Governments SANBAG Working Together

San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Floor, San Bernardino, CA 92410
Phone: (909) 884-8276 Fax: (909) 885-4407
Web: www.sanbag.ca.gov

TRANSPORTATION MEASURE I

•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

AGENDA

Board of Directors Special Meeting

Called by SANBAG President Paul Eaton

January 20, 2010

Start Time: Noon

LOCATION
San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA

Board of Directors

President
Paul Eaton, Mayor
City of Montclair

Vice-President
Brad Mitzelfelt, Supervisor
County of San Bernardino

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Gwenn Norton-Perry, Council Member
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor Pro Tem
City of Loma Linda

Jeff Williams, Mayor
City of Needles

Alan Wapner, Council Member
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor Pro Tem
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Mayor Pro Tem
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission,** which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority,** which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies,** which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency,** which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies

Board of Directors

January 20, 2010

12:00 p.m.

Location:
San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino

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 - 12:00 noon by Mayor Paul Eaton

I Pledge of Allegiance
II. Attendance
III. Announcements:
IV. Agenda Notices/Modifications – Vicki Watson

Notes/Actions:

1. **Possible Conflict of Interest Issues for the Board Meeting of January 20, 2010** Pg. 7

   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.

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 6.

Notes/Actions:

Administrative Matters

2. Board of Directors Attendance Roster Pg. 8

DISCUSSION ITEMS

Subregional Transportation Planning & Programming

3. Interstate 215 (I-215) North Corridor Project Savings Strategy Pg. 12

1. Approve reprogramming savings from I-215 North and SR-210 Construction, and reprogramming funds from I-215 Right-of-Way Acquisitions to the following projects as described below and in further detail in Exhibit A:

a) I-215 Right-of-Way Acquisition (Remaining as currently approved)

i) Program: $5,570,000 Cong. Mit. & Air Quality (CMAQ); $800,000 Project of Nat. & Reg. Sig. (PNRS)

ii) Un-program: $10,838,000 Measure I

b) SANBAG Local Stimulus (Remaining as currently approved)

i) Program: $10,000,000 Measure I

c) I-215 Bi-County High Occupancy Vehicle (HOV) Gap Closure Right-of-Way and Construction (Changing funding from current approval.)

i) Program: $15,609,000 CMAQ; $34,850,000 Surface Trans. Program (STP); $15,460,000 Corridor Mobility Impr. Acct. (CMIA)

d) North Milliken Avenue Grade Separation (Changing funding from current approval.)

i) Program: $45,089,000 State Trans. Impr./Reg. Impr. (STIP/RIP)

e) SR 210 Segments 8-11 Landscaping Project (Reprogramming savings from I-215 North.)

i) Program: $1,771,000 Transportation Enhancement Activity (TEA)

2. Reprogram $45,089,000 in STIP funds from the I-215/Barton Road Interchange project to the I-215 Bi-County HOV Gap Closure project.

3. Fully fund the I-215 Bi-County HOV Gap Closure project with Measure I Major Projects funds from unrestricted fund balance and/or future revenue in an amount of $33,500,000 described in further detail in Exhibit A.

Continued on next page

Notes/Actions:

3. *Continued...*

4. Authorize the SANBAG Executive Director to execute the following Proposition 1B baseline agreements:

i) New CMIA baseline agreement for the I-215 Gap Closure Project based on the new funding plan in Exhibit A.

ii) Amend the South Milliken Grade Separation project Trade Corridor Improvement Fund (TCIF) baseline agreement to add the North Milliken Grade Separation project TCIF funding.

iii) Terminate the North Milliken Grade Separation project TCIF baseline agreement.

5. Reprogram the Traffic Congestion Relief Program (TCRP) funds from the North Milliken Grade Separation project to the Laurel Street Grade Separation project in Colton. **Garry Cohoe**

This item has not received prior committee approval, but was noticed in a SANBAG update to Board members on January 8, 2010.

