

## **AGENDA**

### **Transit Committee Meeting**

**March 9, 2023**

**9:00 AM**

**Location**

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

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

**Chair**

Ray Marquez, Council Member  
*City of Chino Hills*

Larry McCallon, Mayor  
*City of Highland*

**Vice Chair**

Rick Denison, Mayor  
*Town of Yucca Valley*

John Dutrey, Mayor  
*City of Montclair*

Alan Wapner, Council Member  
*City of Ontario*

Eunice Ulloa, Mayor  
*City of Chino*

L. Dennis Michael, Mayor  
*City of Rancho Cucamonga*

Frank Navarro, Mayor  
*City of Colton*

Dawn Rowe, Supervisor  
*County of San Bernardino*

Acquanetta Warren, Mayor  
*City of Fontana*

Joe Baca, Jr., Supervisor  
*County of San Bernardino*

Sylvia Robles, Council Member  
*City of Grand Terrace*

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

**AGENDA**

**Transit Committee Meeting**

**March 9, 2023  
9:00 AM**

**Location**

**SBCTA Office**

**First Floor Lobby Board Room**

**1170 W. 3rd Street, San Bernardino, CA 92410**

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

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

**CALL TO ORDER**

(Meeting Chaired by Ray Marquez)

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

**Possible Conflict of Interest Issues**

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

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

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

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

## **CONSENT CALENDAR**

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

### **Consent - Transit**

- 2. Contract Change Orders to on-going Contracts with Stadler US, Flatiron West, Inc., and Granite Construction Company** Pg. 13

Receive and file change order report.

**Presenter: Victor Lopez**

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

## **DISCUSSION ITEMS**

### **Discussion - Transit**

- 3. Preview of the Hearing to Consider Resolution of Necessity for Property Interests for the West Valley Connector Project** Pg.16

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

A. Conduct a public hearing to consider condemnation of interests in real property described more particularly in the Resolution of Necessity described below (referred to below collectively as the "Subject Property Interests"), which are required for the West Valley Connector Project.

B. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 23-037 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Ontario Mills Limited Partnership, a Delaware limited partnership. (Assessor's Parcel Numbers [APNs] 0238-014-36, 40 & 42). The Resolution must be approved by at least a two-thirds vote of the Board of Directors.

**Presenter: Ramie Dawit**

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

- 4. Market Evaluation of the vacant property located adjacent to the Arrow Maintenance Facility located at 958 West 3rd Street in the City of San Bernardino.** Pg. 29

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

A. Authorize the Executive Director, or his designee, to obtain a current preliminary title report and appraisal of the vacant property adjacent to the Arrow Maintenance Facility located at the northwest corner of 3rd Street and I Street, Assessor's Parcel Number (APN) 0138-231-15, located in the City of San Bernardino.

Agenda Item 4 (cont.)

B. Authorize the Executive Director, or his designee, to negotiate the terms and price with the property owner for the lease and/or purchase of subject property; APN 0138-321-15, based upon the information received from the preliminary title report and appraisal. The lease and/or purchase agreement will be presented for Board of Director's approval, to include proposed funding allocations.

**Presenter: Joy Buenaflor**

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

**5. Fiscal Year 2022/2023 Low Carbon Transit Operations Program - Population Share**

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

A. Approve a swap of \$11,898 of Valley State Transit Assistance-Population Share funds for \$11,898 of Low Carbon Transit Operations Program (LCTOP) - Population Share funds for the City of Needles.

B. Approve a swap of \$977 of Valley State Transit Assistance-Population Share funds for \$977 LCTOP - Operator Share funds for the City of Needles.

C. Allocate \$5,338,388 of LCTOP - Population Share funding to the following projects:

i. Basin Transit: Bus Stop Improvements - \$120,262; Student Fare Subsidy – \$55,000

ii. Mountain Transit: Bus Stop Revitalization - \$94,200; Student Fare Subsidy – \$30,000

iii. Victor Valley Transit Authority: Fuel Cell Electric Vehicles - \$1,140,545; Fare Media Subsidy - \$20,000

iv. Omnitrans: First/Last Mile Shuttle – \$1,066,277; Student Fare Subsidy – \$985,000; Omnitrans Route 83 Peak Hour Service Enhancement - \$1,814,206

v. San Bernardino County Transportation Authority: San Bernardino Line Double Tracking-\$12,898

D. Allocate \$977 of LCTOP - Operator Share funds from the City of Needles to San Bernardino County Transportation Authority for the San Bernardino Line Double Tracking project.

E. Adopt Resolution No. 23-026 authorizing the Executive Director, or his designee, to execute Certifications and Assurances for the LCTOP and nomination of funding requests for listed transit projects.

