund, https://www.ca-ilg.org/sites/main/files/file-attachments/resources_Local_Housing_Trust_Fund_0.pdf, accessed March 23, 2020.

INCLUSIONARY ZONING IN-LIEU FEES

Over 150 California cities have adopted inclusionary housing programs that require new housing developments meeting certain criteria to provide a percentage of affordable housing as a condition of development of both owner and renter-occupied housing. These programs generally allow in-lieu fees to be paid as an alternative to direct construction of the required housing; such in-lieu fees could be allocated to a housing trust. To do so requires an ordinance approved by the jurisdiction's elected body. Some cities explicitly require that the money obtained from in-lieu fees be invested back into the community where fees are incurred, which can make the funding more difficult to utilize through a regional housing trust.

DOCUMENT RECORDING FEE

Local jurisdictions can adopt a document recording fee placing a surcharge on the \$75 administrative fee set by the State to generate income for the housing trust fund. The additional recording fee must be approved by a majority vote of the public. For the fee to be explicitly dedicated for affordable housing, it would need to be approved by two-thirds of voters as it would be considered a special fee.

BUSINESS LICENSE FEES

Cities and counties can charge an annual business license fee for continued operation in their jurisdiction. The fees can be tiered according to business size and type to ensure small businesses or nonprofit organizations are not overburdened. When used for housing trusts, fees are typically funneled to the jurisdiction's general fund as they are collected and an appropriation is transferred to the housing trust fund on an annual basis. The City and County of San Francisco assesses such a fee for allocation to the housing trust fund.

LOANS

Once provided with base funding, housing trust funds often lend money to private or nonprofit developers for affordable housing projects. Revolving loan funds are one example of the types of loans that housing trusts often offer and, due to their unique ability to "clean" money, explored below, they are considered here as a type of funding source.

REVOLVING LOAN FUND

Housing trusts can provide reduced rate financing for construction or purchase of affordable housing. Loan repayments can then be used to create a revolving fund that allows the trust fund to

make additional investments. While this is not an option to fund start-up costs, a loan repayment program would provide the housing trust fund with ongoing revenue, strengthening the fund's stability and longevity. Arlington County, Virginia, finances the creation of affordable housing with support from loan repayments and developer contributions in addition to the County's general fund allocations and document recordation fees. In FY 2019, the County reported \$14.3 million allocated to its housing trust fund and estimated that every dollar of County loan funds leveraged three dollars in private funds.²¹

While this revenue source does not generate considerable new funding (it primarily recycles existing funds), it allows trusts to better tap into restricted funding sources. Not only does a revolving loan fund help the trust maintain a consistent revenue source over time, it also allows trusts to “clean” money received from grants with strict requirements. Once money has been repaid by developers or first-time homebuyers through the revolving loan fund, it is essentially “clean” for the trust to use at its own discretion. This function generates one of the largest sources of non-restricted funds for trusts over time.

PRIVATE SOURCES

PRIVATE DONATIONS

Individuals, corporations, or organizations can pledge one-time or ongoing funds to a housing trust. For example, the Silicon Valley Housing Trust (SVHT) was established using a \$2 million grant from Santa Clara County, matched by \$1 million donations each from Adobe, Applied Materials, Cisco Systems, Intel, KB Homes, and Solectron. While San Bernardino County does not have the same large supply of multi-million dollar corporations as Silicon Valley, the housing trust could solicit funds from prominent private employers in the region such as Amazon, Redlands Community Hospital, Environmental Systems Research, Inland Empire Health Plan, and other large employers. In particular, it may be possible to leverage investments by health care providers given the linkage between homelessness and health care services.

COMMUNITY BENEFIT AGREEMENTS

Community Benefit Agreements (CBAs) are an effective tool to extend a developer's commitment to provide a range of community benefits related to a new development project. In exchange for public support from a community group(s) for the development project, the developer enters into a contract with the community group. CBAs are voluntary agreements, and agreement details related to amenities, mitigations, or funds contributed are negotiated between the

²¹ Arlington County, <https://housing.arlingtonva.us/development/financial-tools/>, accessed on April 3, 2020.

community groups and developers. The expansion of health centers, universities, or other major developments present an opportunity for CBAs that include payments to a housing trust fund, as support services staff and maintenance staff would qualify for affordable housing negotiated in

a CBA. In California, government representatives sometimes serve as formal CBA signatories to facilitate agreements between these groups. SBCOG could collaborate with member jurisdictions to engage medical centers and California State University, San Bernardino as they develop plans to expand.

OTHER FUNDING SOURCES

In addition to bonds, grants, taxes, fees, and loan repayment, housing trusts may receive support from other non-recurring sources of funding. These sources are described below.

DISCRETIONARY LOCAL REVENUES

Local jurisdictions can opt to contribute directly to local or regional housing trust funds from discretionary local revenues in their general fund. Upon the dissolution of redevelopment agencies (RDAs) in 2012, the State funds collected from local property taxes previously allocated to RDAs for housing were redirected back into city and county general funds, making local governments the successor agencies responsible for winding down RDA activities and seeing through existing obligations. Local governments still collect revenues owed to dissolved RDAs and can opt to divert a percentage of these funds from the general fund into a separate fund for affordable housing, including to a housing trust. This has been done in numerous communities, including Alameda County where 20 percent of RDA funds, between \$5 million and \$7 million each year, have been allocated the Alameda County Affordable Housing Trust Fund.

SALE OF PUBLICLY-OWNED LAND

Some housing trusts have been able to access unrestricted proceeds from the sale of publicly owned land. In addition to city- and county-owned lands, housing trusts can work with local school districts and transit agencies as partners to auction available land and may offer technical assistance to facilitate the sale. Trusts receive a percentage of proceeds from the sale as a voluntary donation from the local government or public agency.



SAN BERNARDINO
REGIONAL HOUSING TRUST



FAQ

FREQUENTLY ASKED QUESTIONS

1 What is a housing trust fund?

A housing trust fund is a program or independent organization that raises funding to dedicate to housing construction, preservation, and rehabilitation, often concentrated on affordable housing, homeless housing services, down payment assistance, gap financing, supporting housing trusts, and related activities. The goals of a housing trust are to create affordable housing and/or homelessness solutions by leveraging new funding sources.

2 How are housing trusts funded?

Housing trusts receive financial support from a variety of sources. Some of the most common categories of funding include dedicated funding from local jurisdictions, State and federal grants, bonds, and private donations. Importantly, there are significant funding sources that are only accessible to housing trusts.

3 What are the benefits of an affordable housing trust fund?

There are a variety of benefits of affordable housing trust funds. In general, they provide a variety of quality housing types and options for those who might otherwise struggle to afford it. This includes support for lower and middle-income earners such as teachers, service workers, warehouse and logistics personnel, and other essential workers. Depending on how they are administered, benefits can also include: providing housing and supportive services for individuals and families experiencing homelessness; bringing outside money to the region, not otherwise accessible; and improving the quality of existing affordable housing to improve quality of life for residents and neighbors. Effective housing trusts achieve these outputs by leveraging new funding sources, rather than redirecting existing funding sources.

4

How would administration of a housing trust fund work?

To maximize stability and access to funding sources, the housing trust fund would most likely be structured as a hybrid nonprofit-Joint Powers Authority (JPA). The housing trust could potentially leverage the administrative support and executive leadership of SBCOG to achieve efficiencies and would have oversight from its governing board. The trust would establish a JPA with those that choose to participate. SBCOG could administer the trust and the costs to the agency would be offset by the housing trust fund's resources.

5

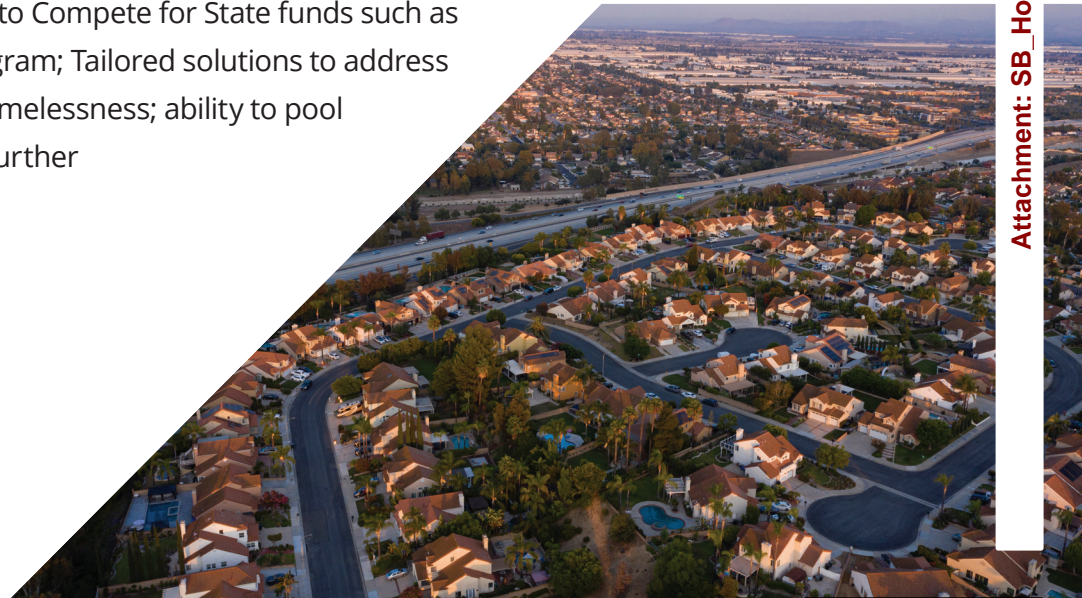
What agency is the best fit to administer a housing trust fund in the region?

SBCOG's existing staffing infrastructure is skilled in all requisite administrative areas including executive leadership, financial accounting, and administration, making SBCOG an ideal candidate for housing trust fund administration. The agency consists of representatives from 24 cities and towns, and the San Bernardino County Board of Supervisors. SBCOG focuses on regional matters and has a track record of achieving meaningful results. SBCOG's experience as a convening agency leaves them well-positioned to support the administration of a housing trust that works in close collaboration with other agencies to ensure that it complements existing efforts.

6

How does a housing trust fund enhance existing local and County affordable housing efforts?

A key differentiation is access to funding. Affordable housing trust funds are able to compete for additional funding local and county housing authorities are ineligible for. A primary function of the program will be to raise funds from new sources and operate programs that complement—and do not compete with—the work of existing agencies in the subregion. Furthermore, the flexibility and creativity granted to housing trusts using a nonprofit-JPA model increases program efficacy and opportunity while ensuring the trust is stable and resilient. Some of the key strategies that Housing Trusts can leverage include: Flexible sources of gap financing such as revolving loan funds; Ability to Compete for State funds such as the Local Housing Trust Program; Tailored solutions to address regional needs related to homelessness; ability to pool resources to help funds go further



7

Are there other housing trust funds in California?

Yes. There are at least 48 affordable housing trusts in California, whose members include more than 60 local jurisdictions. Housing trusts in Southern California include the West Hollywood Affordable Housing Trust Fund, the Orange County Housing Finance Trust, the Skid Row Housing Trust, the Santa Monica Citywide Housing Trust Fund, the County of Ventura Housing Trust Fund, the newly formed San Gabriel Valley Regional Housing Trust, and others.

8

How would a city or county join a regional housing trust fund?

A local government would take formal action to join the housing trust fund JPA by adopting a resolution at the local level. Following local approval, the administering agency, potentially SBCOG, would approve their membership and certify that the jurisdiction has paid membership dues and is compliant with other membership requirements.

9

Are jurisdictions required to participate in the housing trust fund?

No. Participation in the housing trust fund is optional. The trust will require a minimum threshold for membership. If jurisdictions decide to join after the initial opt-in period, they will pay an additional joining fee, equal to the administrative fee. If a jurisdiction does not participate in the trust, it would not be eligible to receive any funding or program services the trust offers.

10

Can a local government opt out of the housing trust after it joins? If so, how does that work?

Yes. A participating member jurisdiction would have the ability to opt out of the housing trust and could do so by adopting a new resolution rescinding membership at the local level. The jurisdiction would be required to provide written notice of exit six months prior to start of a new fiscal year. If there is an existing project in that city, it would become responsible for administrative fees to manage that project.

Well-designed and well-managed affordable housing can have positive impacts on the surrounding community.

11 What are the costs of participating in a regional housing trust fund?

Based on research into successful programs across the state, SBCOG estimates that an affordable housing trust fund will require approximately \$230,000 in annual contributions from participating jurisdictions for the first five to ten years of operation until the fund achieves financial independence. Member dues will be based on a combination of factors, such as the jurisdiction's population, jobs, and anticipated growth and may range from \$1,500 to \$50,000, depending on which factors are selected, how many jurisdictions choose to participate, and local characteristics.

12 What funding source would local jurisdictions use to pay for member dues?

Jurisdictions can use any funding source to pay for member dues. One option is to use funding allocated through State grant programs. The funding source used for member dues is ultimately up to local discretion.

13 What would member dues be used for?

Membership dues would ensure ongoing revenues for trust operations and cover the administrative and staffing costs of establishing and growing the housing trust fund. These efforts would be primarily focused on fundraising and administering programs established to distribute monies to support housing in the subregion.

14 How will the housing trust ensure that affordable housing does not negatively impact home values or quality of life in the communities where it is constructed?

Just as poorly implemented developments can negatively impact communities, well-designed and well-managed affordable housing can have positive impacts on the surrounding community. SBCOG will work closely with experienced developers and agencies to make sure the program funding supports projects following best practices and planning for locally-appropriate housing solutions.

15

What kinds of programs and activities do housing trust funds operate?

Operations of the housing trust is determined through the development of an Administrative Plan which would establish a board of directors responsible for managing housing trust fund activities and goals. These approved activities could include new construction of affordable housing, predevelopment activities for affordable housing, down payment assistance for first-time homebuyers, preservation or rehabilitation of existing affordable housing, support for community land trusts, and establishment of housing and supportive services for people experiencing homelessness.

16

Are nonprofit organizations eligible for funding from housing trust fund programs?

Typically, nonprofit organizations are eligible for funding from the housing trust. Depending on the program, funding would likely be made available on a competitive basis, prioritizing funding for applicants demonstrating an ability to make best use of the funds, meaning that they are used to support the housing needs of the greatest number of households and/or households with the highest needs.

17

How long will it take for the housing trust to generate community benefits?

Housing trusts can serve as sustainable and reliable long-term solutions to housing issues. Based on existing housing trusts the regional housing trust is gleaned best practices from, the program is anticipated to achieve full stability in the first five to ten years of operation. However, depending on the availability of funding, stability may be achieved much sooner.

18

Are there restrictions to sources of funding?

Some State and local funding sources may have restrictions that require the funds to go towards affordable housing creation while limiting allowable administrative costs, requiring prevailing wage in development costs, or applying other conditions. These funding sources are often sizable so the trust would pursue them, but the program will also layer funding sources from unrestricted sources to cover program costs.

19

How will housing trust funds be allocated across the region?

Through the development of the Administrative Plan, the housing trust bylaws can establish a methodology for reinvesting allocations across the region. Allocation methodologies generally look to leverage funds to their greatest potential without posing absolute geographic restrictions on housing trust fund expenditures.

20 Why join a regional affordable housing trust fund instead of creating local funds?

Cities and counties can form their own housing trusts. However, most jurisdictions have limited staff, time, and funding to administer a housing trust fund. Similar to a regional approach to transportation, a regional housing fund will avoid unnecessary strain on the limited resources of local jurisdictions while leveraging the region's collaborative strengths, relieving the pressure of local housing needs through a regional approach to housing. It is anticipated that a regional housing trust will secure more funding to invest in the region than the aggregate of any individually managed local programs.

21 What is the Administrative Plan?

The Administrative Plan, to be developed in consultation with participating member jurisdictions, will establish protocols for the trust fund, including determining the types of projects and programs it will fund, setting goals to guide the Trust's activities, stipulating membership requirements for participating jurisdictions, establishing first preferences for reinvesting allocations within the jurisdiction or sub-area of origin without posing absolute geographic restrictions on housing trust fund expenditures, outlining SBCOG's administrative responsibilities, and creating a Board of Directors.

22 How can I support the affordable housing trust fund?

We need strong support from local government, elected leaders, and the business community to launch and grow a successful program. Let SBCOG know if you would like to help us grow support for the program.

23 What is the difference between a housing trust fund and community land trust?

A housing trust fund is similar to a community land trust (CLT), though they serve complementary, rather than duplicative purposes. CLTs are typically structured as nonprofit organizations that work to preserve housing affordability and support lower income families' ability to build wealth. A housing trust, by contrast, primarily serves to meet the gap funding needs of affordable housing. Housing trust activities can include support for CLTs through the acquisition and dedication of land or the production of housing.

24 Are all cities within the region eligible for Permanent Local Housing Allocation Funds?

No. County of San Bernardino PLHA allocation includes cities with populations smaller than 50,000 as well as unincorporated areas of San Bernardino County. It is the County's responsibility to utilize those funds.



SBCTA/SBCOG in Collaboration with **DUDEK**



**SAN BERNARDINO
REGIONAL HOUSING TRUST**

Regional Housing Trust

San Bernardino Region

PRESENTED BY **DUDEK**

NOVEMBER 2022

01

What is a Housing Trust?



**SAN BERNARDINO
REGIONAL HOUSING TRUST**

Housing Trust Benefits

Flexible Source of Gap Financing

- Revolving Loan Funds

Ability to Compete for State Funds

- Local Housing Trust Program

Targeted Solutions for Regional Issues

- Workforce Housing

Ability to Pool Resources

- Helps funds go further

3

Housing Trust Vision and Goals

Attract significant funding and affordable housing development interest into the San Bernardino region.

- Attract affordable housing developers.
- Increase/preserve the region's affordable housing supply.
- Increase equitable access to community resources.
- Provide financial relief for vulnerable and cost-burdened households.
- Protect against displacement and poor housing conditions

4

02

Why Do We Need a Housing Trust?



Why are we here?



Household Overcrowding

(more than 1 persons per bedroom)

- The Region has Census tracts with concentrations of more than 20% of households that experience overcrowding.



Household Overpayment

(spending more than 30% of income on housing costs)

- Renters are especially cost burdened
- The Region has Census tracts where more than 80% of renters are burdened by the cost of housing.

Why are we here?



Poverty

(varies by number of people per household – a family of 4 [2 adults and 2 children] are considered to live in poverty if they earn less than \$27k per year)

- The Region has Census tracts with concentrations of more than 40% of households living below the poverty level

Cost of Transportation

(as a percent of total household income)

- Regional average transportation cost is 27%
- Regional average combined housing and transportation cost is 59%



Tax Credit - Higher Resource Areas

(higher resource areas are more competitive for accessing TCAC funds for affordable housing)

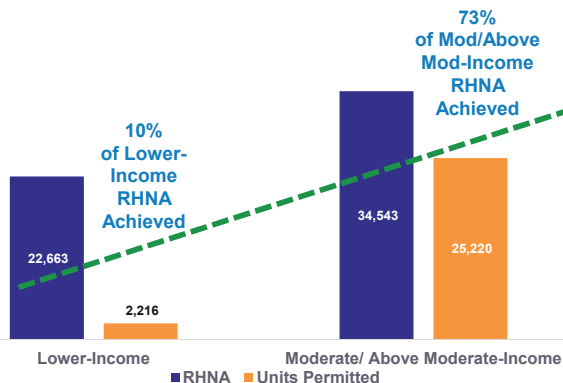
- Most areas in the region fall within the moderate to low resource categories.

7

Regional Housing Needs Assessment (RHNA) Cycles

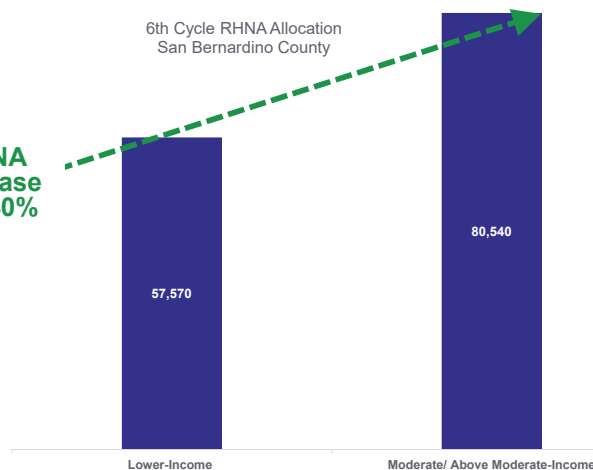
5th Cycle

5th Cycle RHNA Compared to Units Permitted
San Bernardino County



6th Cycle

6th Cycle RHNA Allocation
San Bernardino County



8

03

Steps Taken To Date



Strategic Plan

Outreach
Summary

Housing Need
Analysis

Funding
Opportunity
Analysis

Housing Trust
Activities

Affordable
Housing and
Project Pipeline
Inventory

Local Funding
Gap Analysis

10



Outreach Summary

Outreach to all SBCOG member jurisdictions

Individual meetings with 15 member jurisdictions

16/25 member jurisdictions – Interested/Potentially Interested with many “unknown”

Interviews with outside organizations

- Orange County Housing Finance Trust
- County of Orange
- San Gabriel Valley Regional Housing Trust
- Inland SoCal Housing Collective
- San Diego Innovative Housing Trust

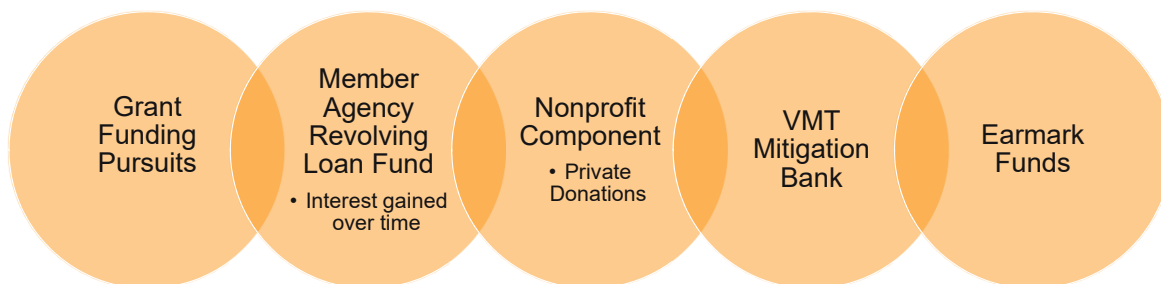
Group Presentations

- SBCOG Board
- City/County Managers
- Planning Directors

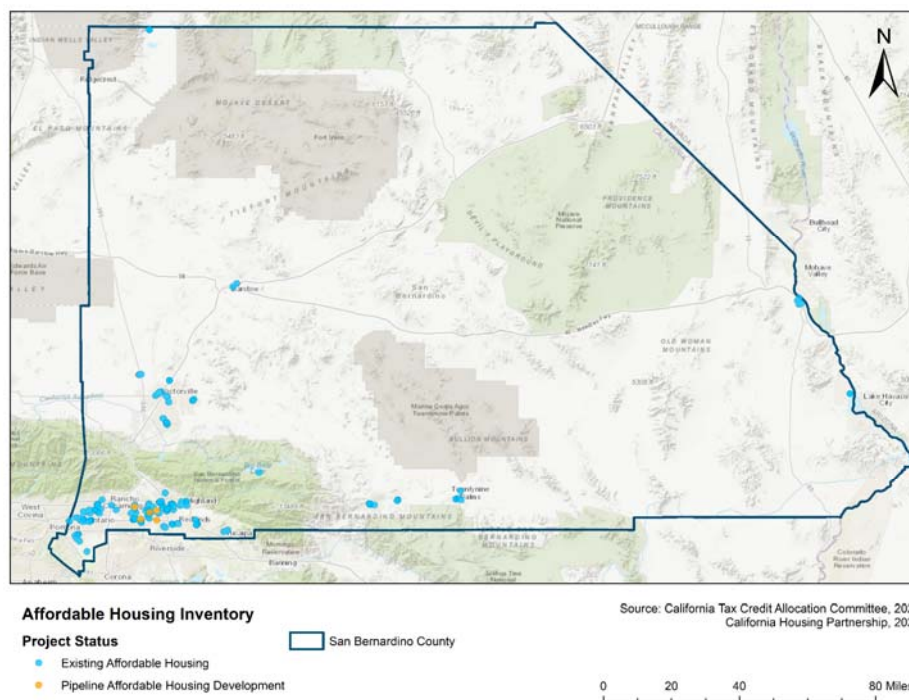
11



Funding Opportunity Analysis



12



13



Local Funding Gap Analysis

5 Recently Completed Developments

- 445 affordable units created
- \$247,258,861 total investment
- Local funding share is **33%** total project cost

4 Pipeline Projects

- 321 affordable units
- \$146,880,151 total investment
- Local funding share is **35%** total project cost

**Local funds provide a notable financing layer that closes the affordable housing development gap.*

14

04

Housing Trust Structure



Purpose and Structure

- Includes the following:

- Vision

- The San Bernardino Regional Housing Trust will attract significant funding and affordable housing development interest into the San Bernardino region. Through strong participatory governance, member jurisdictions will increase the region's affordable housing supply, reduce household overcrowding, increase equitable access to community resources, and provide financial relief for vulnerable and cost-burdened households.*

- Goals

- Increase/preserve region's affordable housing supply
 - Attract affordable housing developers
 - Increase housing opportunities
 - Protect against displacement and poor housing conditions





Programming Priorities

**A program
or
organization
that raises
funding for:**

New Construction of Affordable Housing

Affordable Housing Preservation or Rehabilitation

Community Land Trusts

Workforce Housing

Pre-Development Loans

Down Payment Assistance

Financing for the Purchase of Land



05

Administration





Board of Directors Composition

- Board of Directors:
 - One Director per Party (elected or designee by the jurisdictions' appointed body)
 - Alternates for each Director position
 - Members will be incentivized to join as founding members
 - Members will be penalized for joining the Trust late
 - Two (2) year term limit (no limit to number of terms)



Administration

- Staffing
 - Independent contractors, agents, volunteers, and consultants
- Treasurer and Auditor/Controller
 - Lumped in with COG Annual Audits
- Attorney
- Accounts
 - Need to establish accounts and subaccounts in commercial banking institutions



06

Cost of the Trust



Projected Cost

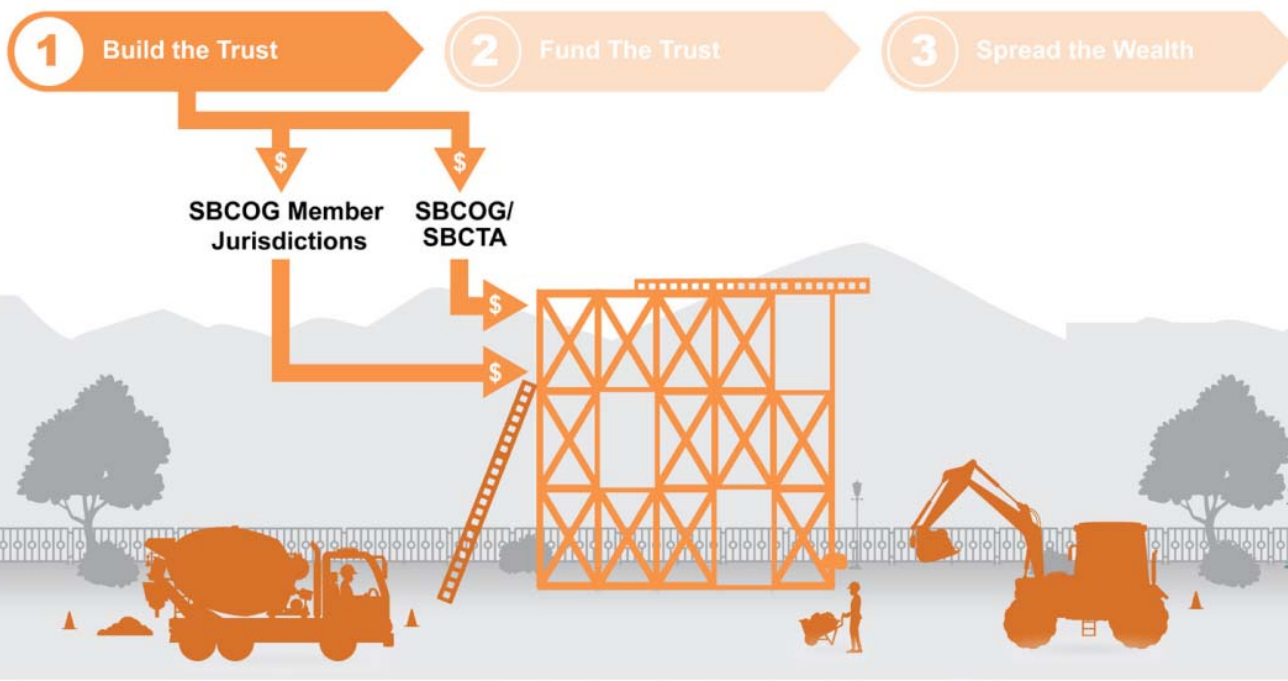
- \$315,000 Annual Operating Budget

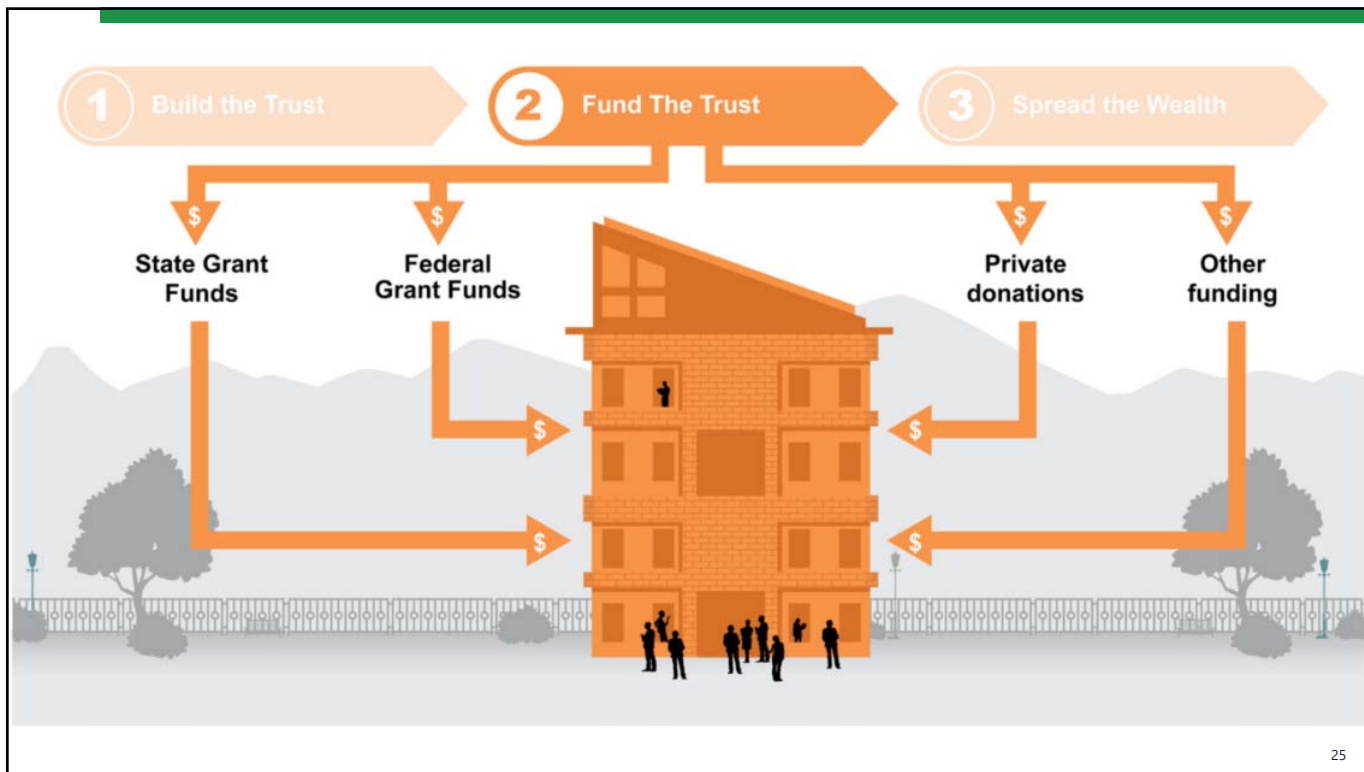
Population	Annual Admin Fee
Up to 25,000	\$10,000
25,001 – 50,000	\$15,000
50,001 – 75,000	\$20,000
75,001 – 100,000	\$25,000
100,001+	\$30,000



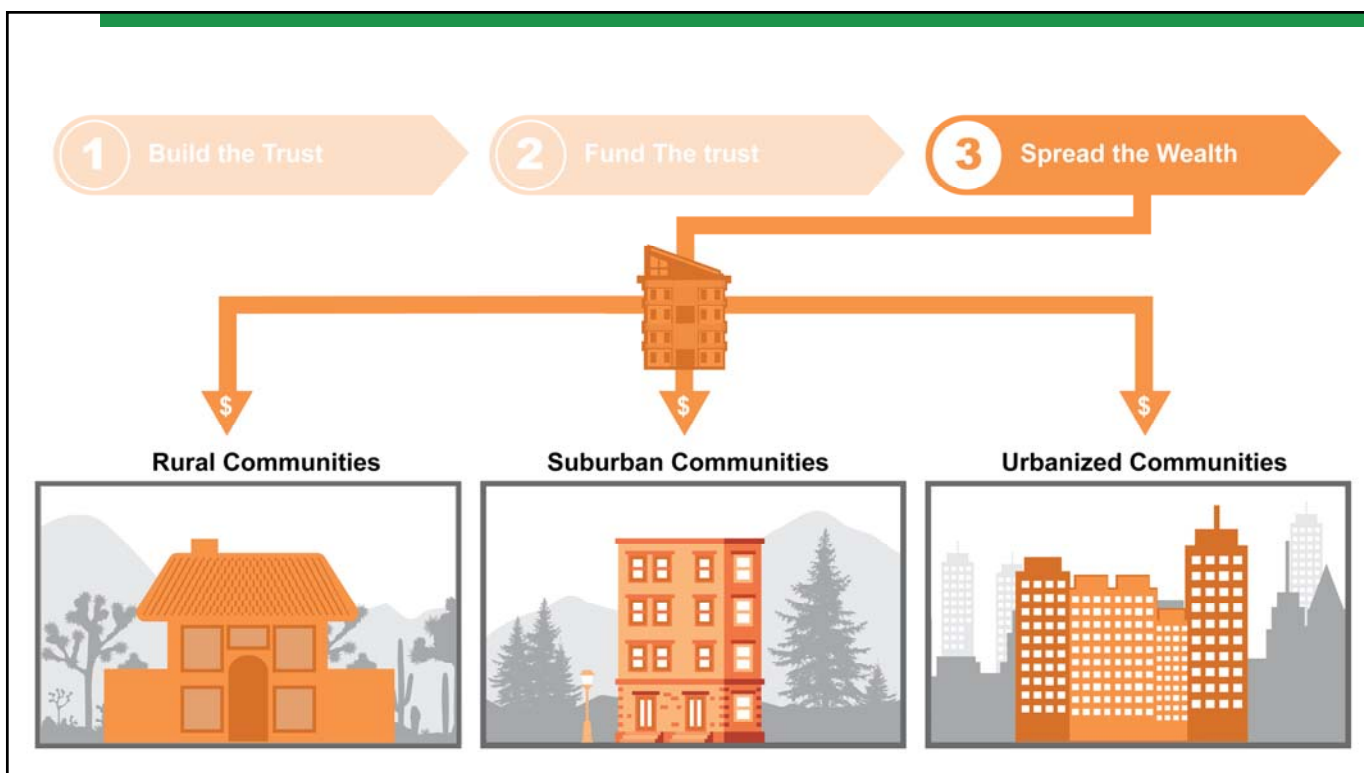
07

Visualizing How it Works





25



08

Next Steps



Steps to Establish a Regional Housing Trust

Identify Participating Jurisdictions

Draft Administrative Plan

REAP 2.0 Funding Application

Establish a Joint Powers Authority (JPA)

Adopt an Administrative Plan

28

Schedule

2022				2023			
October	November	December	January	February	March	April	May
<ul style="list-style-type: none"> CCMTAC Letters of Interest 	<ul style="list-style-type: none"> CCMTAC City Councils Letters of Interest 	<ul style="list-style-type: none"> MVSS Mtn/Desert Committee 	<ul style="list-style-type: none"> Board REAP 2.0 Application 		<ul style="list-style-type: none"> Board 	<ul style="list-style-type: none"> Establish JPA (Ongoing) 	<ul style="list-style-type: none"> Launch Housing Trust (Ongoing)

29

Thank you
www.gosbcta.com/housing



Minute Action

AGENDA ITEM: 9

Date: December 15, 2022

Subject:

Report on Regional Equity Study

Recommendation:

Receive a report on the results of the Regional Equity Study for San Bernardino County.

Background:

The Equity Ad Hoc Committee worked with staff from October 2020 through October 2021, and provided direction on the San Bernardino County Transportation Authority/San Bernardino Council of Governments (SBCTA/SBCOG) approach regarding equity in the region. On May 5, 2021, the Board of Directors (Board) authorized staff to move forward and complete a Regional Equity Study, and on October 6, 2021, the Board approved Contract No. 22-1002691 with the University of California Riverside (UCR) for \$200,000 to complete the Regional Equity Study.

The SBCOG Board commissioned a region-wide study as the starting point for determining communities within jurisdictions that are affected by inequities. By drilling down to the community level and identifying disadvantaged communities demographically, geospatially, and by varying types of investments, SBCOG staff was able to better understand challenges faced by specific disadvantaged communities. This information will help SBCOG and its policymakers to have a clearer understanding of existing conditions and to prepare a data matrix to assist in making informed recommendations and options to address various challenges on equity.

The intent of this analysis was to identify barriers to equity within the built environment faced by disadvantaged communities, from both a county-wide as well as at the sub-regional level. To do this, UCR staff used a modification of the existing state recommended Senate Bill (SB) 1000. Three methodology options were utilized to identify tracts which met certain criteria. Method 1 focused on the environmental burden in San Bernardino County; Method 2 focused on household income level combined with an environmental burden/environmental justice aspect; and Method 3 looked into various aspects in further detail, combining regression analysis and spatial analysis.

In San Bernardino County by tract level, the analysis looked at economic mobility, commuting time to work, life expectancy, warehouse proximity, health factors, food desert analysis, and residential demographics, among others. Based on this approach, staff isolated disadvantaged communities in San Bernardino County individually by method, and also through combined approaches.

The analysis is now complete, and the final draft report is included as an attachment to this item.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

This item is also scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022.

Entity: San Bernardino Council of Governments

Board of Directors Metro Valley Study Session Agenda Item

December 15, 2022

Page 2

Responsible Staff:

Monique Reza-Arellano, Council of Governments and Equity Programs Manager

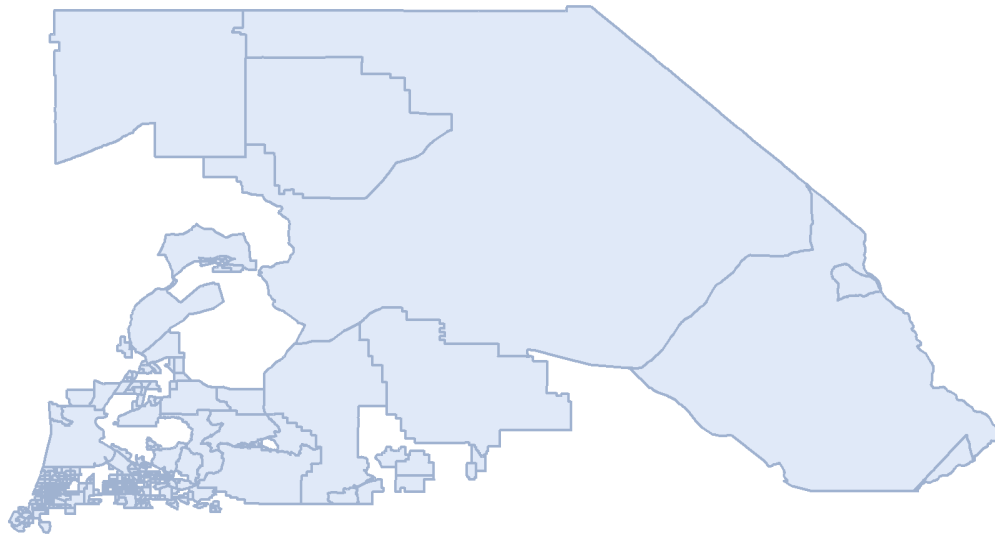
Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

San Bernardino Council of Governments

San Bernardino Council of Governments (SBCOG)

Regional Equity Study



San Bernardino County Census Tracts

Analysis Prepared by the Center for Social Innovation at
the University of California, Riverside

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Executive Summary

Mapping is essential for understanding equity — the ways in which it manifests, and how it informs the way individuals and communities experience the world. The maps presented in the report show us the current landscape, with context provided by what happened in the past, using data that will ultimately inform and guide decisions for the future.

The San Bernardino Council of Governments (SBCOG), commissioned a region-wide study as the starting point for determining communities within jurisdictions that are affected by inequities. By drilling down to the Census tract level and identifying disadvantaged communities demographically, geospatially, and via varying types of investments, SBCOG can better understand challenges faced by specific disadvantaged communities. The intent is for this information to help SBCOG and its related policymakers to have a clearer understanding of existing conditions and what available data indicates, toward recommendations and options to address various challenges.

The intent of this analysis is to identify barriers to equity within the built environment faced by disadvantaged communities, from both a county-wide as well as at the sub-regional level. To do this, we used a modification of the SB1000 three-method cut to identify tracts which met certain criteria. Method 1 focuses on the environmental burden in San Bernardino County, Method 2 focuses on household income level combined with an environmental burden/environmental justice aspect, and Method 3 looks into various aspects in detail, combining regression analysis and spatial analysis. In San Bernardino County by tract level, we study economic mobility, commuting time to work, life expectancy, warehouse proximity, health factors, food desert proximity, and residential demographics, among others. Based on this approach, we isolate disadvantaged communities in San Bernardino County for individually by method, and also via combined approaches (i.e., Method 1 & 2, and then Method 1, 2 & 3)

Regression analysis provides six key indicators: household income, life expectancy, California environmental score, asthma rate, poverty rate, linguistic isolation, and education attainment related to the housing burden. Childhood poverty and income mobility show the univariate correlation across zip code areas in San Bernardino between upward income mobility and measures of social capital constructed. Economic connectedness is strongly positively correlated with income mobility, and the correlation is 0.66. In addition, we used spatial analysis and explored several possibilities regarding the residential environment, network access, catchment areas, and proximity based on land use designations.

We hope that the maps and data included in this report can efficiently and effectively inform SBCOG and aid in important decision making, ultimately leading to a more equitable landscape for communities in our region. While there are limitations to this data and the data that is currently available, we believe these maps help to lay out an important starting point which will help guide discussions on policy interventions. As more data is collected and mapping



technology becomes more sophisticated, mapping equity in the region will become increasingly salient. Future research should build on and continue this important endeavor for our region. As San Bernardino County continues to grow and become increasingly diverse, these mapping tools will become more important and a central tool for decision makers in the region.