4. **2010 State Transportation Improvement Program (STIP)** Pg. 19

1) Approve proposed 2010 State Transportation Improvement Program (STIP) programming as shown in Table 1 (attached).

2) Approve proposed 2010 STIP Transportation Enhancements (TE) programming as shown in Table 2 (attached). **Ty Schuiling**

This item has had no prior policy committee review.

5. **Nomination of Candidates for Additional Corridor Mobility Improvement Account (CMIA) Funds** Pg. 26

1. Receive report on the adopted CMIA and Route 99 Accountability Implementation Plan Supplement 2 / Project Cost Savings by the California Transportation Commission (CTC) approved on December 13, 2009.

2. Approve nomination of candidate CMIA projects to be submitted to the California Transportation Commission (CTC) by February 2, 2010 for additional CMIA program consideration with funds generated from CMIA project cost savings as follows:

a. I-215 Bi-county HOV Gap Closure project. Request an additional $27.211 million of CMIA funds.

b. I-15/ La Mesa Nisqualli Road Interchange. Request $20.0 million of CMIA funds.

c. I-15/Ranchero Road Interchange project. Request $24.35 million of CMIA funds.

d. I-10 Westbound Mixed Flow Lane project. Request $11.375 million of additional CMIA funds.. **Ty Schuiling**

This item has had no prior policy committee review. It will be considered for approval at the special January 20 meeting of the SANBAG Board of Directors.

Notes/Actions:

Other Matters

6. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

ADJOURN To SANBAG Board Workshop

immediately following Special Board Meeting

January 20, 2010
Approximately: Noon – 2:00 p.m.
1170 W. 3rd Street, 1st Floor
San Bernardino, CA 92410

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

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 SANBAG 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's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested 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.

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 SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when 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.

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. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive 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 conduct includes 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, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees

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 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 would like to amend his 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 not addressed until after a vote on the first motion.
- 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 Board/Committee 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

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TRANSPORTATION MEASURE I

■ San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 1

Date: January 20, 2010

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. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
		None	None

Financial Impact: This item has no direct impact on the budget.

Reviewed By: This item is prepared monthly for review by the Board of Directors and Policy Committee members.

*

Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

SpecialBRD1001z-aa

BOARD OF DIRECTORS ATTENDANCE RECORD - 2010

Name	Jan	Special Jan 20 Mtg.	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Gary Ovitt Board of Supervisors	X												
Brad Mitzelfelt Board of Supervisors	X												
Paul Biane Board of Supervisors	X												
Josie Gonzales Board of Supervisors	X												
Neil Derry Board of Supervisors	X												
Charley Glasper City of Adelanto	X												
Rick Roelle Town of Apple Valley	X												
Julie McIntyre City of Barstow	X												
Bill Jahn City of Big Bear Lake	X												
Dennis Yates City of Chino	X												
Gwenn Norton-Perry City of Chino Hills	X												
Kelly Chastain City of Colton	X												
Mark Nuaimi City of Fontana	X												
Bea Cortes City of Grand Terrace	X												
Mike Leonard City of Hesperia	X												

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting Crossed out box = not a Board Member at the time.

brdatt10

BOARD OF DIRECTORS ATTENDANCE RECORD - 2010

Name	Jan	Special Jan 20 Mtg.	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X												
Rhodes 'Dusty' Rigsby City of Loma Linda	X												
Paul Eaton City of Montclair	X												
Jeff Williams City of Needles	X												
Alan Wapner City of Ontario	X												
Diane Williams City of Rancho Cucamonga	X												
Pat Gilbreath City of Redlands	X												
Ed Scott City of Rialto	X												
Patrick Morris City of San Bernardino	X												
Jim Harris City of Twentynine Palms	X												
John Pomierski City of Upland	X												
Ryan McEachron City of Victorville	X												
Dick Riddell City of Yucaipa	X												
William Neeb Town of Yucca Valley	X												
Ray Wolfe Ex-Official Member	X												

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting Crossed out box = not a Board Member at the time.