**Presenter: Nicole Soto**

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

**Public Comment**

Brief Comments from the General Public

**Comments from Board Members**

Brief Comments from Board Members

## **ADJOURNMENT**

### **Additional Information**

Attendance

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Acronym List

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Mission Statement

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The next Transit Committee meeting is scheduled for April 13, 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](mailto:clerkoftheboard@gosbcta.com) and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at [www.gosbcta.com/board/meetings-agendas/](http://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. 3<sup>rd</sup> 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:*** March 9, 2023

***Subject:***

Information Relative to Possible Conflict of Interest

***Recommendation:***

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

***Background:***

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

Item No.	Contract No.	Principals & Agents	Subcontractors
2	16-1001531	Stadler US, Inc. <i>Martin Ritter</i>	None
2	17-1001705	Flatiron West, Inc. <i>Dale A. Nelson</i>	All American Asphalt Hayward Baker, Inc. Pacific Steel Group Southwest V-Ditch, Inc. Schuff Steel Company Paramount Metal Supply Perimeter Security Group Alcorn Fence Company BC Traffic Specialist Select Electric, Inc. Mass Electric Const. Co. R. Dugan Construction, Inc. Rock Structures Advanced Geosolutions, Inc. Veolia Transportation Maintenance and Infrastructure

## Transit Committee Agenda Item

March 9, 2023

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2	19-1002070	Granite Construction Company <i>Brad J. Williams</i>	Pacific Crane and Hoist, Inc. Facility Builders & Erectors, Inc. Beeson Masonry & Concrete, Inc. dba Pacific Pervious Coreslab Structures (LA), Inc. H. Wayne Lewis, Inc. dba Amber Steel Company Ken Curran Electric, Inc. PGC Construction, Inc. H & H Engineering Construction, Inc. CL Coatings, Inc. Crown Fence Co. Air & Lube Systems, Inc. Wine Gardner Masonry, Inc. Meadows Sheet Metal & Air Conditioning, Inc. Dba Meadows Mechanical
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**Item No. 3 – Preview of the Hearing to Consider Resolution of Necessity for Property Interests for the West Valley Connector Project**

APN#	Principals & Agents
0238-014-36	Ontario Mills Limited Partnership, a Delaware Limited Partnership
0238-014-40	Ontario Mills Limited Partnership, a Delaware Limited Partnership
0238-014-42	Ontario Mills Limited Partnership, a Delaware Limited Partnership

**Item No. 4 – Market Evaluation of the vacant property located adjacent to the Arrow Maintenance Facility located at 958 West 3rd Street in the City of San Bernardino.**

APN#	Principals & Agents
0138-231-15	Terry Steckler Property (3rd Street and I Street)

Item No.	Contract No.	Principals & Agents	Subcontractors
5	n/a	City of Needles	None
5	n/a	Basin Transit	None
5	n/a	Mountain Transit	None
5	n/a	Victor Valley Transit	None
5	n/a	Omnitrans	None

**Financial Impact:**

This item has no direct impact on the annual budget.

**Reviewed By:**

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

**Responsible Staff:**

Victor Lopez, Director of Transit &amp; Rail Programs

San Bernardino County Transportation Authority

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Approved  
Transit Committee  
Date: March 9, 2023  
Witnessed By:

## ***Minute Action***

### AGENDA ITEM: 2

***Date:*** March 9, 2023

***Subject:***

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

***Recommendation:***

Receive and file change order report.

***Background:***

San Bernardino County Transportation Authority has two (2) ongoing construction contracts and two (2) vehicle procurement contracts related to the Transit and Rail Program. The following Construction Change Orders (CCO) were approved since the last reporting to the Transit Committee:

A. Contract No. 16-1001531 with Stadler US for Redlands Passenger Rail Project (RPRP) Diesel Multiple Units (DMU) procurement has had no CCOs executed since the last report.

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

- 1) CCO 281: Station platform tie block installation (\$49,613.67)
- 2) CCO 282: Ford Wholesale driveway traffic loops installation (\$38,582.59)
- 3) CCO 283: Feeder wire revisions at Eureka Street (\$53,729.87)
- 4) CCO 284: Replace signal heads at the intersection of Eureka Street and Oriental Avenue (\$10,782.84)
- 5) CCO 285: City of San Bernardino street light repair (\$14,501.37)
- 6) CCO 286: San Bernardino maintenance yard revisions (\$134,704.23)
- 7) CCO 287: Final quantity adjustment of contract bid items and change orders (\$453,040.32)

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

D. Contract No. 20-1002310 with Stadler US for Zero Emission Multiple Unit (ZEMU) Rail Vehicle Procurement has had no CCOs executed since the last report.

***Financial Impact:***

This item is consistent with the Fiscal Year 2022/2023 Budget.

***Reviewed By:***

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

***Responsible Staff:***

Victor Lopez, Director of Transit & Rail Programs

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Approved  
Transit Committee  
Date: March 9, 2023  
Witnessed By:

<b>Rail and Transit Construction Contracts</b>		
<b>RPRP- Mainline Construction Flatiron West, Inc (17-1001705)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
281	CN 300 - Station platform tie block installation	\$49,613.67
282	CN 113 – Ford Wholesale driveway traffic loops installation	\$38,582.59
283	CN 202 – Feeder wire revisions at Eureka Street	\$53,729.87
284	CN 253 – Replace signal heads at Eureka and Oriental intersection	\$10,782.84
285	CN 301 – City of San Bernardino street light repair	\$14,501.37
286	CN 273 – San Bernardino maintenance yard revisions	\$134,704.23
287	Final quantity adjustment of contract bid items and change orders	(\$453,040.32)
<b>CCO TOTAL</b>		<b>\$22,247,695.20</b>
<b>APPROVED CONTINGENCY</b>		<b>\$23,134,814.59</b>
<b>REMAINING CONTINGENCY</b>		<b>\$887,119.39</b>
<b>RPRP- Arrow Maintenance Facility (AMF) Granite Construction Company (19-1002070)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
<b>CCO TOTAL</b>		<b>\$6,131,139.71</b>
<b>APPROVED CONTINGENCY</b>		<b>\$6,638,400.00</b>
<b>REMAINING CONTINGENCY</b>		<b>\$507,260.29</b>
<b>RPRP- Vehicle Procurement From Stadler US (16-1001531)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
<b>CCO TOTAL</b>		<b>\$1,015,211.83</b>
<b>APPROVED CONTINGENCY</b>		<b>\$2,070,508.00</b>
<b>REMAINING CONTINGENCY</b>		<b>\$1,055,296.17</b>
<b>ZEMU- Vehicle Procurement From Stadler US (20-1002310)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
<b>CCO TOTAL</b>		<b>\$27,911.00</b>
<b>APPROVED CONTINGENCY</b>		<b>\$500,000.00</b>
<b>REMAINING CONTINGENCY</b>		<b>\$472,089.00</b>