Introduction

Background & Study Rationale

The idea of “disadvantage” has multiple dimensions. On the one hand, it is often thought of as a lack of access to things like capital and opportunities that more prosperous and successful groups have. But it can also be extended to mean things like undue burden, who bears the brunt of negative externalities of certain policy decisions, and the impacts of a broader social, historical, and structural context, among others.

Within the environmental and environmental justice literature, the focus tends to be on disproportionate burdens and exposure to harmful environmental conditions, or environmentally-related (and by extension health-related) byproducts of policy and often specifically economic decisions. On the other hand, much of the socio-economic status approach examines aspects such as education, poverty, unemployment, access to “good jobs”, upward mobility, food access and security, and access to other basic services.

Municipalities, similarly, have identified varying definitions of what constitutes “disadvantage”, ranging from specifically looking at it through an environmental justice lens, to more of a focus on economic opportunity, though more often than not the language generically referred to identifying disadvantage without defining it.

Within the context of this project, UCR was tasked with embarking on a region-wide study of San Bernardino County to identify communities (identified at the tract level) affected by inequities. The intent was to better understand the specific challenges faced by varying communities, including variations in disadvantage (if any), and help inform SBCOG and other regional policymakers about the current status of various challenges. In order for all San Bernardino County residents to have the opportunity to achieve their full potential and for all San Bernardino County communities to thrive and prosper, it is critical to address imbalances and disparities. In general, disadvantaged communities refers to areas that suffer most from a combination of health, environmental, and economic burdens, which can manifest themselves as high poverty rates, high unemployment rates, and high incidences of asthma and heart disease. As California’s Environmental Protection Agency has created an analytical tool, CalEnviroScreen, to help identify disadvantaged communities at the tract level, this was largely used to form the baseline cuts of the available data.

Study Context

As part of the discovery phase of this project, UCR explored several different approaches to start to identify specific variables of interest in identifying disadvantaged communities, and understanding the characteristics of the disadvantage.

Outside of the typical variables associated with disadvantage - e.g., poverty, unemployment, household income, low educational attainment, among others - we wanted to get a more nuanced understanding of the existing barriers - structural, historical, physical - that communities faced. As part of this analysis, we identified several variables to include in addition to the CalEnviroScreen 4.0 dataset used as the baseline initial cutoff for the SB1000 methods (explained in more detail below):

- *Childhood poverty*: related to intergenerational mobility, and overall mobility; studies have shown that it is increasingly difficult to escape poverty at all stages of life, but particularly when a child grows up in poverty.¹ Research by Chetty et al. (2014) has shown that the ability of children to do better than their parents/prior generations has declined over the past few decades in the US.² Additionally, recent research by Chetty et al. (2022) has found that one way to increase childhood mobility is to attend schools where there is a mix of incomes.³ While the ability to analyze school enrollment location choice is beyond the scope of this project, we felt it was important to highlight the potential impact of external socio-economic forces on childhood circumstances into adulthood outcomes.
- *Food access*: related to housing cost burden; impact of unemployment, income, basic needs expenses. Kirkpatrick and Tarasuk (2011) highlight the impact of housing costs on food costs, as they find that families tend to view housing costs as set, whereas food costs are viewed as more variable⁴
- *Proximity to industrial land uses*: Environmental justice-oriented research has highlighted the impact of proximity of industrial land uses to residential areas.⁵
- *Proximity to high throughput roads*: public health research has found that proximity to high throughput roads has increased likelihood of adverse health outcomes⁶
- *Housing cost burden, availability of a range of housing stock options*: emphasis on single family homes can create undue housing cost burden for low-income families or those who have smaller household sizes; HUD typically defines housing as costing no more than 30% of income, but the tight housing market in California generally, and Southern California in particular, has created a situation where the lowest earners end up spending a disproportionate amount of their income on housing, leaving less money for other necessities such as food and transportation. Research has highlighted the impact

¹ https://www.jstor.org/stable/2657556#metadata_info_tab_contents

² <https://academic.oup.com/qje/article/129/4/1553/1853754>

³ <https://www.nature.com/articles/s41586-022-04996-4>

⁴ <https://link.springer.com/article/10.1007/s11524-010-9535-4>

⁵ <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2011.300183>

⁶ <https://ehp.niehs.nih.gov/doi/pdf/10.1289/ehp.6566>

of housing on physical and mental health,⁷ indicating the policy has a major role to play in addressing housing burden toward improving overall health and well-being⁸

- *Social determinants of health factors*: there is increasing and mounting evidence that both social and environmental factors impact overall health and well-being.⁹ This can take a variety of forms, but in the context of this study, we chose to include it as a way to acknowledge that there are more impacts due to disadvantages than the typical set of physical and mental health variables.

Methodology

We took several things into consideration when exploring the different ways that we could both identify disadvantaged communities, but also create a dataset that would be usable for policymakers.

First, we used the SB1000 approach as a baseline (see Figure 1), but due to the desire to broaden the scope beyond the specific environmental focus of SB1000, opted to utilize the Method 1 and 2 cuts, and then create a series of Method 3 cuts to create different outcome datasets and visualizations. Part of the motivation was that by creating one single dataset, which would effectively end up acting like an index measure, we felt that we would inevitably lose a fair amount of nuance. Index measures are very helpful in taking a lot of information and packaging it all in a way that helps the reader quickly understand what the main takeaway is, but the sacrifice is that certain variables end up getting less attention than they may otherwise get by creating several variable cuts.

A note: while we viewed the SB1000 method cuts as a cumulative approach, we also felt that it was important to create the cuts as standalone datasets. Meaning, we wanted to make sure that we were able to capture dynamics that appeared outside of the tracts selected through the Method 1, and then Method 2 process. For instance, because the Method 1 cut is purely based on California Environmental score and Method 2 cut is based on an income threshold plus an environmental threshold cut (PM2.5 and diesel¹⁰), there are likely areas that are not flagged by the Method 1 cut that may have a high percentage of linguistic isolation, and it is also possible that there are areas not captured by a Method 1 cut that have a high housing cost burden. Because the policymakers that are the intended audience of this dataset may not all cover areas flagged by either a Method 1, Method 2, or cumulative Method 1 & 2 cut, we wanted to make sure that they would still be able to understand what the data says about the geographic areas they represent. Additionally, because the Method 3 cut included built environment/spatial

⁷ <https://www.annualreviews.org/doi/pdf/10.1146/annurev.publhealth.25.101802.123036>

⁸ <https://www.sciencedirect.com/science/article/pii/S0140673608616906>

⁹ <https://journals.sagepub.com/doi/abs/10.1177/002214650404500303> & <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2014.302200>

¹⁰ Note that SB1000 doesn't require the environmental indicators used to be specifically PM2.3 and diesel these were selected as representative for this particular analysis, but other environmental factors are equally useful and appropriate for this type of analysis.

aspects, we wanted to make sure that the data was also not limited to the areas identified through the Method 1, Method 2, and Methods 1 & 2 cuts, particularly because while some spatial aspects do align with socio-economic trends and also environmental aspects, due to the way aspects such as physical infrastructure are implemented they may not exactly correlate the same way (e.g., an area may have had sidewalks for many years, prior to neighborhood and land use change).

In addition, we use regression analysis and build a correlation matrix in Method 3 to better understand indicators' performance. The dendrogram (tree-like structure) links the correlation between variables, such as housing cost burden, food deserts, linguistic isolation, child poverty, low education, life expectancy, health issues, and commuting to work, and clusters high correlation variables. We have an overview of how these variables impact at the tract level in San Bernardino. However, an equity analysis has multiple aspects and is very complicated, particularly when addressing the spatial component, making it difficult to create an accurate cut that could be used as a “standard” Method 3. Based on the regression analysis, we select six indicators, such as poverty, education, commuting time to work, asthma, and life expectancy variables which have more impact on housing burden cost and health factors. In particular, the regression analysis was done on housing cost burden as housing cost is an increasing issue in the area, is a physical investment by the region, but is also related to non-physical aspects like impact on amount of income left for non-housing expenditures.

Another issue that came up was that many environmental disparities end up manifesting themselves into health disparities, but that health disparities are often narrowly defined into typical physical outcomes. We wanted to broaden the scope along the lines of the social determinants of health literature, which expands the typical definition of health outcomes to include the influence of forces such as economic, social, and physical surroundings.

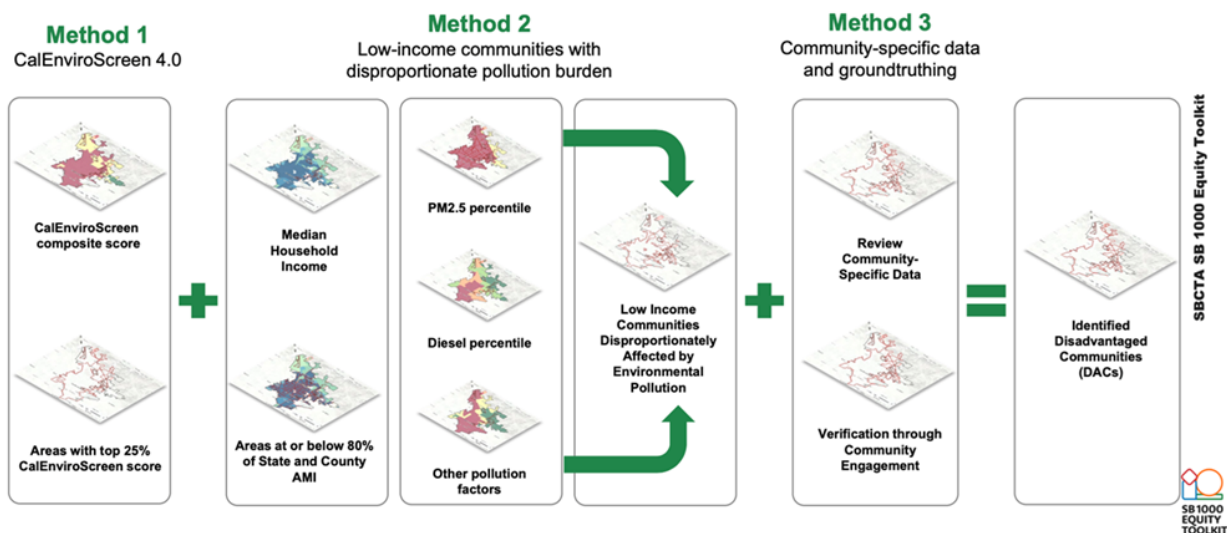
We chose to adopt a modification of the SB1000 Equity Toolkit approach, in that we utilize the standard Method 1 (see image below) and Method 2 approach, and then employed a regression analysis of several variables, including some variables taken from SCAG's PEPA approach.

Final note: as this is a data project, CSI created all figures used in this report using publicly available datasets, except where specifically indicated.

Figure 1: SB1000 Methods 1, 2, & 3

EJ Screening

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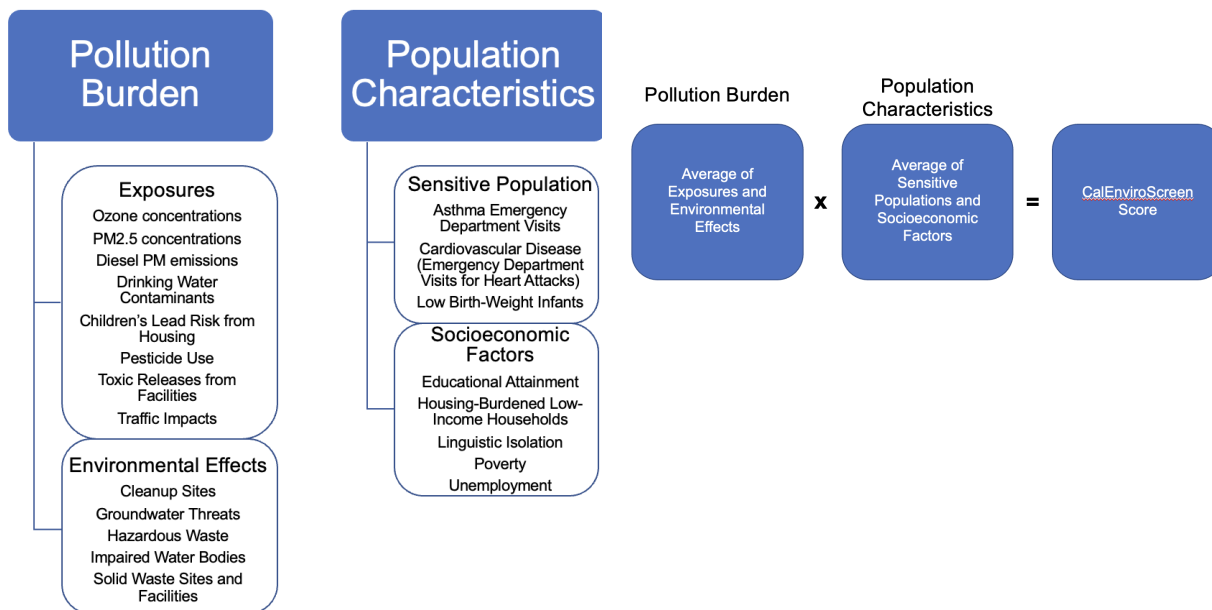


Source: SCAG presentation, SB1000 equity toolkit

Method 1

The Method 1 cut utilized the CalEnviroScreen 4.0 dataset, and isolated tracts with the top 25% score. Method 1 identified 131 tracts (34.5% of total).

Figure 2. CalEnviroScreen 4.0 Calculation

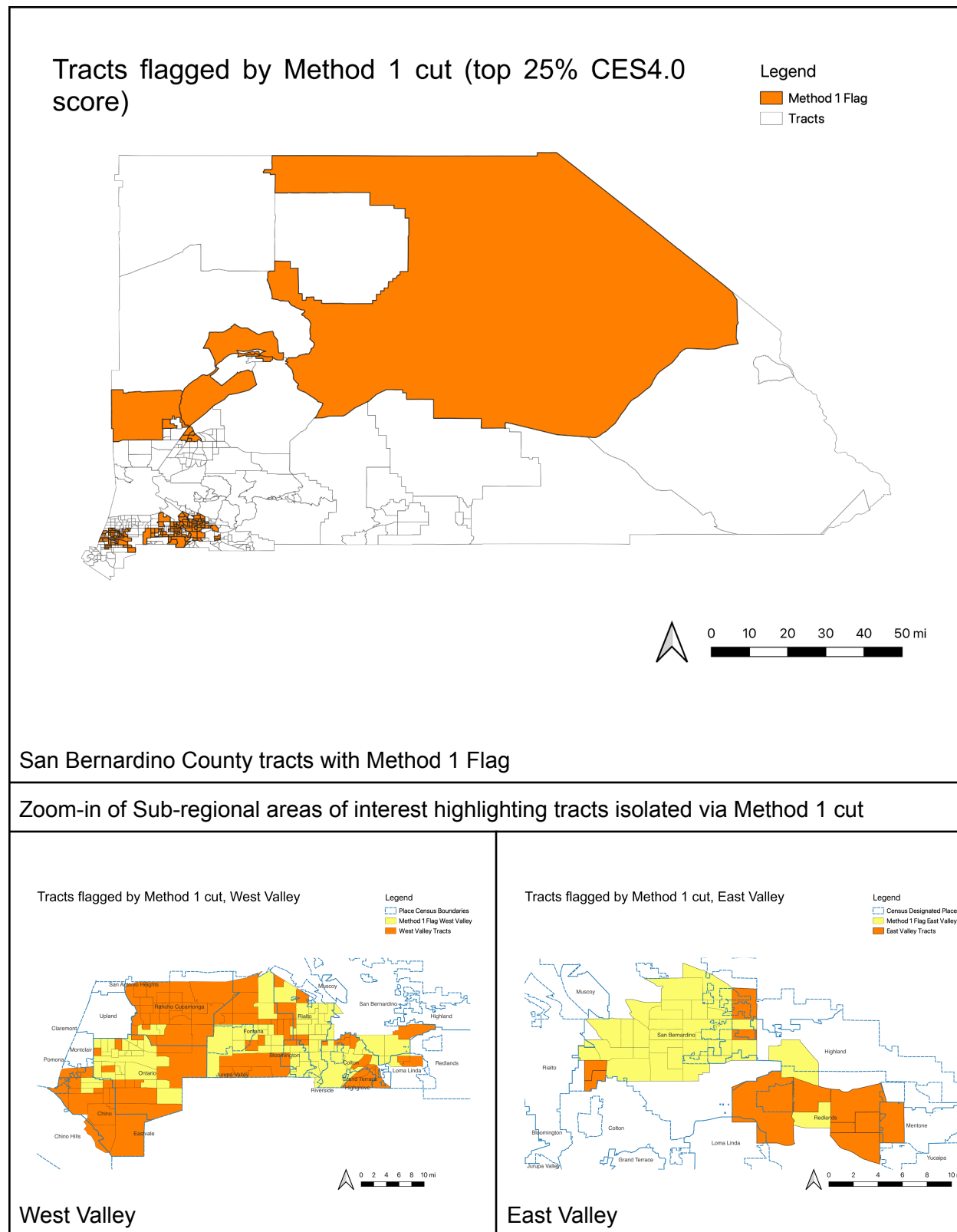


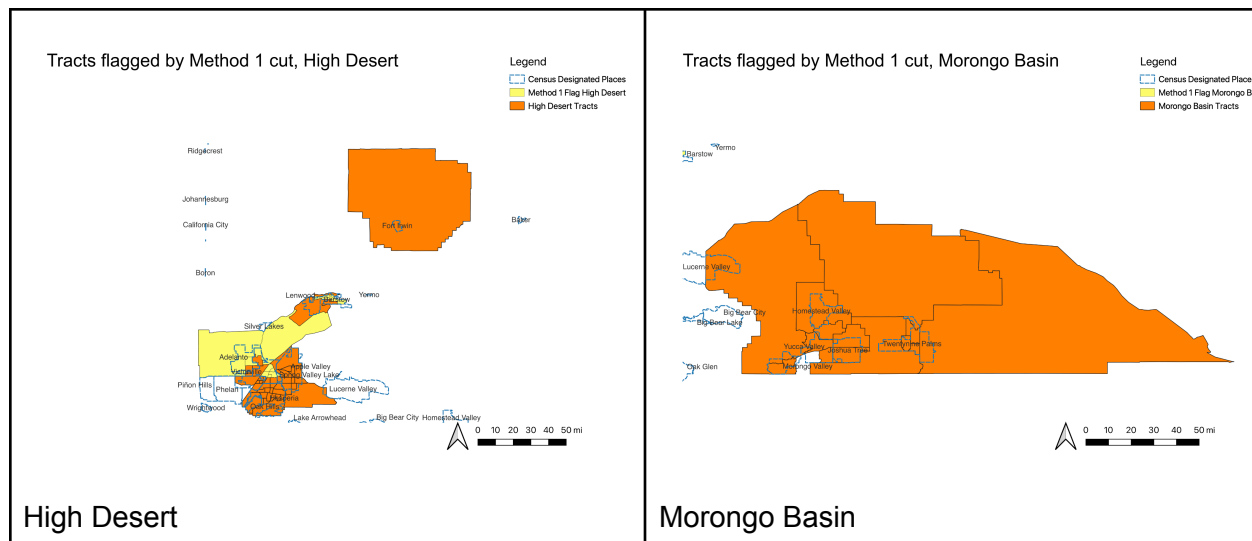
To get the CalEnviroScreen score we multiply the Pollution Burden score by the Population Characteristics Score.

Source: CalEnviroScreen 4.0 documentation

A higher CalEnviroScreen 4.0 score means a higher pollution burden. We isolated the top 25% score to determine which areas are heavily burdened at the tract level in San Bernardino County.

Figure 3. Geographic breakdown of San Bernardino County by Method 1 flags and regional areas of interest



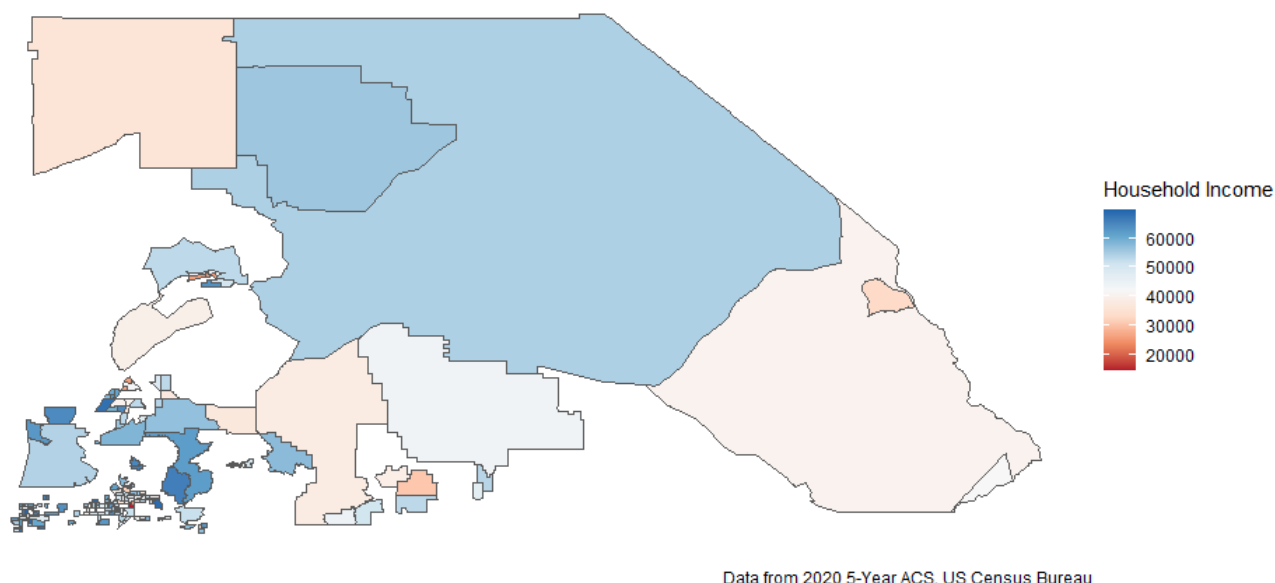


Method 2

Method 2 isolated tracts where the countywide area median household income (AMI) level is below 80%, and further isolated those tracts that had greater than 75% exposure to PM2.5 and also greater than 75% exposure to diesel particulate matter. The San Bernardino AMI is \$61,200 for 1 person, \$69,900 for 2 persons, \$78,650 for three persons, and \$87,400 for a 4 person household. We use a baseline of a 4 member household for the Method 2 AMI threshold cutoff.

Figure 4. Median household income level below 80%

Median Household Income for Tracts



Data from 2020 5-Year ACS, US Census Bureau

<https://drive.google.com/drive/folders/1K7DHvQpM-2eU-wh8-ZegFBodtGEewu5d>

The median household income in the northwest and southeast parts, such as Searles Valley, Twentynine Palms-Yucca Valley, and Needles in San Bernardino, has lower income levels, around \$35,000.¹¹ The median household income level in the southwest part, such as Ontario and Mount Baldy-Wrightwood, has a higher income level above \$60,000. We isolated 174 (45.9%) tract areas for Method 2, in which the Median Household Income level below 80%. We isolated 63 (16.62%) tract areas where the median household income level is below 80% and

¹¹ <https://statisticalatlas.com/county/California/San-Bernardino-County/Household-Income>

PM2.5 is above 75%. We isolated 49 (12.93%) tract areas for median household income level below 80% and diesel above 75%.

Figure 5. Method 2 Median household income level below 80% and PM2.5 above 75%

Tracts flagged by Method 2 cut, AMI and PM2.5

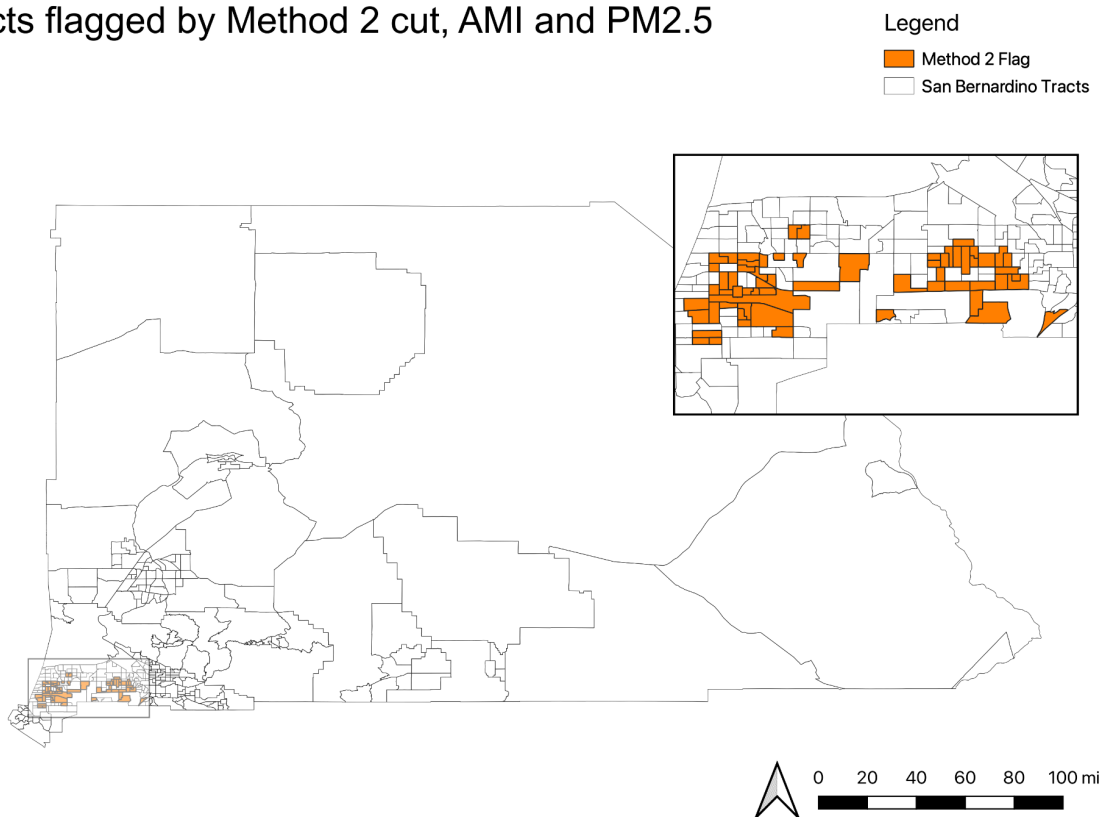
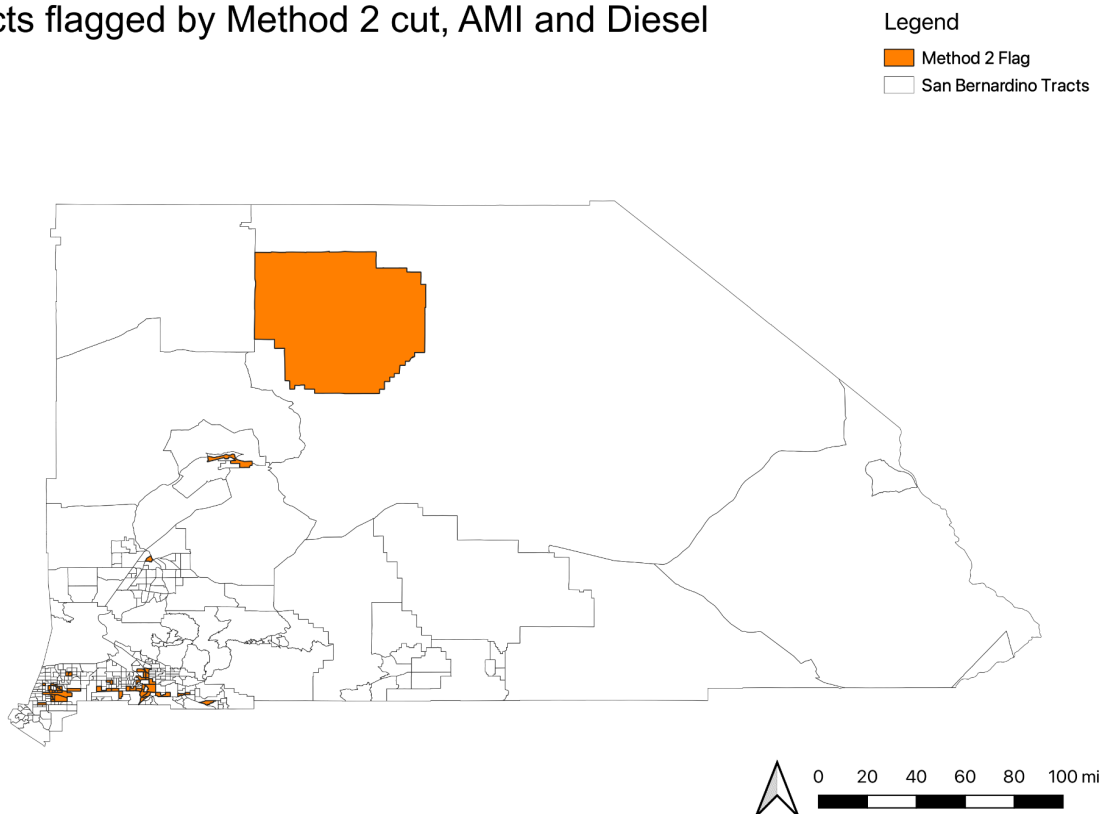


Figure 6. Method 2 Median household income level below 80% and Diesel above 75%

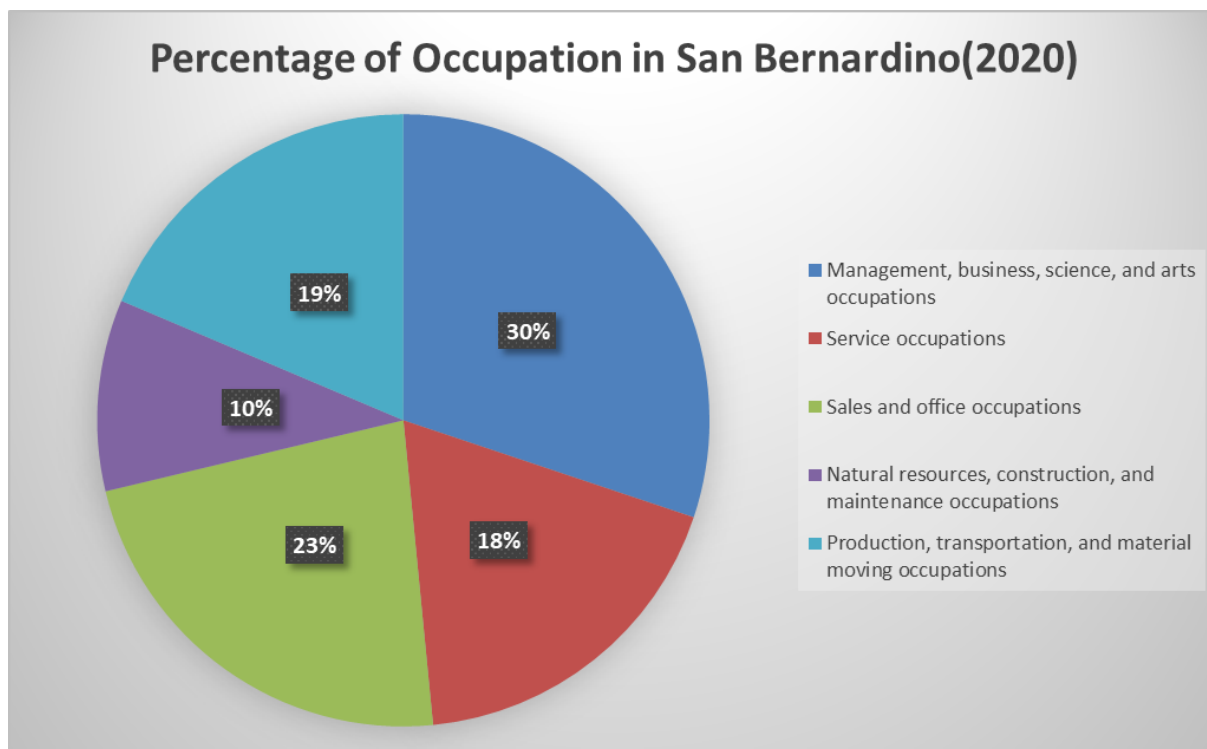
Tracts flagged by Method 2 cut, AMI and Diesel



Data Link: https://drive.google.com/drive/folders/1u3FbY6GYVHrcfS1oJJY6X_V3yC1oTCfH
 Method2_cut.csv

Occupation

Figure 7. Percentage breakdown by occupation, 2020

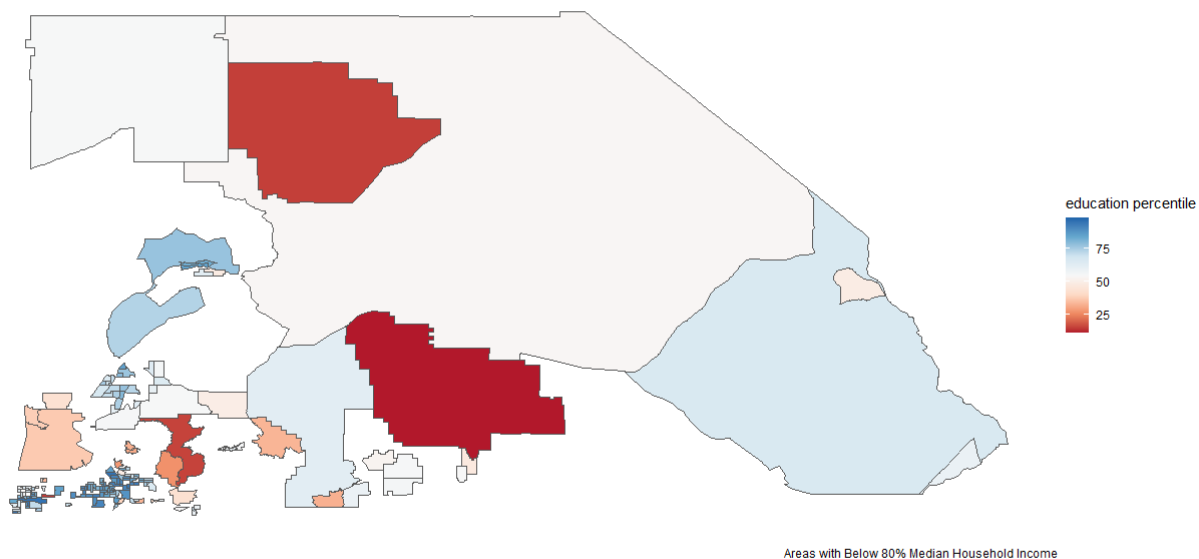


In San Bernardino, management, business, science, and arts occupations have the highest percentage at 30%. The second highest category is sales and office occupations at 23%. The last one is natural resources, construction, and maintenance occupations at 10%.

Education percentile

Figure 8. AMI below 80% and Educational attainment percentile - over 25 and less than a high school diploma

Education Percentile

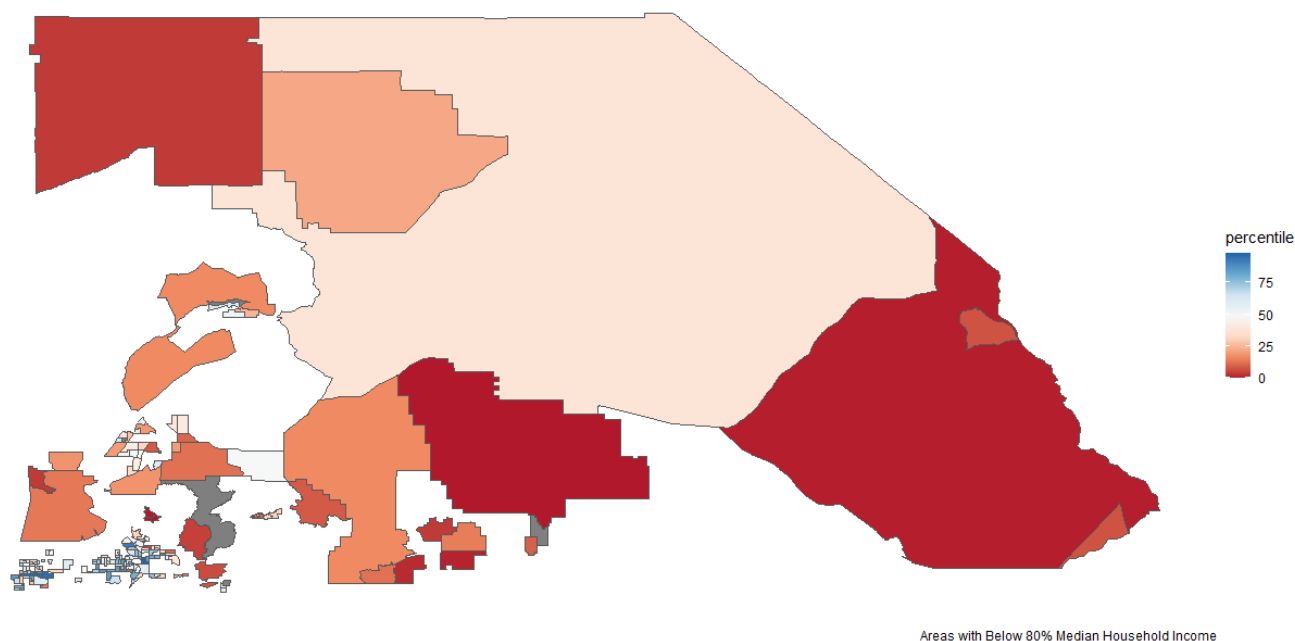


The education percentile plot shows the distribution of the percent of the population over 25 with less than a high school education.

Linguistic isolation

Figure 9. AMI below 80% and Linguistic Isolation

Linguistic Isolation Percentile



Linguistic percentiles show percent of limited English-speaking households. The southwest region has percentages above 70%.

Method 1 & 2 - Intersect

While there is reason to keep the various methods separate to better understand the impact of the data threshold filters on the resultant identified areas, we want to run an intersection of where variables flagged in Method 1 overlapped with those of Method 2. The flagged areas represent the CES 4.0 Score with the top 25% and median household income level below 80%. As seen in the figure below, the areas are largely in the northeast corner of the county (the High Desert) and in the southwestern portion of the county.

Figure 10. Areas where flags for methods 1 & 2 intersect

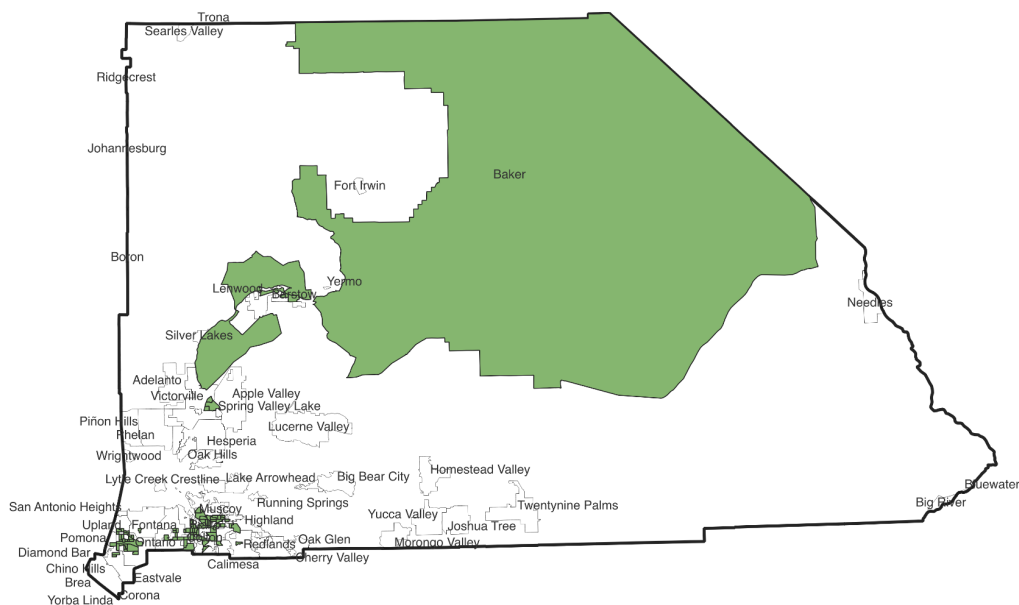
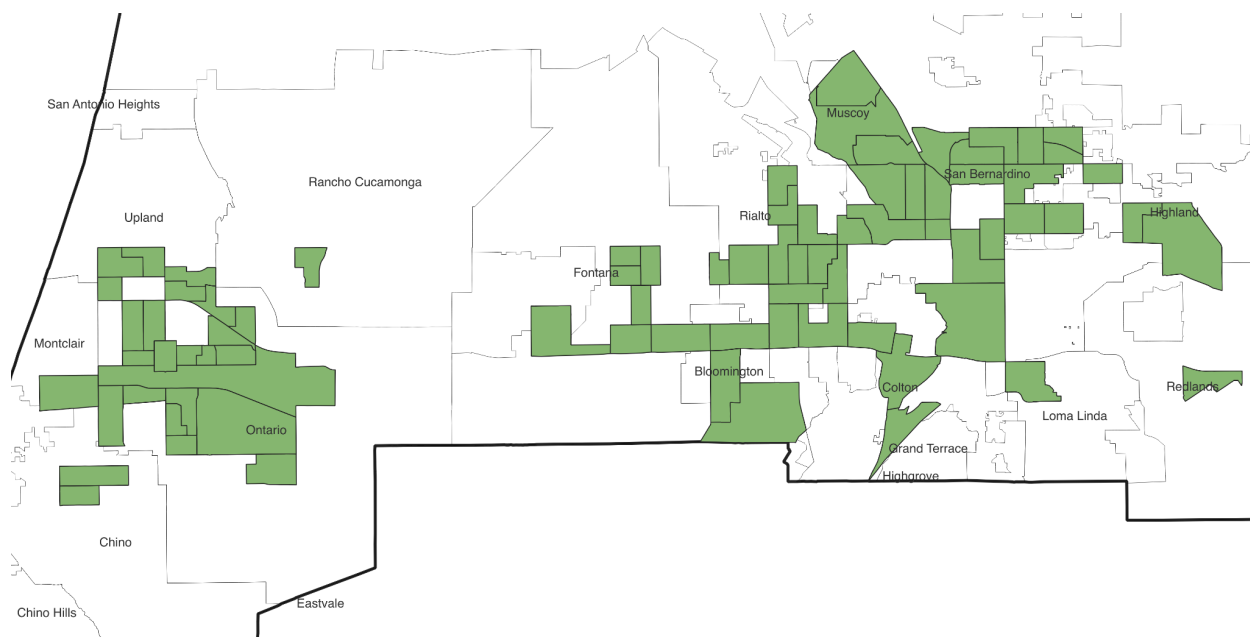


Figure 11. Areas flagged in the southwest corner of the county



The associated land use designations for these parcels ranged greatly, as seen in Table 1.