brdatt10

BOARD OF DIRECTORS ATTENDANCE RECORD - 2009

Name	Jan	Feb	March	April	May	Special May 20 Mtg	June	July	Aug	Sept	Oct	Nov	Dec
Gary Ovitt Board of Supervisors	X	X		X	X	X	X	X		X	X	X	X
Brad Mitzelfelt Board of Supervisors	X			X	X		X	X	X	X	X	X	X
Paul Biane Board of Supervisors	X		X	X			X	X	X		X	X	X
Josie Gonzales Board of Supervisors	X	X	X	X	X		X		X	X	X	X	X
Neil Derry Board of Supervisors		X	X	X	X	X	X	X	X		X	X	X
Charley Glasper City of Adelanto	X	X	X	X	X		X	X	X	X	X	X	X
Rick Roelle Town of Apple Valley	X	X	X	X	X	X	X	X	X	X	X	X	X
Julie McIntyre City of Barstow	X	X	X	X	X		X	X		X		X	X
Bill Jahn City of Big Bear Lake	X	X	X	X	X	X	X	X	X	X	X	X	X
Dennis Yates City of Chino	X	X	X	X	X	X	X	X	X		X	X	X
Gwenn Norton-Perry City of Chino Hills		X	X	X	X			X	X		X	X	X
Kelly Chastain City of Colton	X	X	X	X	X	X	X	X	X	X	X	X	X
Mark Nuaimi City of Fontana	X	X	X	X	X	X	X	X	X	X	X	X	X
Bea Cortes City of Grand Terrace	*	X	X	X	X	X	X	X	X		X	X	X
Mike Leonard City of Hesperia	X	X		X	X		X	X	X		X		X

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BOARD OF DIRECTORS ATTENDANCE RECORD - 2009

Name	Jan	Feb	March	April	May	Special May 20 Mtg	June	July	Aug	Sept	Oct	Nov	Dec
Larry McCallon City of Highland	X	X	X	X	X	X	X	X	*	X	X	X	X
Rhodes 'Dusty' Rigsby City of Loma Linda	X	X	X	X	X	X	X	X		X	X	X	X
Paul Eaton City of Montclair	X	X	X	X	*		X	X	X	X	X	X	X
Jeff Williams City of Needles	X	X		X	X		X	X	X	X		X	
Alan Wapner City of Ontario	X	X	X	*	X		X	X	X	X	X	X	X
Diane Williams City of Rancho Cucamonga	X	X	X	X	X	X	X	X	X	X	X		X
Pat Gilbreath City of Redlands	X	X	X	X	X	X	X	X	X	X	X	X	X
Grace Vargas City of Rialto	*												
Ed Scott City of Rialto		X	X	X	X		X	*	X	X	X	X	X
Patrick Morris City of San Bernardino	X	X	X	X	X		X	X	X	X	X	X	X
Jim Harris City of Twentynine Palms	X	X	X	X	X	X	X	X	X	X	X	X	X
John Pomierski City of Upland	X	X	X		X	X	X	X	X			X	X
Ryan McEachron City of Victorville	X	X	X	X	X	X	X	*	X	X	X	X	X
Dick Riddell City of Yucaipa	X	X	X	X	X	X	X	X	X	X	X	X	X
William Neeb Town of Yucca Valley	X	X	X	X	X	X	X	X	X	X	X		X
Ray Wolfe Ex-Official Member	Jesus Galvan	X	X	X	Basem Muallem		Basem Muallem	X	X	X	X	X	X