## ***Minute Action***

### AGENDA ITEM: 3

***Date:*** March 9, 2023

***Subject:***

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

***Recommendation:***

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

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

B. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 23-037 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Ontario Mills Limited Partnership, a Delaware limited partnership. (Assessor’s Parcel Numbers [APNs] 0238-014-36, 40 & 42). The Resolution must be approved by at least a two-thirds vote of the Board of Directors.

***Background:***

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

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

*Entity: San Bernardino County Transportation Authority*



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

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

The Board further found that the benefits of the WVC Project outweigh the unavoidable environmental impacts. The Board emphasized that the WVC Project (under the approved Alternative B alternative) has significant benefits, including improved travel time and the speed and reliability of bus transit based on the proposed exclusive bus-only lanes with five center-running stations in Ontario. The WVC Project is consistent with several regional and local land-use plans, including helping to achieve the goals of Southern California Association of Governments' (SCAG) Regional Comprehensive Plan and Regional Transportation Plan/Sustainable Communities Strategy, SBCTA's Long-Range Transit Plan for San Bernardino Valley, goals related to improving transit opportunities in the General Plans of the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana and the counties of Los Angeles and San Bernardino, and the Specific Plans, Community Plans, and Master Plans along the project corridor. Resolution No. 20-046 highlighted that the City of Ontario's Holt Boulevard Mobility and Streetscape Strategic Plan specifically reflects the WVC Project with exclusive bus-only lanes on Holt Boulevard. In addition, the WVC Project would facilitate future transit-oriented developments and mixed-use developments along the project corridor to revitalize the WVC Project area. The WVC Project is supported by Caltrans, Districts 7 and 8, and the cities along the WVC Project corridor, including Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana. Further, the Board found that the WVC Project would have economic benefits for the area, revitalize adjacent land uses along the corridor, and improve sidewalks and parkways associated with land acquisition for the widened right-of-way.

In September 2020, the Board approved modifications to the project scope that included deferring the construction of a new operations and maintenance facility and implementing 40-foot battery electric buses for the new Bus Rapid Transit (BRT) route. The existing West Valley maintenance facility located in Montclair has the capacity to maintain the 18 buses needed to operate the new BRT route. The additional capacity at the existing facility is a result of Omnitrans' implementation of the Connect Forward service reduction plan, which reduces the number of fixed route buses in service and thus frees up capacity at the existing maintenance facility. The introduction of battery electric buses (BEB) was based on the successful Transit and Intercity Rail Capital Program (TIRCP) grant award of \$15 million towards the cost of BEBs for San Bernardino County Transportation Authority

the project. The use of 40-foot BEBs instead of the 60-foot compressed natural gas (CNG) buses, as originally proposed in the environmental document, requires incorporating en-route chargers as well as retrofitting the existing maintenance facility with charging infrastructure. Based on the proposed scope changes, staff coordinated with FTA environmental staff and concluded that a CEQA EIR addendum and a National Environmental Policy Act (NEPA) Environmental FONSI reevaluation were required. On October 5, 2022, the Board approved the addendum to the CEQA EIR and the FTA concurred with SBCTA findings and approved the re-validation on October 25, 2022.

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

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

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

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

Before this item comes before the Board, SBCTA will comply with applicable law and requirements for the acquisition of property for public use by eminent domain. In accordance with Code of Civil Procedure Section 1245.235, SBCTA will mail to the owner of the Subject Property Interests a Notice of Hearing regarding the intent of SBCTA to adopt a Resolution of Necessity for acquisition by eminent domain of the respective Subject Property Interests. The Code of Civil Procedure Section 1245.235 notice of hearing will be mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as the owner or owners of the property of which the respective Subject Property Interests are a part. Further, in accordance with Code of Civil Procedure Section 1245.235, SBCTA will also mail a

San Bernardino County Transportation Authority

Notice of Hearing regarding the intent of SBCTA to adopt a Resolution of Necessity for acquisition by eminent domain of the respective Subject Property Interests to the City of Ontario as required by Public Utilities Code Section 130220.5(c).