Table 1. Land uses associated with the tracts that were an overlap of Methods 1 and 2 cuts

Communication Facilities	Mixed Commercial and Industrial	Senior High Schools	Trade Schools and Professional Training Facilities	Pre-Schools/Day Care Centers
Duplexes, Triplexes and 2- or 3-Unit Condominiums and Townhouses	Older Strip Development	Regional Shopping Center	Fire Stations	Cropland and Improved Pasture Land
High Density Single Family Residential	Other Special Use Facilities	Trailer Parks and Mobile Home Courts, High-Density	Police and Sheriff Stations	Truck Terminals
Railroads	Electrical Power Facilities	Other Open Space and Recreation	Medium Density Single Family Residential	Correctional Facilities
Government Offices	Retail Centers	Commercial and Services	Non-Irrigated Cropland and Improved Pasture Land	Vacant Area
Elementary Schools	Low-Rise Apartments, Condominiums, and Townhouses	Mixed Transportation	Water Transfer Facilities	Natural Gas and Petroleum Facilities
Freeways and Major Roads	Mineral Extraction - Other Than Oil and Gas	Liquid Waste Disposal Facilities	Regional Parks and Recreation	Rural Residential High Density
Low Density Single Family Residential	Wholesaling and Warehousing	Water Storage Facilities	Solid Waste Disposal Facilities	Mineral Extraction - Oil and Gas
Manufacturing, Assembly, and Industrial Services	Water, Undifferentiated	High-Rise Major Office Use	Major Metal Processing	Mixed Transportation and Utility
Orchards and Vineyards	Under Construction	Mobile Home Courts and Subdivisions, Low-Density	Major Medical Health Care Facilities	
Urban Vacant	Mixed Residential	Irrigated Cropland and Improved Pasture Land	Base (Built-up Area)	
Open Storage	Colleges and	Horse Ranches	Unknown	

	Universities			
Improved Flood Waterways and Structures	Nurseries	Special Use Facilities	Rural Residential Low Density	
Local Parks and Recreation	Commercial Recreation	Junior or Intermediate High Schools	Rural Residential	
Low- and Medium-Rise Major Office Use	Golf Courses	Cemeteries	Dairy, Intensive Livestock, and Associated Facilities	
Other Public Facilities	Commercial Storage	Light Industrial	Poultry Operations	
Retail Strip Development	Vacant Undifferentiated	Maintenance Yards	Airports	
Religious Facilities	Hotels and Motels	Mixed Multi-Family Residential	Abandoned Orchards and Vineyards	
Public Parking Facilities	Other Agriculture	Vacant With Limited Improvements	Industrial	
Manufacturing	Medium-Rise Apartments and Condominiums	Bus Terminals and Yards	Mixed Residential and Commercial	

Source: SBCOG land use file

Method 3

Regression analysis

Regression analysis is a basic approach in which researchers study the values of several independent variables to predict or describe the values of outcome. A few models that were considered include:

Decision Tree Regression

The decision tree model breaks down a data set into subsets by splitting results into a tree with decision and leaf nodes. The main idea is to plot a value for any new data point connecting the problem. The parameters and algorithm determine the kind of way in which the split is conducted, and the split is stopped when the minimal number of information to be added reaches. Decision trees often yield good results, but even if any slight change in data occurs, the whole structure changes, making the models unstable.

Quantile regression (semi-parametric method)

Quantile regression has two main advantages. One is that it makes no assumptions about the distribution of the variables we want to analyze. Another is that it tends to endure the influence of an outside option. A **quantile regression model was ultimately chosen as it analyzes the**

relationship between a set of independent variables and specific quantiles(median) of dependent variables.

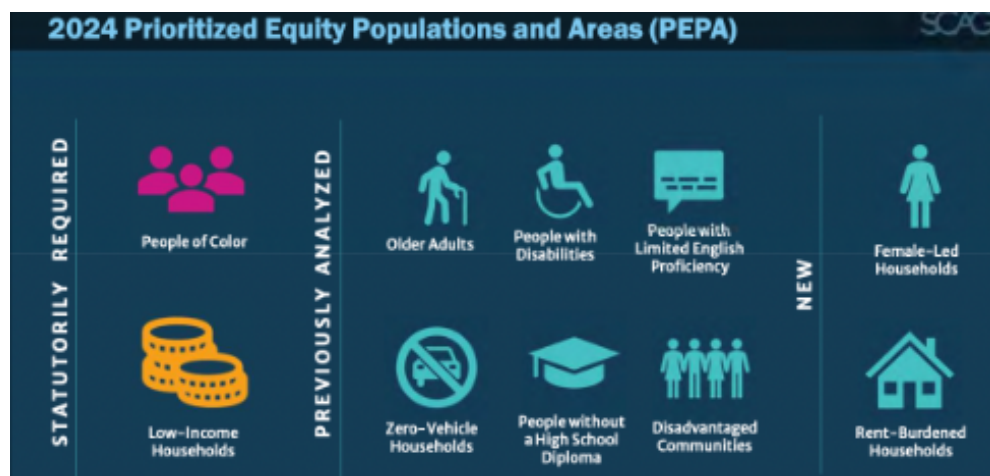
Quantile regression criteria:

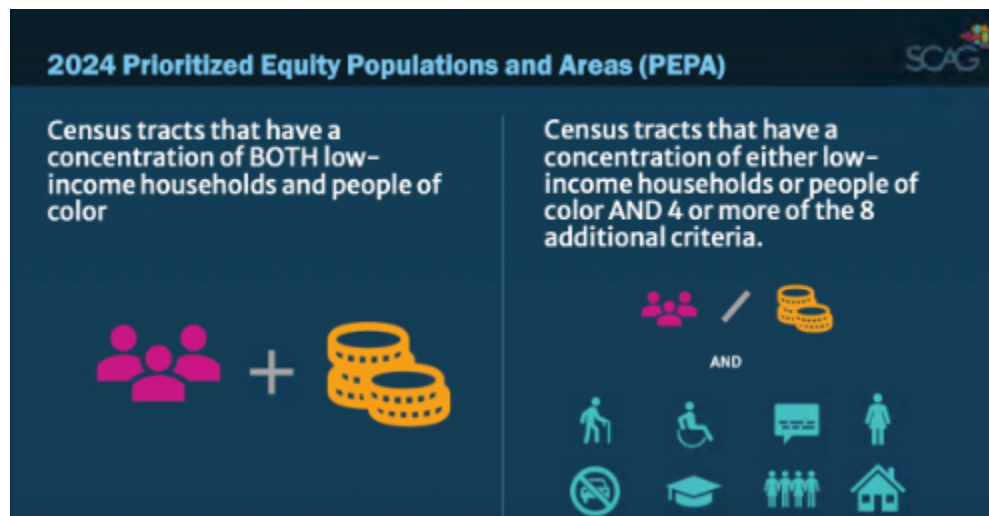
The target variable needs to be continuous. The predictors can be continuous variables or dummy variables for categorical forecasters. Either the intercept term or predictor is required to run an analysis. When selected, this quantile regression setting assumes that error terms are independently and identically distributed. Quantile regression has limitations because the parameters are more complicated to estimate than Gaussian or generalized regression.

Method 3: Housing Cost Burden

Because housing burden accounts for a large portion of household expenses, we chose that as one measure to identify disadvantaged communities. The first regression table focuses on what factors have a strong impact on the housing burden variable. Housing burden is measured percent housing-burdened low-income households. We selected variables from CalEnviroScreen 4.0, 2020 ACS (5-year estimate) household income, life expectancy, and health outcome dataset.

Figure 12. SCAG Prioritized Equity Populations and Areas approach





Source: SCAG presentation

Based on SCAG's proposed 2024 Prioritized Equity Populations and Areas (PEPA) analysis, we include 15 variables that may affect the housing burden variable at tract level in San Bernardino. The 15 variables are total population, CalEnviroScreen 4.0 score, traffic (traffic density in vehicle-kilometers per hour per road length, within 150 meters of the census tract boundary), cleanup sites (sum of weighted EnviroStor cleanup sites within buffered distances to populated blocks of census tracts), asthma (age-adjusted rate of emergency department visits for asthma), low birth weight (percent low weight birth), education (percent of population over 25 with less than a high school education), linguistic isolation (percent limited English speaking households), poverty (percent of population living below two times the federal poverty level), unemployment (percent of population over the age of 16 that is unemployed and eligible for the labor force), population characteristic (average of percentiles from the population characteristics indicator), household income, mean travel time to work, and life expectancy.

Figure 13. Regression analysis

<i>Predictors</i>	housing burden		
	<i>Estimates</i>	<i>CI</i>	<i>p</i>
(Intercept)	45.01	5.98 – 84.05	0.026
total population	0.00	-0.00 – 0.00	0.306
ces 4 0 score	0.25	0.08 – 0.41	0.004
traffic	-0.00	-0.01 – 0.00	0.148
cleanup sites	-0.10	-0.26 – 0.06	0.228
asthma	-0.07	-0.10 – -0.04	<0.001
low birth weight	-0.85	-1.97 – 0.26	0.136
education	-0.32	-0.51 – -0.14	0.001
linguistic isolation	0.27	0.03 – 0.50	0.031
poverty	0.09	-0.06 – 0.24	0.259
unemployment	-0.21	-0.56 – 0.14	0.251
pop char	0.27	0.06 – 0.47	0.012
householdincome	-0.00	-0.00 – 0.00	0.268
mean travel time	0.07	-0.09 – 0.24	0.364
life expectancy	-0.49	-0.96 – -0.02	0.045

Source: CSI

From the quantile regression table, we can find that the most critical factors related to housing burden variables are CalEnviroScreen.4.0. score, asthma, education, linguistic isolation, population characteristics, and life expectancy.

Ces.4.0.score: the coefficient estimate of 0.246 means that the 0.5 quantile of housing burden increases by about 0.246 for every one unit increase in ces.4.0.score. P-value is smaller than 0.05, and the coefficient is statistically significant at 95% confidence intervals.

Asthma: the coefficient estimate of -0.072 means that the 0.5 quantile of housing burden decreases by about 0.072 for every one unit increase in asthma. P-value is smaller than 0.05, and the coefficient is statistically significant at 95% confidence intervals.

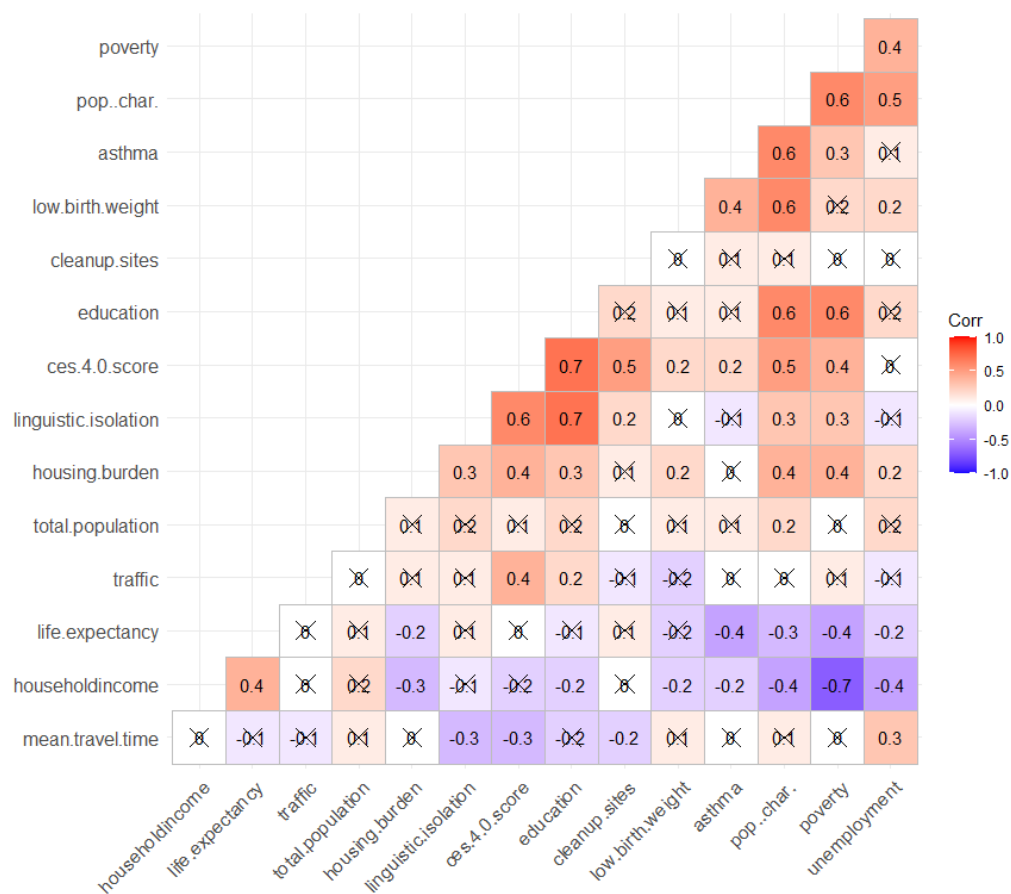
Education: the coefficient estimate of -0.324 means that the 0.5 quantile of housing burden decreases by about 0.324 for every one unit increase in education. P-value is smaller than 0.05, the coefficient is statistically significant at 95% confidence intervals.

Linguistic isolation: the coefficient estimate is 0.265 means that the 0.5 quantile of housing burden increases by about 0.265 for every one unit increase in linguistic isolation(percent limited English speaking households). P-value is smaller than 0.1, the coefficient is statistically significant at 0.1 level.

Population characteristics: the coefficient estimate is 0.266 means that the 0.5 quantile of housing burden increases by about 0.266 for every one unit increase in population characteristics. P-value is smaller than 0.1, the coefficient is statistically significant at 0.1 level.

Life Expectancy: the coefficient estimate is -0.489 means that the 0.5 quantile of housing burden decreases by about 0.489 for every one unit increase in life expectancy. P-value is smaller than 0.1, the coefficient is statistically significant at 0.1 level.

Figure 14. Correlation Heatmap Analysis



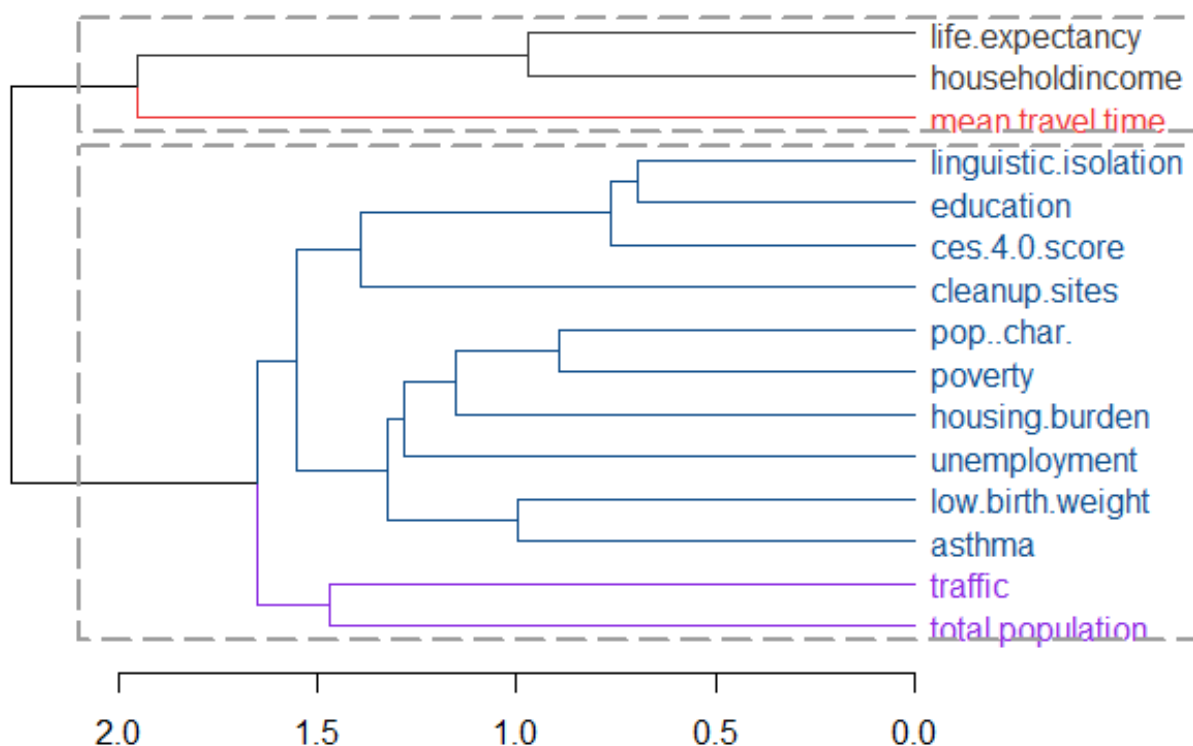
Source: CSI analysis of CalEnviroScreen 4.0 data and ACS 2020 5-year file

Correlation analysis studies how variables are related. Correlation analysis is helpful for testing relationships between categorical variables and continuous variables. Correlations are functional because if you detect what relationship variables have, you can make predictions about future behavior. Knowing the link between different variables and future behavior is critical in the social sciences, such as government policy, education, and healthcare.

A correlation coefficient measures the degree and puts a value to the relationship. Correlation coefficients have a value of between -1 and 1. The magnitude represents the strength of the correlation, and the sign indicates the direction of the correlation. A low degree of correlation close to 0 means no relationship between the variables. In contrast, a high degree of correlation closer to -1 or 1 indicates a perfect negative or positive correlation.

From the correlation matrix, we notice a high positive correlation between ces4.0 score, education, and linguistic isolation (0.7). Similarly, the poverty rate has a high negative correlation with household income (-0.7). Generally, areas with a higher level of household income have a lower level of poverty rate. Population characteristics also show a moderate correlation with asthma, low birth weight, education, and ces4.0 score.

Figure 15. Hierarchical Correlation Plot



Source: CSI analysis of CalEnviroScreen 4.0 data

The plot provides an overview of the correlation between 15 variables using a dendrogram, a tree-like structure. The plot lists the variables at the tree structure's end as the right column. The variables are then linked together in the dendrogram according to how well they are correlated. The x-axis measures the height within the dendrogram ranging from 0 to 2. The heights (lengths of the lines within the dendrogram) indicate the level of correlation between variables, with shorter sizes showing stronger correlations.

We can observe that linguistic isolation and education are pretty closely correlated and have a correlation of 0.7. Population characteristics and poverty rates are closely correlated with a correlation of 0.6. Similarly, low birth weight and asthma are moderately correlated (0.4). The group of variables, including population characteristics, poverty rate, housing burden, unemployment, low birth weight, and asthma, expectedly, have a higher level of correlation among themselves than they do with other variables. This result also matches the quantile regression model analysis.

Figure 16. Tracts with greater than 50% of households with housing cost burden

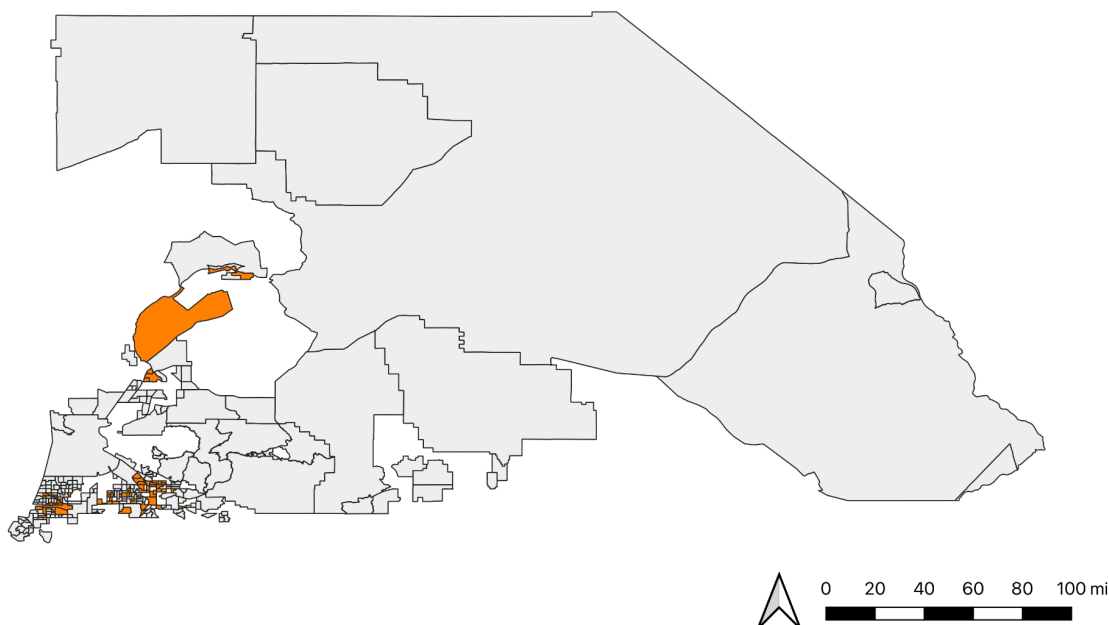
Housing Cost: > 50% of households with cost burden

Legend

Housing Cost Burden by Tract

□ No Burden

■ Greater than 50% burdened



Method 3: Proximity to food deserts

Inequitable access to affordable foods in some US communities may be one reason for observed economic and social disparities. A food desert describes a situation where low-income neighborhoods have limited access to full-service supermarkets. Because supermarkets generally offer a variety of healthy foods at reasonable cost, food access is defined by proximity to a supermarket. Food access has typically been measured as the physical distance between the centroids of spatial units of analysis (e.g., census tracts), or between the closest supermarket and the centroids of spatial units housing the population. Various distance thresholds have been used for residents: 1 mile, 10 miles, and 20 miles.

In San Bernardino, approximately 14.5 percent of residents live in poverty. According to Feeding America (a non-profit with a national network of 200 food banks and 60,000 food pantries and meal programs) more than 85,000 children across San Bernardino County experienced food insecurity in 2019. About 30 percent of San Bernardino residents are eligible to receive [SNAP](#),

which provides nutrition benefits to supplement the food budget of needy families so they can purchase healthy food and underscore the county's extent of poverty.

Qualitative data from focus groups related to the larger SB1000 project also highlighted similar concerns from the community:

“Participants also expressed concern with a lack of access to healthy food in low-income communities. Fast food restaurants, liquor stores, and lower-quality grocery stores tend to concentrate in low-income communities, while higher resource communities enjoy access to healthy food at full-service grocery stores (Hilmers, Hilmers, and Dave 2012). A lack of access to fresh and healthy food is linked to a host of health complications, including diabetes, obesity, and high calorie diets.”

Figure 17. Low-income more than 1 mile from a supermarket

Food Access Share of Tract Population

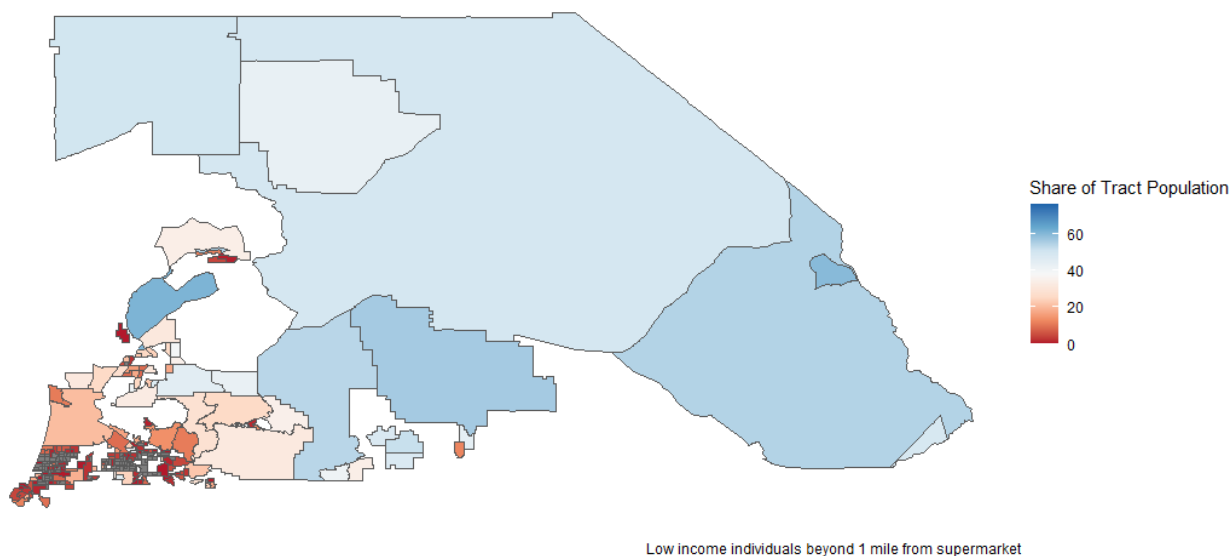


Figure 18. Low-income greater than 10 miles from a supermarket

Food Access Share of Tract Population

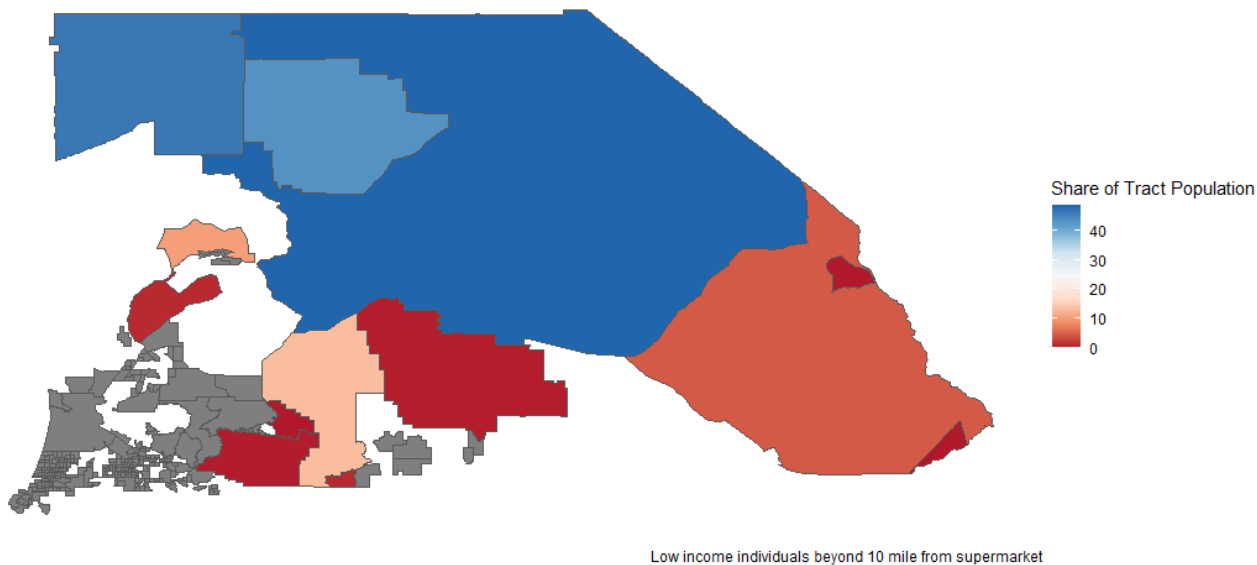
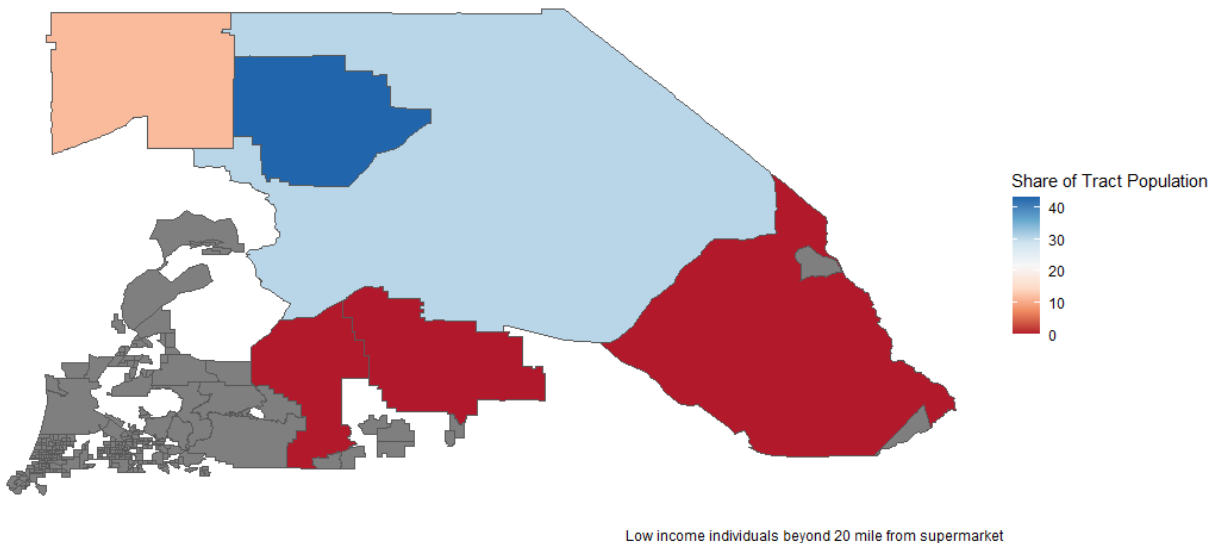


Figure 19. Low-income greater than 20 miles from a supermarket

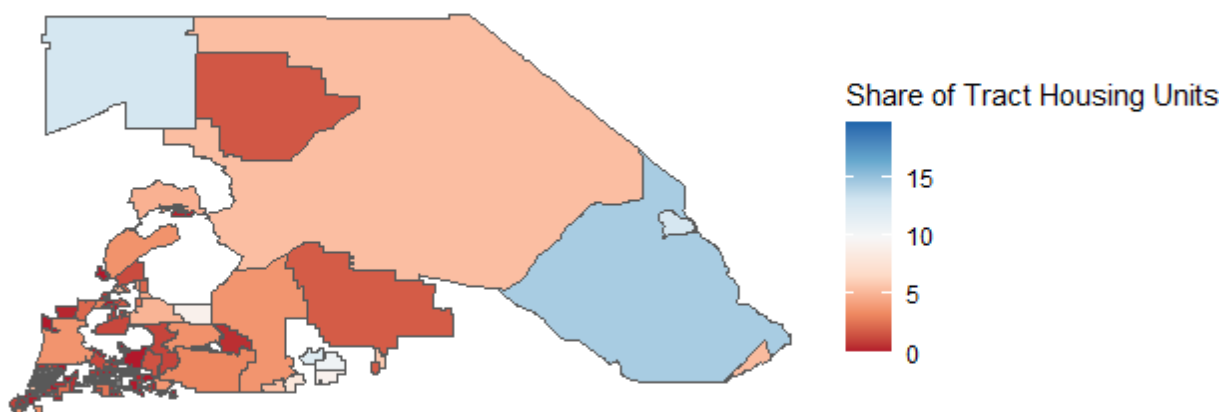
Food Access Share of Tract Population



<https://drive.google.com/drive/folders/1ykQ1dpHDCYD0ht6lz8hmU1WtT-Lg6Wt5>

Figure 20. Percentage of housing units without a vehicle and greater than 1 mile from a supermarket

Food Access Share of Housing Units



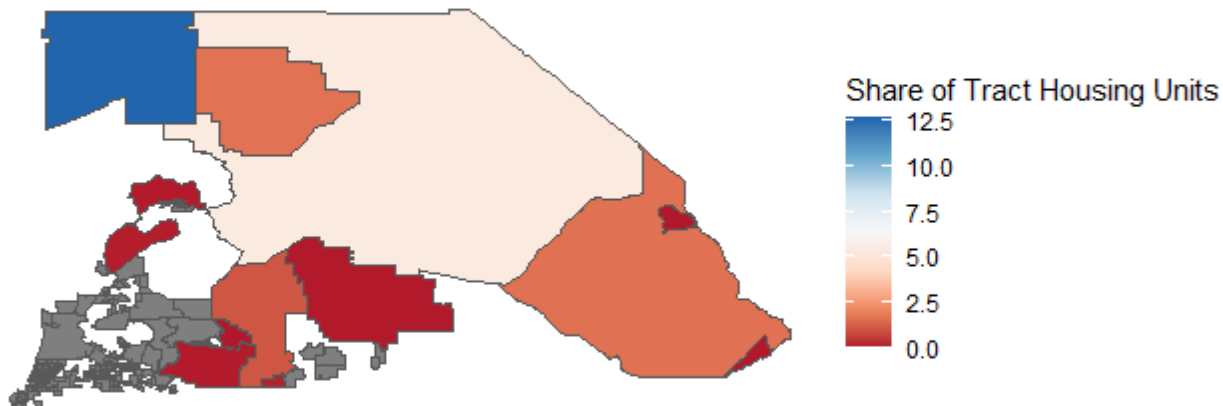
Housing units that are without vehicle and beyond 1 mile from supermarket

The figure above illustrates the percentage of housing units by tract that are without a vehicle and beyond 1 mile from a supermarket. Areas in red have a lower percentage, meaning that these tracts have fewer housing units without access to a vehicle, and are further than 1 mile away from a supermarket.

The following figures provide a similar analysis, though done for greater than 10 miles, and greater than 20 miles from a supermarket.

Figure 21. Percentage of housing units without a vehicle and greater than 10 miles from a supermarket

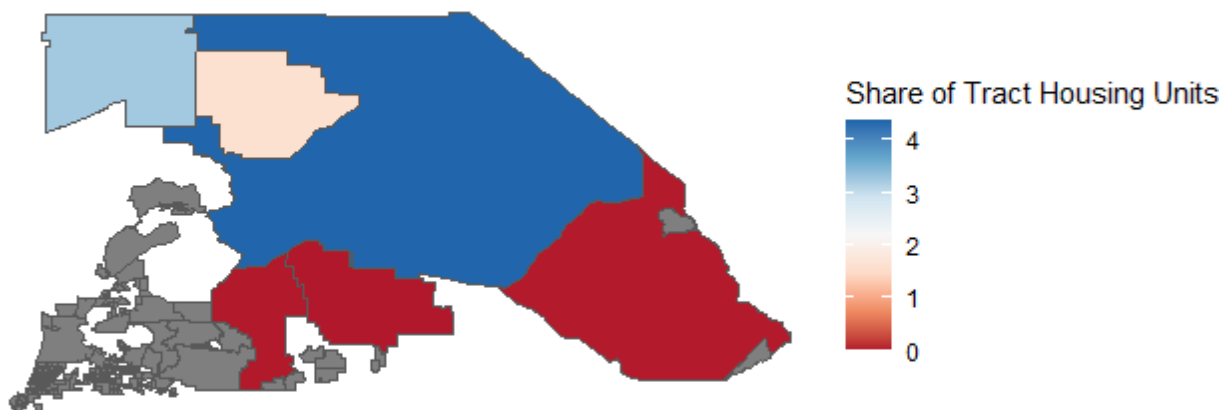
Food Access Share of Housing Units



Housing units that are without vehicle and beyond 10 mile from supermarket

Figure 22. Percentage of housing units without a vehicle and greater than 20 miles from a supermarket

Food Access Share of Housing Units

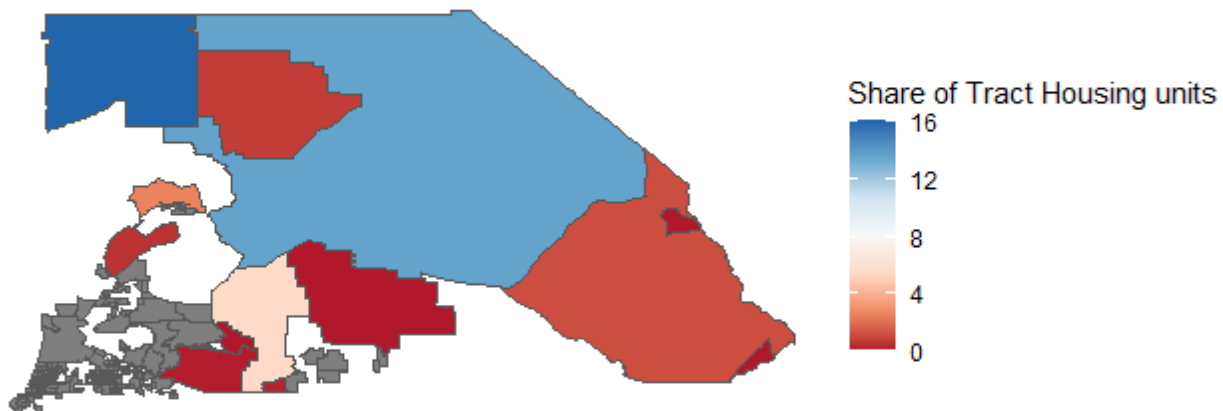


Housing units that are without vehicle and beyond 20 mile from supermarket

Data link: <https://drive.google.com/drive/folders/1ykQ1dpHDCYD0ht6lz8hmU1WtT-Lg6Wt5>

Figure 23. Percentage of housing units receiving SNAP benefits, greater than 1 mile from a supermarket

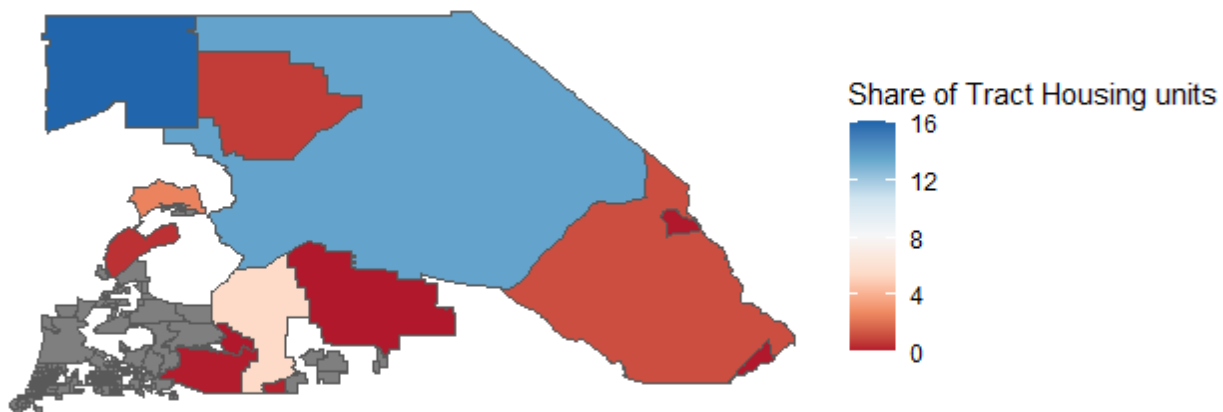
Food Access Share of Tract Population



Housing units receiving SNAP benefits count beyond 1 mile from supermarket

Figure 24. Percentage of housing units receiving SNAP benefits, greater than 10 miles from a supermarket

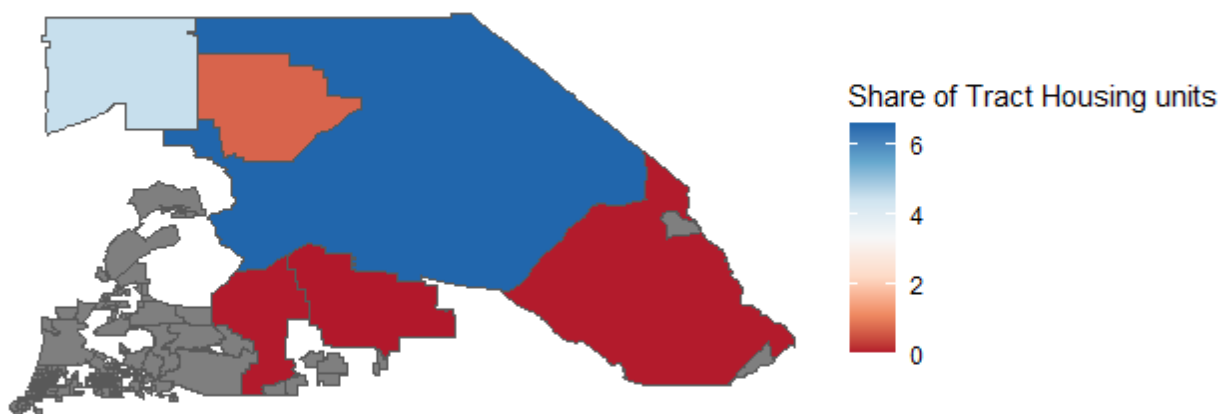
Food Access Share of Tract Population



Housing units receiving SNAP benefits count beyond 10 mile from supermarket

Figure 25. Percentage of housing units receiving SNAP benefits, greater than 20 miles from a supermarket

Food Access Share of Tract Population

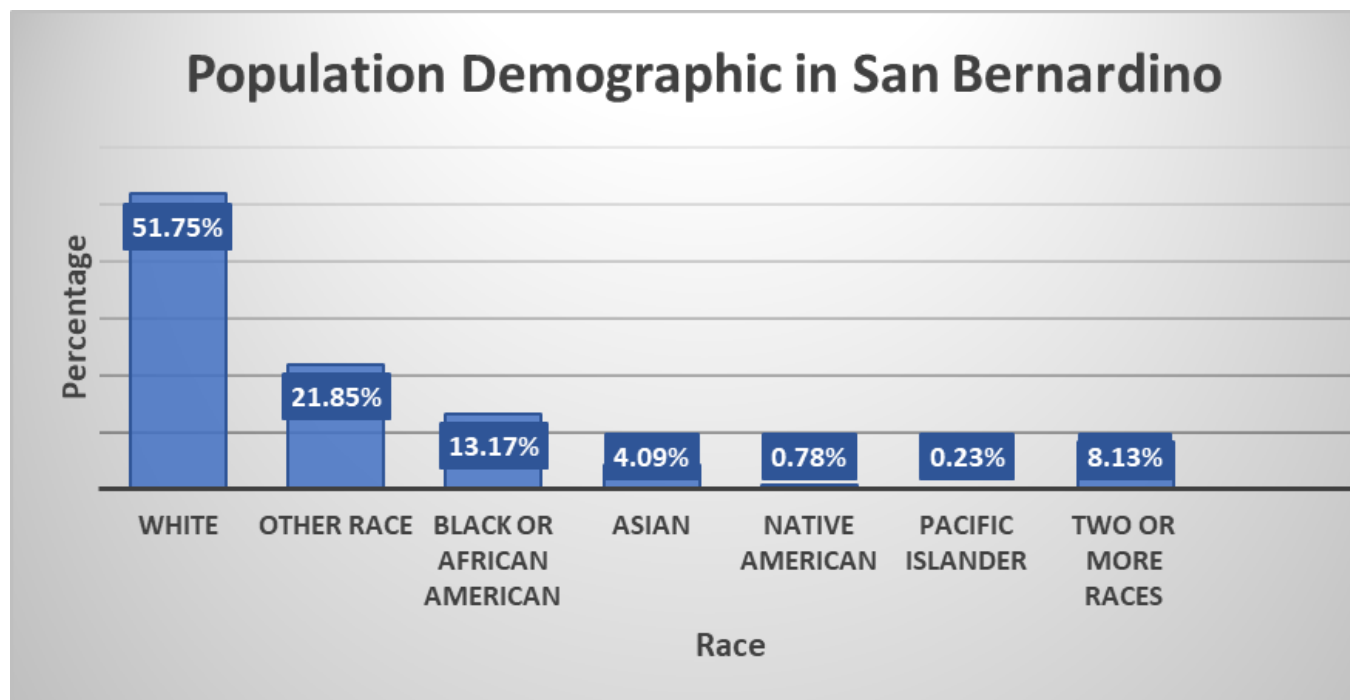


Housing units receiving SNAP benefits count beyond 20 mile from supermarket

Data link: <https://drive.google.com/drive/folders/1yQ1dpHDCYD0ht6lz8hmU1WtT-Lg6Wt5>

Supplemental Nutrition Assistance Program (SNAP) is for low-income people who satisfy federal income eligibility rules and issue monthly electronic benefits to add to their budget to buy more healthy and nutritious foods at many markets and food stores. These three figures show housing units receiving SNAP benefits at the tract level in San Bernardino.