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TRANSPORTATION MEASURE I

■ San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 3

Date: January 20, 2010

Subject: Interstate 215 (I-215) North Corridor Project Savings Strategy

Recommendation:* 1. Approve reprogramming savings from I-215 North and SR-210 Construction, and reprogramming funds from I-215 Right-of-Way Acquisitions to the following projects as described below and in further detail in Exhibit A:

a) I-215 Right-of-Way Acquisition (Remaining as currently approved)
   i) Program: $5,570,000 Cong. Mit. & Air Quality (CMAQ); $800,000 Project of Nat. & Reg. Sig. (PNRS)
   ii) Un-program: $10,838,000 Measure I

b) SANBAG Local Stimulus (Remaining as currently approved)
   i) Program: $10,000,000 Measure I

c) I-215 Bi-County High Occupancy Vehicle (HOV) Gap Closure Right-of-Way and Construction (Changing funding from current approval.)
   i) Program: $15,609,000 CMAQ; $34,850,000 Surface Trans. Program (STP); $15,460,000 Corridor Mobility Impr. Acct. (CMIA)

*

Approved
Board of Directors

Date: *January 20, 2010*

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

SpecialBRD1001a-gc
Attachments: SpecialBRD1001a1-gc

d) North Milliken Avenue Grade Separation (Changing funding from current approval.)
i) Program: $45,089,000 State Trans. Impr./Reg. Impr. (STIP/RIP)

e) SR 210 Segments 8-11 Landscaping Project (Reprogramming savings from I-215 North.)
i) Program: $1,771,000 Transportation Enhancement Activity (TEA)

2. Reprogram $45,089,000 in STIP funds from the I-215/Barton Road Interchange project to the I-215 Bi-County HOV Gap Closure project.

3. Fully fund the I-215 Bi-County HOV Gap Closure project with Measure I Major Projects funds from unrestricted fund balance and/or future revenue in an amount of $33,500,000 described in further detail in Exhibit A.

4. Authorize the SANBAG Executive Director to execute the following Proposition 1B baseline agreements:

   i) New CMIA baseline agreement for the I-215 Gap Closure Project based on the new funding plan in Exhibit A.

   ii) Amend the South Milliken Grade Separation project Trade Corridor Improvement Fund (TCIF) baseline agreement to add the North Milliken Grade Separation project TCIF funding.

   iii) Terminate the North Milliken Grade Separation project TCIF baseline agreement.

5. Reprogram the Traffic Congestion Relief Program (TCRP) funds from the North Milliken Grade Separation project to the Laurel Street Grade Separation project in Colton.

Background: In December, 2009 the SANBAG Board approved a strategy to utilize the I-215 North construction savings to fund the I-215 Bi-County HOV Gap Closure project. In mid-December, 2009, SANBAG staff was notified that almost $47 million of programmed State funding for the North Milliken Grade Separation project, a project ready for construction, would not be available for allocation for several years. During the past several weeks, SANBAG, Caltrans, and California Transportation Commission (CTC) staff has developed a proposal for CTC consideration at its February, 2010 meeting to move previously identified I-215 North savings in State funding from the I-215 Bi-County HOV Gap Closure project to the North Milliken Grade Separation project.

SpecialBRD1001a-gc
Attachments: SpecialBRD1001a1-gc

In addition to Caltrans and CTC, the proposed financial plan requires commitments from the City of Ontario, the current lead agency for the North Milliken Grade Separation project. The City's staff has concurred to SANBAG being the lead of the construction phase of the project and to contribute $4 million above their required Development Impact Fee fair share to the construction of the project. The additional contribution would be reimbursed by savings at the award of the construction contract or would be credited to a future project. The roles and responsibilities of each agency and the funding responsibilities will be included in a new construction cooperative agreement between the City of Ontario and SANBAG, and will be brought forward for the Board's consideration in the coming months.

It is critical that the North Milliken Grade Separation be constructed in a timely manner. The project will elevate the railroad over the road, instead of the norm which is for the roadway to be elevated over the railroad. Due to the configuration of the existing roadways, it is not economically feasible to raise the roadway over the railroad. The railroad has reluctantly concurred with the current design, but has the sole discretion to cancel the Construction Maintenance Agreement if the construction has not commenced within one year. If the agreement is cancelled, there would be no grade separation at this critical goods movement crossing and millions of dollars that have already been invested in this project would be wasted. In addition, current market conditions favor lower construction costs. A delay in proceeding forward to construction could result in increased funding requirements later.