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

The owner of the subject property is:

- Ontario Mills Limited Partnership

### ***Support for Adoption of Resolution of Necessity***

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

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

1. ***The public interest and necessity require the WVC Project;***
2. ***The WVC Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;***
3. ***The Subject Property Interests sought to be acquired are necessary for the WVC Project; and***
4. ***The offer required by Government Code Section 7267.2 has been made to the owner or owners of record.***

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

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

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

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

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

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

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

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

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

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

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

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

Ontario Mills Limited Partnership: A permanent easement, a permanent access easement and a temporary construction easement is needed for construction of the WVC Project improvements. As stated above, the public use for which SBCTA seeks to acquire the Subject Property Interests, namely street widening for bus related purposes to improve corridor mobility and transit efficiency with an enhanced, state-of-the-art BRT system, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section 1240.510). Further, the WVC Project may require the relocation of several utilities to the proposed new right-of-way area. The public use for which SBCTA seeks to acquire the Subject Property Interests, namely street widening for bus related purposes to improve corridor mobility and transit efficiency with an enhanced, state-of-the-art BRT system, and all uses necessary or convenient thereto is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders have appropriated any utility easements located in the Subject Property Interests that are affected by the WVC Project. Accordingly, SBCTA is authorized to acquire the Subject Property Interests pursuant to Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

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

In addition, to the extent the Subject Property Interests, or portions thereof, are currently devoted to or held for some public use, SBCTA intends to acquire substitute property pursuant to Code of Civil Procedure Sections 1240.320 and 1240.330. The requirements of said Sections have been

satisfied and the acquisition of said substitute property is necessary for the WVC Project. The substitute property may be conveyed by SBCTA to the owner(s) of the property interests needed for the WVC Project.

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

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

- SBCTA extended a written offer in January 2023 to Ontario Mills Limited Partnership, to purchase an approximate 42,259 square foot permanent easement, an approximate 63,185 square foot permanent access easement, and an approximate 3,864 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1 East Mills Circle and 4380 Mills Circle, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 0238-014-36, 40 & 42.

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

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

- Resolution of Necessity
- SBCTA Resolution No. 20-046
- Offer letter to the record owner of the Subject Property Interests
- Notice pursuant to Code of Civil Procedure Section 1245.235 to the record owners of the Subject Property Interests
- Notice pursuant to Code of Civil Procedure Section 1245.235 to the City of Ontario as required by Public Utilities Code Section 130220.5(c)
- Project plans
- Environmental Documents relating to the WVC Project

***Financial Impact:***

This item is consistent with the Fiscal Year 2022/2023 Budget.

***Reviewed By:***

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

***Responsible Staff:***

Ramie Dawit, Transit and Rail Consultant - WSP

San Bernardino County Transportation Authority

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Approved  
Transit Committee  
Date: March 9, 2023

Witnessed By:



# WEST VALLEY CONNECTOR PROJECT

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

Presenter: Ramie Dawit  
SBCTA Right-of-Way Manager

Transit Committee  
March 9, 2023



**cta**

San Bernardino County  
Transportation Authority

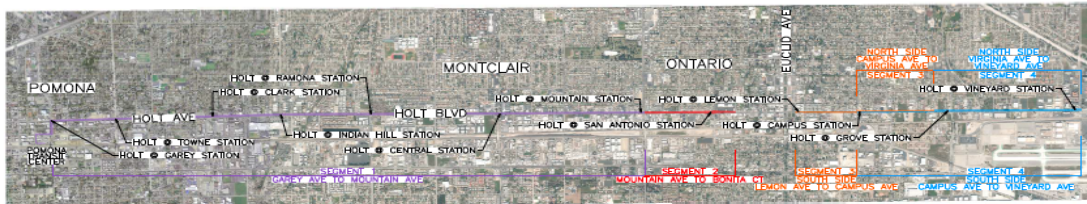
### SBCTA IS REQUESTED TO MAKE THE FOLLOWING FINDINGS:

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



**SBCTA Request**

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

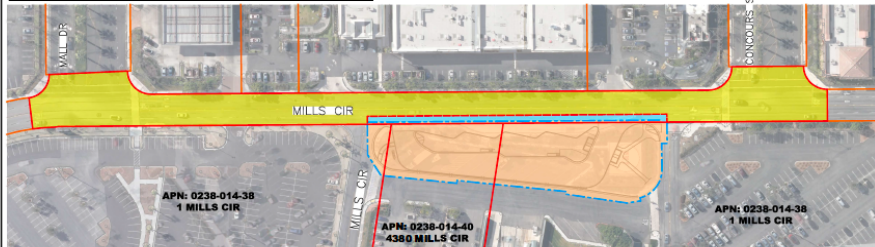


WEST VALLEY CONNECTOR  
PROJECT  
INFORMATION ONLY DO NOT RECORD

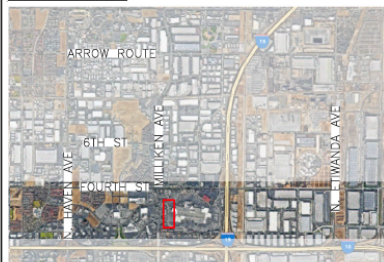


West Valley Connector Project

OWNER: ONTARIO MILLS LIMITED PARTNERSHIP



PROJECT AREA



LEGEND

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

WEST VALLEY CONNECTOR  
PROJECT  
INFORMATION ONLY DO NOT RECORD



Recommendation: B



Parcel Location

Communication Summary

No.	Ownership	Date of First Contact	Mailing	In Person/Virtual Meeting	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts*	Total
B.	Ontario Mills Limited Partnership	10/13/16	4	6	0	4	0	3	17
*Property visit, phone call and/or email with no response									

Offer of Just Compensation

Item	Ownership	Offer Date
B.	Ontario Mills Limited Partnership	1/18/23



Communication Summary/  
Offer of Just Compensation

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

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



Staff Recommendation



## ***Minute Action***

### AGENDA ITEM: 4

***Date:*** March 9, 2023

***Subject:***

Market Evaluation of the vacant property located adjacent to the Arrow Maintenance Facility located at 958 West 3rd Street in the City of San Bernardino.