Figure 26. Population count by tract



In 2020, the largest racial group in the county is White residents (51.75%, or 81k) and Other (21.85%, or 46.8k). The smallest racial group is Native Hawaiian or Pacific Islander at 0.23%.

Figure 27. Access to supermarkets within a 0.5, 1, 10, and 20 mile radius, by race

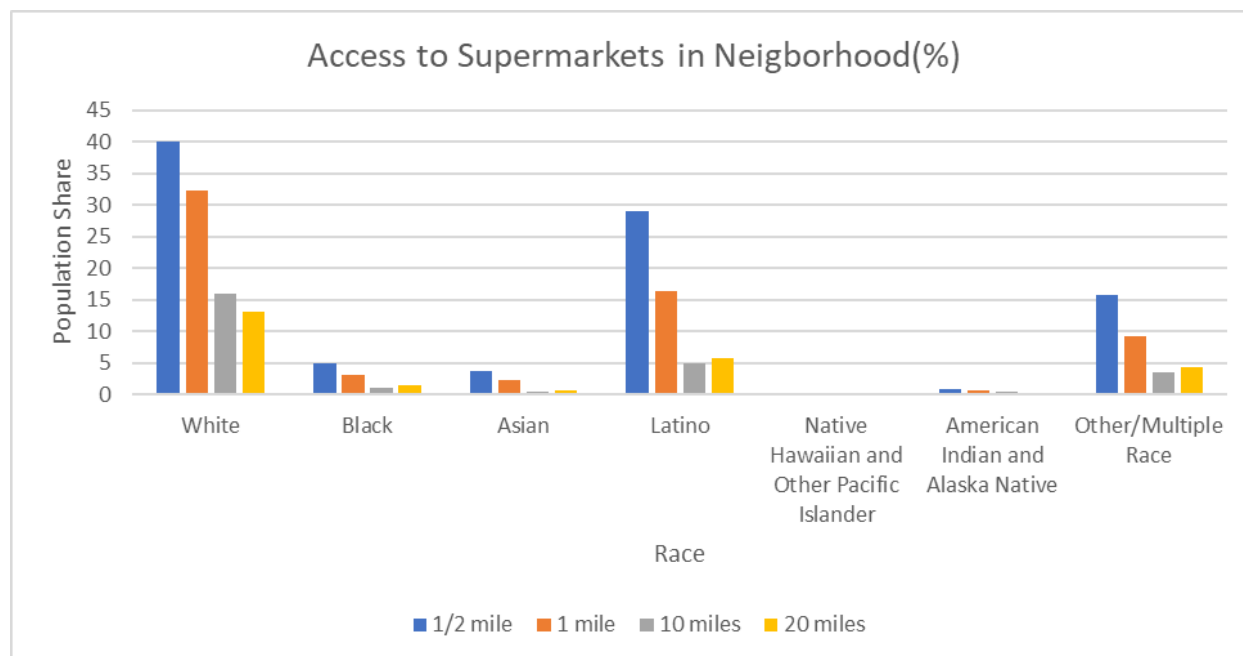
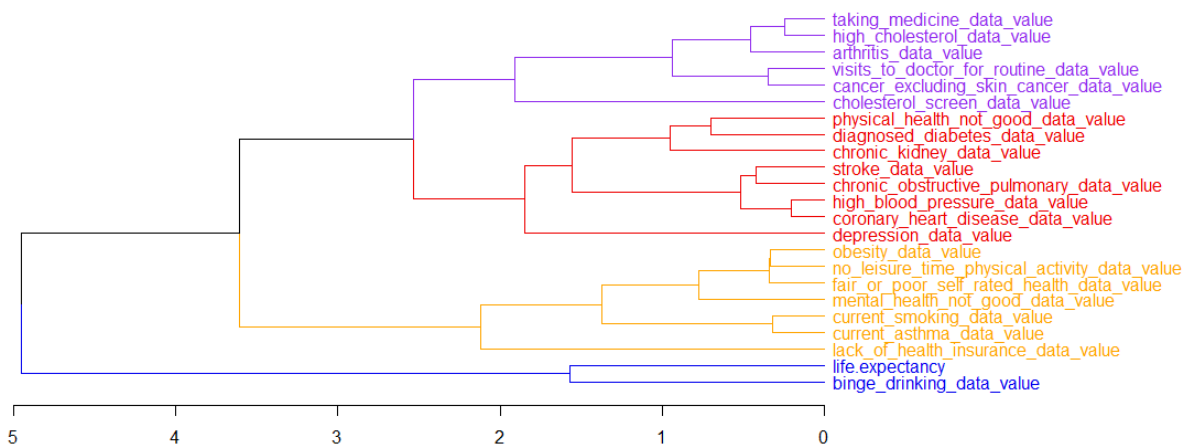


Figure 27 breaks down access to supermarkets within 0.5, 1, 10, and 20 miles by race. Whites make up the largest share of the region's population, with the majority falling within ½ mile of a supermarket. Latinos make up the next largest population share, with the majority falling within ½ mile of a supermarket, though with a slightly greater share at the 20 mile distance cut than 10 miles.

Method 3: Life expectancy

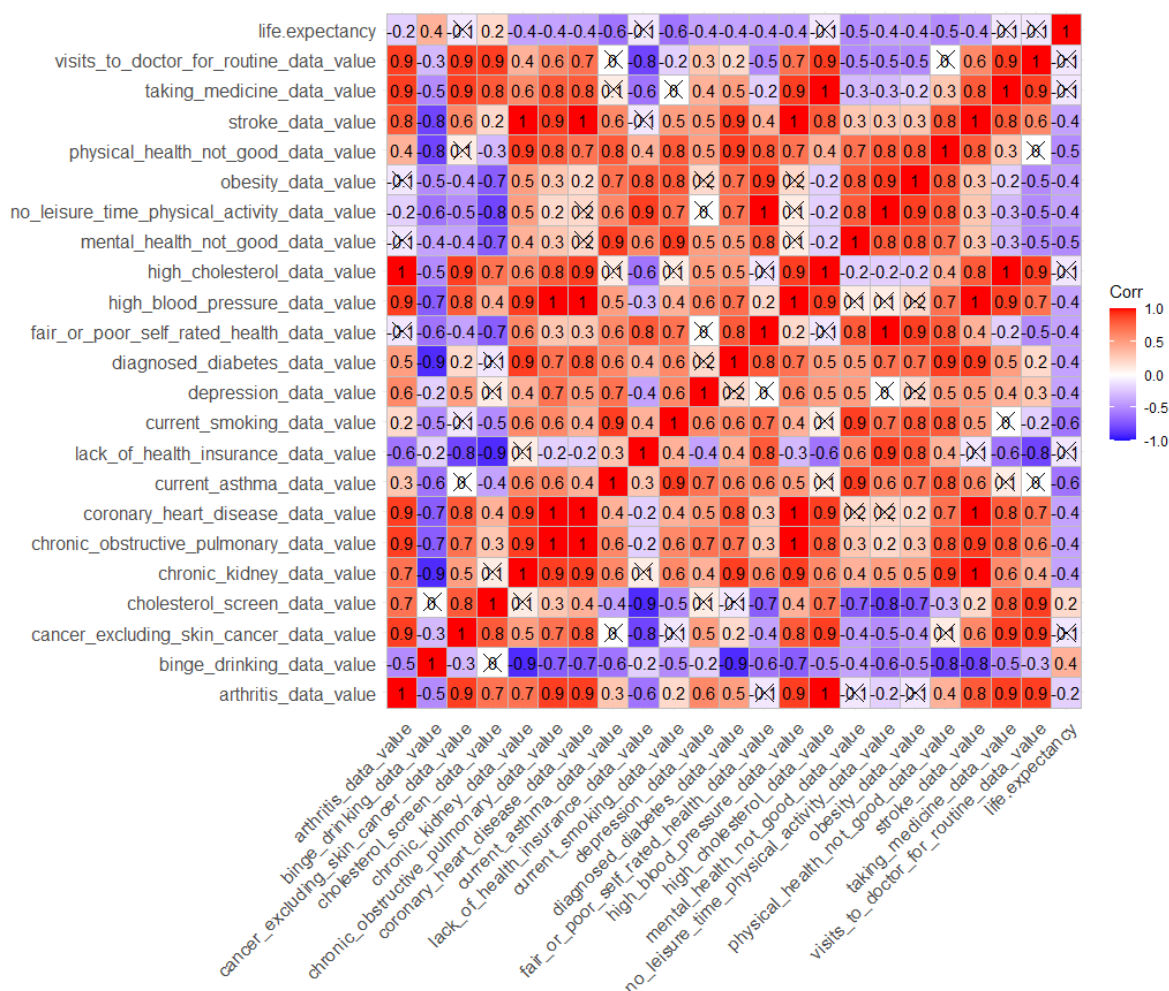
Data from the Centers for Disease Control and Prevention shows that US life expectancy is an average of 77.3 years - 74.5 years for men and 80.2 for women. Based on this information, we worked to understand what correlation - if any - there was between various health issues and how long an individual lived.

Figure 28. Dendrogram Correlation Plot of health variables



Data source: National Center for Health Statistics, USALEEP

Figure 29. Hierarchical correlation plot of health variables

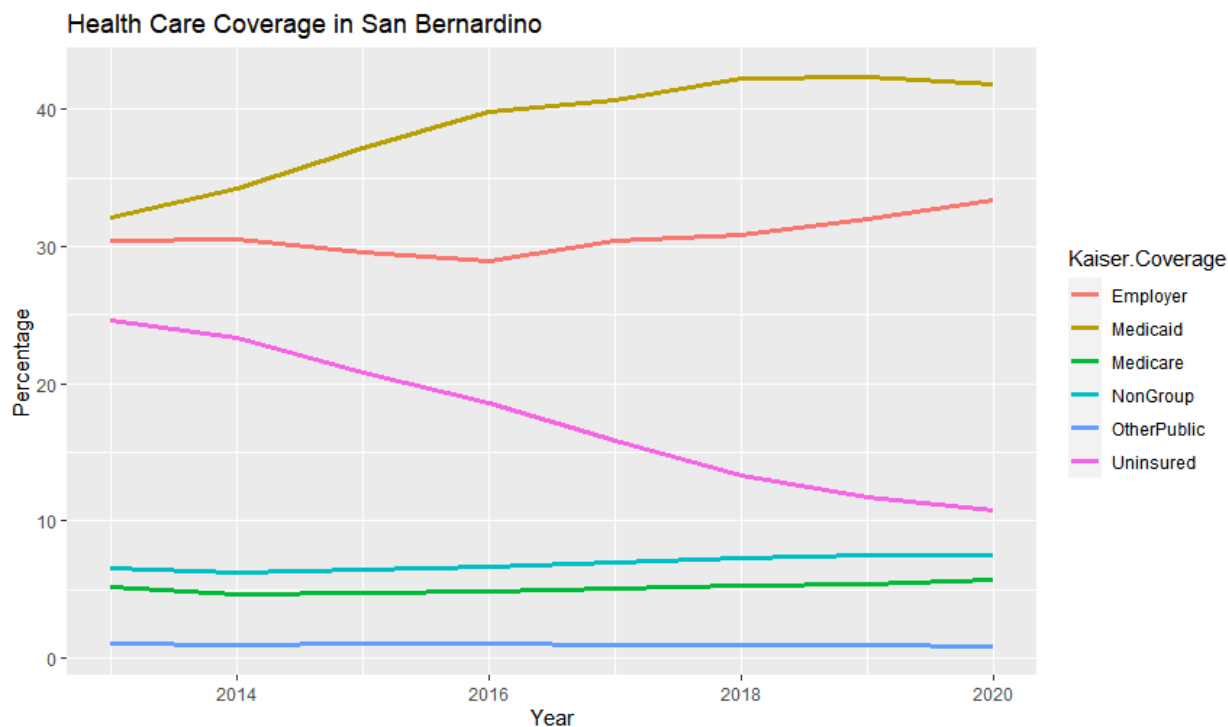


Data source: National Center for Health Statistics, USALEEP

This hierarchical correlation plot provides the correlation between life expectancy with 22 health issues at the tract level. The various health problems are linked in the dendrogram according to how well they correlate. The x-axis measures the height within the dendrogram ranging from 0 to 5. The heights indicate the correlation level between these variables, and shorter heights imply a stronger correlation.

We can observe that the current smoking data value correlates highly with asthma rates, and high blood pressure strongly correlates with coronary heart disease. The correlation between chronic kidney and arthritis is strong (0.7). The numeric correlation matrix heatmap provides whether the health issues have a strong positive correlation, strong negative correlation, or weak correlation. Life expectancy strongly correlates negatively with asthma and mental health issues (-0.6) and positively correlates with binge drinking rates (0.4).

Figure 30. Health care by coverage source



<https://datausa.io/profile/geo/san-bernardino-ca/>

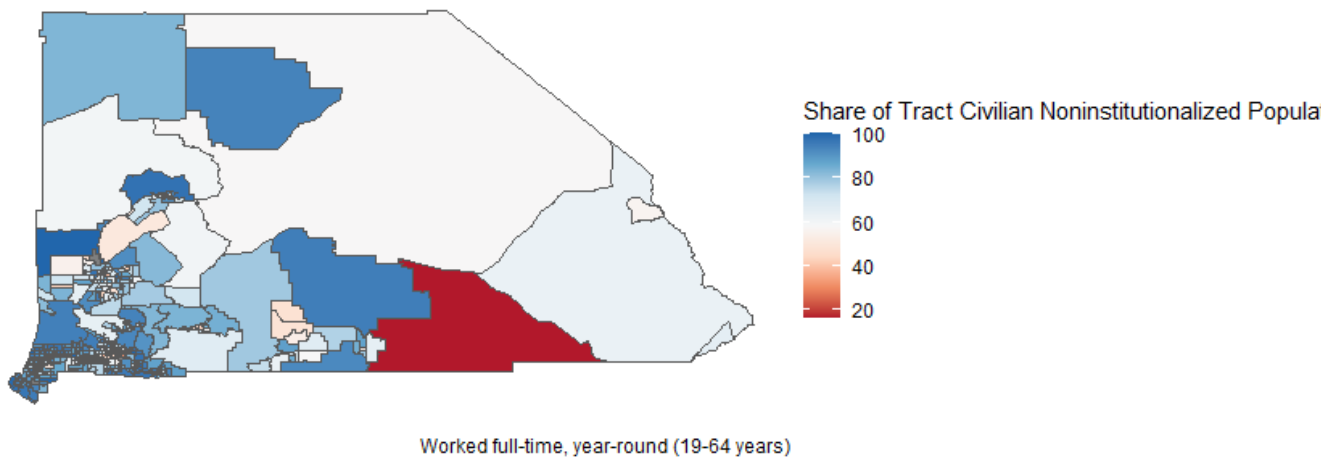
And Census Bureau ACS 5-year Estimate.

Data set: <https://drive.google.com/drive/folders/1t3u0uJL2fU1oDMr7GrFf9sfSz0AXBAdh>

The percentage of uninsured households in San Bernardino has decreased by 8.7% during the COVID-19 pandemic. The graph shows various types of health care coverage changes over five years.

Figure 31. Percent private health insurance alone or in combination, 2020

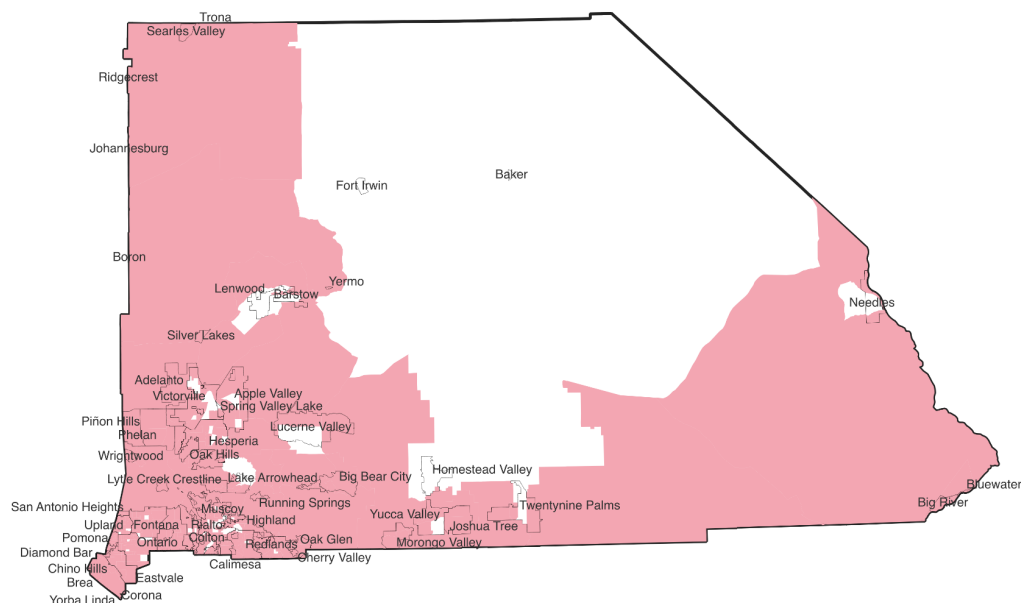
Percent Private Health Insurance Alone or In Combination in 2020



Data source: ACS 2020 5-year Estimate

Figure 31 shows the percent private coverage for the civilian noninstitutionalized population, where private coverage is defined as for private health insurance alone or in combination. The universe is the population who worked full-time, year-round (19-64 years), civilian noninstitutionalized population with private health coverage percentage at the tract level.

Figure 32. Areas with 74.5 years or greater life expectancy



Data Source: USA LEEP

Method 3: Childhood poverty

Figure 33. Poverty Rate by Age

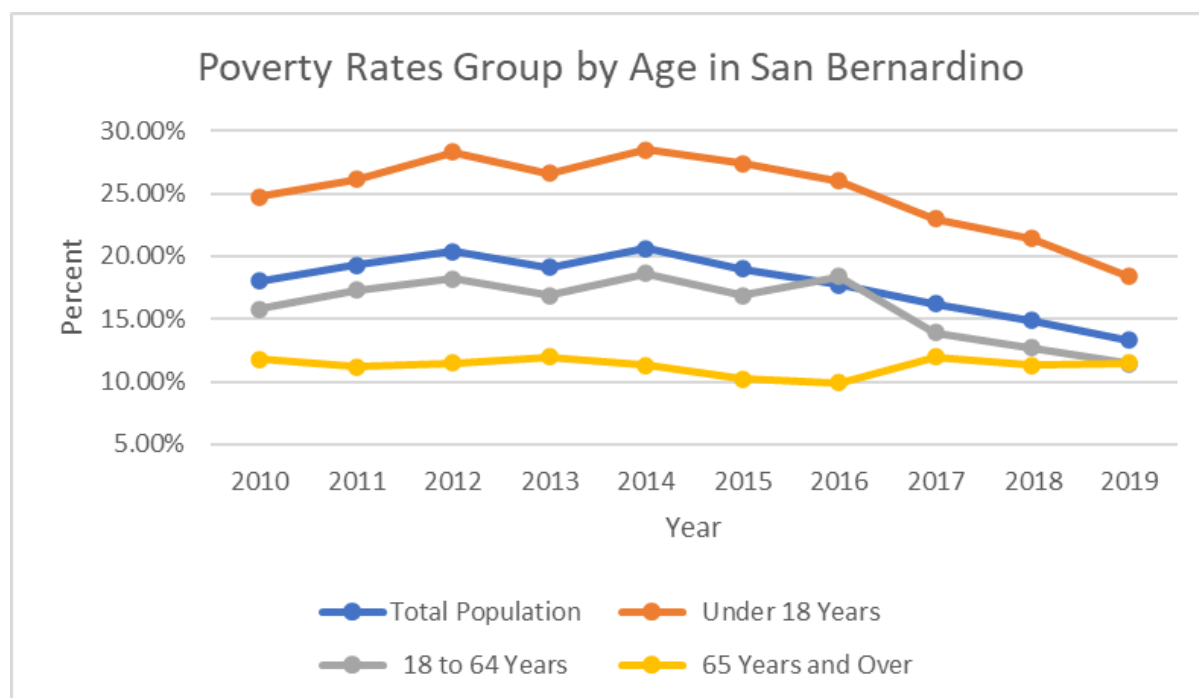
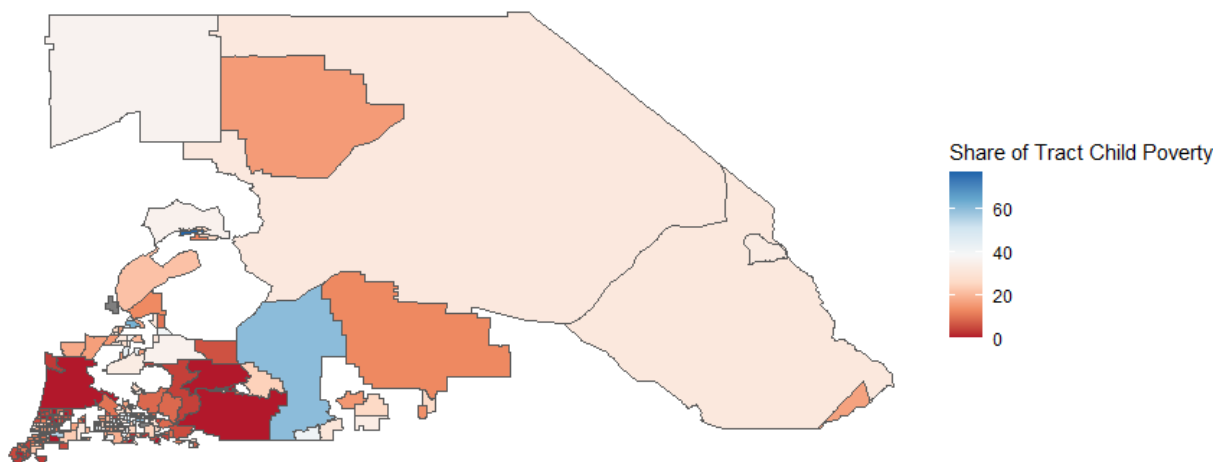


Figure 33 shows that poverty rates declined for most age groups over the past ten years. The percentage of households living in poverty decreased from 18% in 2010 to 13.3% in 2019. The poverty rate of those under 18 in San Bernardino County dropped from 24.7% in 2010 to 18.7% in 2019. Adult poverty rates declined four percentage points over the past ten years. Seniors aged 65 years and over show a slight change over the period 2010 - 2019.

Figure 34. Percent under 18 years below poverty level, 2012

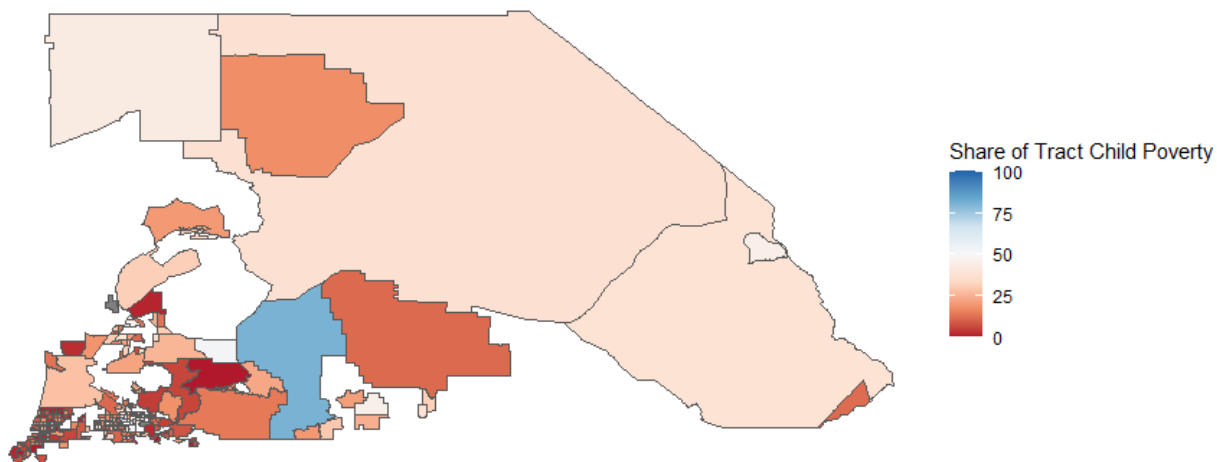
Percent Below Poverty Level Under 18 Years in 2012



This figure identifies children under 18 years who were below the poverty level in 2012 in San Bernardino County at the tract level. The blue tract areas have higher childhood poverty rates above 60%, in the south near Twentynine Palms of San Bernardino County. The northwest part near Searles Valley shows tracts where children's poverty rates are around 40%.

Figure 35. Percent under 18 years below poverty level, 2020

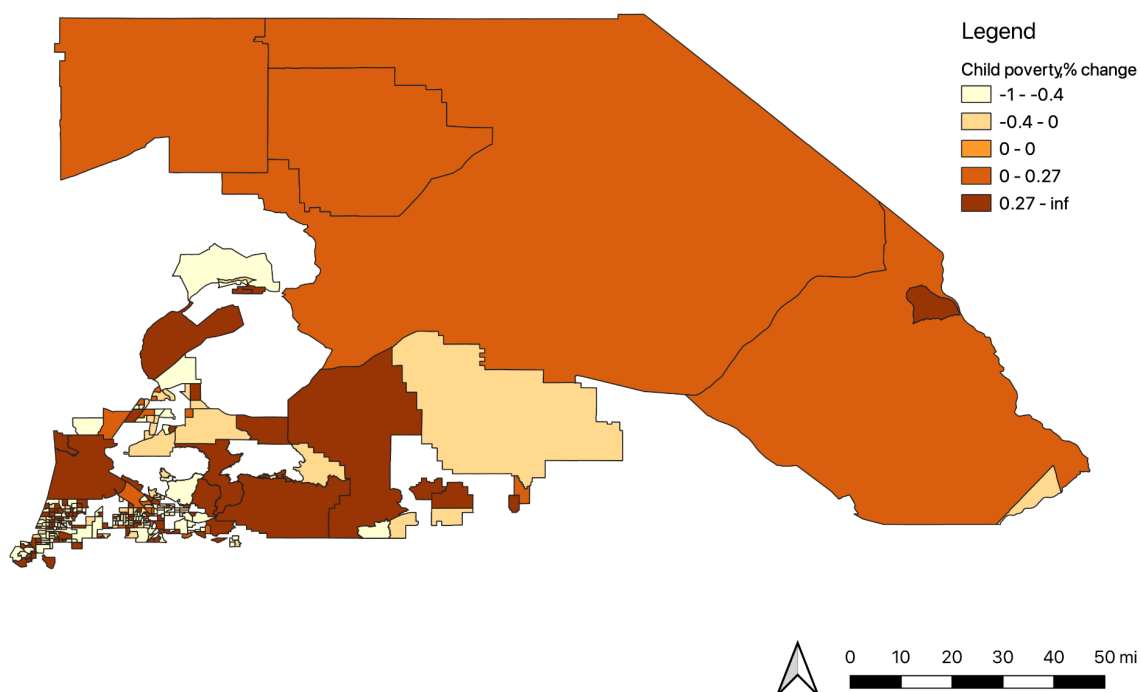
Percent Below Poverty Level Under 18 Years in 2020



The percentage under 19 years below the poverty level declines from 2010 to 2020 in many tract areas. In the northwest and southwest parts of San Bernardino, children's poverty rates have been reduced by about five percent.

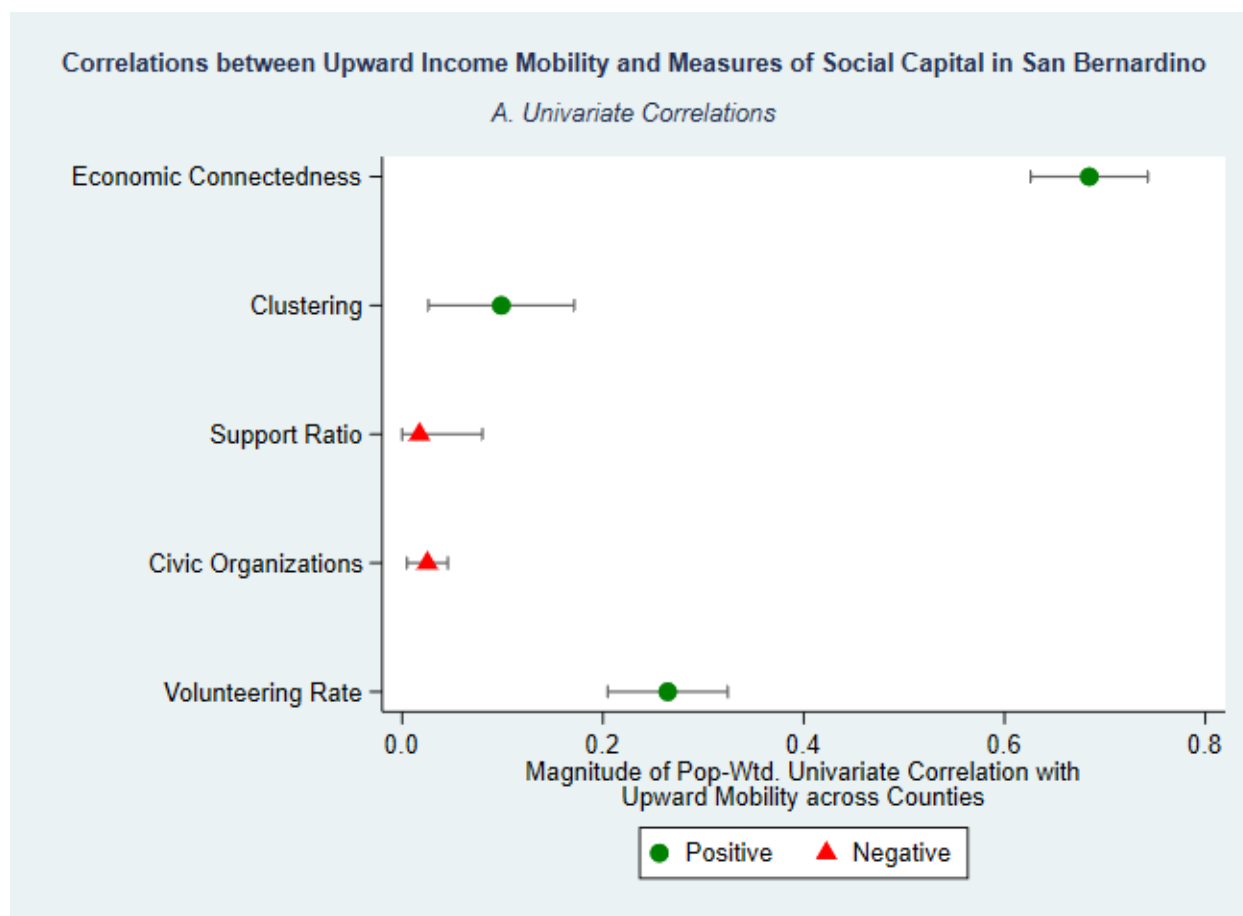
Figure 36. Percent change in poverty for those under 18 years of age, 2012 & 2020

Child poverty, percent change 2012 and 2020



Method 3: Childhood Poverty and Income Mobility

Figure 37. Correlation between upward mobility and measures of social capital



Data source:

<https://www.socialcapital.org/?dimension=EconomicConnectednessIndividual&dim1=EconomicConnectednessIndividual&dim2=CohesivenessClustering&dim3=CivicEngagementVolunteeringRates&geoLevel=county&selectedId=06037>

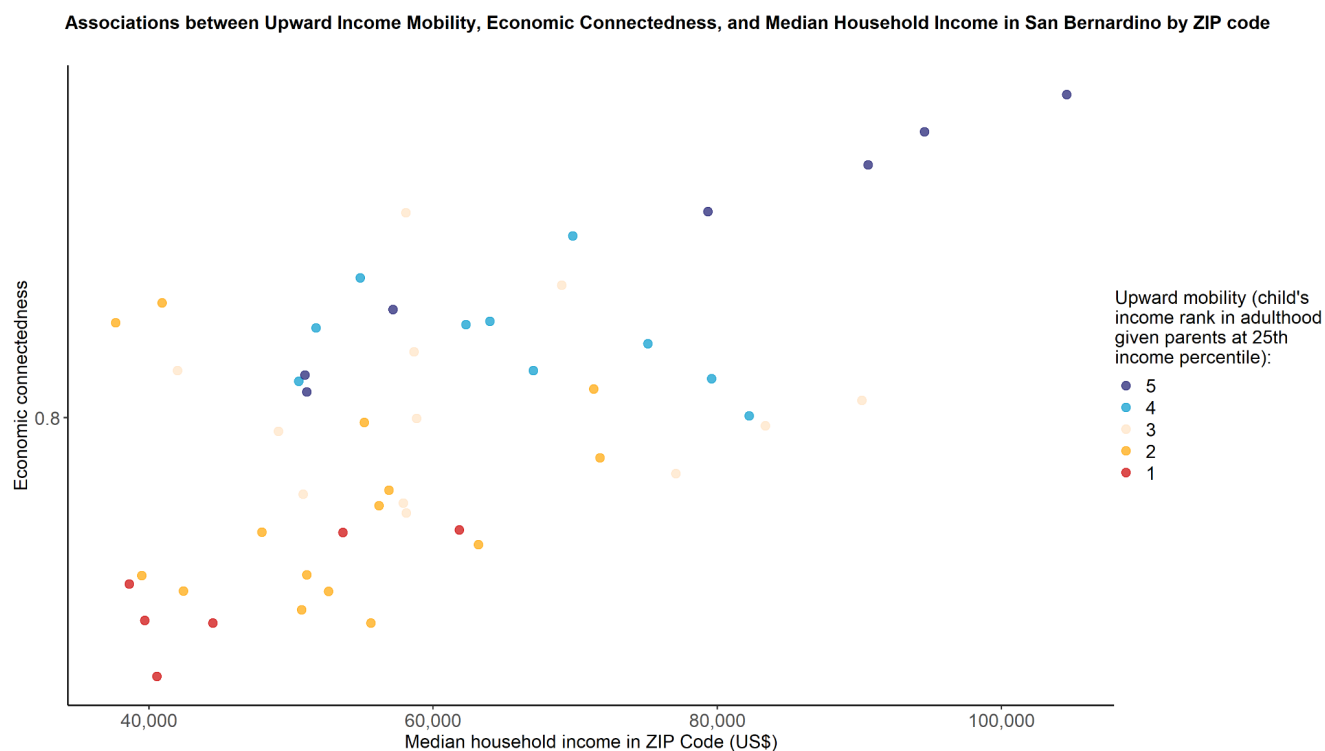
This figure shows the univariate correlation across zip code areas in San Bernardino between upward income mobility and measures of social capital constructed, such as economic connectedness, clustering, support ratio, civic organization, and volunteering rate.

Chetty (2022) defines economic connectedness as two times the share of high socioeconomic status (SES) friends among low-SES individuals, averaged over all low-SES individuals in a zip code. Clustering means the average fraction of an individual's friend pairs who are also friends with each other. Support ratio is the proportion of within-zip code friendships where the pair of friends share a third mutual friend within the same area. Volunteering shows the percentage of Facebook users who are members of a group predicted to be 'volunteering' or 'activism.' Civic organization describes the number of Facebook pages expected to be "Public Good" based on the page title, category, and other page characteristics, per 1000 users in the zip code. The average income percentile rank defines upward income mobility in San Bernardino in adulthood

of children in the 1978-1983 birth cohorts who grew up in the zip code area with parents at the 25th percentile of the national parental household income distribution.

From the figure, we can see that economic connectedness is strongly positively correlated with income mobility, and the correlation is 0.66. However, all the other measures of social capital are not strongly correlated to upward income mobility in San Bernardino.

Figure 38. Associations between upward mobility, income connectedness, and median household income by Zip code



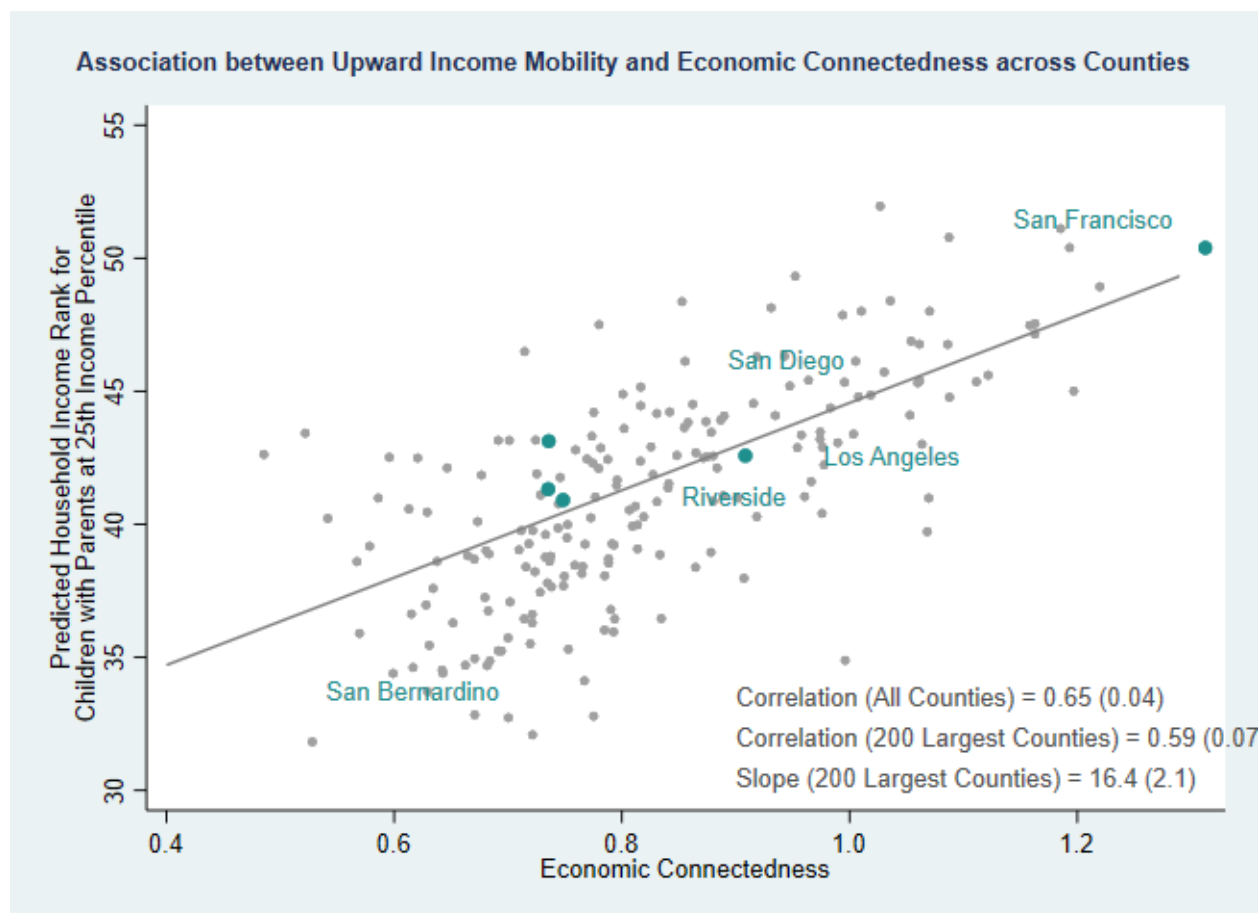
Data source:

<https://www.socialcapital.org/?dimension=EconomicConnectednessIndividual&dim1=EconomicConnectednessIndividual&dim2=CohesivenessClustering&dim3=CivicEngagementVolunteeringRates&geoLevel=county&selectedId=06037>

The scatter plot shows the relationship between economic connectedness, median household income (based on 2014- 2018 ACS), and upward income mobility by zip code in San Bernardino. The difference in color indicates the level of upward income mobility for children who grew up in low-income families by zip code in San Bernardino. The red dots show areas with lower levels of mobility, and the blue dots show higher levels of upward income mobility. The results tend to show that children who grew up in an area with high economic

connectedness give rise to better prospects for upward income mobility than just around high-income households.

Figure 39. Association between upward income mobility and economic connectedness by selected counties



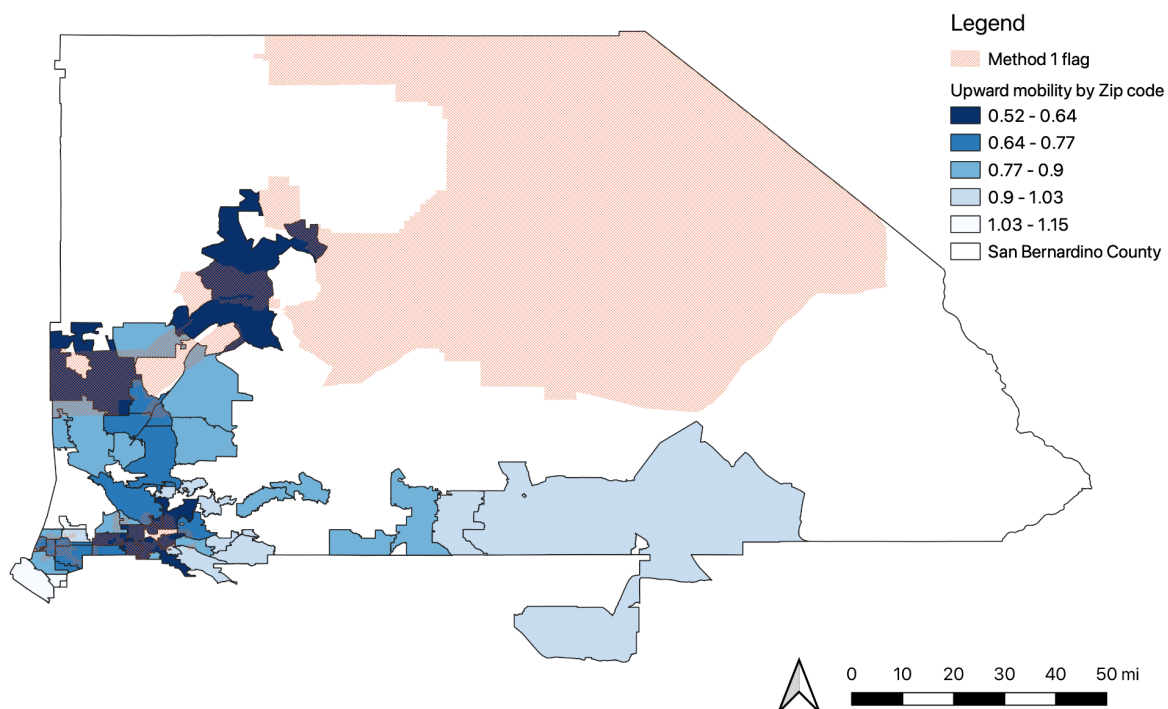
Data source:

<https://www.socialcapital.org/?dimension=EconomicConnectednessIndividual&dim1=EconomicConnectednessIndividual&dim2=CohesivenessClustering&dim3=CivicEngagementVolunteeringRates&geoLevel=county&selectedId=06037>

This figure presents the relationship between economic connectedness and income mobility non-parametrically through a scatter plot for the 200 counties in the U.S. Children who grow up in counties where low-SES individuals have more high-SES friends are inclined to have much higher rates of upward income mobility. We employed Chetty's (2022) method to run an OLS regression on the 200 largest U.S. counties by population, and standard errors are clustered by commuting zone in parenthesis. We select five counties (San Bernardino, Riverside, San Diego, Los Angeles, and San Francisco) in California.

Figure 40. Upward mobility by Zip code overlaid with Method 1

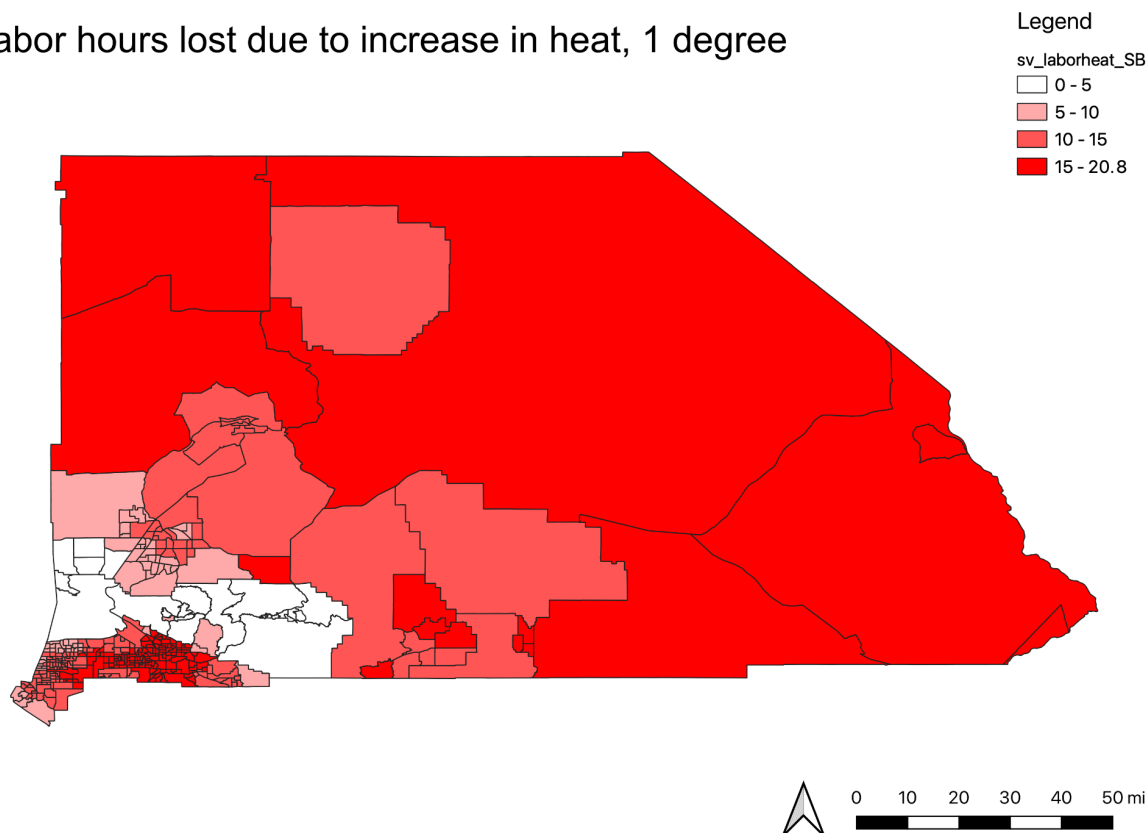
Upward mobility by Zip code



Method 3: Relationship to extreme heat

Figure 41. Hours lost per climate exposed worker per year, 1 degree

Labor hours lost due to increase in heat, 1 degree

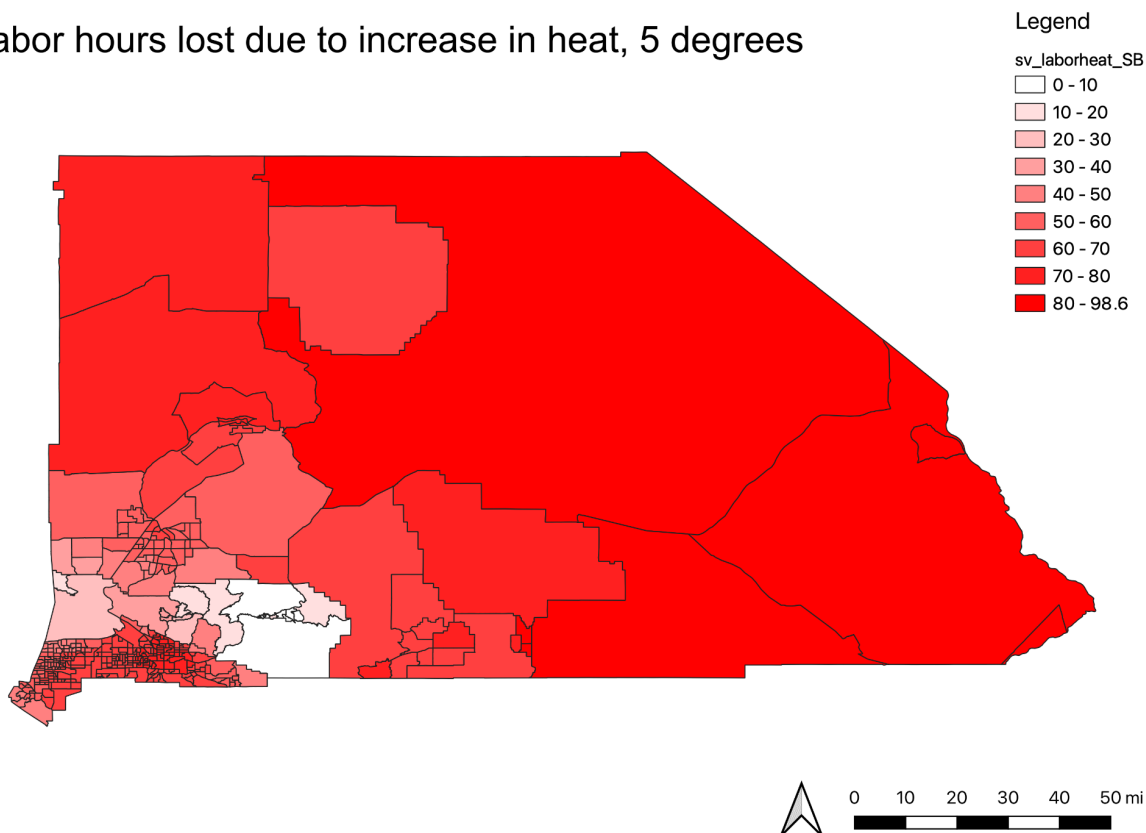


Source: Source: <https://www.epa.gov/cira/technical-appendices-and-data>

Extreme heat is becoming a greater issue in the region, which impacts daily life as well as worker conditions. The EPA has calculated hours of work lost per climate exposed worker for 1-degree increments of increased temperature, going up to 5 degrees.

Figure 42. Hours lost per climate exposed worker per year, 5 degrees

Labor hours lost due to increase in heat, 5 degrees



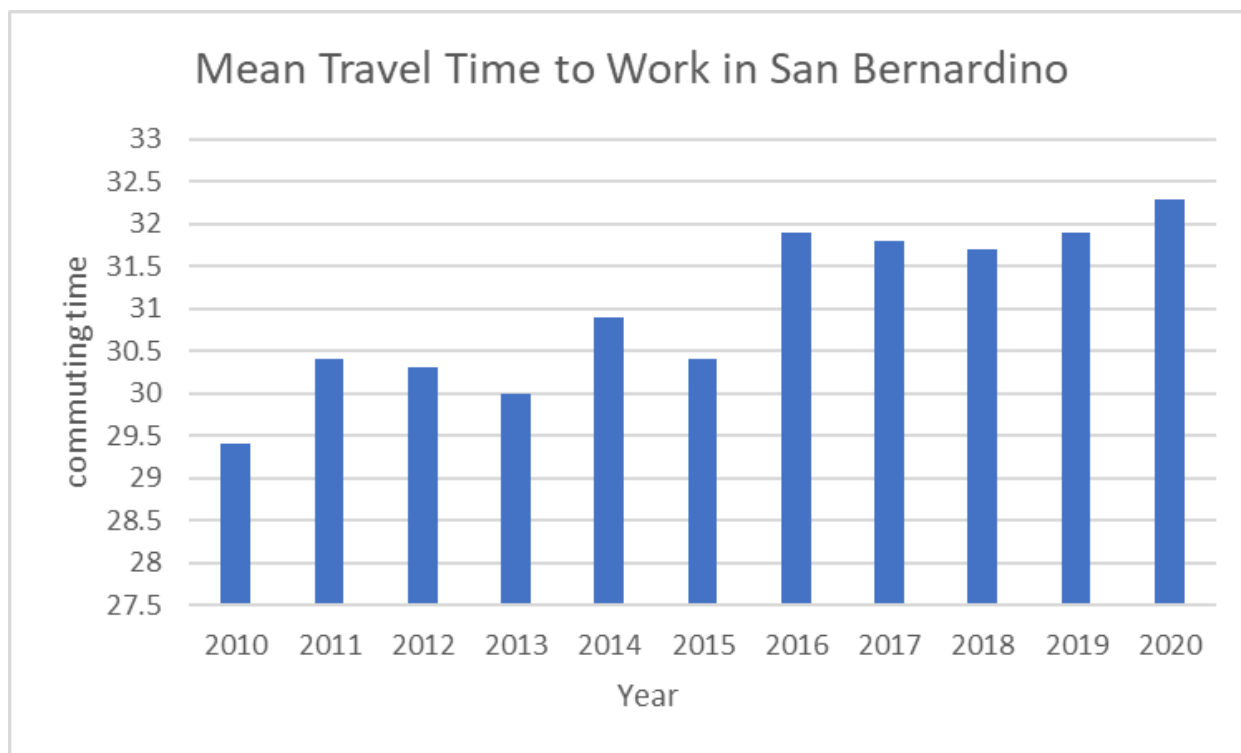
Large portions of the county face significant amounts of hours lost due to extreme heat, with up to half a full week of work lost with a 1 degree increase, and over two full weeks of work lost with a 5 degree increase.

Method 3: Travel time to work & mode of commute to work

San Bernardino County residents' average travel time to work was 32.3 minutes in 2020 and has increased slightly, compared with the average of 29.4 minutes in 2010.

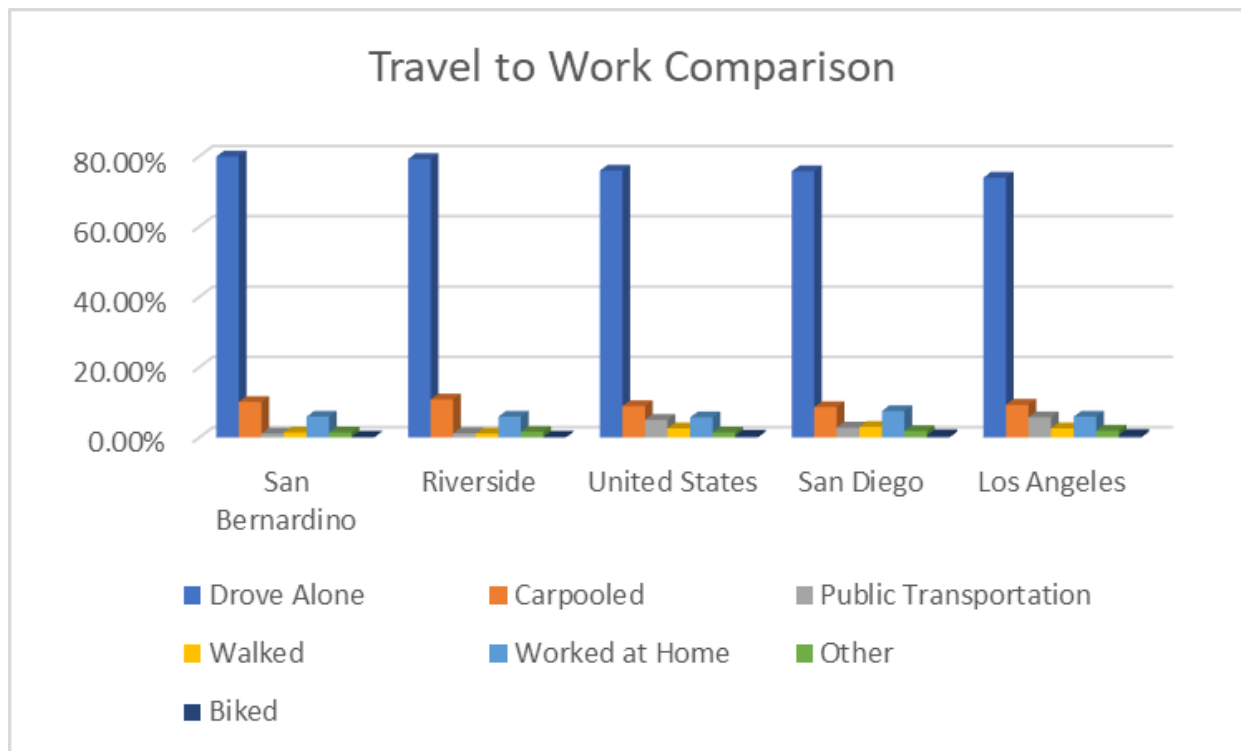
The majority of San Bernardino County commuters drove alone at 79.9% in 2019. This level has increased by 6.2% from 2010 to 2019. The second most popular common way of commuting is carpooling (10.1%), which has declined by 7.3% since 2010, when commuters were more likely to drive to work with someone else. Commuters working at home have steadily increased from 3.5% to 5.9% over the years.

Figure 43. Mean travel time to work



The average commuting time in San Bernardino takes a longer period (32.2 minutes) than the average US worker (26.9 minutes) in 2020. The mean travel time to work also shows an increasing trend from 2010 to 2020. In addition, based on the ACS 5-year estimate data, 5.75% of the labor pool commutes in excess of 90 minutes.

Figure 44. Travel to time to work by mode, comparison by other Southern California regions



The figure above shows the number of residents using each mode of transportation over time in 5 different areas in 2020. 77.1% of workers choose to drive alone to work in San Bernardino. Compared with Riverside, San Diego, Los Angeles, and the U.S., more people in San Bernardino drive alone to work.

Figure 45. Mean travel time to work, 2010

San Bernardino Estimate Mean travel Time to Work in 2010

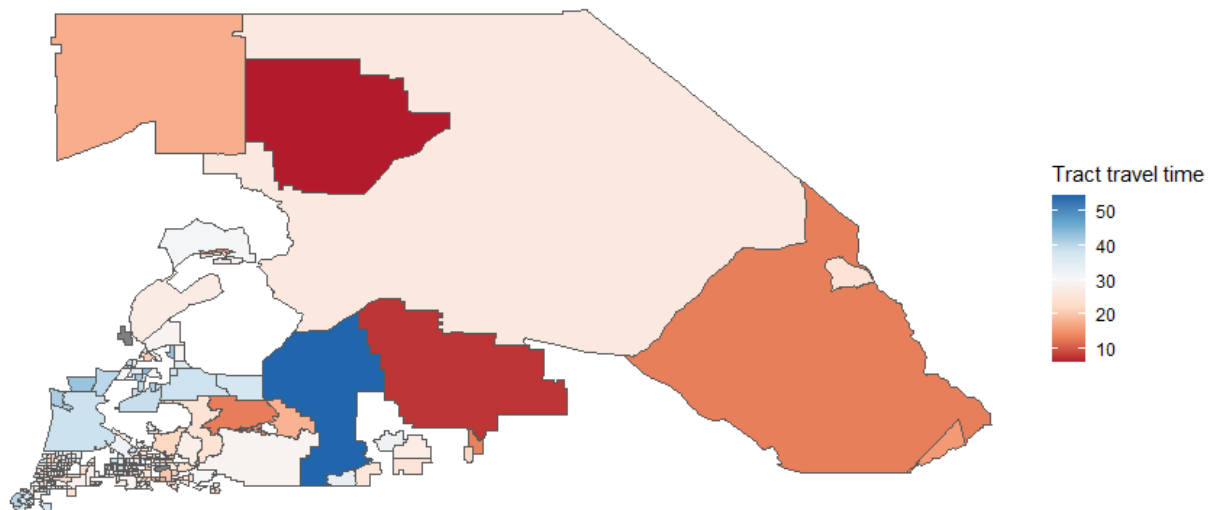


Figure 46. Mean travel time to work, 2020

San Bernardino Estimate Mean travel Time to Work in 2020

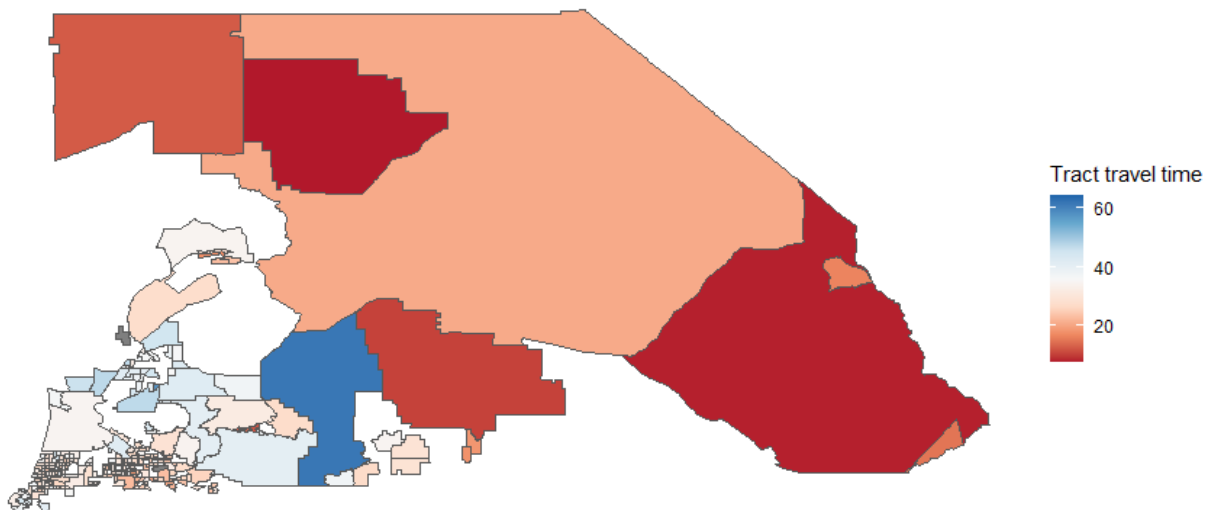
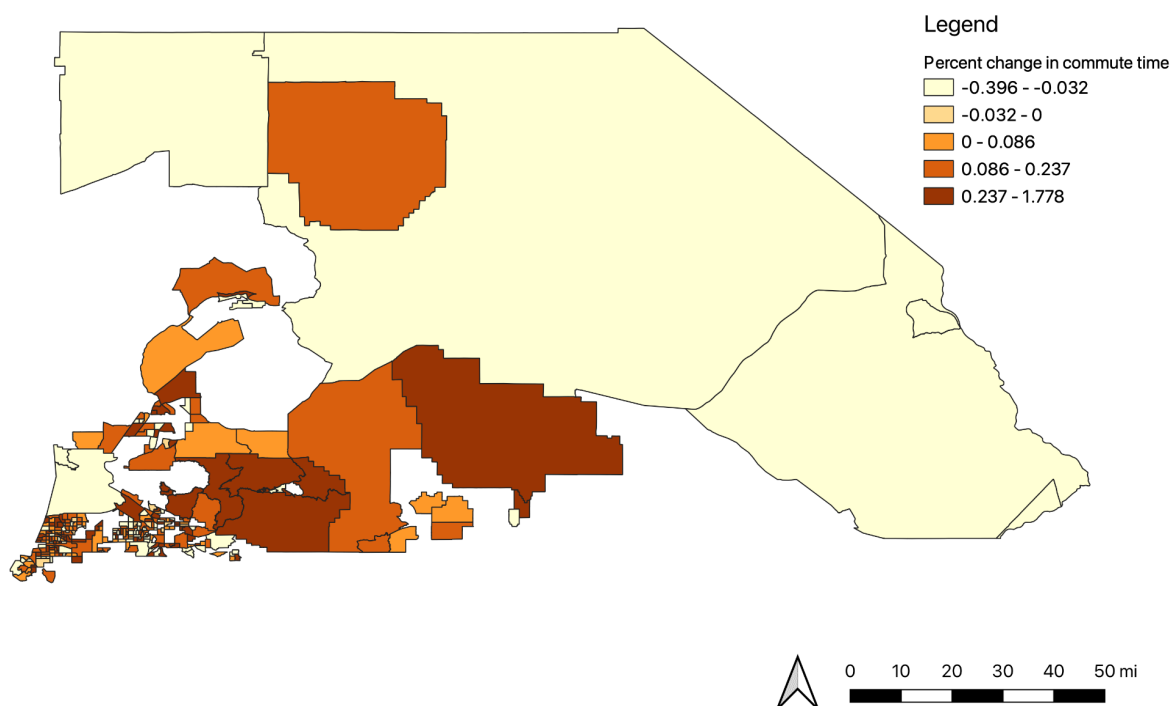


Figure 47. Commuting time percent change, 2010 & 2020

Percent change in commute time, 2010 & 2020



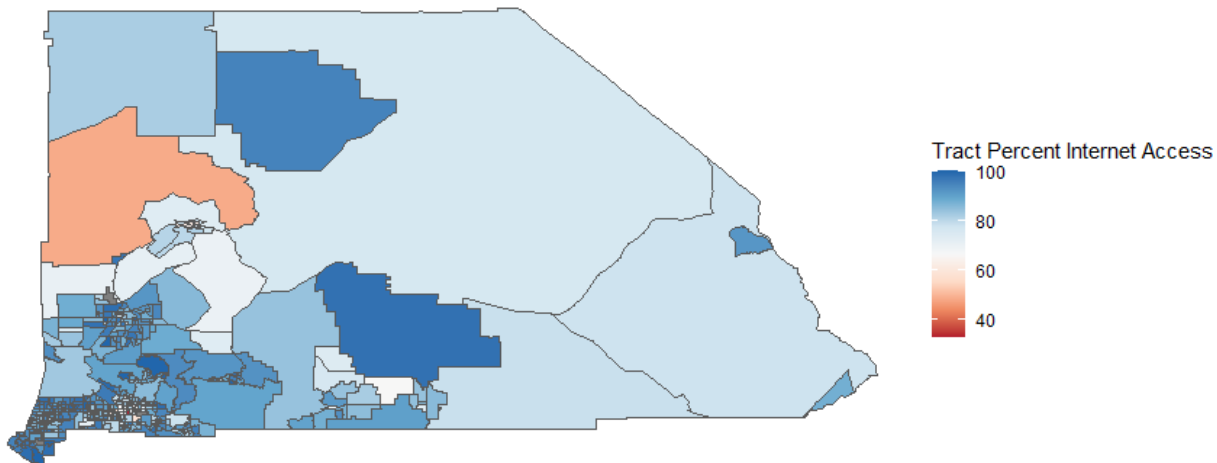
Method 3: Type of Internet Access

Access to reliable, high-speed broadband internet enhances access to employment, education, and healthcare. It is associated with increased economic development. Broadband access is necessary to support adequate employment opportunities, workforce development, education, healthcare, and access to federal programs (e.g., SNAP). It can foster social connectedness, particularly among the older population, reducing the burden of social isolation, strengthening community support, and decrementing solitude. Broadband Internet access has the potential to improve loneliness, strengthen community support, and alleviate the burden of social isolation, particularly among the elderly population.

Low-income areas are linked with lower broad internet access in San Bernardino. The distribution of internet access is distinct in different tract areas. Especially for the western parts, the internet access rate is below 50%, and the estimated percentage of households with broadband of any type is around 10%.

Figure 48. Percent of total households with an internet subscription, 2020

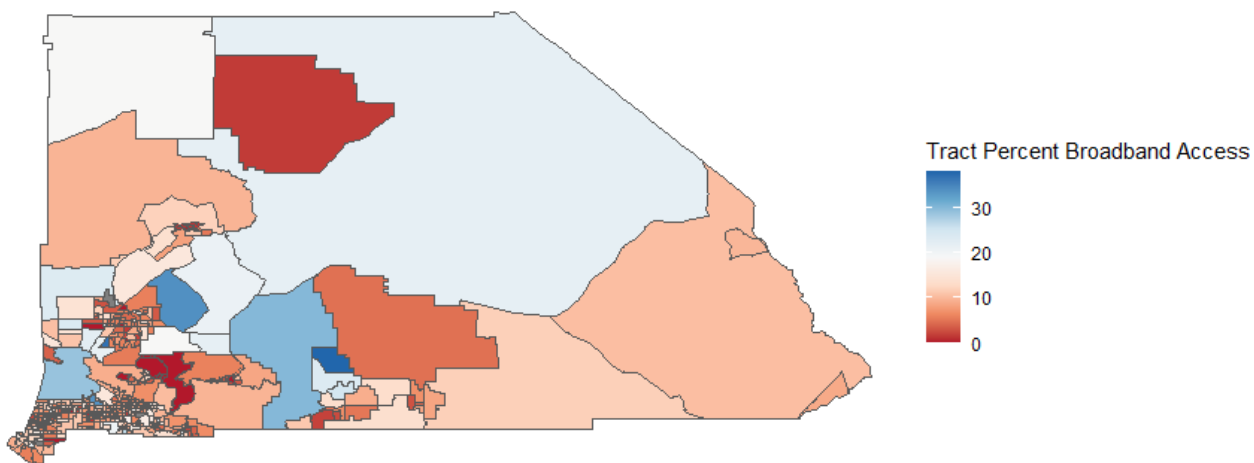
San Bernardino Estimate Percent Total Households With an Internet subscription in 2020



Data source: 2020 ACS 5-year

Figure 49. Percentage of households with broadband, 2020

San Bernardino Estimate Percent Total Households With Broadband of Any Type in 2020



Method 3: Spatial analysis

Part of UCR's task was to also evaluate to the extent possible the impact and relationship of the built environment to creating disadvantage. As part of this work, we explored several possibilities regarding network access, catchment areas, and proximity based on land use designations.

There are several limitations and caveats that need to be mentioned. First, while we hoped to do a land use change assessment (e.g., illustrate how industrial land use has changed over the last decade to understand the context of various measures of impacts), the land use parcel data we received lacked the level of consistency over each year of data provided needed to accurately understand the actual change over time. In the future, it would be helpful to start collecting land use data in a way that can be tracked longitudinally in order to be able to more accurately understand what types of land uses are changing and where, and what the potential spatial impacts may be on adjacent land uses.

Second, the spatial network proximity analysis relied heavily on the line geometry provided. This causes some inherent problems, as the network and spatial models run can only be as accurate as the relationship between the various lines and polygons. While we believe that this analysis still provides a basis for some general takeaways about proximity, location, and access, it should not be taken as a completely accurate and comprehensive representation. Additionally, line geometry is a representation of a point in time, and so its accuracy is highly dependent on how often the dataset is updated, which is notably a time-consuming and expensive process.

Third, while part of the intent of this project was to better understand disadvantage within San Bernardino County, the spatial data does not necessarily lend itself to understanding causality. For instance, the land use data only captures what the land use designation is, not what the particular parcel is actually being used for, and also does not capture what it might be in the process of being used for (e.g., small deviation (possibly just at the applicable, associated zoning level) or a larger deviation from what is currently indicated as the land use designation). While some of this data undoubtedly exists at the municipal level, including specific detailed business-related data, it was determined that acquiring this data would take significantly longer than the study period to complete, and it was also not clear to what extent we would be able to offer meaningful conclusions. Additionally, the spatial data we were able to access does not include specifics about zoning, just land use designations. While zoning data would be especially useful, particularly if it spanned multiple years, inconsistencies in labeling across jurisdictions also poses a large practical challenge in terms of creating a baseline for comparison.

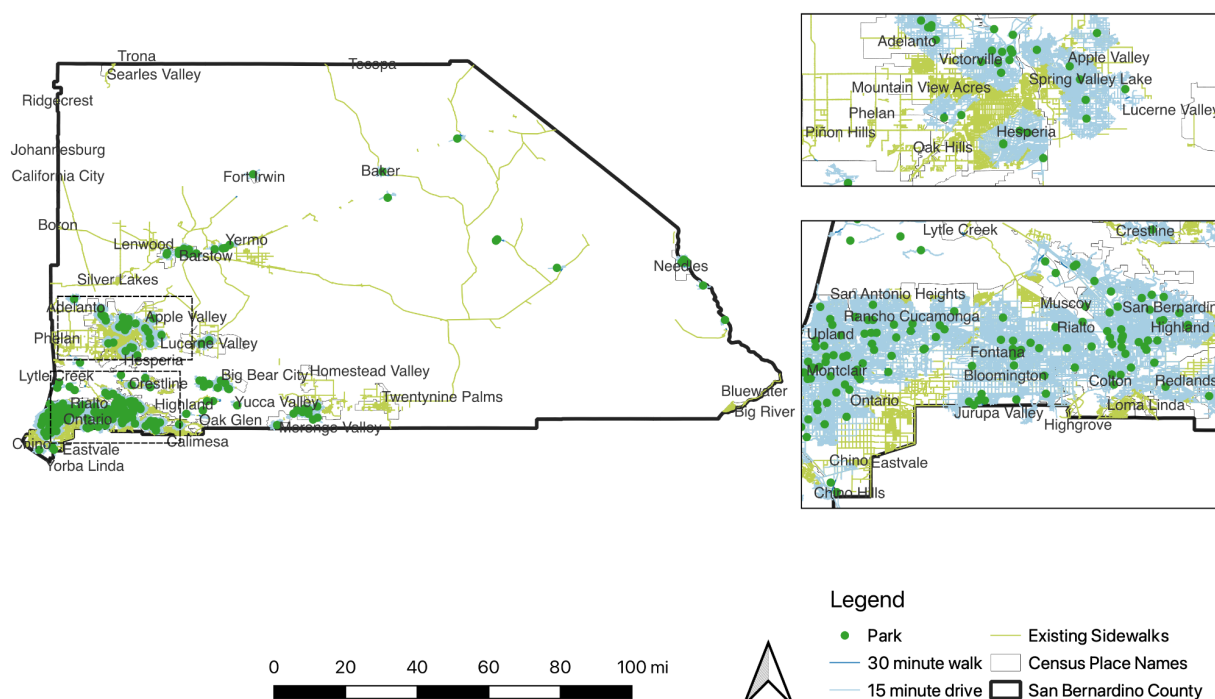
The majority of the figures below focus on the southwest section of San Bernardino County, as the other regions that are flagged by the overlap in Methods 1 & 2 data cuts are larger, less-densely populated areas of the county in the desert, and pose different circumstances and challenges.

Method 3: Access to parks

As part of this analysis, we sought to understand how accessible parks were to the larger community. We ran a network analysis based on the sidewalk line geography and road network geography to understand how accessible parks were from other land uses, using either walking or driving as mode share.

Figure 50. 30-minute walk-shed along an existing sidewalk route or 15 minute drive-shed at 35mph

Park access, 30 minute walk along a sidewalk or a 15 minute drive (35mph)

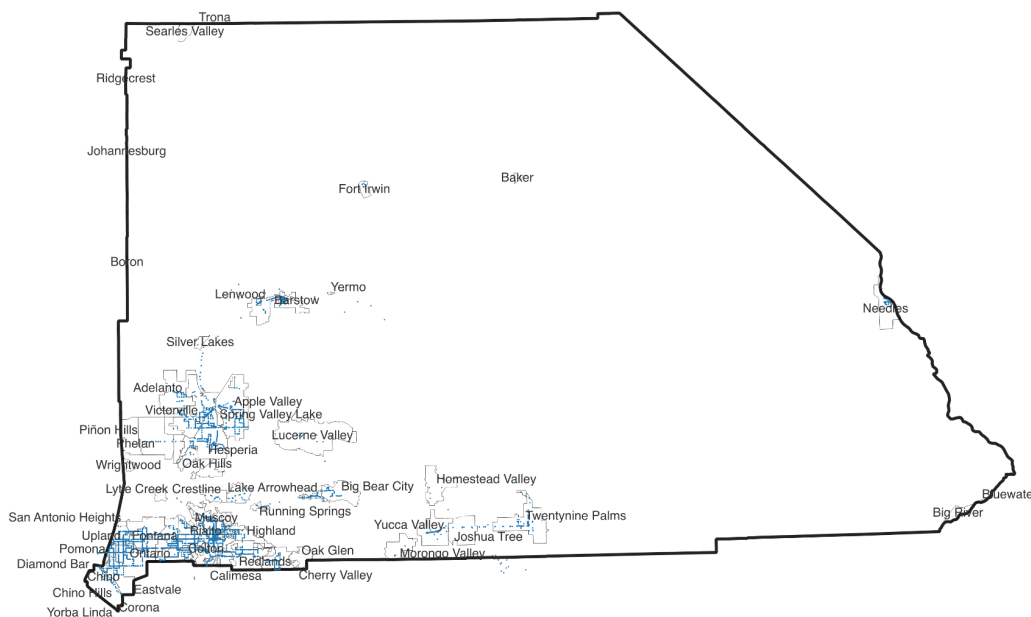


Method 3: Public Transportation

The densest public transit network of bus stops are located in southwest San Bernardino County. In this region, the places with the greatest concentrations of stops are Chino Hills, Chino, Montclair, Ontario, Upland, Rancho Cucamonga, Fontana, Bloomington, Rialto, Colton, Grand Terrace, Muscoy, San Bernardino, Loma Linda, Highland, Redlands, Monotone, and Yucaipa.

There are significantly smaller concentrations of bus stops in the Hesperia - Victorville area, Yucca Valley - Joshua Tree - Twentynine Palms area, and Barstow area.

Figure 51. Bus stops



This difference in coverage density is important because in practical terms, it creates barriers to being able to actually rely on public transportation for one's daily transportation needs.

From the focus groups:

"In addition to neighborhood-scale concerns, participants cited existing transportation infrastructure as an issue impacting the built environment and public health, particularly in remote areas of the County (e.g., high desert and tribal communities). Participants noted that public transportation infrastructure is either non-existent or not accessible for remote communities. Local organizations have piloted alternative transportation models (e.g., carpools, van shares, etc.), ensuring access to critical services (e.g., medical care, grocery stores, mental health services) with success and recommend supporting these models with public funding. Additionally, the lack of active transportation infrastructure across the region reinforces dependence on GHG-emitting vehicles, resulting in poor air quality and negative health outcomes (SBAG and SCAG 2015)."

Granted, from a policy perspective, the lower density in the remote areas of the County creates practical barriers in terms of funding and resources to be able to fund, maintain, and sustain a robust public transportation infrastructure.

Method 3: Residential land use designations in proximity to industrial and industrial-adjacent land use designations, within a 15 minute walk (along a sidewalk) of a bus stop

In large part, one of the biggest goals of the spatial analysis portion of this project was to better understand the impact of industrial and industrial-adjacent land use designations on the immediate and surrounding community. While it is impossible to make any causal statements, we wanted to better understand the proximity between residential land use designations and industrial and industrial-adjacent land use designations. In this particular case, we wanted to understand the catchment area of a 15 minute walk radius along a sidewalk from a bus stop, as this may capture those residents who are most reliant on public transportation and may also be particularly cost-burdened.

From the focus group data:

“Across all focus groups, participants expressed concern with environmental justice issues in the built environment and public health impacts in San Bernardino County, particularly for low-income communities and people of color. Participants cited disproportionate exposure to unhealthy and polluting land uses, resulting in poor air quality and negative health outcomes. A report on racial equity conditions across the Southern California Associated Governments (SCAG) region, explains that a “disproportionate share of people of color and low-income communities live near freeways and industry, exposing communities to higher rates of exposure to all sources of air pollution.” High levels of air pollution are linked to serious health issues, including asthma, heart disease, cancer, and premature death (SCAG 2021).

The logistics and distribution industry was prominently cited by participants as a main driver of poor air quality. Warehousing and distribution centers, often located in industrial zones, contribute to air pollution with truck traffic, truck idling, and warehousing construction operations (CA DOT 2009). The logistics industry can also create negative noise and traffic impacts to communities surrounding these sites. Participants noted that a lack of access to green infrastructure, such as solar technology and electric vehicles, compounds air quality issues in low-income communities and communities of color.”

Table 2. Residential and industrial land use and industrial land use-adjacent designations, within 15 minutes of a bus stop along a sidewalk

Residential LU designations	Industrial and related LU designations
Duplexes, Triplexes and 2- or 3-Unit Condominiums and Townhouses	Industrial Light Industrial

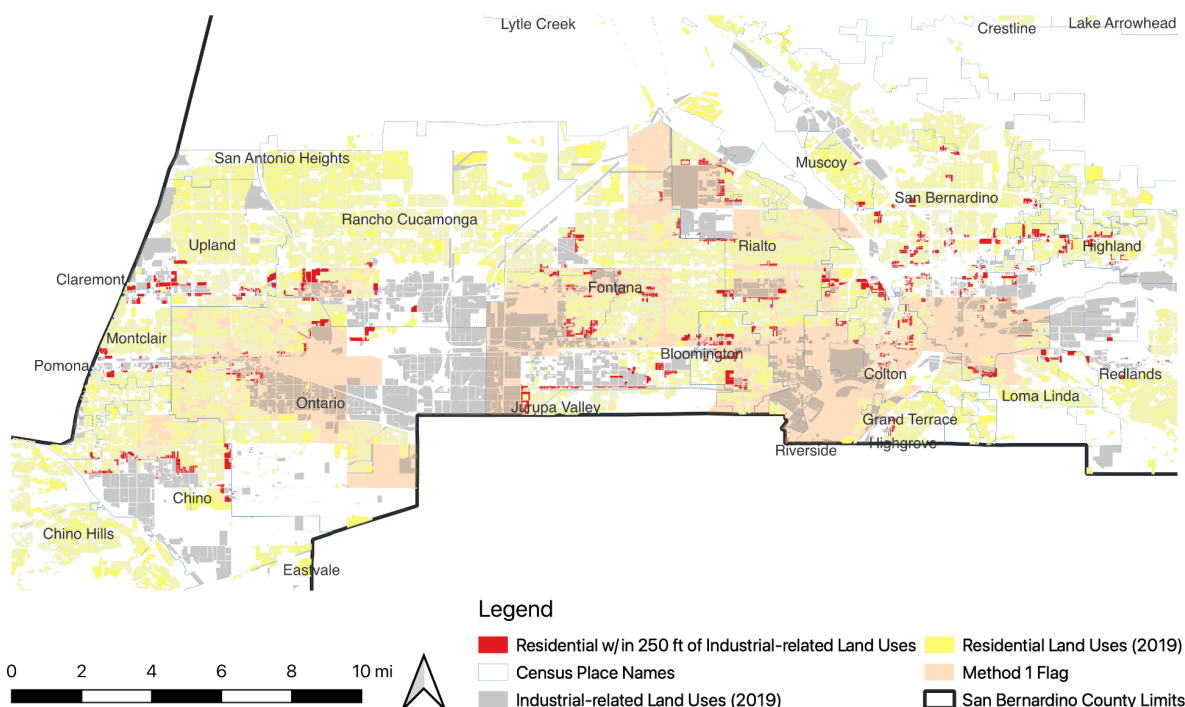
High Density Single Family Residential Low Density Single Family Residential Low-Rise Apartments, Condominiums, and Townhouses Medium Density Single Family Residential Medium-Rise Apartments and Condominiums Mixed Multi-Family Residential Mixed Residential Mixed Residential and Commercial Mobile Home Courts and Subdivisions, Low-Density Rural Residential Rural Residential High Density Rural Residential Low Density Trailer Parks and Mobile Home Courts, High-Density	Liquid Waste Disposal Facilities Major Metal Processing Manufacturing Manufacturing, Assembly, and Industrial Services Mineral Extraction - Other Than Oil and Gas Mixed Commercial and Industrial Natural Gas and Petroleum Facilities Solid Waste Disposal Facilities Wholesaling and Warehousing
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As part of this Method 3 analysis, we aimed to identify residential land use designations that fell within a 15-minute walking distance of a bus stop as well as within close proximity to industrial designated land uses.

This was done in part for two reasons. First, we wanted to understand how many residential areas were within a reasonable distance of a bus stop to better understand accessibility for those who may not have access to a car. Second, we wanted to identify those residential areas that are also within close proximity of an industrially-designated land use. While we cannot identify which of these land uses are currently occupied by actual, active industrial uses, because their land use designation is for industrial and industrial-type uses, it can be reasonably assumed that these locations are prime spots for any type of new industrial and/or industrial-adjacent uses that may be proposed and/or approved in the future.

Figure 52. Any type of designated residential land use that is within a 250 foot buffer of any type of designated industrial, manufacturing, or warehouse land use.

Residential-designated Land Uses within 250 feet of an Industrial-designated Land Use

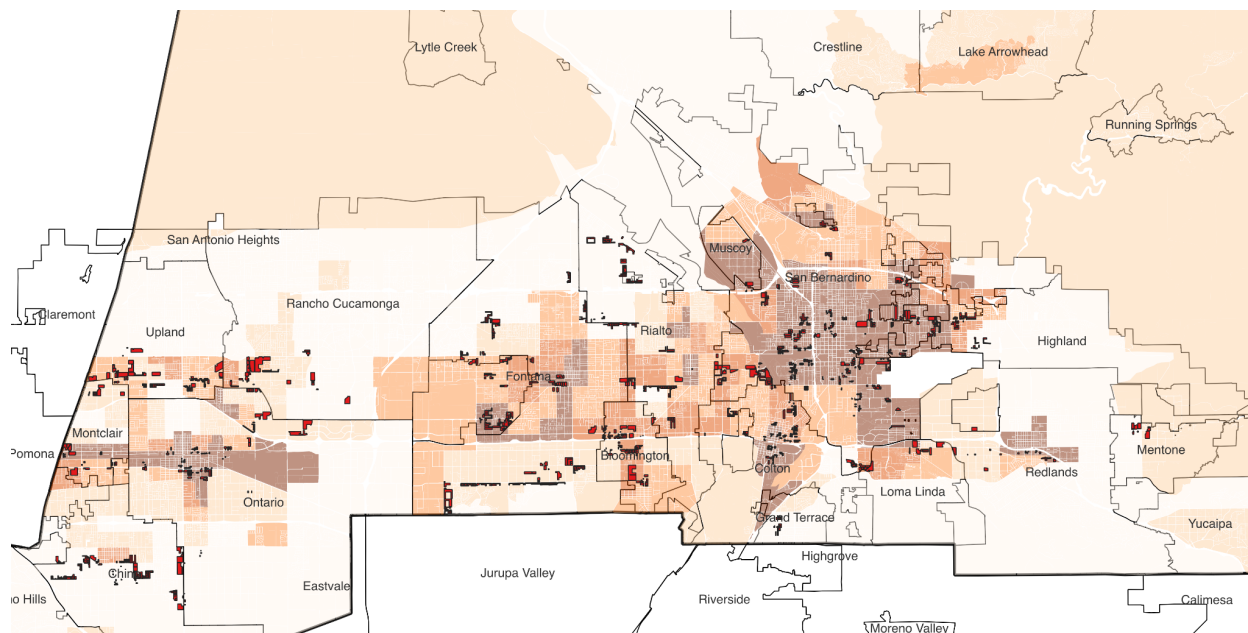


Much of southwestern San Bernardino county has parcels that fall within this catchment area, and include the Census Places: Chino, Montclair, Upland, Rancho Cucamonga, Ontario, Fontana, Bloomington, Rialto, Muscoy, San Bernardino, Colton, Grand Terrace, Loma Linda, Highlands, Redlands, and Mentone. Other areas in the county include Hesperia, Apple Valley, Victorville, Adelanto, Lenwood, and Barstow. There are several other areas, but they have significantly smaller densities of these parcels.