***Recommendation:***

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

A. Authorize the Executive Director, or his designee, to obtain a current preliminary title report and appraisal of the vacant property adjacent to the Arrow Maintenance Facility located at the northwest corner of 3rd Street and I Street, Assessor's Parcel Number (APN) 0138-231-15, located in the City of San Bernardino.

B. Authorize the Executive Director, or his designee, to negotiate the terms and price with the property owner for the lease and/or purchase of subject property; APN 0138-321-15, based upon the information received from the preliminary title report and appraisal. The lease and/or purchase agreement will be presented for Board of Director's approval, to include proposed funding allocations.

***Background:***

The property located at the northwest corner of 3rd Street and I Street in the City of San Bernardino, also known as Assessor's Parcel Number (APN) 0138-231-15, is approximately 1.95 acres in size. The lot is primarily vacant land with two cell tower leases located along the north property line, which the property shares with the Arrow Maintenance Facility (AMF) property. There also appears to be a utility easement on the east end of the property.

San Bernardino County Transportation Authority (SBCTA) property interest stems from the space constraints at the AMF. With the construction of infrastructures to support the Zero Emission Multiple Unit (ZEMU) project, there will be additional need for construction staging or lay down areas, and additional space for storage containers that will have the spare parts and tools needed during the testing and warranty phase of the ZEMU vehicles. Furthermore, this property was previously considered a good location for a multi-modal hydrogen fueling station and may be considered for that purpose in the future if SBCTA successfully acquires the property.

Currently, the property is not actively listed for sale on commercial property listings; however, a sign is posted on the property for contacts if interested. In response to SBCTA inquiries on the property, the property owner's broker informed staff that the owner is in the process of a speculative storage yard entitlement on the property; however, that process is pending. As of now, the property is not available for sale, but, in the interim, the property owner's broker has stated that the property is available for lease in "as is" condition and that the owner will consider providing a first right of refusal.

Since the property is available to the open market for lease "as is" with the possibility to obtain a first right of refusal, staff sees this as an opportunity to make a protective acquisition in advance

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

March 9, 2023

Page 2

of the project needs without the immediate threat of condemnation. The strategy will allow the Executive Director, or his designee, to negotiate a fair market value, as an arm's length transaction, while deferring of approval funding allocations until after price negotiations are concluded so as to not unduly influence the price negotiations.

***Financial Impact:***

This item is consistent with 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:***

Joy Buenaflor, Project Manager

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Approved  
Transit Committee  
Date: March 9, 2023

Witnessed By:

## ***Minute Action***

### AGENDA ITEM: 5

***Date:*** March 9, 2023

***Subject:***

Fiscal Year 2022/2023 Low Carbon Transit Operations Program - Population Share

***Recommendation:***

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

- A. Approve a swap of \$11,898 of Valley State Transit Assistance-Population Share funds for \$11,898 of Low Carbon Transit Operations Program (LCTOP) - Population Share funds for the City of Needles.
- B. Approve a swap of \$977 of Valley State Transit Assistance-Population Share funds for \$977 LCTOP - Operator Share funds for the City of Needles.
- C. Allocate \$5,338,388 of LCTOP - Population Share funding to the following projects:
  - i. Basin Transit: Bus Stop Improvements - \$120,262; Student Fare Subsidy – \$55,000
  - ii. Mountain Transit: Bus Stop Revitalization - \$94,200; Student Fare Subsidy – \$30,000
  - iii. Victor Valley Transit Authority: Fuel Cell Electric Vehicles - \$1,140,545; Fare Media Subsidy - \$20,000
  - iv. Omnitrans: First/Last Mile Shuttle – \$1,066,277; Student Fare Subsidy – \$985,000; Omnitrans Route 83 Peak Hour Service Enhancement - \$1,814,206
  - v. San Bernardino County Transportation Authority: San Bernardino Line Double Tracking-\$12,898
- D. Allocate \$977 of LCTOP - Operator Share funds from the City of Needles to San Bernardino County Transportation Authority for the San Bernardino Line Double Tracking project.
- E. Adopt Resolution No. 23-026 authorizing the Executive Director, or his designee, to execute Certifications and Assurances for the LCTOP and nomination of funding requests for listed transit projects.

***Background:***

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

Eligible projects funded by the LCTOP include new or expanded bus or rail services, expanded intermodal transit facilities, free or reduced transit fares, and may include equipment acquisition,

*Entity: San Bernardino County Transportation Authority*

fueling, maintenance and other costs to operate those services or facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service areas include a Disadvantaged Community (DAC), at least 50 percent of the total monies received shall be expended on projects that will benefit the DAC. Effective this cycle, legislative changes removed the restriction that limited LCTOP for operations projects to five (5) years from the date of implementation.

Administered by the California Department of Transportation (Caltrans), LCTOP funds are apportioned to eligible agencies utilizing the State Transit Assistance (STA) program formula. The formula apportions 50 percent of LCTOP funds by population and the remaining 50 percent by operator revenues from the prior fiscal year in accordance with Public Utilities Code (PUC) Section 99313 and PUC Section 99314, respectively. The California State Controller's Office (SCO) is responsible for determining the estimated funding levels for PUC Section 99313 (Population Share) and PUC Section 99314 (Operator Share) funds. Agencies eligible to receive LCTOP funding include: San Bernardino County Transportation Authority (SBCTA), Basin Transit, Mountain Transit, Victor Valley Transit Authority (VVTa), City of Needles, Omnitrans, and Southern California Regional Rail Authority (SCRRA). The transit operators eligible to receive LCTOP - Operator Share funds work directly with Caltrans to receive the funds.