We merged the parcel level data with the CalEnviroScreen 4.0 data at the tract level to get an approximation of what potential disadvantage-related variables corresponded with each parcel.¹² Layering this information with poverty rates using the CalEnviroScreen 4.0 dataset, we see that many of these communities are also areas with high poverty rates.

¹² Note that this is only an approximation; CalEnviroScreen 4.0 (CES) data uses the 2010 tract vintage, where the parcel level data is from San Bernardino County COG's parcel level file. There are likely several geometries that did not merge completely, and as such these takeaways should only be used to get a general indication of what some of the associated CES variables may be for each of the parcel level geometries.

Figure 53. Residential land use designations that fell within a 15-minute walking distance of a bus stop as well as within close proximity to industrial designated land uses, overlaid with CES 4.0 poverty rates



Method 3: Residential land use designated areas in proximity to freight truck routes

As part of the qualitative analysis done by the larger SB1000 team, focus groups were asked to identify top concerns regarding environmental justice and equity. Respondents identified the logistics and distribution industry as a top concern, and a key contributor to the region's poor air quality.

From the focus group:

"The logistics and distribution industry was prominently cited by participants as a main driver of poor air quality. Warehousing and distribution centers, often located in industrial zones, contribute to air pollution with truck traffic, truck idling, and warehousing construction operations (CA DOT 2009). The logistics industry can also create negative noise and traffic impacts to communities surrounding these sites. Participants noted that a lack of access to green infrastructure, such as solar technology and electric vehicles, compounds air quality issues in low-income communities and communities of color."

As part of this analysis, we sought to isolate residential land uses that were in close proximity to freight truck routes. Note that we used freight truck routes instead of the basic road network as

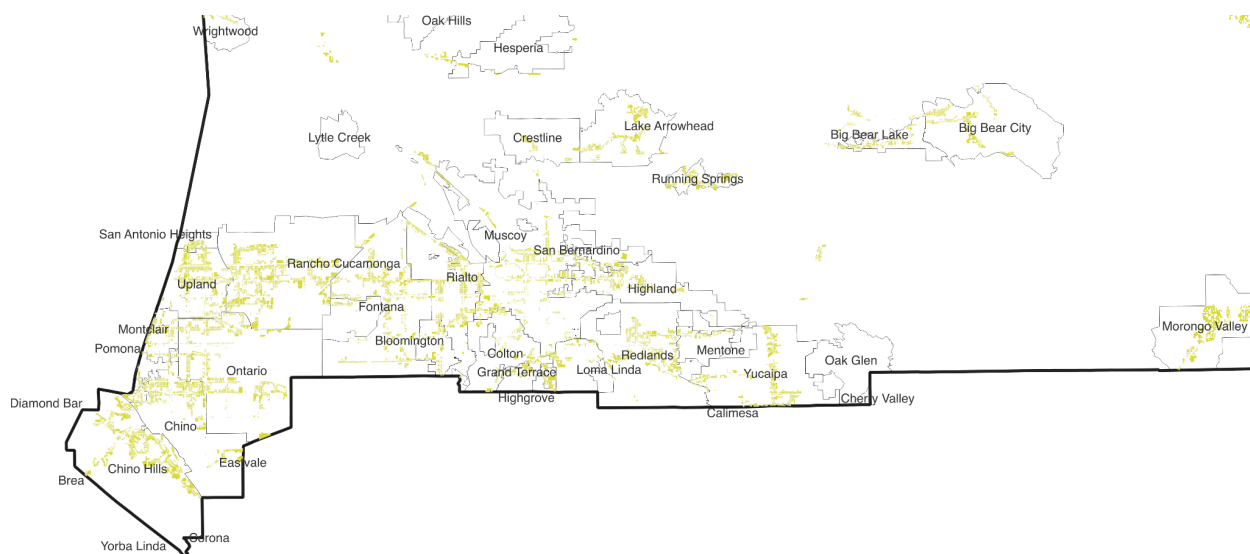
we wanted to ensure that we picked up large freight vehicles which typically can primarily only operate on certain thoroughfares, as opposed to the smaller trucks that do not necessarily have the same restrictions.

Freight Line geometry:

<https://data-usdot.opendata.arcgis.com/datasets/usdot::freight-analysis-framework-faf5-network-links/about>

While the range of surrounding residential area whose air quality may be impacted by freight traffic is difficult to generalize (e.g., particulate matter trajectories are highly dependent on a range of factors, including atmospheric conditions, the modeling of which is outside the scope of this project), because most large freight vehicles must primarily travel on designated routes we instead opted to capture all residential designated land uses within proximity of these designated routes.

Figure 54. Residential land use designation within proximity of a truck freight route



However, we also wanted to understand who lives in these residentially-designated areas. As an important caveat, the residential parcels indicated above in olive green are those that are designated as residential on the land use file - the land use dataset does not indicate what use is actually on a particular parcel.

Additionally, as noted earlier, there are limitations to further analysis based on this data. The following two figures rely on the merging of parcel-level data with tract-level data. This was primarily done to get an idea of the potential demographics that may be impacted by freight movement along these designated corridors. However, due to the nature of combining two

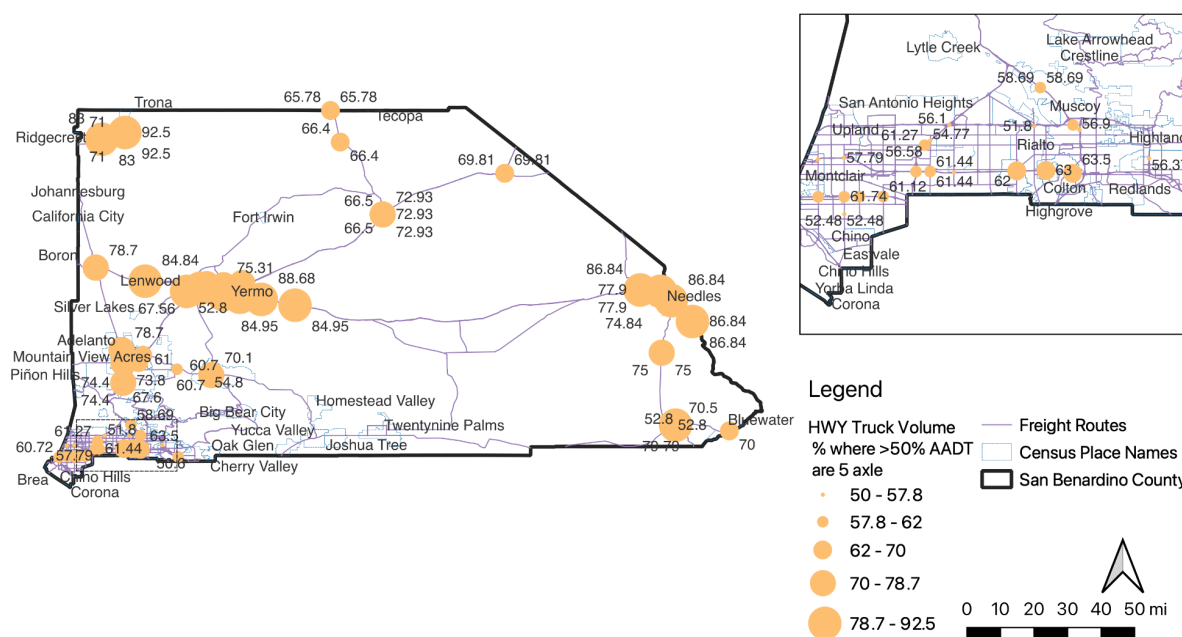
different line geometries from two different sets of year vintages, there are limitations to the accuracy of the data merge, and any comparisons that can be made using it.

Method 3: Freight truck volumes, locations

Freight truck volumes are also particularly high in this region, with many counting stations recording over 20,000 daily trips, and with many of the counting stations recording over 40% of the trips attributed to 5-axle truck trips (labels on map are percentages of total share of recorded trips).

Figure 55. Freight truck volume monitoring locations

Freight Truck Volume Monitoring, % of 5-Axle Trucks Accounting for > 50% Average Annual Daily Trips



The following table lists monitoring locations that have greater than 50% of the Annual Average Daily Traffic attributed to 5 axle trucks as of August 2022.

Table 3. Monitoring locations with greater than 50% of its annual average daily truck traffic attributed to 5 axle trucks

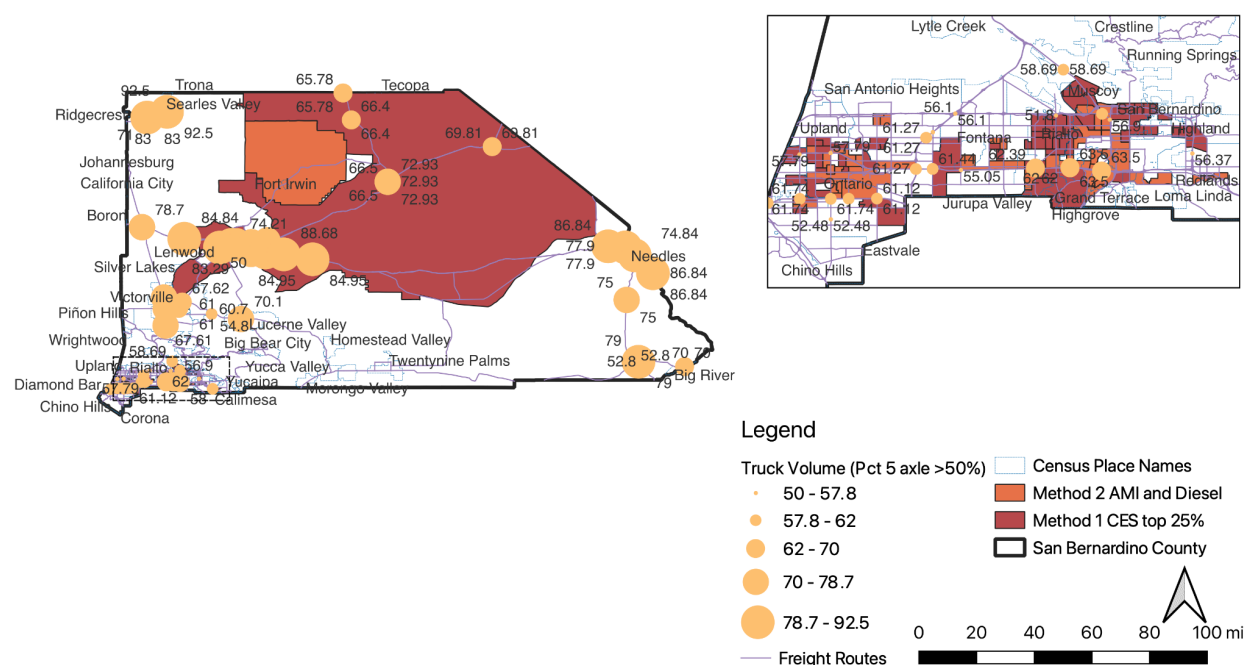
MONTCLAIR, CENTRAL AVENUE	BAKER, JCT. RTE. 127	JCT. RTE. 95
UPLAND, JCT. RTE. 83	NIPTON ROAD	SCHAEFER AVE
ONTARIO, JCT. RTE. 15	LUCERNE VALLEY, JCT. RTE. 247	JCT. RTE. 62
ETIWANDA AVENUE	BEAR VALLEY CUTOFF	HAVASU LAKE ROAD
FONTANA, CHERRY AVENUE	BARSTOW, JCT. RTE. 15	EAST JCT. RTE. 40
BLOOMINGTON, CEDAR AVENUE	A STREET	WEST JCT. RTE. 40
PEPPER AVENUE	AIRPORT ROAD	SARATOGA SPRINGS ROAD
COLTON, MOUNT VERNON AVENUE	WEST NEWBERRY ROAD	SAN BERNARDINO/INYO COUNTY LINE
YUCAIPA BOULEVARD	E/O DESERT OASIS ROADSIDE REST	TRONA ROAD
JCT. RTE. 10	JCT. RTE. 95 NORTH	RIALTO, RIVERSIDE AVENUE
JCT. RTE. 66	PARK ROAD	JCT RTE 15
RANCHO CUCAMONGA, MILLER AVENUE	JCT. RTE. 95 SOUTH	E/O SANTA ANA RIVER BRIDGE
JCT. RTE. 395 NORTH	ARIZONA STATE LINE	SAN BERNARDINO, JCT. RTE. 259 NORTH
JCT. RTE. 18 SOUTH	IRON WASH BRIDGE	SAN BERNARDINO, HIGHLAND AVENUE
VICTORVILLE, JCT. RTE. 18 SOUTHEAST	JCT. RTE. 15	SAN BERNARDINO, JCT RTE 206
BARSTOW, LENWOOD ROAD	LOS ANGELES/SAN BERNARDINO COUNTY LINE	JCT. RTE. 18
BARSTOW, JCT. RTE. 40 EAST	CENTRAL AVENUE	STODDARD WELLS ROAD
JCT. RTE. 58 WEST	ONTARIO, JCT. RTE. 83	PALMDALE ROAD; JCT. RTE. 18

GHOST TOWN ROAD	GROVE AVENUE	GEORGE AIR FORCE BASE ROAD
YERMO INSPECTION STATION	ARCHIBALD AVENUE INTERCHANGE	TWENTY MULE TEAM RD

While the largest share of monitoring stations that picked up greater than 50% of AADT for 5-axle trucks were located in southwest San Bernardino, there were also clusters located in the Barstow area as well as in the Hesperia - Victorville area. Many of these areas (particularly in southwest San Bernardino) are also either within or adjacent to tracts identified as within the top 25% of CalEnviroScreen 4.0 scores, which is one measure of significant disadvantage.

Figure 56. CES 4.0 top 25% scores, and percentage of diesel particulate matter

5 axle Truck Volume > 50% of AADT, Method 1 and Method 2 (diesel)



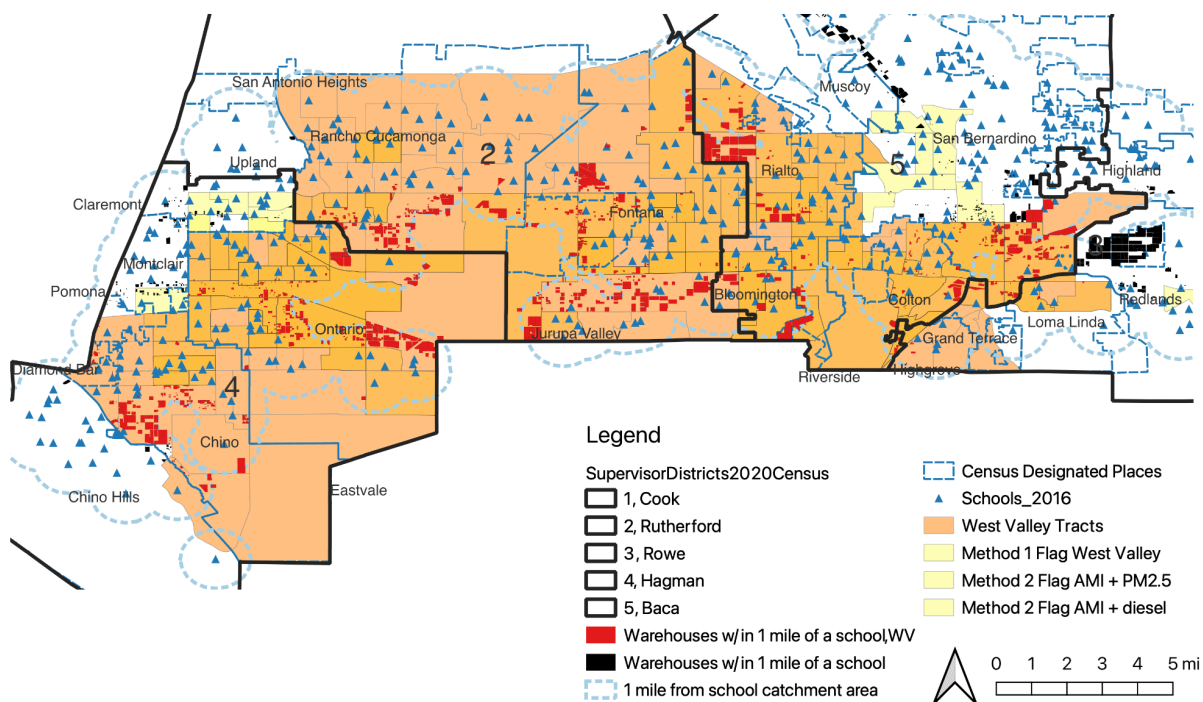
Ideally we would have been able to analyze historical data to help identify potential trends in AADT, which would be an important variable to track down for further analysis.

Method 3: Proximity to warehouses and warehouse-adjacent zoning assessed designations

One area of concern was the relationship between land uses and environmental justice aspects. This particular analysis looked at the proximity of schools to warehouses. While we were able to identify over 2,000 warehouses and warehouse-related uses (as identified on Assessor parcel data) that were within 1 mile of a school, of which over 1,000 were in the West Valley area, it should be noted that there may be more or fewer warehouses that are close to a school, depending on the actual land use.

Figure 57. Schools in proximity to warehouses, warehouse distribution centers, and warehouse-adjacent zoning assessed designations

Warehouses within 1 mile of a school (overlaid with Method 1 & 2)



Parcel data source:

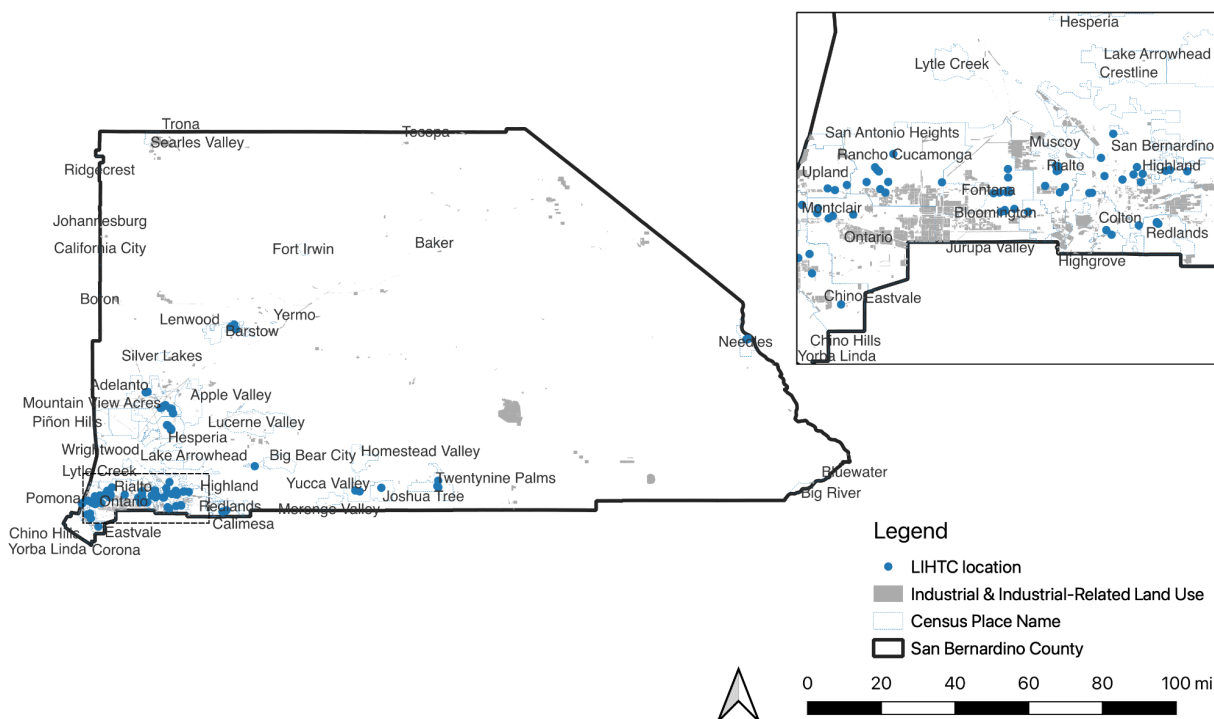
<https://open.sbcounty.gov/datasets/sbcounty::sbco-parcel-polygons/explore?location=33.410376%2C-118.648044%2C22.99>

We also wanted to understand what, if any, spatial burden low-income individuals have with relation to proximity to warehouses and warehouse-related land uses. Based on the same

Assessor data, we mapped out low-income housing tax credit housing production in relation to warehouses and other industrial land use designations. Similar to the caveat identified above, this analysis does not take into account what the actual land use is. However, it does provide information on what the land use designation is, which does factor into what the actual use of a particular parcel is.

Figure 58. LIHTC residential areas in proximity to warehouses, warehouse distribution centers, and warehouse-adjacent zoning assessed designations

LIHTC Locations & Warehouse/Industrial Land Use Designations



Data source: <https://lihtc.huduser.gov>

Method 3: Access to alternative fueling stations

Alternative fuel sources have been identified as one way to address pressing air quality issues. As part of the policy push to address global warming and climate change, both the state and federal level have been pushing vehicle manufacturers to adopt alternative fuel technology for consumer-type motor vehicles, offering significant incentives to help increase demand. However, a major barrier to greater increases in purchases of these types of vehicles is availability of alternative fueling stations - be they in residential or commercial type settings.

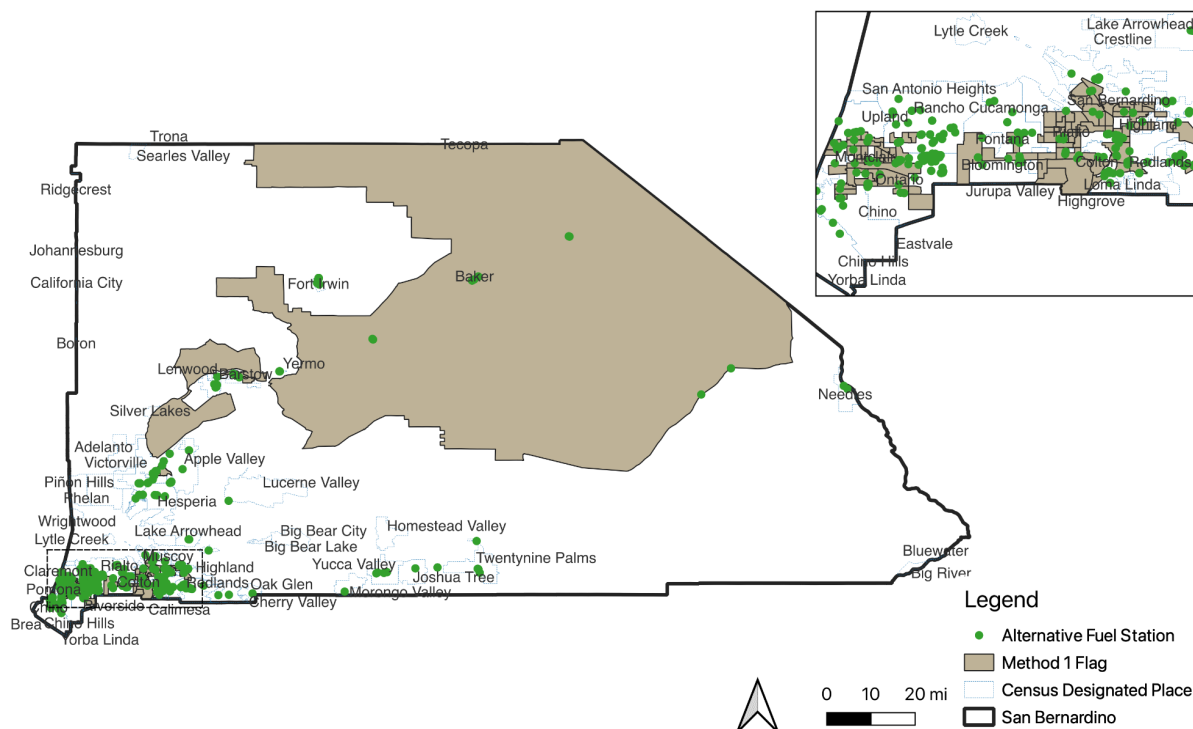
From focus group:

“The logistics and distribution industry was prominently cited by participants as a main driver of poor air quality. Warehousing and distribution centers, often located in industrial zones, contribute to air pollution with truck traffic, truck idling, and warehousing construction operations (CA DOT 2009). The logistics industry can also create negative noise and traffic impacts to communities surrounding these sites. Participants noted that a lack of access to green infrastructure, such as solar technology and electric vehicles, compounds air quality issues in low-income communities and communities of color.”

Lack of access to alternative fueling stations also impacts the ability of communities to fully take advantage of alternative fuel vehicles such as electric vehicles. Particularly for those who live in multi-unit housing, such as apartment complexes, having access to infrastructure like publicly-accessible electric charging stations becomes key to enabling communities to leverage the environmental benefits of alternative fuel vehicles as well as take advantage of the many state- and federal-level incentives tied to owning an alternative fuel vehicle.

Figure 59. Public alternative fuel stations, overlaid by Method 1 (CES 4.0 top 25%)

Alternative Fuel Stations and Method 1 Cut



Data source:

<https://data-usdot.opendata.arcgis.com/datasets/usdot::alternative-fueling-stations/about>

Groupings of public alternative fuel stations are predominantly located in the southwest corner of San Bernardino, with smaller clusters in the Hesperia - Victorville area and the Barstow area. Otherwise there are a handful in the northeastern half of the county, primarily located at travel centers.

Discussion & Suggested Next Steps

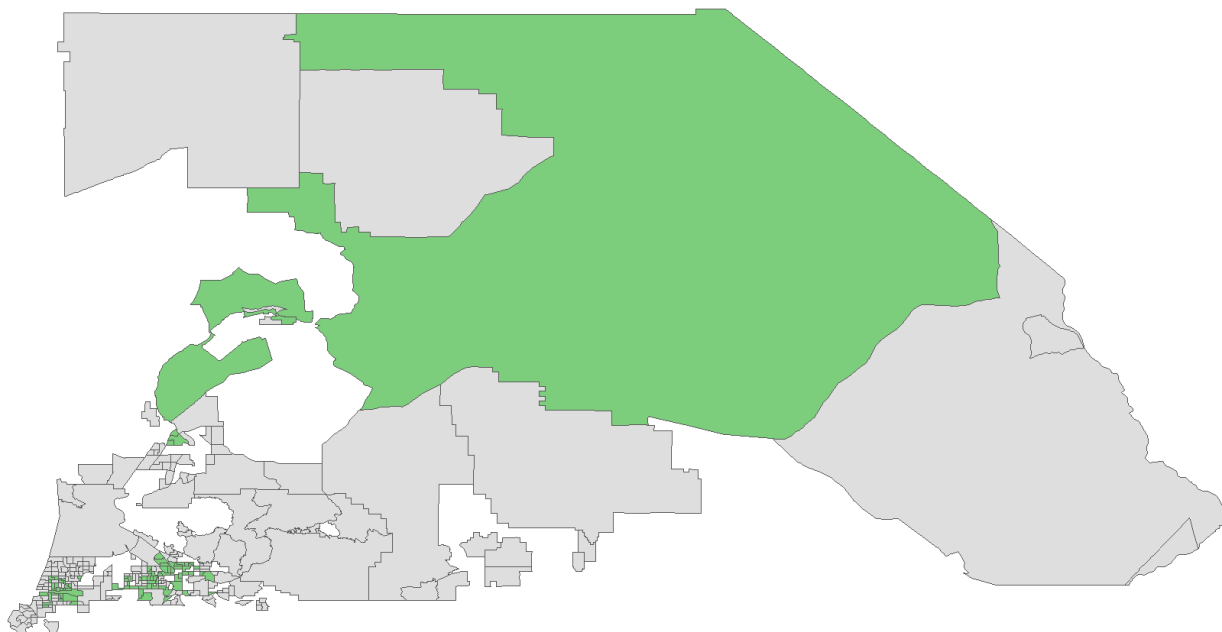
Summary discussion

The Method 1 cut isolated areas with tracts that had the top 25% scores via the CalEnviroScreen 4.0 dataset. The areas flagged were concentrated in the southwest corner of San Bernardino County as well as parts of the Barstow-Victorville area, and then a substantial portion of the northeast segment of the county (note: the tracts here are geographically very

large as the population density is very low). Through this approach we isolated 129 tracts (35% of total).

The Method 2 cut further drilled down on various aspects of disadvantage, initially isolating areas with an area median income of less than 80%. Some other options that were considered as part of this cut were PM2.5 percentile and diesel percentile as per the same CalEnviroScreen 4.0 dataset. Because of the nature of the SB1000 proposed Method 2 cuts, which then suggest using other measures of disadvantage, we opted to evaluate some options from SCAG's PEPA approach (illustrated in Figure 13). However, we could not use all of the variables as including all of them would have flagged a majority of tracts within the County, reducing the utility of this particular analysis. Because of this, we opted to isolate several variables based on knowledge of the policy process as well as what the literature has identified as important to understanding disadvantage (both in the present as well as contributing to generational disadvantage). A few things should be noted here. First, while we conducted a regression analysis to better understand which variables were most highly correlated with disadvantage - and ideally to isolate which ones should be used for the method cuts - the reality is that this particular set of decisions was more of an 'art' approach than a 'science' approach. For instance, while we used SCAG's PEPA approach to help inform our consideration of variables that might make sense for a Method 2 cut (see Figure 13 for SCAG's proposed PEPA variables), variables such as older populations were excluded since there are areas that tend to skew older, but are not necessarily disadvantaged (e.g., while it is in Riverside County, the Palm Springs area is an example of a community that skews older but is also affluent). Additionally, the variable households that do not have access to an automobile was also excluded since technically many policy approaches are working to steer people away from using vehicles and instead toward using mass transit and active transportation options. Finally, we also opted to omit the variable female-led households because that then removes male-led households (while less frequent, there are households that are single parent and not female-led) as well as households where either a grandparent or another family member/guardian are the primary caregivers. Through this approach we then isolated 173 tracts (46.8% of total). By combining Method 1 and Method 2, we isolated 87 tracts (23.5% of total).

Figure 60. San Bernardino County tracts with Method 1 and 2 Flag



The Method 3 cut aimed to address spatial aspects of the built environment, as well as feedback that was gathered from some of the qualitative data collection conducted as part of the larger SB1000 process conducted by the overall SB1000 team (note: UCR was not an active part of this particular process due to several external issues beyond the team's control). Aspects that were considered included walkability, access to parks/open space, access to bicycle lanes, proximity to sidewalks, land uses (e.g., schools, residential) that were within a specified distance of a warehouse, land uses within proximity of public bus stops, racial breakdown of proximity to major freight thoroughfares, proximity to publicly accessible electric vehicle charging stations, among others.

For this particular assessment, a few things should be noted. First, population density throughout the county varies considerably, and as a practical measure does factor into aspects such as the existence and/or extensiveness of public transportation networks, the frequency of public parks, and the relative usefulness of mapping out proximity/adjacency of land uses. Second, infrastructure investments also vary widely, and often correspond to the type of development in an area - i.e., urban areas will inherently look different than very rural areas. While sidewalks may be common in densely populated urban areas (granted this isn't always the case, particularly in areas that are also heavily populated by industrial uses, or older neighborhoods, or lower-income), they often are not a part of the landscape in rural areas, and sometimes are only sparsely deployed in very suburban areas. The same can be said of bike lanes and for newer infrastructure amenities such as electric vehicle charging stations.

A few major takeaways can be noted. First, the sidewalk infrastructure in the southwest portion of the county - which is also the location of some of the highest population densities in the

county - is fairly comprehensive. As a caveat, this analysis is based on the current line geometry available for use by the study team, and may not be fully updated and/or may not fully be indicative of the current condition of the sidewalk (e.g., incomplete, broken sections, unusable sections). Second, the amount and distribution of parks is fairly high for the southwest portion of the county - again where there is the highest population density. Granted this is dependent on available data, but further analysis could look at trends related to health outcomes, including variables such as frequency of exercise that is not related to work.

When looking at the breakdown of residential uses by race, the southwest portion of the county is heavily Hispanic/Latino, with much smaller frequencies of Black/African American residents.

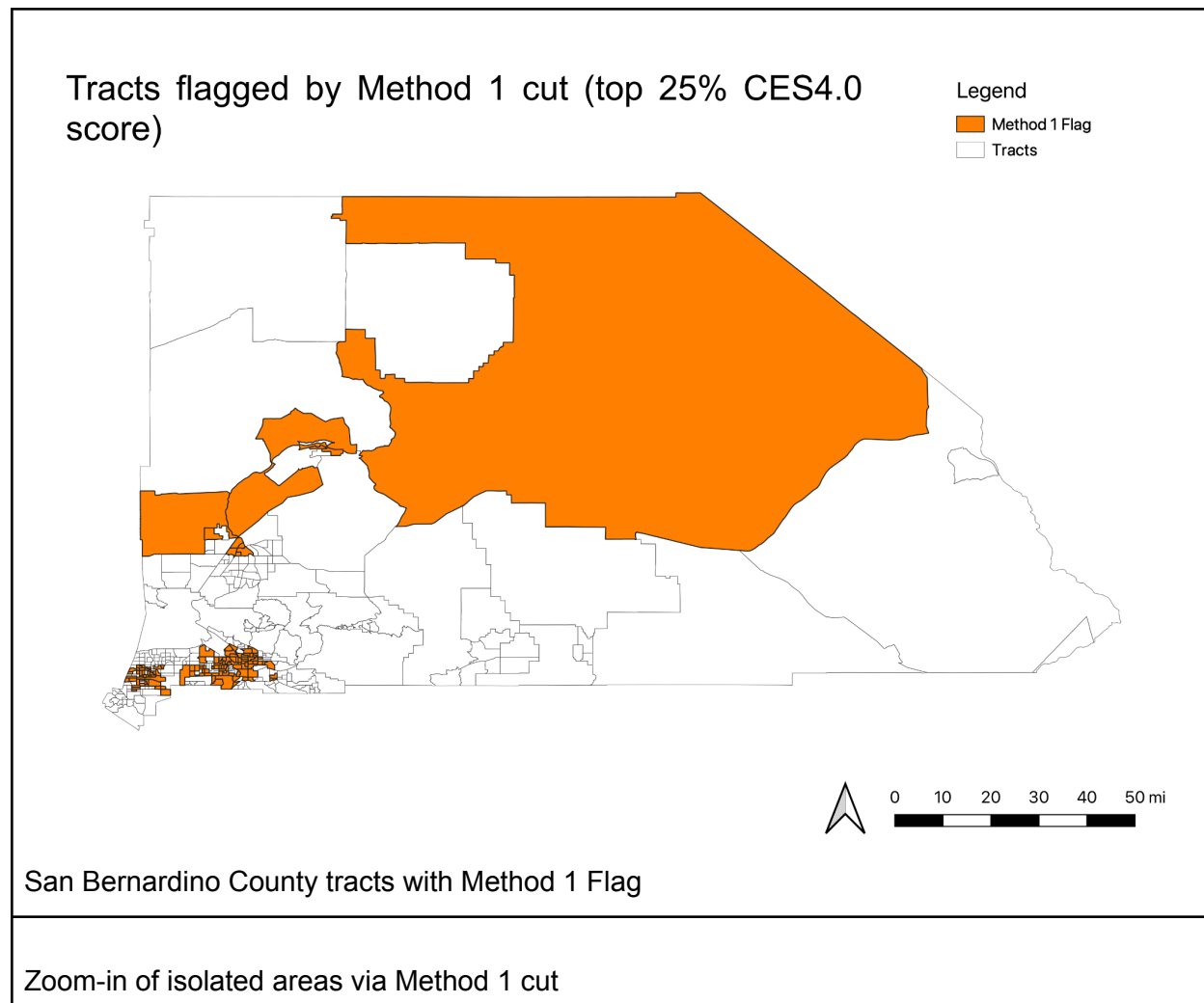
The following are some major takeaways:

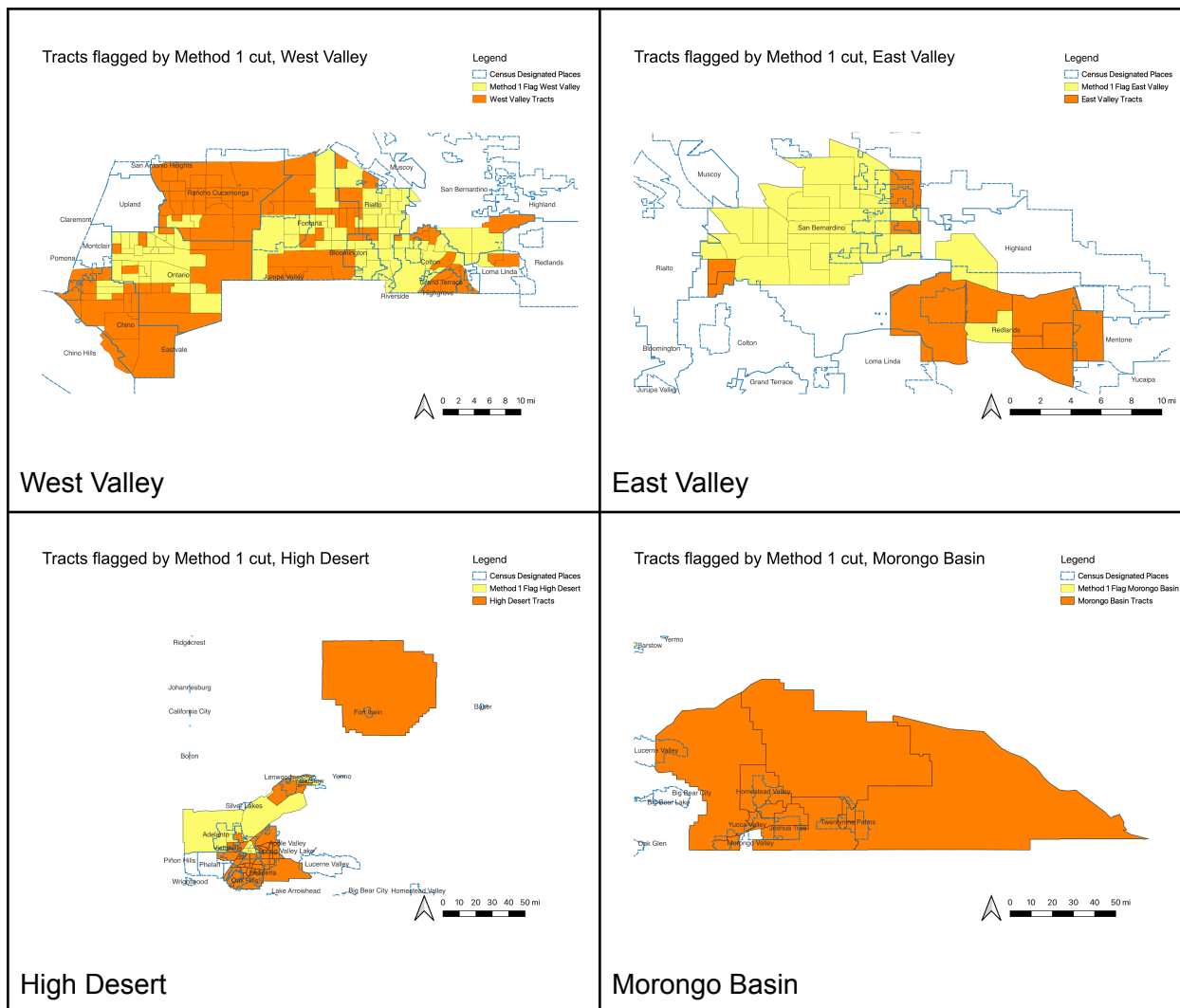
- The southwest corner of the county /West Valley has significant environmental disadvantage
- For some spatial metrics (e.g., park access, availability of sidewalks, public transportation access) disadvantage in the SW corner of the county/West Valley is less than in other parts of the county (note: this region has greatest population density and greatest clusters of urban areas)
- Existing data raises some questions about land use designations and decisions (e.g., relationship between siting of LIHTC production, schools, warehouses, truck routes and volumes)
- Emerging technologies that may impact future environmental burden scores like CalEnviroScreen, such as electric vehicle charging infrastructure, are becoming more common and are increasingly found outside of major urban centers, but still skew heavily toward more urbanized areas and/or areas that are heavily trafficked
- Food access is a significant concern, with tracts throughout the county where households that do not have access to a vehicle also live more than ½ mile from a grocery store; in rural areas food access shows 9 tract areas representing low income greater than 20 miles from supermarket, and 18 tract areas representing low income greater than 10 miles from a supermarket.
- Regression analysis identifies the following key indicators relevant to housing cost burden: household income, life expectancy, CES 4.0 score, asthma rate, poverty rate, linguistic isolation, and educational attainment
- Childhood poverty and upward income mobility analysis shows the correlation between upward mobility and social capital

Regional profiles

As part of this analysis, we were asked to also zero in on four sub-regional areas: West Valley, East Valley, the High Desert, and the Morongo Basin.

Figure 61. San Bernardino County sub-regions of focus





East Valley is in San Bernardino County, including San Bernardino, Loma Linda, Bryn Mawr, Grand Terrace, Redlands Colton, and Rialto. The average household income is \$57,392, below the San Bernardino area median income of \$61,200, and the poverty percentile is 72.20%. The average CES 4.0 score percentile is also above 75%. Around 52% of residents choose to rent their homes.

West Valley is mainly located in the cities of Rancho Cucamonga and Chino. The average household income is \$86,012, above the San Bernardino area median income, and the poverty percentile (38.81%) is the lowest compared with East Valley, High Desert, and Morongo Basin. The Education percentile (percent of the population over 25 with less than a high school education) is 45.06%, lower than the other three regions.

High Desert areas include Victorville, Hesperia, and Barstow cities. It usually turns extremely hotter in the summer and much colder in the winter than in the lower valleys. The average household income is \$51,081 which is below the median income level in San Bernardino

County, and the poverty rate is the highest (79.44%) compared to the other three regions. In addition, the asthma rate (79.66%) is also higher than in East Valley, West Valley, and Morongo Basin.

Morongo Basin is a valley region and an endorheic basin, including Joshua Tree, Morongo Valley, Copper Mountain Mesa, Wonder Valley, Pioneertown, Johnson Valley, Homestead Valley, Yucca Mesa, and Desert Heights, located in San Bernardino County in Southern California. The total population is 22,315, which is the lowest compared to the other three regions. In addition, the average household income is \$42,185, which is much lower than the median income level, and the poverty rate is above 75%. The CES 4.0 percentile is 33.97%, which means the pollution burden in Morongo Basin is comparatively low. The linguistic isolation percentile is 9.51%, which is lower than the other three regions, though the area also has a low population density and so this lower percentage needs to be taken within context.