In March 2023, the SBCTA Board of Directors (Board) approved the total Fiscal Year (FY) 2022/2023 LCTOP - Population Share apportionment in the amount of \$5,338,388, an estimated value based on the auction proceeds resulting from CARB Cap-and-Trade Program. The Board also approved apportioning the funds to the Valley and Mountain/Desert areas based on California Department of Finance Population Data and further apportioning the Mountain/Desert LCTOP - Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The total estimated amount of FY 2022/2023 LCTOP - Population Share funds available to the Valley and Mountain/Desert is \$3,866,483 and \$1,471,905 respectively. With the intent of minimizing the administrative burden on the City of Needles, staff recommends allocating Valley STA - Population Share funds in the amount of \$12,875 to the City of Needles in lieu of their LCTOP - Population Share and LCTOP - Operator Share allocations. Staff's recommendation of the LCTOP funding swap with STA funds for the City of Needles is consistent with past practice. Including the City of Needles Population Share and Operator Share apportionment swaps, the total FY 2022/2023 LCTOP allocation for the Valley totals \$3,879,358 and for the Mountain/Desert totals \$1,460,007, for a total FY 2022/2023 allocation of \$5,339,365. Final apportionments approved by the Board in March 2023 are shown below in Table 1.



**Table 1 – Fiscal Year 2022/2023 LCTOP Allocation**

<b>Fiscal Year 2022/2023 LCTOP-Population Share Apportionment</b>					
<b>Apportionment Area</b>	<b>Population<sup>2</sup></b>	<b>Percentage</b>	<b>FY 2022/2023 Population Share<sup>3</sup></b>	<b>STA Fund Swap with City of Needles</b>	<b>Total FY 2022/2023 Allocation</b>
Valley	1,584,480	72.43%	\$3,866,483	\$12,875	\$3,879,358
Mountain/Desert	603,185	27.57%	\$1,471,905	(\$11,898)	\$1,460,007
<i>Basin Transit</i>	71,822	11.91%	\$175,262		\$175,262
<i>Mountain Transit</i>	50,897	8.44%	\$124,200		\$124,200
<i>VVTA</i>	475,590	78.85%	\$1,160,545		\$1,160,545
<i>City of Needles</i>	4,876	0.81%	\$11,898	(\$11,898)	\$0
<b>Total</b>	<b>2,187,665</b>	<b>100.00%</b>	<b>\$5,338,388</b>	<b>\$977</b>	<b>\$5,339,365</b>
<sup>1</sup> Due to rounding, some totals may not correspond with the sum and/or products of the figures displayed.					
<sup>2</sup> Population Source: California Department of Finance and County Demographic Research Unit July 2022					
<sup>3</sup> Total population share amount is determined by the State Controller's Office.					
<sup>4</sup> Valley allocation includes \$977 Needles Operator Share apportionment.					

To guide staff with project selection, the LCTOP Allocation Principles approved by the Board in July 2015, recommend that staff take a balanced approach in recommending LCTOP fund allocations to capital projects and operating programs. Since each transit operator in the Mountain/Desert is guaranteed an LCTOP - Population Share allocation due to the use of a population formula to apportion funds, SBCTA staff recommends allowing the Mountain/Desert transit operators to determine their funding needs and project and program priorities. The Valley LCTOP - Population Share apportionment is available to SBCTA, Omnitrans and SCRRA. Using the LCTOP Allocation Principles as guidance, staff recommends LCTOP fund allocations based on an annual determination of the San Bernardino region's priorities and the critical needs of SBCTA, Omnitrans, and SCRRA. Annually, SBCTA staff requests that the transit operators develop and submit a list of potential projects for the LCTOP funding cycle to SBCTA, and for the Valley LCTOP - Population Share apportionment, SBCTA staff proposes a 10-year expenditure plan to memorialize some of the priorities and demonstrate how LCTOP could be allocated to meet those needs (Attachment 1). Based on staff reviews, operator discussions, and the updated expenditure plan, staff is recommending \$5,339,365 be allocated to the following projects:

Bus Stop Improvement – \$120,262

Basin Transit will improve the bus stop at the Post Office in Morongo.

Student Fare Subsidy – \$55,000

Basin Transit will provide free fare to students (K-12) in their service area.

San Bernardino Mountains Bus Stop Revitalization – \$94,200

Mountain Transit will improve existing bus stops that leave patrons exposed to inclement weather and fatigue, and bring the facilities up to current codes and standards including lighting and Americans with Disabilities Act (ADA) compliance.

# Transit Committee Agenda Item

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## Student Fare Subsidy – \$30,000

Mountain Transit will provide free fare to students (K-12) in their service area.

## Fuel Cell Electric Buses - \$1,140,545

VVTA will purchase two (2) new 40', Class H zero-emission fuel cell electric bus (FCEB). FY 2022/2023 will be rolled over, or accumulated, with LCTOP funds from FY 2020/2021, FY 2021/2022 and FY 2023/2024 to fund the FCEB purchase.

## Fare Media Subsidy - \$20,000

In order to provide subsidized transportation services to seniors, individuals with disabilities, and low-income populations, VVTA, in collaboration with non-profit, human and social service agencies, implemented the Fare Subsidy Program in July 2018 using FY 2017/2018 LCTOP funds. The allocation of FY 2021/2022 LCTOP funds will fund the fifth year of the program.

## First/Last Mile Shuttle Services – \$1,066,277

Omnitrans will provide two (2) shuttle services. One from San Bernardino Transit Center to downtown San Bernardino to make a connection to Metrolink and the new Arrow Service. The second shuttle connects the Rancho Cucamonga Metrolink Station to the Ontario International Airport.

## Student Fare Subsidy Program – \$985,000

Omnitrans will provide free fare to students (K-12) in their service area.

## Route 83 Peak Service Enhancement – \$1,814,206

Omnitrans will enhance peak hour service on Route 83 to 30-minute service. Route 83 services the cities of Chino, Ontario and Upland and peak service runs approximately 7:00 A.M. to 5:00 P.M., Monday through Friday.

## San Bernardino Line Double Tracking: Control Point (CP) Lilac to Sycamore Avenue – \$13,875

SBCTA will accumulate funding for a shorter segment of the CP Lilac to CP Rancho Double Track Project. The larger project entails construction of approximately three (3) miles of second mainline track along the Metrolink San Bernardino Line. The priority segment is CP Lilac Avenue to Sycamore Avenue, through the Rialto Metrolink station, and approximately 0.7 miles in length. The project includes grade crossing improvements, quiet zones-ready safety enhancements, and the addition of a second platform and pedestrian underpass at the station. This will be the third year of funding accrual out of four planned to reach a total of \$2 million.

Although the SCO has yet to release the final apportionment amounts as of the preparation of this agenda item, staff will proceed with the estimated apportionment and allocation amounts. Should the Transit Committee recommend the Board approve this item and the SCO final apportionments become available prior to the Board meeting, staff will update the apportionment and allocation amounts for Board approval.

## ***Financial Impact:***

This item is consistent with the Fiscal Year 2022/2023 Budget.

## ***Reviewed By:***

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

## ***Responsible Staff:***

Nicole Soto, Multimodal Mobility Programs Administrator

San Bernardino County Transportation Authority

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Approved  
Transit Committee  
Date: March 9, 2023  
Witnessed By:

**RESOLUTION NO. 23-026****RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM AND FOR THE PROJECTS FUNDED BY LOW CARBON TRANSIT OPERATIONS PROGRAM FUNDS**

**WHEREAS**, the San Bernardino County Transportation Authority (SBCTA) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS**, the Department's LCTOP guidelines require SBCTA to execute certain documents, including Certifications and Assurances and Authorized Agent documents; and

**WHEREAS**, SBCTA wishes to delegate authorization to execute these documents and any amendments thereto to Raymond W. Wolfe, Executive Director; and

**WHEREAS**, SBCTA wishes to implement the LCTOP Projects listed below.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the San Bernardino County Transportation Authority, as follows:

Section 1. The fund recipient, SBCTA, agrees to comply with all conditions and requirements set forth in the Certifications and Assurances and the Authorized Agent documents and in applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

Section 2. The SBCTA Executive Director, Raymond W. Wolfe, or his designee, is authorized to execute all required documents of the LCTOP program, and any Amendments thereto with the Department.

Section 3. The submittal of the following project nominations and allocation requests to the Department in Fiscal Year 2022/2023 for LCTOP funds is hereby authorized:

Project Name: Bus Stop Improvement  
Amount of LCTOP Funds Requested: \$120,262  
Project Description: Basin Transit will improve the bus stop at the Post Office in Morongo.  
Contributing Sponsor: SBCTA  
Project Lead: Basin Transit  
Low Income Community Benefit: This project will benefit a low income community.

Project Name: Student Fare Subsidy  
Amount of LCTOP Funds Requested: \$55,000  
Project Description: Provide free fares for students K-12 throughout Morongo Basin.  
Contributing Sponsor: SBCTA  
Project Lead: Basin Transit  
Low Income Community Benefit: This project will benefit a low income community.

Project Name: San Bernardino Mountains Bus Stop Revitalization  
Amount of LCTOP Funds Requested: \$94,200  
Project Description: Improve existing bus stops that leave patrons exposed to inclement weather and fatigue, and bring the facilities up to current codes and standards including lighting and American with Disabilities Act (ADA) compliance.  
Contributing Sponsor: SBCTA  
Project Lead: Mountain Transit  
Disadvantaged Community Benefit: This project will benefit a disadvantaged community.  
Low Income Community Benefit: This project will benefit a low income community.

Project Name: Student Fare Subsidy  
Amount of LCTOP Funds Requested: \$30,000  
Project Description: Provide free fares for students K-12 throughout Mountain Transit Service Area  
Contributing Sponsor: SBCTA  
Project Lead: Mountain Transit  
Low Income Community Benefit: This project will benefit a low income community.

Project Name: Fuel Cell Electric Buses  
Amount of LCTOP Funds Requested: \$1,140,545  
Project Description: Purchase two new 40', Class H zero-emission fuel cell electric bus (FCEB). Funds for FY22-23 will be rolled over with LCTOP funds from FY20-21, FY21-22 and FY23-24 will all be used to fund this FCEB purchase.  
Contributing Sponsor: SBCTA  
Project Lead: Victor Valley Transit Authority  
Disadvantaged Community Benefit: This project will benefit a disadvantaged community.  
Low Income Community Benefit: This project will benefit a low income community.

Project Name: Fare Media Subsidy  
Amount of LCTOP Funds Requested: \$20,000

Project Description: With LCTOP funds, VVTA will collaborate with non-profit, human, and social service agencies to provide subsidized transportation services to seniors, individuals with disabilities, and the low-income population.