Table 4. Analyzing Characteristics in East Valley, West Valley, High Desert, and Morongo Basin

Characteristics	East Valley	West Valley	High Desert	Morongo Basin
Average Household Income	57,392	86,012	51,081	42,185
Ces.4.0. Percentile*	77.47%	51.06%	56.54%	33.97%
Asthma Percentile**	75.08%	30.88%	79.66%	56.49%
Low Birth Weight Percentile	68.35%	44.77%	67.82%	46.91%
Education Percentile***	73.73%	45.06%	68%	52.58%
Linguistic Isolation Percentile	52.70%	45.86%	37.73%	9.51%
Poverty Percentile	72.20%	38.81%	79.44%	77.74%
Child Poverty Percentile	24.79%	8.47%	28.15%	37.98%
Housing Burden Percentile	54.77%	40.29%	53.40%	53.42%
Total Population	288546	179313	124373	22315
Population Density (pp/sq. m.)	0.001579	0.0015601	0.0000439	0.0000113
Population Density (ppl/sq. mi)	6.48e-10	1.74e-11	6.25e-10	2.811e-12

Notes: none of the data reported above reflects any of the method cuts described earlier

* Average percentile

** Average Age-adjusted rate of emergency department visits for asthma

*** Average Percent of population over 25 with less than a high school education

Table 5. Analyzing Estimated Total Population Group by Race and Education in East Valley, West Valley, High Desert, and Morongo Basin (ACS 2020 5-year estimate)

Region	East Valley	High Desert	Morongo Basin	West Valley
White	52.13%	68.70%	80.95%	56.34%
Black or African American	10.12%	9.41%	1.47%	6.21%
American Indian and Alaska Native	0.60%	1.22%	0.62%	0.86%
Asian	4.87%	3.14%	2.30%	12.08%
Native Hawaiian and Other Pacific Islander	0.21%	0.60%	0.80%	0.22%
Some Other races	22.81%	8.34%	3.98%	13.79%
Two or more races	9.27%	8.61%	9.92%	10.49%
Hispanic or Latino	66.94%	54.25%	20.50%	45.68%
Estimate Percent Below High School Graduate	27.43%	13.20%	21.61%	14.28%
Estimate Percent High school graduate or higher (population 25 years and over)	72.57%	78.39%	85.72%	86.80%
Estimate Percent Bachelor's degree or higher (population 25 years and over)	16.15%	9.62%	19.85%	29.17%
Estimate Percent High school graduate	29.34%	33.05%	24.10%	22.76%
Estimate Percent Bachelor's degree	10.23%	6.59%	12.73%	19.49%

Estimate Percent Graduate or professional degree	5.92%	3.03%	7.17%	9.66%
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Figure 62. Estimated percent of population by educational attainment

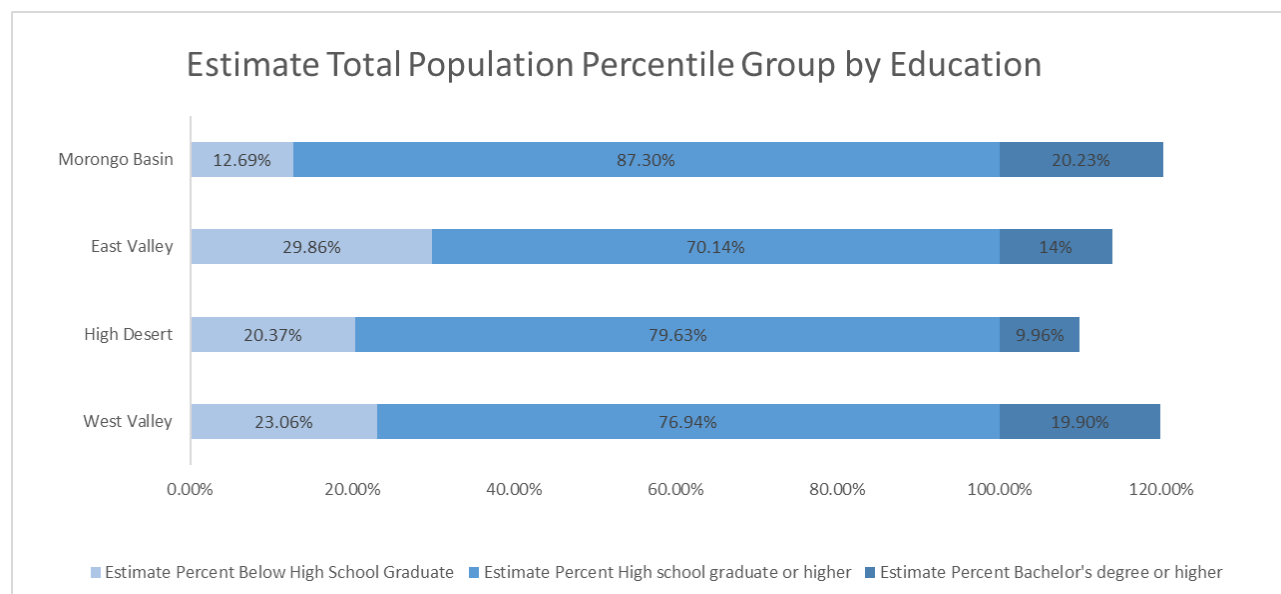
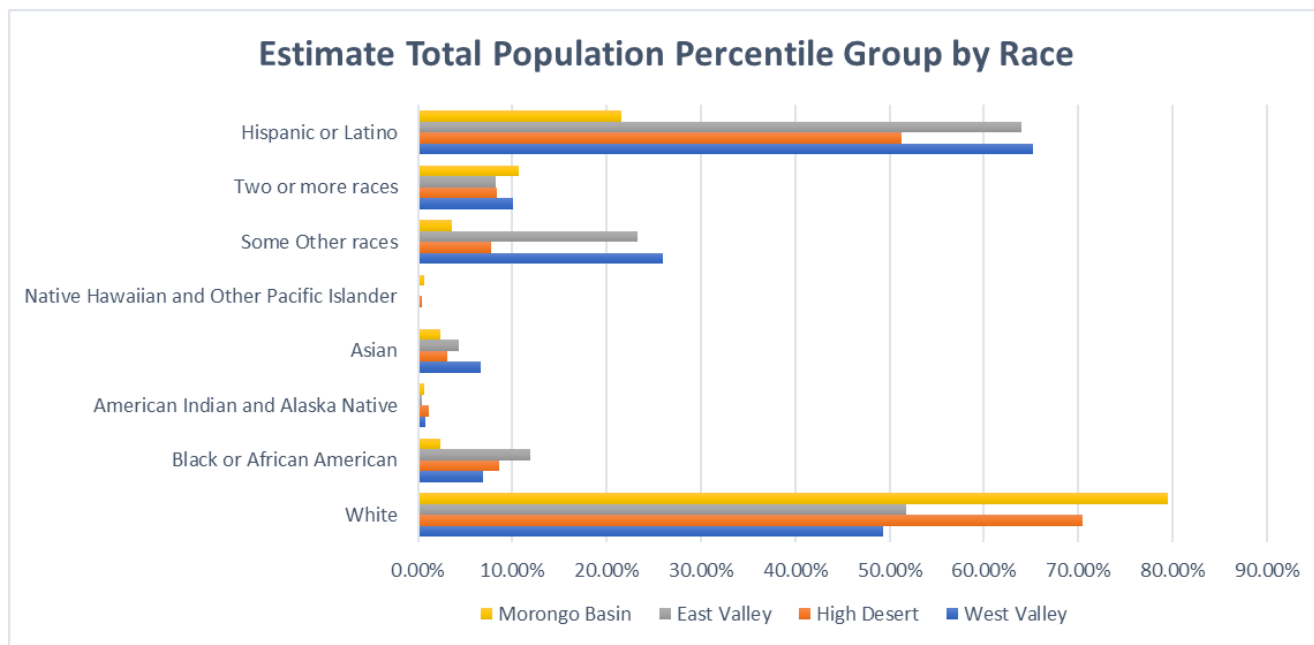


Figure 63. Estimate total percentage of population by race



Method 1, 2, and 3: Housing

Areas with top 25% Composite CalEnviroScreen 4.0 Score

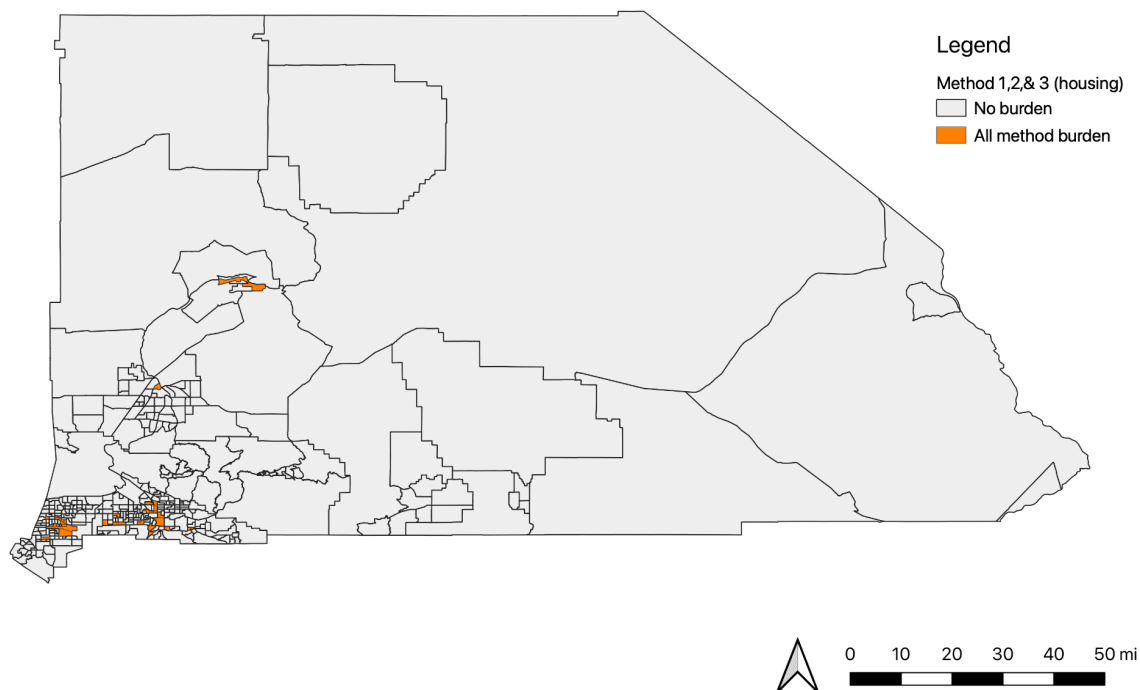
Below 80% Median Household Income

Diesel in the 75th Percentile or higher

Housing Burden in the 50 percentile or higher

Figure 64. Tracts flagged by Method 1, 2, & 3: housing cost burden

Tracts flagged by Method 1, 2, & 3: Housing Cost Burden



Note: Method 2 uses < 80 % AMI and Diesel >= 75%

Table 6. Method 1, 2, and 3 (Housing Burden Cost) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012500	West Valley	Colton
6071012400	West Valley	San Bernardino
6071005701	East Valley	San Bernardino
6071001812	West Valley	Ontario
6071012002	High Desert	Barstow
6071001600	West Valley	Ontario
6071001803	West Valley	Ontario
6071001400	West Valley	Ontario

6071000604	West Valley	Chino
6071002501	West Valley	Unincorporated San Bernardino County area
6071001504	West Valley	Ontario
6071007303	West Valley	Loma Linda
6071004604	East Valley	San Bernardino
6071007107	West Valley	Grand Terrace
6071004302	East Valley	San Bernardino
6071003000	West Valley	Fontana
6071003612	West Valley	Colton
6071003302	West Valley	Fontana
6071003301	West Valley	Fontana
6071002803	West Valley	Fontana
6071004700	East Valley	San Bernardino
6071004800	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071001501	West Valley	Ontario
6071001305	West Valley	Ontario
6071001309	West Valley	Ontario
6071001308	West Valley	Ontario
6071009400	High Desert	Barstow

Method 1, 2, and 3: Child poverty

Areas with top 25% Composite CalEnviroScreen 4.0 Score
 Below 80% Median Household Income
 Diesel in the 75th Percentile or higher
 Child Poverty 20th Percentile or Higher

Figure 65. Tracts flagged by Method 1, 2, & 3: child poverty

Tracts flagged by Method 1, 2, & 3: Child poverty

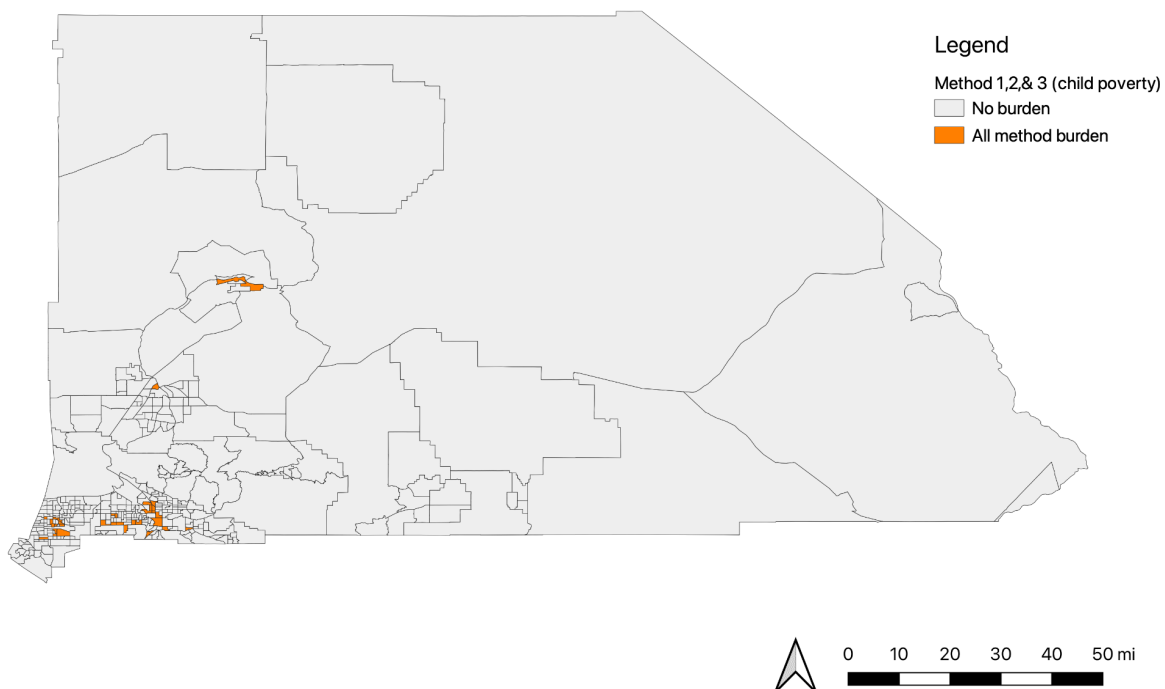


Table 7. Method 1, 2, and 3 (Child Poverty) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012400	West Valley	San Bernardino
6071005701	East Valley	San Bernardino
6071003609	West Valley	Rialto
6071001810	West Valley	Ontario
6071012002	High Desert	Barstow
6071001803	West Valley	Ontario
6071001400	West Valley	Ontario
6071000604	West Valley	Chino

6071002501	West Valley	Unincorporated San Bernardino County area
6071001504	West Valley	Ontario
6071007303	West Valley	Loma Linda
6071004604	East Valley	San Bernardino
6071007107	West Valley	Grand Terrace
6071004302	East Valley	San Bernardino
6071004001	West Valley	Bloomington
6071003000	West Valley	Fontana
6071003612	West Valley	Colton
6071003302	West Valley	Fontana
6071003301	West Valley	Fontana
6071002803	West Valley	Fontana
6071004202	East Valley	San Bernardino
6071004700	East Valley	San Bernardino
6071004800	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071001813	West Valley	Ontario
6071001103	West Valley	Ontario
6071001501	West Valley	Ontario
6071001305	West Valley	Ontario
6071001309	West Valley	Ontario
6071009400	High Desert	Barstow

Method 1, 2, and 3: Linguistic isolation

Areas with top 25% Composite CalEnviroScreen 4.0 Score

Below 80% Median Household Income

Diesel in the 75th Percentile or higher

Linguistic Isolation in the 50th Percentile or Higher

Figure 66. Tracts flagged by Method 1, 2, & 3: linguistic isolation

Tracts flagged by Method 1, 2, & 3: Linguistic Isolation

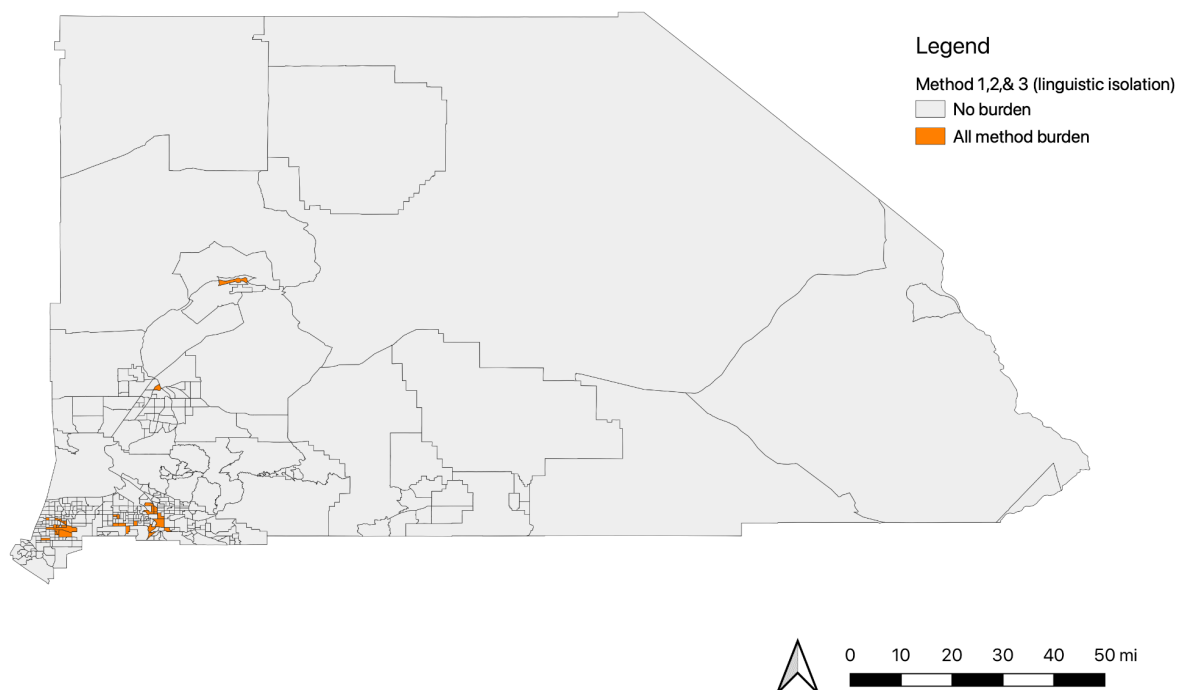


Table 8. Method 1, 2, and 3 (Linguistic Isolation) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012500	West Valley	Colton
6071012400	West Valley	San Bernardino
6071005701	East Valley	San Bernardino
6071003609	West Valley	Rialto
6071001812	West Valley	Ontario
6071001600	West Valley	Ontario
6071001803	West Valley	Ontario
6071001400	West Valley	Ontario
6071000604	West Valley	Chino

6071001504	West Valley	Ontario
6071007303	West Valley	Loma Linda
6071007107	West Valley	Grand Terrace
6071004302	East Valley	San Bernardino
6071004001	West Valley	Bloomington
6071003000	West Valley	Fontana
6071003302	West Valley	Fontana
6071003301	West Valley	Fontana
6071002803	West Valley	Fontana
6071004202	East Valley	San Bernardino
6071004700	East Valley	San Bernardino
6071004800	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071001813	West Valley	Ontario
6071001501	West Valley	Ontario
6071001305	West Valley	Ontario
6071001308	West Valley	Ontario
6071009400	High Desert	Barstow

Method 1, 2, and 3: Travel to work

Areas with top 25% Composite CalEnviroScreen 4.0 Score

Below 80% Median Household Income

Diesel in the 75th Percentile or higher

Mean Travel Time to Work Longer or Equal Than 30 min are 173 tracts (46.8%)

Figure 67. Tracts flagged by Method 1, 2, & 3: travel time to work (> 30 minutes)

Tracts flagged by Method 1, 2, & 3: Mean travel time to work

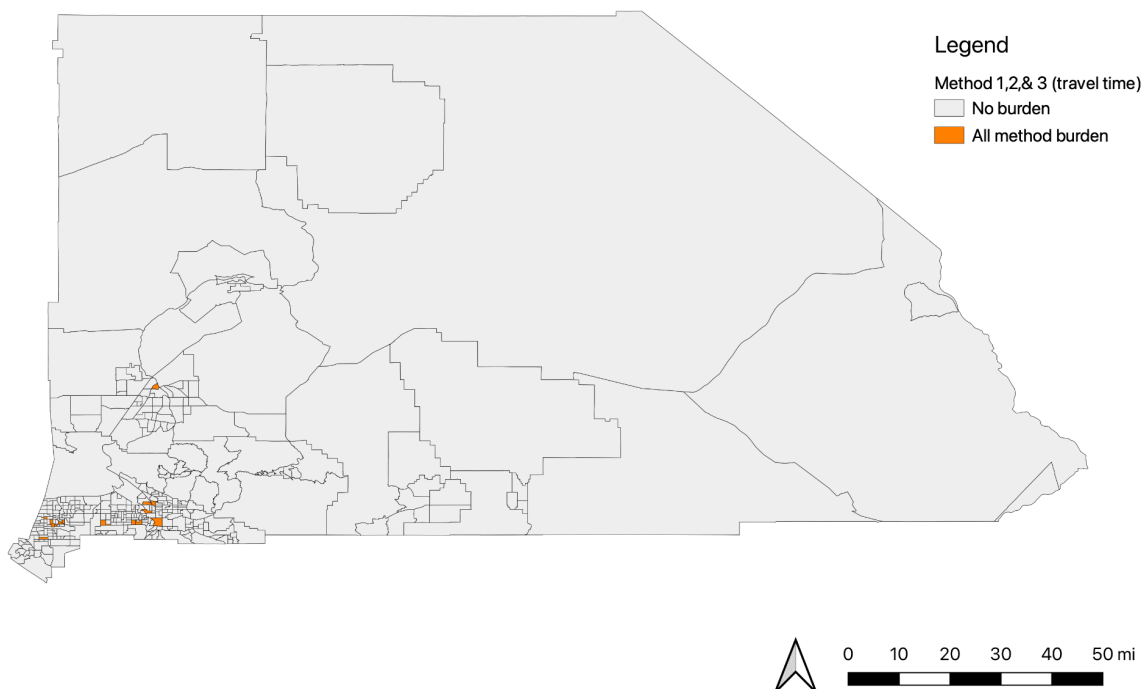


Table 9. Method 1, 2, and 3 (Mean Travel Time to Work) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012400	West Valley	San Bernardino
6071003609	West Valley	Rialto
6071001400	West Valley	Ontario
6071000604	West Valley	Chino
6071002501	West Valley	Unincorporated San Bernardino County area
6071004604	East Valley	San Bernardino
6071004302	East Valley	San Bernardino
6071003612	West Valley	Colton

6071009800	High Desert	Victorville
6071001103	West Valley	Ontario
6071001501	West Valley	Ontario
6071001309	West Valley	Ontario
6071001308	West Valley	Ontario

Method 1,2, and 3: Asthma

Areas with top 25% Composite CalEnviroScreen Score

Below 80% Median Household Income

Diesel in the 75th Percentile or higher

Areas with Asthma rate in 75% or higher are 137(37.1%)

Figure 68. Tracts flagged by Method 1, 2, & 3: asthma rate > 75%

Tracts flagged by Method 1, 2, & 3: Asthma rate > 75%

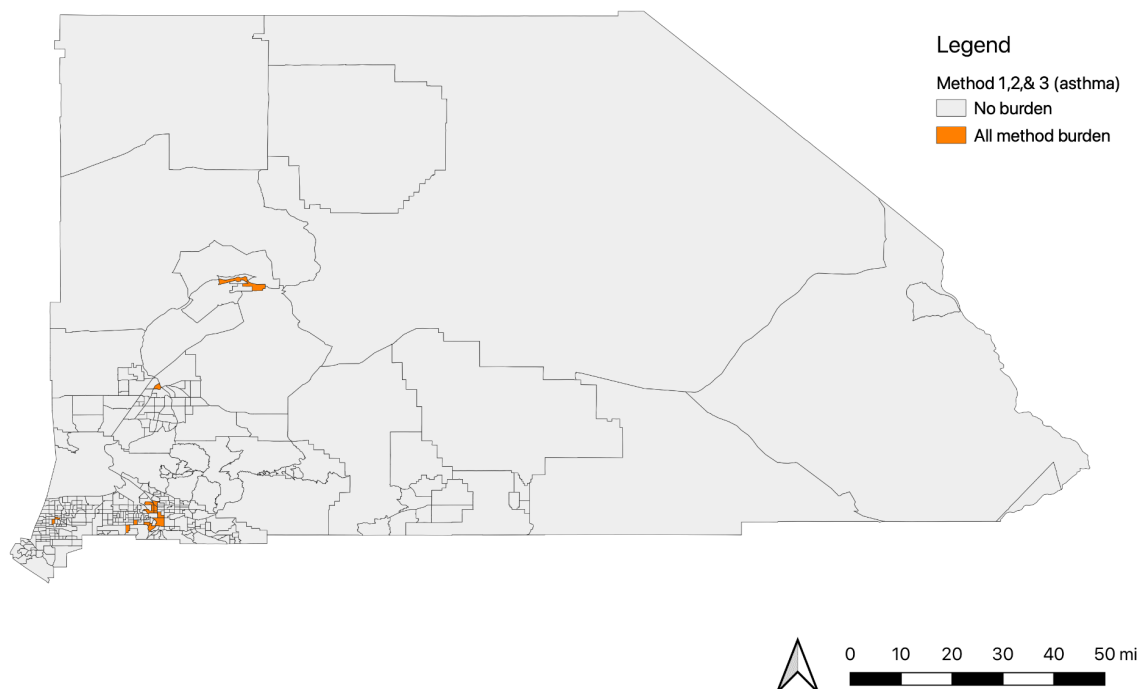


Table 10. Method 1, 2, and 3 (Asthma) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012500	West Valley	Colton
6071012400	West Valley	San Bernardino
6071005701	East Valley	San Bernardino
6071003609	West Valley	Rialto
6071012002	High Desert	Barstow
6071006601	West Valley	Colton
6071004604	East Valley	San Bernardino
6071004302	East Valley	San Bernardino
6071004001	West Valley	Bloomington
6071004202	East Valley	San Bernardino
6071004700	East Valley	San Bernardino
6071004800	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071001103	West Valley	Ontario
6071009400	High Desert	Barstow

Method 1, 2, and 3: Educational attainment

Areas with top 25% Composite CalEnviroScreen Score

Below 80% Median Household Income

Diesel in the 75th Percentile or higher

Areas with Estimate Percent Less than High School Graduate greater or equal than 20% are 140 (37%)

Figure 69. Tracts flagged by Method 1, 2, & 3: educational attainment (>20% with less than a high school diploma)

Tracts flagged by Method 1, 2, & 3: Educational attainment (>20% with less than a high school diploma)

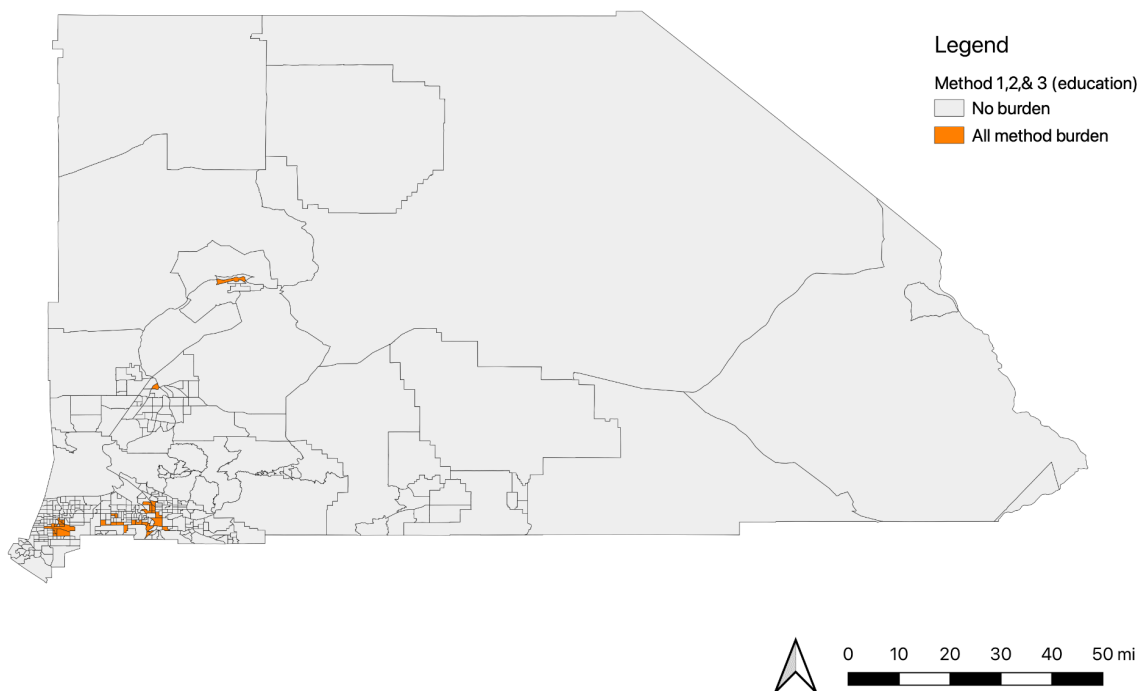


Table 11. Method 1, 2, and 3 (Low Education Attainment) Tract Areas for Four Regions

Tract	Region	Approximate Location
6071012500	West Valley	Colton
6071012400	West Valley	San Bernardino
6071005701	East Valley	San Bernardino
6071003609	West Valley	Rialto
6071001812	West Valley	Ontario
6071001810	West Valley	Ontario
6071001600	West Valley	Ontario
6071001803	West Valley	Ontario

6071001400	West Valley	Ontario
6071002501	West Valley	Unincorporated San Bernardino County area
6071006601	West Valley	Colton
6071001504	West Valley	Ontario
6071007303	West Valley	Loma Linda
6071004604	East Valley	San Bernardino
6071007107	West Valley	Grand Terrace
6071004302	East Valley	San Bernardino
6071004001	West Valley	Bloomington
6071003000	West Valley	Fontana
6071003612	West Valley	Colton
6071003302	West Valley	Fontana
6071003301	West Valley	Fontana
6071002803	West Valley	Fontana
6071004202	East Valley	San Bernardino
6071004700	East Valley	San Bernardino
6071004800	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071001813	West Valley	Ontario
6071001501	West Valley	Ontario
6071001305	West Valley	Ontario
6071001309	West Valley	Ontario
6071001308	West Valley	Ontario
6071009400	High Desert	Barstow

Method 1, 2, & 3: all six indicators combined

Table 12. Method 1, 2, and 3 Disadvantaged Tract Areas

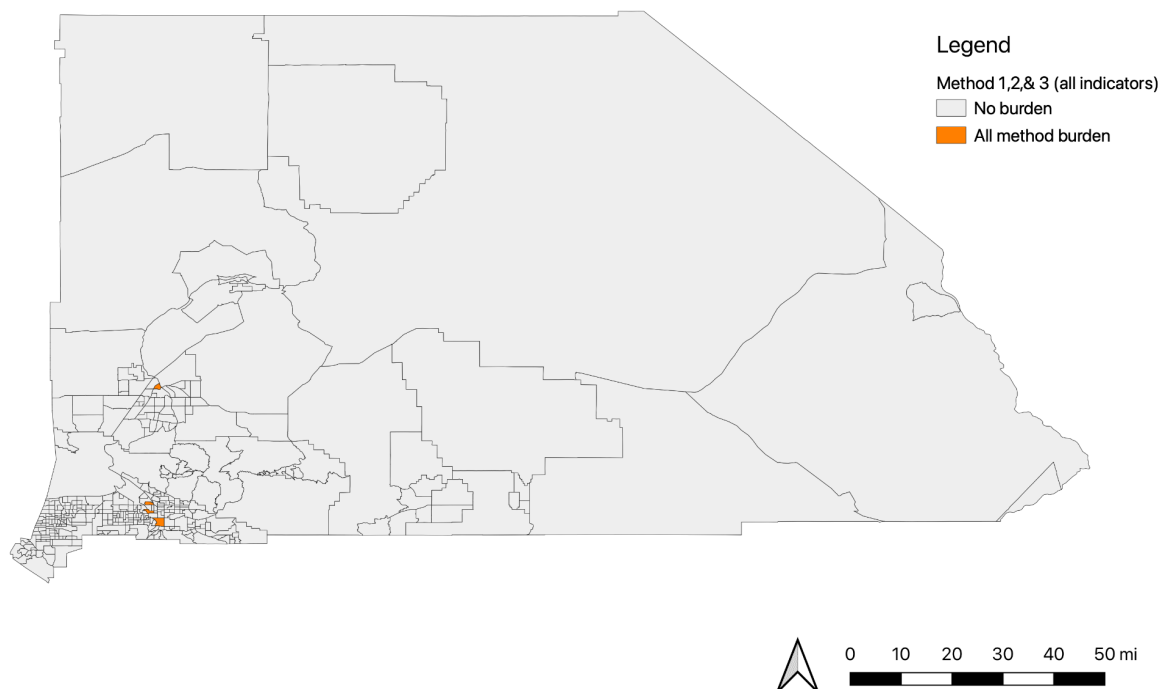
Census Tract	Region	Approximate Location
6071004302	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071004103	Other Region	Muscoy
6071012400	West Valley	San Bernardino

Note: Method 2 here uses diesel

This table shows a combination of Methods 1, 2, and 3 (six indicators) flagged tract areas (note: this does not address the spatial analysis done for method 3). The six indicators include household burden cost percentile above 50%, child poverty rate above 20%, linguistic isolation above 50%, mean travel time to work longer than 30 minutes, asthma above 75%, and estimated percent with less than a high school diploma greater than 20%.

Figure 70. Tracts flagged by Method 1, 2, & 3

Tracts flagged by Method 1, 2, & 3 (all six indicators)



Next Steps & Future Research

Because of the nature of the data that are available, not all trends could be tracked longitudinally. If data on, for example, land uses were periodically collected in a way that was comparable across time (i.e., coded the same way), that could be very informative to policymakers, so they can understand what the changes look like, across what time periods, and the spatial distribution (if any). While this would take some pre-planning and would likely require a few iterations of trial and error, having data that can be compared across 5, 10, 15, and even 20 years would likely help planners and policymakers be able to visualize the impacts of policy decisions that cannot always be seen in the silos of what is realistically routine every-day decision making.

For example, the following datasets cannot be tracked now, but could be tracked moving forward:

- Average daily truck traffic - because Caltrans keeps updating their dataset, if this could be downloaded periodically (e.g., annually, bi-annually) then we can do an analysis of trends over time

- Land use and zoning changes - if this could be standardized and then updated periodically then it would be possible to get an idea of built environment changes over time
- Changes in EV/alternative fueling infrastructure - periodically check the data, compare changes over time

Thus, the following are suggestions:

to understand trends:

- collect consistent data on land use and zoning designations
- collect longitudinal data on truck traffic volume, traffic volume, journey to work/mode share
- if possible, collect consistent data on actual parcel usage

to further understand disadvantage:

- collect data on typical and non-typical variables; e.g., EV charging infrastructure
- collect data on various social determinants of health indicators
- if possible, collect data on formal vs informal economy
- if possible, collect data on remote work
- if possible, collect data on other health metrics such as physical activity, healthcare coverage and access, service utilization/identified barriers
- if possible, collect data on social service utilization/identified barriers to utilization

to create a more dynamic tool:

- consider looking into an interface that can automatically update with new data (e.g., income)

These types of additional longitudinal data would be very helpful in terms of better understanding the overall experience of communities living in the region, highlighting both the challenges they face and possible opportunities and solutions. Mapping inequities in this way not only allows us to better understand the indicators we have presented in this report, but it also lifts up the real life experiences of underserved and historically excluded populations. Understanding each specific community's circumstances and needs are essential as we aim for a more equitable future. As San Bernardino County continues to grow and become increasingly diverse, these mapping tools will become more important and a central repository for data for decision makers in the region to refer to.

Appendix A: dataset sources and notes

Variable	Data source	Notes (if applicable)
Household Income	ACS 2020 5-year	
Area Median Income (County)	ACS 2020 5-year	Used 2020 data
Childhood poverty	ACS 2020 5-year	Federal poverty line
Poverty	CES 4.0	
PM2.5	CES 4.0	
Diesel	CES 4.0	
CalEnviroScreen 4.0 (CES 4.0)	https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40	2010 and 2020 tract vintage, depending
Educational Attainment	CES 4.0	
Linguistic Isolation	CES 4.0	
Total Population	CES 4.0	
Asthma	CES 4.0	
Housing Cost Burden	CES 4.0	
Travel time to work	ACS 2020 5-year file	
Mode share to work	ACS 2020 5-year file	
Extreme heat	https://www.epa.gov/cira/technical-appendices-and-data	Used 2012 tract vintage as per documentation
Internet access	ACS 2020 5-year file	
Income Mobility	https://www.nature.com/articles/s41586-022-04996-4 https://www.nature.com/articles/s41586-022-04997-3#data-availability https://www.socialcapital.org/?dimension=EconomicConne	Analysis done by zip code

	ctednessIndividual&dim1=EconomicConnectednessIndividual&dim2=CohesivenessClustering&dim3=CivicEngagementVolunteeringRates&geoLevel=county&selectedId=06037	
Life expectancy	National Center for Health Statistics USALEEP https://www.cdc.gov/nchs/nvsr/usaleep/usaleep.html	U.S. _Life_Expectancy_at_Birth_by_State_and_Census_Tract_-_2010-2015.csv
Land use	San Bernardino County COG	2019 data
Assessor Data by Parcel	San Bernardino County https://open.sbcounty.gov/datasets/sbcounty::sbco-parcel-polygons/explore?location=33.410376%2C-118.648044%2C22.99	
Freight traffic	https://gisdata-caltrans.opendata.arcgis.com/datasets/c079bdd6a2c54aec84b6b2f7d6570f6d_0/about	Continuously updated; used data from fall 2022
LIHTC	https://lihtc.huduser.gov	Geocoded by UCR
Schools	San Bernardino County COG	
Bus stops	San Bernardino County COG	
Sidewalks	San Bernardino County COG	
Parks	San Bernardino County COG	
Roads	San Bernardino County COG	

Appendix B: Codebook

CalEnviroScreen 4.0

Variable Name	Description
---------------	-------------

Census Tract	Census Tract ID from 2010 Census
Total Population	2019 ACS population estimates in census tracts
California County	California county that the census tract falls within
ZIP	Postal ZIP Code that the census tract falls within
Approximate Location	Approximate city, town, or area where each census tract is located based on US Census Incorporated Places (2020, Cities), US Census Designated Places, (2020, Designated Places), and the CA Department of Tax and Fees City and County Boundaries and City Annexations (2021, Unincorporated Areas) boundary files. All tracts that did not fall within one of these boundaries were assigned "unincorporated county area" based on that tract's county. This is for reference purposes only and should not be used to determine whether a census tract falls within a city or town boundary.
CES 4.0 Score	CalEnviroScreen Score, Pollution Score multiplied by Population Characteristics Score
CES 4.0 Percentile	Percentile of the CalEnviroScreen score
PM2.5	Annual mean PM2.5 concentrations
PM2.5 Pctl	PM2.5 percentile
Diesel PM	Diesel PM emissions from on-road and non-road sources
Diesel PM Pctl	Diesel PM percentile
Asthma	Age-adjusted rate of emergency department visits for asthma
Asthma Pctl	Asthma percentile
Low Birth Weight	Percent low birth weight
Low Birth Weight Pctl	Low birth weight percentile
Education	Percent of population over 25 with less than a high school education
Education Pctl	Education percentile
Linguistic Isolation	Percent limited English speaking households
Linguistic Isolation Pctl	Linguistic isolation percentile
Poverty	Percent of population living below two times the federal poverty level
Housing Burden	Percent housing-burdened low-income households
Housing Burden Pctl	Housing burden percentile
Pop. Char.	Average of percentiles from the Population Characteristics indicators

2020 ACS 5-year estimate

Variable	Description	original codebook name	Source
----------	-------------	------------------------	--------

HouseholdIncome	Household Income	S1903_C03_001E	
geometry	2020 tract level		
mean.travel.time	Total Estimate Travel Time To Work Mean travel time to work (minutes)	s0801_c01_046e	ACSST5Y2020.S0801_data_with_overlays_2022-08-10T005442.csv
poverty2012	Percent below poverty level!!!Estimate! AGE Under 18 years in 2012	S1701_C03_002E	ACSST5Y2012.S1701.csv/Child_poverty.csv
poverty2020	Percent below poverty level!!!Estimate! AGE Under 18 years in 2020	S1701_C03_002E	ACSST5Y2020.S1701.csv/Child_poverty.csv
pct_change	Child poverty percentage change from 2012 to 2020.		
population_density	Total population/ALAND10		tl_2010_06071.csv

Food Access Research Atlas Data 2019

Variable	Long Name	Description
CensusTract	Census Tract Number	Census Tract Number
lalow1share	Low access, low-income population at 1 mile, share	Share of tract population that are low income individuals beyond 1 mile from supermarket
lalow10share	Low access, low-income population at 10 miles, share	Share of tract population that are low income individuals beyond 10 miles from supermarket
lalow20share	Low access, low-income population at 20 miles, share	Share of tract population that are low income individuals beyond 20 miles from supermarket
lahunv1share	Vehicle access, housing units without and low access at 1 mile, share	Share of tract housing units that are without vehicle and beyond 1 mile from supermarket
lahunv10share	Vehicle access, housing units without and low access at 10 miles, share	Share of tract housing units that are without vehicle and beyond 10 miles from supermarket
lahunv20share	Vehicle access, housing units without and low access at 20 miles, share	Share of tract housing units that are without vehicle and beyond 20 miles from supermarket
lasnap1share	Low access, housing units receiving SNAP benefits at 1 mile, share	Share of tract housing units receiving SNAP benefits count beyond 1 mile from supermarket
lasnap10share	Low access, housing units receiving SNAP benefits at 10 miles, share	Share of tract housing units receiving SNAP benefits count beyond 10 miles from supermarket
lasnap20share	Low access, housing units receiving SNAP benefits at 20 miles, share	Share of tract housing units receiving SNAP benefits count beyond 20 miles from

		supermarket
lawhite1share	Low access, White population at 1 mile, share	Share of tract population that are white beyond 1 mile from supermarket
lawhite10share	Low access, White population at 10 miles, share	Share of tract population that are white beyond 10 miles from supermarket
lawhite20share	Low access, White population at 20 miles, share	Share of tract population that are white beyond 20 miles from supermarket
lablack1share	Low access, Black or African American population at 1 mile, share	Share of tract population that are Black or African American beyond 1 mile from supermarket
lablack10share	Low access, Black or African American population at 10 miles, share	Share of tract population that are Black or African American beyond 10 miles from supermarket
lablack20share	Low access, Black or African American population at 20 miles, share	Share of tract population that are Black or African American beyond 20 miles from supermarket
laasian1share	Low access, Asian population at 1 mile, share	Share of tract population that are Asian beyond 1 mile from supermarket
laasian10share	Low access, Asian population at 10 miles, share	Share of tract population that are Asian beyond 10 miles from supermarket
laasian20share	Low access, Asian population at 20 miles, share	Share of tract population that are Asian beyond 20 miles from supermarket
lanhopi1share	Low access, Native Hawaiian and Other Pacific Islander population at 1 mile, share	Share of tract population that are Native Hawaiian or Other Pacific Islander beyond 1 mile from supermarket
lanhopi10share	Low access, Native Hawaiian and Other Pacific Islander population at 10 miles, share	Share of tract population that are Native Hawaiian or Other Pacific Islander beyond 10 miles from supermarket
lanhopi20share	Low access, Native Hawaiian and Other Pacific Islander population at 20 miles, share	Share of tract population that are Native Hawaiian or Other Pacific Islander beyond 20 miles from supermarket
laaian1share	Low access, American Indian and Alaska Native population at 1 mile, share	Share of tract population that are American Indian or Alaska Native beyond 1 mile from supermarket
laaian10share	Low access, American Indian and Alaska Native population at 10 miles, share	Share of tract population that are American Indian or Alaska Native beyond 10 miles from supermarket
laaian20share	Low access, American Indian and Alaska Native population at 20 miles, share	Share of tract population that are American Indian or Alaska Native beyond 20 miles from supermarket
laomultir1share	Low access, Other/Multiple race	Share of tract population that are Other/Multiple

e	population at 1 mile, share	race beyond 1 mile from supermarket
laomultir10share	Low access, Other/Multiple race population at 10 miles, share	Share of tract population that are Other/Multiple race beyond 10 miles from supermarket
laomultir20share	Low access, Other/Multiple race population at 20 miles, share	Share of tract population that are Other/Multiple race beyond 20 miles from supermarket
lahisp1share	Low access, Hispanic or Latino population at 1 mile, share	Share of tract population that are of Hispanic or Latino ethnicity beyond 1 mile from supermarket
lahisp10share	Low access, Hispanic or Latino population at 10 miles, share	Share of tract population that are of Hispanic or Latino ethnicity beyond 10 miles from supermarket
lahisp20share	Low access, Hispanic or Latino population at 20 miles, share	Share of tract population that are of Hispanic or Latino ethnicity beyond 20 miles from supermarket

Regional Equity Study

Monique Arellano
COG and Equity Programs Manager

UCR Center for Social Innovation



Regional Equity Study: History and Context

2020:

- County of San Bernardino declares racism a Public Health Crisis

2021

- SBCOG Board Establishes Equity Ad Hoc Committee
- SBCOG Board adopts Resolution 21-037

NOW THEREFORE BE IT RESOLVED, that the San Bernardino County Transportation Authority (SBCTA) and SBCOG are committed to programs and practices that provide services and opportunities equitably and will further this commitment by:

1. Examining the practices that SBCTA uses in planning, evaluating, procuring and building transportation projects.
2. Creating tools that can be used by all of our members to better understand how issues of equity impact the built environment.
3. Providing the regional forum where efforts that work toward promoting a fair and just region; eliminating barriers that reduce opportunities for residents; and meaningfully advancing justice, equity, diversity, and inclusion can be discussed.



Regional Equity Study

Regional Equity Study: Equity Ad Hoc Committee

- 2021-2022
- Provided Direction to Staff
 - COG: Establish Socio-Economic status as main indicator for inequity across the region
 - Regional Equity Study
 - SBCTA: Work to help Small Business
 - Business to Business



Regional Equity Study

Regional Equity Study Intention

- Identify Census-Level communities and the barriers to equity within the built environment
- Create a tool that can be used to inform projects and programs moving forward
- Inform the Equity Policy Framework



Regional Equity Study

SB 1000

- Requires Local Governments to identify EJ issues in General Plan
- Goals:
 - Facilitate transparency and public engagement
 - Reduce harmful pollutants associated with health risks
 - Promote health-inducing benefits
 - Healthy food options
 - Housing
 - recreation



Regional Equity Study

SB1000 + Regional Equity Analysis

For UCR's analysis, the following were considered in understanding "disadvantage":

- individual's full life span
- environmental justice aspects
- environment impact aspects
- socio-economic status and opportunity for mobility
- social determinants of health
- infrastructure investments (or lack thereof), access to services (or lack thereof)



Regional Equity Study

Approach/Process

- identify critical barriers to equity
 - understand typical definitions of equity and inequality (work done by R+A)
- understand SB1000 approach
- understand what the literature has identified as markers of inequality and barriers to equity
- qualitative data analysis (NationalCORE focus group data)
- understand SCAG's proposed Priority Equity Populations and Areas (PEPA) variable cut; propose modifications based on literature and practice



Regional Equity Study

Approach/Process

SB1000 - Method 1, 2, & 3 (separate & composite analysis)

Method 1

Isolate areas with top 25% CalEnviroScreen 4.0 score

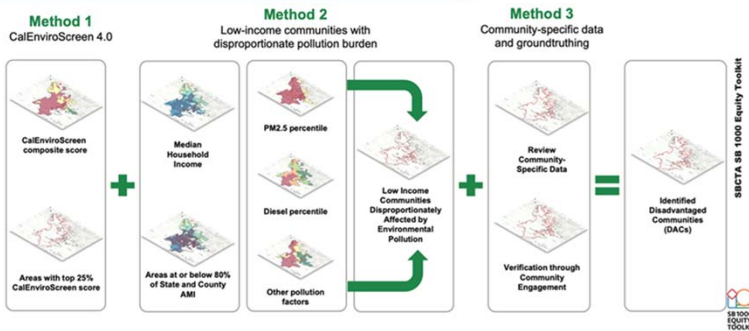
Method 2

Below 80% Countywide AMI + PM2.5 ≥ 75th percentile
Below 80% Countywide AMI + Diesel ≥ 75th percentile

Method 3

Various variables via literature + physical/spatial variables

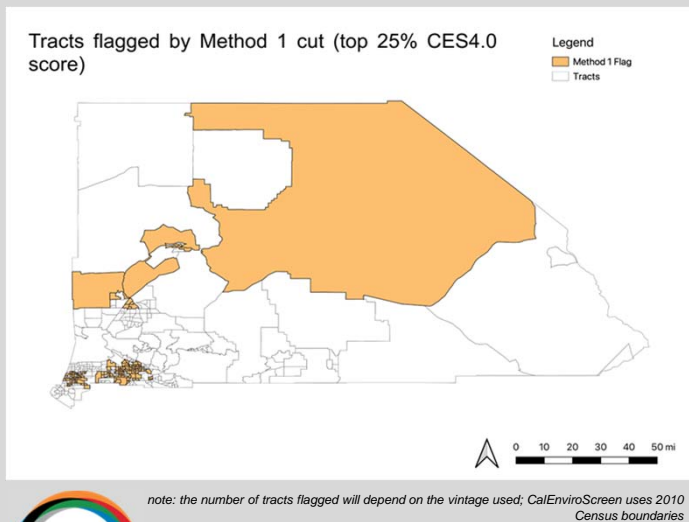
EJ Screening



Regional Equity Study

Findings

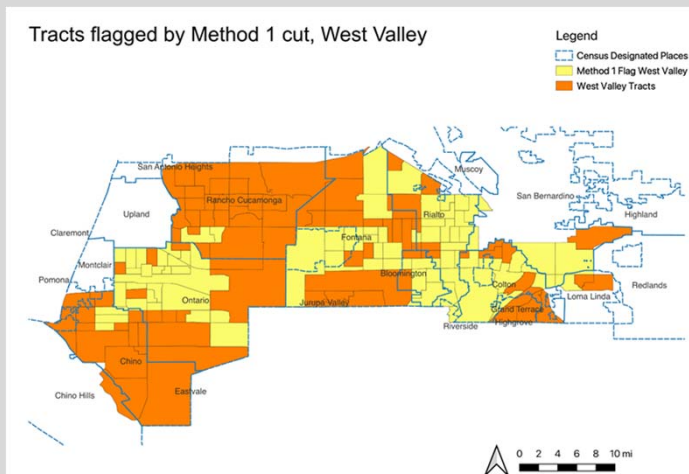
The Method 1 approach (top 25% CalEnviroScreen 4.0 score) flagged 131 tracts (~35%) in San Bernardino



Regional Equity Study

Findings

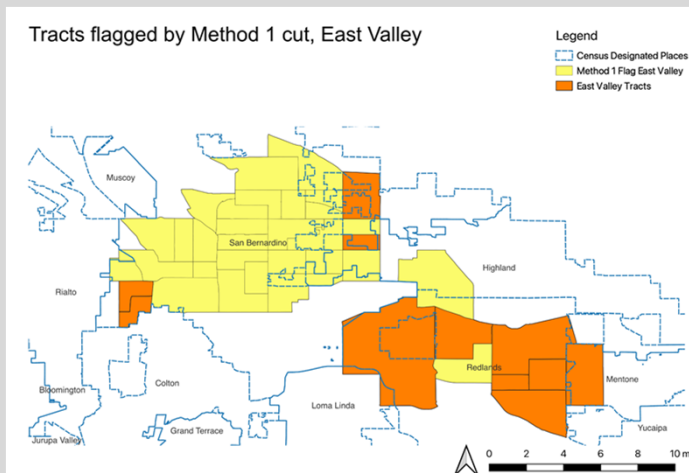
The Method 1 approach (top 25% CalEnviroScreen 4.0 score) flagged 71 (~17%) tracts (in yellow) in the West Valley region of San Bernardino



Regional Equity Study

Findings

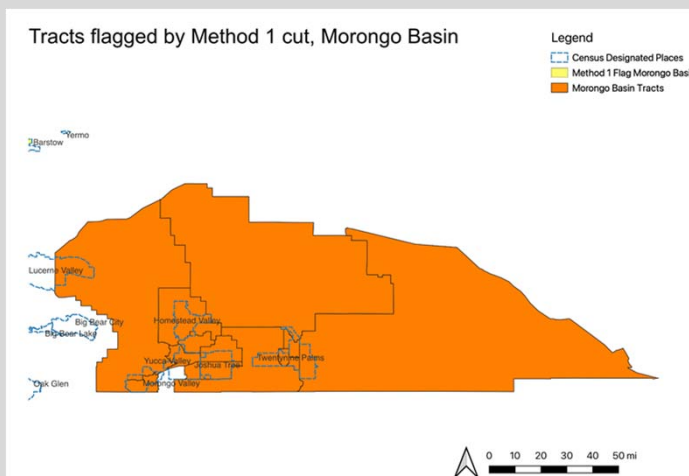
The Method 1 approach (top 25% CalEnviroScreen 4.0 score) flagged 29 (~8%) tracts (in yellow) in the East Valley region of San Bernardino



Regional Equity Study

Findings

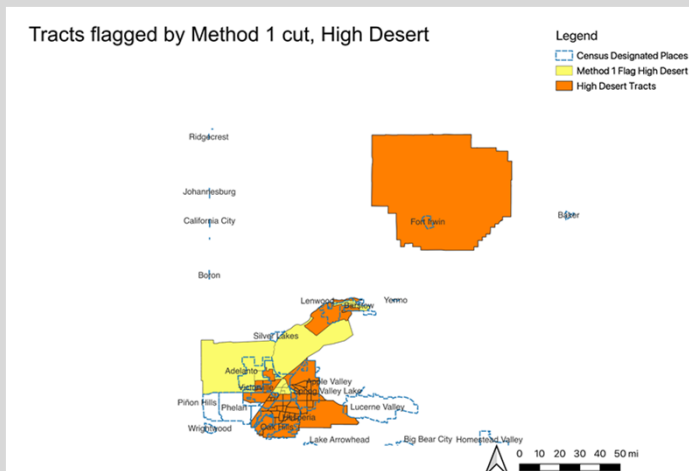
The Method 1 approach (top 25% CalEnviroScreen 4.0 score) flagged 0 tracts (0%, in yellow) in the Morongo Basin region of San Bernardino



Regional Equity Study

Findings

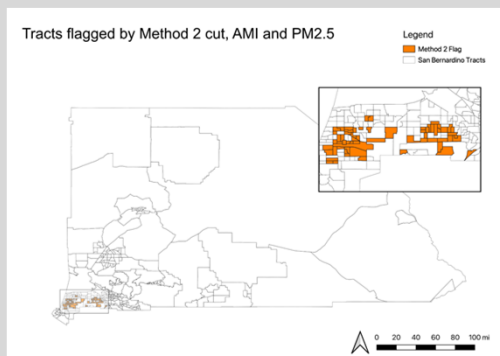
The Method 1 approach (top 25% CalEnviroScreen 4.0 score) flagged 11 (~3%) tracts (in yellow) in the High Desert region of San Bernardino



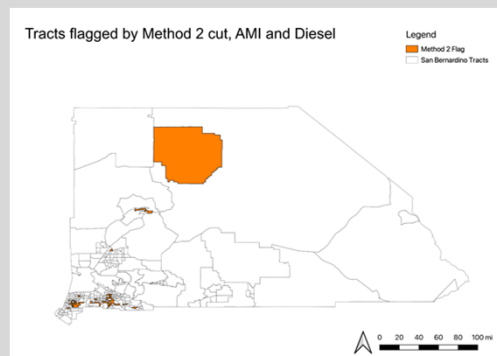
Regional Equity Study

Findings - Method 2

The Method 2 approach (Countywide AMI below 80% + PM2.5 \geq 75th percentile) flagged 63 tracts (~17%)



The Method 2 approach (Countywide AMI below 80% + Diesel \geq 75th percentile) flagged 49 tracts (~13%)



Regional Equity Study

note¹: the above are just two analyses out of many different variable (burden) options for an environmental justice analysis
note²: the number of tracts flagged will depend on the vintage used; CalEnviroScreen uses 2010 Census boundaries

Findings

Method 3 Considered:

- housing cost burden
- proximity to a food desert (urban and rural)
- childhood poverty
- relationship to extreme heat
- travel time to work
- CalEnviroScreen 3.0 vs 4.0
- type of internet access
- spatial analysis
 - access to parks
 - land uses accessible via public transit and walking
 - residential in proximity to industrial
 - residential in proximity to freight truck routes
 - freight truck volume, locations
 - proximity to warehouse and warehouse-adjacent locations
 - access to alternative fueling locations



Regional Equity Study

Findings - Housing cost burden

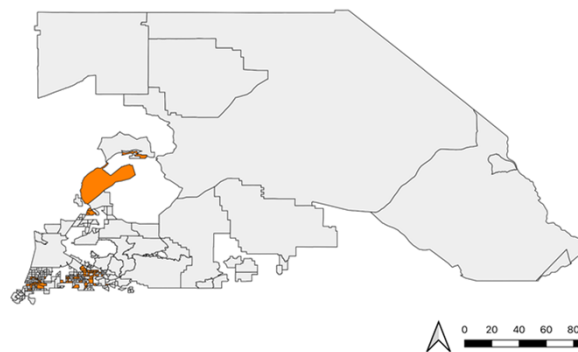
67 tracts (~18%) were identified as having greater than 50% of households who qualify as housing cost burdened

Notes:

HUD defines housing cost burden as spending greater than 30% of income on housing
CES dataset defines the housing cost burden flag as those areas where >50% of cost burdened households are also low-income

Housing Cost: > 50% of households with cost burden

Legend
Housing Cost Burden by Tract
No Burden
Greater than 50% burdened



note: a significant number of tracts had a value of N/A



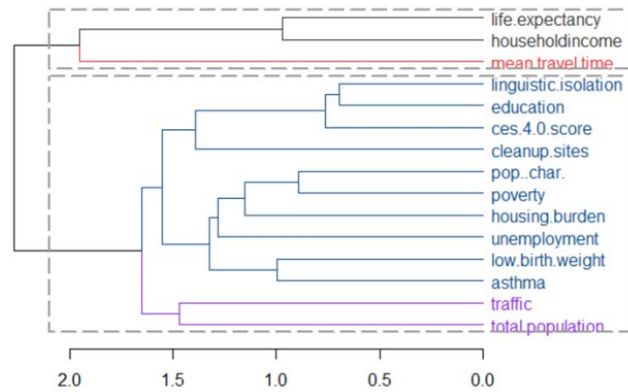
Regional Equity Study

Findings - Housing cost burden - variable choice

housing burden			
Predictors	Estimates	CI	p
(Intercept)	45.01	5.98 – 84.05	0.026
total population	0.00	-0.00 – 0.00	0.306
ces 4.0 score	0.25	0.08 – 0.41	0.004
traffic	-0.00	-0.01 – 0.00	0.148
cleanup sites	-0.10	-0.26 – 0.06	0.228
asthma	-0.07	-0.10 – -0.04	<0.001
low birth weight	-0.85	-1.97 – 0.26	0.136
education	-0.32	-0.51 – -0.14	0.001
linguistic isolation	0.27	0.03 – 0.50	0.031
poverty	0.09	-0.06 – 0.24	0.259
unemployment	-0.21	-0.56 – 0.14	0.251
pop char	0.27	0.06 – 0.47	0.012
household income	-0.00	-0.00 – 0.00	0.268
mean travel time	0.07	-0.09 – 0.24	0.364
life expectancy	-0.49	-0.96 – -0.02	0.045

choosing exogenous variables
via regression analysis

Hierarchical Correlation Plot



correlation between variables



Regional Equity Study

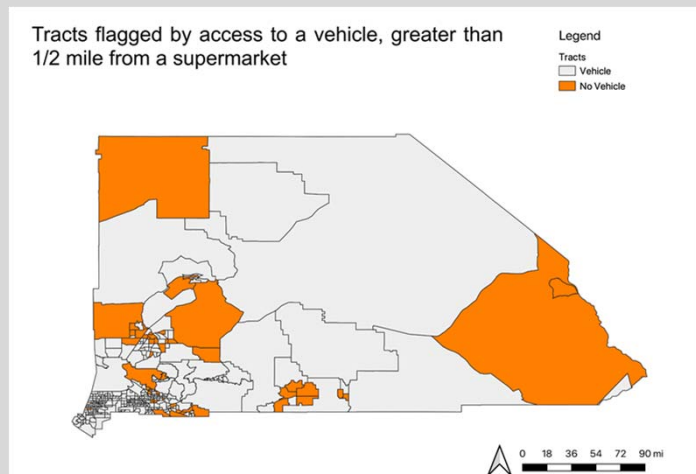
Findings - Healthy food accessibility

Supermarkets provide a variety of healthy food options at a reasonable cost.

However, the physical existence of supermarkets is only one part of the accessibility equation; being able to actually get to a grocery store is also a major factor.

53 tracts (~14%) were identified as those where over 100 households did not have access to a vehicle and were further than 1/2 mile from a supermarket

Tracts flagged by access to a vehicle, greater than 1/2 mile from a supermarket



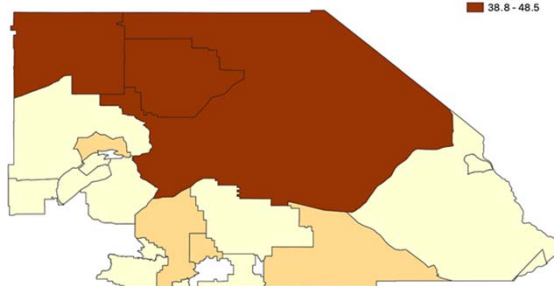
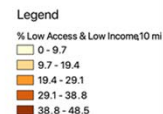
Regional Equity Study

Findings - Healthy food accessibility

Rural areas pose a particular challenge for food access due to low population densities and a heavy reliance on personal automobile usage

While data is limited, several rural tracts were flagged as areas that are low income and low access, i.e., greater than 10 miles from a supermarket

Tracts with share of population that are low income >10 miles from a supermarket



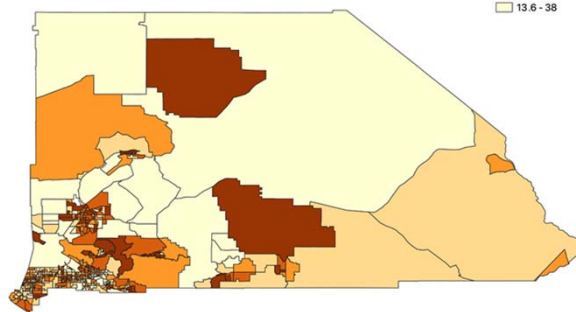
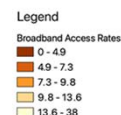
Regional Equity Study

Findings - Internet access

Broadband access is necessary to support adequate employment opportunities, workforce development, education, healthcare, and access to federal programs (e.g., SNAP).

In general, low-income areas have lower broadband internet access rates. The distribution of internet access varies. For instance, internet access rates are below 50% in the western portions of the county, and the estimated percentage of households with broadband of any type is around 10%.

Broadband access rates



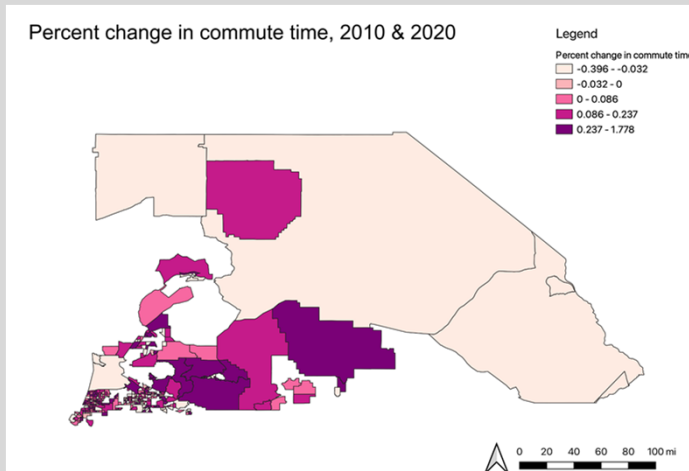
Regional Equity Study

Findings - Journey to work

The average commuting time in San Bernardino is longer (32.2 minutes) than the national average (26.9 minutes) in 2020. The mean travel time to work also shows an increasing trend from 2010 to 2020. Approximately 5.75% of the labor pool spends over 90 minutes commuting.

The majority of commuters (79.9%) drove alone in 2019. This level has increased by 6.2% from 2010 to 2019. The second most common way of commuting is carpooling (10.1%), which has declined by 7.3% since 2010.

Percent change in commute time, 2010 & 2020



note: a significant number of tracts had a value of N/A

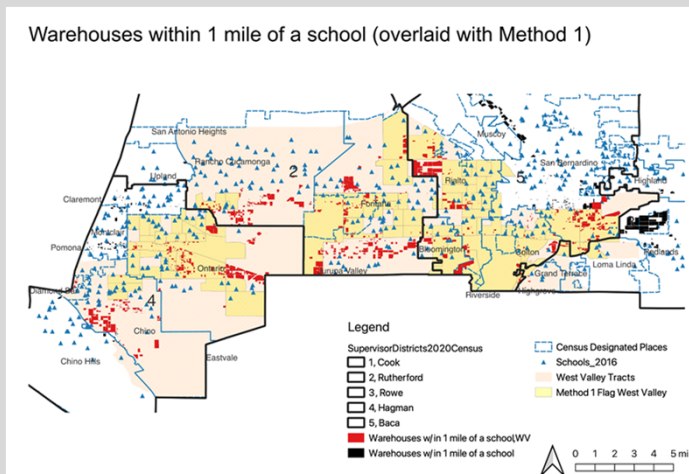


Regional Equity Study

Findings - Proximity of schools to warehouses

According to SB County Assessor Data, there are over 2,000 warehouses and warehouse-related land uses* located within 1 mile of a school, of which over 1,000 are located within West Valley tracts

Warehouses within 1 mile of a school (overlaid with Method 1)



* note: selected parcel data on warehouses that were identified as warehouses, warehouse distribution centers, and warehouse-adjacent assessed designations



Regional Equity Study

Findings - Regional analysis

Region	West Valley	High Desert	East Valley	Morongo Basin	San Bernardino
Average Household Income (ACS 2020)	\$70,973	\$51,203	\$51,780	\$42,446	\$58,918
CES 4.0 Percentile (average)	69th	52nd	80th	33rd	57%
Asthma Percentile (average % ER visits)	54%	80%	83%	53%	65%
Low Birth Weight Percentile	55%	69%	78%	48%	61%
Education Percentile (25+ years, less than HS diploma)	66%	66%	76%	47%	60%
Linguistic Isolation Percentile	52%	34%	51%	8%	36%
Poverty Percentile	59%	78%	77%	78%	68%
Child Poverty Percentile (ACS 2020)	17%	27%	29%	34%	25%
Housing Burden Percentile	50%	53%	60%	48%	50%
Total Population (ACS 2020)	675,826	159,047	136,686	31,908	1,377,823
Population Density (ppl/sq. mi)	6.48e-10	1.74e-11	6.25e-10	2.811e-12	4.24332e-9

Note: this is a regional data snapshot for descriptive purposes & does not take into account any of the method cuts detailed



Regional Equity Study

Findings - Disadvantaged tracts

Method 1: top 25% CalEnviroScreen Score

Method 2: below 80% AMI and PM2.5

The six Method 3 indicators include:

- household burden cost percentile above 50%
- child poverty rate above 20%
- linguistic isolation above 50%
- mean travel time to work longer than 30 minutes
- asthma above 75%
- estimated percent with less than a high school diploma greater than 20%

Census Tract	Region	Approximate Location
6071012400	West Valley	San Bernardino
6071004302	East Valley	San Bernardino
6071009800	High Desert	Victorville
6071004103	Other	Muscoy

note: the Method 2 analysis uses AMI and PM2.5, and does not address spatial analysis



Regional Equity Study

Findings - Disadvantaged tracts (Methods 1, 2, & 3)

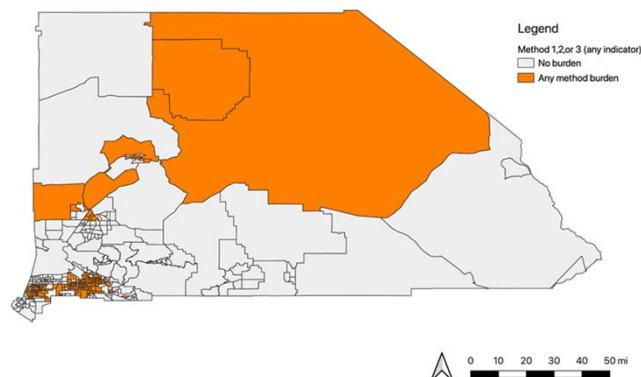
Method 1: top 25% CalEnviroScreen Score

Method 2: below 80% AMI and PM2.5

The six Method 3 indicators include:

- household burden cost percentile above 50%
- child poverty rate above 20%
- linguistic isolation above 50%
- mean travel time to work longer than 30 minutes
- asthma above 75%
- estimated percent with less than a high school diploma greater than 20%

Tracts flagged by Method 1, 2, or 3 (any of six)



note¹: PM2.5 was picked for Method 2 for this particular analysis but could be replaced with other burden variables
note²: the Method 2 analysis uses AMI and PM2.5, and does not address spatial analysis



Regional Equity Study

Findings - Disadvantaged tracts (Methods 1, 2, & 3)

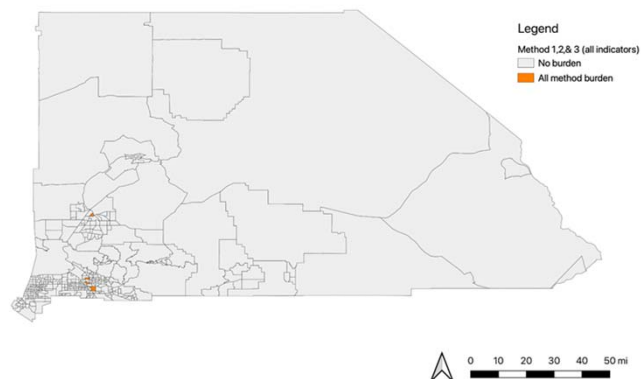
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- household burden cost percentile above 50%
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- mean travel time to work longer than 30 minutes
- asthma above 75%
- estimated percent with less than a high school diploma greater than 20%

Tracts flagged by Method 1, 2, & 3 (all six indicators)



note¹: PM2.5 was picked for Method 2 for this particular analysis but could be replaced with other burden variables
note²: the Method 2 analysis uses AMI and PM2.5, and does not address spatial analysis



Regional Equity Study

Findings - Disadvantaged tracts (Methods 1, 2, & 3)

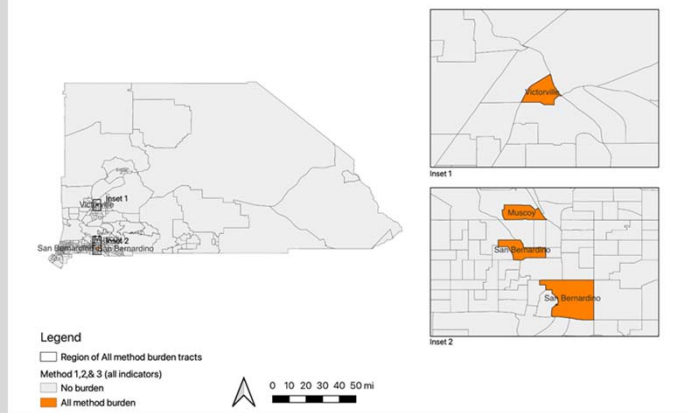
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The six Method 3 indicators include:

- household burden cost percentile above 50%
- child poverty rate above 20%
- linguistic isolation above 50%
- mean travel time to work longer than 30 minutes
- asthma above 75%
- estimated percent with less than a high school diploma greater than 20%

Tracts flagged by Method 1, 2, & 3 (all six indicators)



Regional Equity Study

Major takeaways

- SW corner of the county/West Valley has significant environmental disadvantage
- Regression analysis identifies the following key indicators relevant to housing cost burden: household income, life expectancy, CalEnviroScreen 4.0 score, asthma rate, poverty rate, linguistic isolation, and educational attainment
- Food access is a significant concern, both in urban and more rural areas
- Childhood poverty and upward income mobility analysis shows a correlation between upward mobility and social capital
- Emerging green technology may impact future environmental burden scores, but deployment is still primarily in urban centers
- There is a fair amount of variation in the distribution of spatial metrics; most likely population density impacts this measure
- Existing data raises some questions about land use designations and decisions



Regional Equity Study

Data recommendations

to understand trends:

- collect consistent data on land use and zoning designations
- collect longitudinal data on truck traffic volume, traffic volume, journey to work/mode share
- if possible, collect consistent data on actual parcel usage

to further understand disadvantage:

- collect data on typical and non-typical variables; e.g., EV charging infrastructure
- collect data on various social determinants of health indicators
- if possible, collect data on formal vs informal economy
- if possible, collect data on remote work
- if possible, collect data on other health metrics such as physical activity, healthcare coverage and access, service utilization/identified barriers
- if possible, collect data on social service utilization/identified barriers to utilization

to create a more dynamic tool:

- consider looking into an interface that can automatically update with new data (e.g., income)



Regional Equity Study

Moving forward

- Create online dashboard with information through SB 1000 work
- RES inform new projects and programs
 - Housing Trust
 - SMART County Master Plan
- Establish Equity Priority Areas Across Region
- RES tool available for Local Agency Use



Regional Equity Study

Thank you!



Regional Equity Study

Minute Action

AGENDA ITEM: 10

Date: *December 15, 2022*

Subject:

Corrective Action for Federal Formula Funds

Recommendation:

Receive information on the Corrective Action required by Southern California Association of Governments regarding Federal Surface Transportation Block Grant and Congestion Mitigation and Air Quality Improvement Program funds.

Background:

As part of the review of the 2021 Federal Statewide Transportation Improvement Program (FTIP), the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued a Corrective Action dated April 15, 2021, to the California Department of Transportation (Caltrans) regarding the administration and oversight of the Congestion Mitigation and Air Quality (CMAQ) and Urban Surface Transportation Block Grant (STP) programs. This was followed by a Corrective Action issued to Southern California Association of Governments (SCAG) on August 15, 2022, as part of their 2022 Federal Certification Review. Caltrans and SCAG have been given until June 30, 2023, to demonstrate policies and procedures that comply with Federal regulations for the administration of these programs.

Corrective Action Regarding STP Funds

STP funds provide flexible funding to best address State and local transportation needs. Federal transportation authorizations use the term sub-allocation to refer to funds apportioned to a State by a formula for use in specific areas within the State. The sub-allocated funds are divided into three categories and must be used in the areas described: urbanized areas with a population over 200,000; urban areas with a population of 5,001 to 200,000; and areas with a population of 5,000 or less. The Federal metropolitan planning and statewide and nonmetropolitan planning requirements layout the basic provisions related to STP project selection. For urbanized areas with a population over 200,000, projects are to be selected from the approved FTIP by the Metropolitan Planning Organization (MPO) in consultation with the State and any affected public transportation operator. Projects on the National Highway System are to be selected from the approved FTIP by the State in cooperation with the affected MPO. Procedures or agreements that distribute sub-allocated STP funds to individual jurisdictions or modes within the Metropolitan Planning Area (MPA) by pre-determined percentages or formulas are inconsistent with the legislative provisions requiring the MPO to cooperate with the State and the public transportation operator to develop a prioritized and financially constrained FTIP.

FHWA and FTA have determined that SCAG's process for programming STP funds is inconsistent with Federal regulations for the following reasons:

- STP funds are sub-allocated to the County Transportation Commissions (CTC) using a population formula.
- The CTCs prioritize and select projects for STP funding without the involvement of SCAG.

It is important to note that this process is consistent with California Streets and Highways Code, which states that where CTC have been created by the CTCs Act of the Public Utilities Code, all STP funds shall be further apportioned by the MPO to the CTC based on relative population. Through this requirement, San Bernardino County Transportation Authority (SBCTA) has been receiving formula apportionments of STP funds that are currently about \$30 million per year. SBCTA includes these funds in the policy governing the equitable distribution of State and Federal funds between the Subareas of the County.

Corrective Action Regarding CMAQ Funds

CMAQ funds are for transportation projects or programs that will contribute to the attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone (O₃), carbon monoxide (CO), and particulate matter – both PM₁₀ and PM_{2.5}. Each CMAQ project must meet three basic criteria: it must be a transportation project; it must generate an emissions reduction; it must be in or benefit a nonattainment or maintenance area. To ensure that projects deemed most effective in reducing motor vehicle emissions and congestion are programmed for early implementation the MPOs, States and transit agencies should develop CMAQ project selection processes in accordance with the Federal metropolitan or statewide planning process. The selection process should involve State and local transportation and air quality agencies. As part of the selection process, MPOs and States should evaluate the cost-effectiveness of the projects and give priority consideration to those that will create the greatest emissions reductions for the least cost, especially in those areas designated nonattainment or maintenance for PM_{2.5}. This selection process allows states and local agencies to present a case for selecting eligible projects that will best use CMAQ funding to meet the requirements and advance the goals of the Clean Air Act. States and MPOs should fulfill this responsibility so that nonattainment and maintenance areas can make good-faith efforts to attain and maintain the NAAQS by the prescribed deadlines.

FHWA and FTA have determined that SCAG's process for programming CMAQ funds is inconsistent with Federal regulations for the following reasons:

- The CTCs prioritize and select projects for CMAQ funding without the involvement of SCAG.

While CMAQ funds are currently apportioned to CTCs based on formula, the formula is based on O₃ and CO weighted attainment status; therefore, SCAG believes the formula targets for CMAQ can remain as they currently are, with SBCTA receiving about 11.3% of the CMAQ funding available in the SCAG region, which is currently about \$32 million per year. As with the STP funds, SBCTA includes these funds in the policy governing the equitable distribution of State and Federal funds between the Subareas of the County.

Compliance Action Plan

SCAG has convened a working group with representatives of each of the CTCs in the SCAG region to identify a methodology for the programming of STP and CMAQ funds in response to the Corrective Action. Under the current proposal, which remains to be reviewed and approved by FHWA and FTA, SCAG will initiate a regional project nomination process where the CTCs will determine the projects to be nominated for SCAG's consideration, and SCAG will evaluate and select projects for programming in the FTIP. For STP funds, SCAG has identified programming targets for each county based on performance output of the regional travel demand

model and pavement condition. Specifically, the performance-based target for STP funds is based on:

- County share of Connect SoCal 2020 modeled benefits in 2045:
 - Reduction in daily vehicle miles traveled (VMT),
 - Reduction in vehicle hours traveled (VHT), and
 - Reduction in daily delay.
- County share of non-Interstate National Highway System pavement in good and fair condition.

Under this methodology, SBCTA's targeted share of STP funds is 12.2%, which is slightly higher than the 11.4% population share. As stated earlier, the CMAQ target is 11.3%, which is consistent with the current amount of funding SBCTA receives. These performance-based nomination targets will only guide the nomination submittals from each county, it is not a guaranteed funding level, nor does it set a nomination ceiling. Each CTC can define their own process for identifying projects to be nominated as long as there is demonstration of engagement with potential project sponsors and stakeholders. Currently, SBCTA selects projects for STP and CMAQ funding through the development of the biennial updates to the 10-Year Delivery Plan and annual coordination with the transit operators, which staff believes is sufficient to meet this requirement. The schedule for initiation of this process has not been finalized.

Impact on Current Programming Commitments

Projects that are programmed with STP and CMAQ funds in the FTIP as of June 30, 2023, in Fiscal Years 2022/2023 through 2025/2026 will be grandfathered and not subject to the new nomination process. Attachment 1 shows the commitments of STP and CMAQ funds that were made in the 2021 Update to the 10-Year Delivery Plan and the current 10-year CMAQ Allocation Plan for Transit Operators relative to the current programming capacity. Staff will be working with the project sponsors over the next several months to ensure the funds will be used on the schedule shown so that SBCTA can maximize the STP and CMAQ funds programmed through Fiscal Year 2025/2026 by the June 30, 2023 deadline. In cases where there may be programming capacity available, staff will determine additional projects that might be able to use this capacity. Staff intends to return to Board in March 2023, in the case that changes need to be made to the project list to fully program the San Bernardino County share of funds.

Financial Impact:

This item is consistent with the Fiscal Year 2022/2023 Budget.

Reviewed By:

The information presented in this item was reviewed by the Transportation Technical Advisory Committee on December 5, 2022. This item is scheduled for review by the Mountain/Desert Policy Committee on December 16, 2022.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors Metro Valley Study Session
Date: December 15, 2022

Witnessed By:

ATTACHMENT 1

Table 1 - STP Programming

Agency	Project	Annual Programming Capacity/Planned Programming							
		Grandfathered Years				10-Year Delivery Plan			
		2023*	2024	2025	2026	2027	2028	2029	2030
		\$18,267,000	\$29,769,000	\$29,758,000	\$29,747,000	\$31,182,288	\$31,182,288	\$31,182,288	\$31,182,288
SB County	Baker Bridge				\$9,561,344				
SB County	National Trails Highway Bridges		\$7,527,936.00	\$6,901,446.00		\$8,858,478.00			\$13,199,148.00
SB County	Needles Highway Segment 1C Right of Way	\$500,000							
SB County	Needles Highway Segment 1C Construction				\$8,000,000				
SB County	Phelan Rd Widening					\$23,399,874			
SBCTA	Barstow Mojave Bridges Construction		\$5,427,718						
SBCTA	I-10 Contract 1 (DB contingency)	\$3,519,873							
SBCTA	I-215 University Pkwy Construction	\$573,153							
SBCTA	US-395 Phase 2, I-15 to SR 18		\$3,562,059						
Twentynine Palms	SR62 Phase 2B Widening, Encelia to Larrea Construction				\$4,106,204				
Yucca Valley	SR 62 Widening, Sage to Airway Construction							\$14,797,095	
Annual Total Planned		\$4,593,026	\$16,517,713	\$6,901,446	\$21,667,548	\$32,258,352	\$0	\$14,797,095	\$13,199,148
Annual Programming Capacity Balance		\$13,673,974.00	\$13,251,287.00	\$22,856,554.00	\$8,079,452.00	(\$1,076,064.00)	\$31,182,288.00	\$16,385,193.00	\$17,983,140.00
Cumulative Balance		\$13,673,974.00	\$26,925,261.00	\$49,781,815.00	\$57,861,267.00	\$56,785,203.00	\$87,967,491.00	\$104,352,684.00	\$122,335,824.00

* Programming capacity in Fiscal Year 2022/2023 is reduced to account for an apportionment loan payback to Ventura County Transportation Commission

Table 2 - CMAQ Programming

Agency	Project	Annual Programming Capacity/Planned Programming							
		Grandfathered Years				10-Year Delivery Plan			
		2023	2024	2025	2026	2027	2028	2029	2030
		\$33,109,076	\$32,100,718	\$32,090,718	\$32,080,518	\$32,080,518	\$32,080,518	\$32,080,518	\$32,080,518
MARTA	Buses/Infrastructure		\$316,524	\$0	\$3,046,887	\$2,750,322	\$821,931	\$0	\$1,851,448
MBTA	Buses/Infrastructure		\$745,070	\$904,072	\$0	\$876,513	\$595,579	\$1,040,485	\$3,053,006
Omnitrans	Buses/Infrastructure	\$0	\$18,305,820	\$36,891,083	\$10,467,232	\$23,012,095	\$23,284,020	\$24,784,868	\$0
SBCTA	SCAB Rideshare			\$2,200,000		\$2,800,000		\$2,800,000	
SBCTA	MDAB Rideshare		\$700,000		\$700,000		\$900,000		\$900,000
SBCTA	I-10 Contract 1 (DB Contingency)	\$7,181,264							
SBCTA	West Valley Connector	\$11,275,000							
SBCTA	Tunnel to Ontario International Airport		\$1,980,000						
VVTA (North Desert)	Buses/Infrastructure	\$0	\$650,000	\$0	\$650,000	\$0	\$650,000		\$650,000
VVTA (Victor Valley)	Buses/Infrastructure	\$2,725,000	\$664,000	\$2,500,000	\$3,100,000	\$2,500,000	\$3,465,983	\$6,311,981	\$5,658,869
Yucca Valley	SR-62 Signal Synch Church St to Yucca Mesa/ La Contenta Rd Balance	\$27,725							
Annual Total Planned		\$21,208,989	\$23,361,414	\$42,495,155	\$17,964,119	\$31,938,929	\$29,717,513	\$34,937,334	\$12,113,323
Annual Programming Capacity Balance		\$11,900,087.00	\$8,739,304.30	(\$10,404,436.70)	\$14,116,399.02	\$141,588.58	\$2,363,004.77	(\$2,856,816.21)	\$19,967,194.60
Cumulative Balance		\$11,900,087.00	\$20,639,391.30	\$10,234,954.60	\$24,351,353.62	\$24,492,942.20	\$26,855,946.97	\$23,999,130.75	\$43,966,325.36

Additional Information

BOARD OF DIRECTORS METRO VALLEY STUDY SESSION ATTENDANCE - 2022
VALLEY BOARD MEMBER ATTENDANCE

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

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

Communication: Attendance (Additional Information)

BOARD OF DIRECTORS METRO VALLEY STUDY SESSION ATTENDANCE – 2022

VALLEY BOARD MEMBER ATTENDANCE (Cont.)

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

MOUNTAIN/DESERT BOARD MEMBER ATTENDANCE

Daniel Ramos City of Adelanto												
Art Bishop Town of Apple Valley		X		X	X	X		X	X	X	X	
Paul Courtney City of Barstow												
Rick Herrick City of Big Bear Lake												
Rebekah Swanson City of Hesperia								X				
Edward Paget City of Needles												
Joel Klink City of Twentynine Palms												
Debra Jones City of Victorville						X						
Rick Denison Town of Yucca Valley		X	X	X	X	X		X	X	X	X	
Paul Cook Board of Supervisors		X	X	X	X	X		X	X	X	X	

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

MVSSatt22

Shaded box = No meeting

Communication: Attendance (Additional Information)

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

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

Acronym List

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



MISSION STATEMENT

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

We achieve this by:

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

Approved December 4, 2019