Contributing Sponsor: SBCTA

Project Lead: Victor Valley Transit Authority

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low Income Community Benefit: This project will benefit a low income community.

Project Name: First/Last Mile Shuttle Services

Amount of LCTOP Funds Requested: \$1,066,277

Project Description: Omnitrans will provide two shuttle services. One from San Bernardino Transit Center to downtown San Bernardino to make connection to Metrolink and the new Arrow service. The second shuttle connects from the Rancho Cucamonga Metrolink Station to the Ontario International Airport.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low Income Community Benefit: This project will benefit a low income community.

Project Name: Student Fare Subsidy Program

Amount of LCTOP Funds Requested: \$985,000

Project Description: Omnitrans will provide free fares to students in their service area.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low Income Community Benefit: This project will benefit a low income community.

Project Name: Route 83

Amount of LCTOP Funds Requested: \$1,814,206

Project Description: Omnitrans will enhance peak hour service on Route 83 to 30-minute service. Route 83 services the cities of Chino, Ontario and Upland and peak service runs approximately 7:00 A.M. to 5:00 P.M., Monday through Friday.

Contributing Sponsor: SBCTA

Project Lead: Omnitrans

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low Income Community Benefit: This project will benefit a low income community.

Project Name: San Bernardino Line Double Track Project

Amount of LCTOP Funds Requested: \$13,875

Project Description: SBCTA will accumulate funding for a shorter segment of the CP Lilac to CP Rancho Double Track Project. The larger project entails construction of approximately three miles of second mainline track along the Metrolink San Bernardino Line. The priority segment is CP Lilac Avenue to Sycamore Avenue, through the Rialto Metrolink Station, and approximately 0.7 miles in length. The project includes grade crossings improvements, quiet zones ready safety enhancements, and the addition of a second platform and pedestrian underpass at the station.

Contributing Sponsor: City of Needles

Project Lead: SBCTA

Disadvantaged Community Benefit: This project will benefit a disadvantaged community.

Low Income Community Benefit: This project will benefit a low income community.

Section 4: This resolution shall take effect immediately upon its adoption.

**APPROVED AND ADOPTED** by the San Bernardino County Transportation Authority at its meeting on April 5, 2023.

\_\_\_\_\_  
Art Bishop, President  
San Bernardino County Transportation Authority

ATTEST:

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



## FY 2022-2023 LCTOP Certifications and Assurances

**Lead Agency:** Lead Agency

**Project Title:** Project Title

**Prepared by:** \_\_\_\_\_

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

### A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

### B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.
8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).





## FY 2022-2023 LCTOP

9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

### C. Reporting

#### 1. The Lead Agency must submit the following LCTOP reports:

- a. **Annual Project Activity Reports October 27<sup>th</sup> each year.**
  - b. **A Close Out Report within six months of project completion.**
  - c. **The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.**
  - d. **Project Outcome Reporting as defined by CARB Funding Guidelines.**
  - e. **Jobs Reporting as defined by CARB Funding Guidelines.**
2. Other Reporting Requirements: CARB develops and revises Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB's Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

### D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
  - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
  - b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with



## FY 2022-2023 LCTOP

Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

### A. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times



## FY 2022-2023 LCTOP

during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.

3. The Lead Agency, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

### F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at Caltrans' discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Print Authorized Agents Name.

(Print Authorized Agent)

(Title)

(Signature)

(Date)

Attachment 1 - Valley LCTOP-Population Share Expenditure Plan

LCTOP Expenditure Plan	Fiscal Year										10 Year Total Estimate
	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032	
Valley Apportionment <sup>1</sup>	3,866,483	3,200,000	3,200,000	3,200,000	3,200,000	3,200,000	3,200,000	3,200,000	3,200,000	3,200,000	32,666,483
Fund Swap - City of Needles	12,875	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	102,875
Total Funds Available	3,879,358	3,210,000	3,210,000	3,210,000	3,210,000	3,210,000	3,210,000	3,210,000	3,210,000	3,210,000	32,769,358
Valley Apportionment - Project Allocations											
Omnitrans Route 83	1,814,206										1,814,206
Omnitrans Student Fare Subsidy	985,000	378,828	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	4,163,828
Reallocation - Gold Line Extension to Montclair			1,283,386	585,771	1,605,457	1,525,386					5,000,000
San Bernardino Rail Ridership Recovery		400,000		300,000							700,000
San Bernardino Line Double Track	13,875	487,102									500,977
(Omnitrans) First/Last Mile	1,066,277	1,119,590	1,164,374	1,210,949	1,254,543	1,299,707	1,346,496	1,394,970	1,445,189	1,497,216	12,799,310
Tunnel to Ontario International Airport		824,480	412,240	763,280							2,000,000
Total Project Allocations	3,879,358	3,210,000	3,210,000	3,210,000	3,210,000	3,175,093	1,696,496	1,744,970	1,795,189	1,847,216	26,978,321
Cumulative Balance Available for Allocation	-	-	-	-	-	34,907	1,548,411	3,013,441	4,428,252	5,791,037	5,791,037

<sup>1</sup>Reflects estimated apportionment amounts by fiscal year.  
<sup>2</sup>Fund Swap includes both Needles Population and Operator Share

## Additional Information

## TRANSIT COMMITTEE ATTENDANCE RECORD – 2023

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

Communication: Attendance (Additional Information)

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

TC-ATT23

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

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

**Acronym List**

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





## MISSION STATEMENT

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

We achieve this by:

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

Approved December 4, 2019