As stated in the December 2009 SANBAG Board agenda item, the CTC has adopted guidelines that establish the priorities for CMIA savings is for additional improvements on the same corridor. Transferring the CMIA savings from the I-215 North project to the I-215 Bi-County HOV Gap Closure project meets these criteria. In addition, the CTC requires that if CMIA funds are transferred to a project all other fund type savings have to be transferred to the same project, including those at the discretion of SANBAG. The transfer of the STIP funds to the North Milliken Grade Separation project will be an exception to this guideline. The CTC and Caltrans staffs support this exception.

Considering the information stated above staff is recommending the following:

SpecialBRD1001a-gc
Attachments: SpecialBRD1001a1-gc

Recommendation 1: Reprogramming of I-215 North Savings

a) The Board approved the allocation of $11,760,000 of Measure funds to fund I-215 right-of-way shortfall. It is recommended that the majority of the shortfall be funded by Federal fund savings and that $10,838,000 of Measure I funds be reprogrammed. Measure I funds in the amount of $922,000 need to remain to provide the match to the Federal funds. (No change from December 2009 Agenda item)

b) Allocate $10,000,000 of the Measure I funds from I-215 right-of-way to the SANBAG Local Stimulus program, fully funding this program. (No change from December 2009 Agenda item)

c) Program $50,459,000 of Federal funds under SANBAG's discretion and $15,460,000 of CMIA funds requiring CTC approval on the I-215 Bi-County Gap Closure.

d) Program $45,089,000 of STIP funds requiring CTC approval on the North Milliken Grade Separation project.

   Per Assembly Bill 608, the adjustment of the STIP construction allocation amount for the I-215 Segment 1 and 2 so the funds can be utilized for the North Milliken Grade Separation project is at the discretion of the CTC. The paperwork requesting this adjustment has been submitted and is to be considered as part of this overall funding strategy at the February 2010 CTC meeting.

e) Program $1,771,000 of TEA funds on the SR-210 Segments 8-11. Due to the lower bid prices on the I-215 North corridor for aesthetic enhancements, not all of the TEA funds are necessary for the I-215 North corridor. As a result, the savings from the project are proposed to be moved to the SR-210 Landscaping project for Segments 8-11 which is scheduled to start construction later this year.

Recommendation 2: Reprogram I-215/Barton Road Interchange STIP funds to the I-215 Bi-County HOV Gap Closure project.

Reduce the STIP programmed amount for the I-215/Barton Road Interchange project from $25,413,000 to $0 in FY 09/10 and from $38,824,000 to $19,148,000 in FY 12/13.

SpecialBRD1001a-gc
Attachments: SpecialBRD1001a1-gc

The current 2008 STIP has no additional capacity, so if an additional project is added to the STIP an equal amount of programmed projects need to be un-programmed. To provide the required STIP capacity for the North Milliken and I-215 Bi-County projects, the proposed strategy reduces the available STIP funding for the I-215/Barton Road Interchange project.

Recommendation 3: Fully fund I-215 Bi-County with Measure I funds

Fully fund the I-215 Bi-County Gap Closure project by allocating $33,500,000 of Measure I funds.

Recommendation 4: Proposition 1B Baseline Agreements

The use of CMIA and TCIF funding on a project requires execution of a project Baseline Agreement between the local agency, Caltrans, and the CTC. The agreement establishes the schedule and funding commitments for the project. Also, any significant changes to the baseline agreements requires the execution of an amended agreement. It is recommended that authority be granted to SANBAG's Executive Director to execute the following legally non-binding baseline agreements.

i) A new agreement for the I-215 Bi-County HOV Gap Closure project between SANBAG, Caltrans, CTC and RCTC based on the funding plan included as Exhibit A.

ii) Amend the South Milliken Grade Separation project TCIF agreement to add the North Milliken Grade Separation project TCIF funding.

With the TCIF funds for North Milliken project being replaced by STIP funds, the TCIF funds need to be reprogrammed to an eligible project in a future year. It is recommended that the funds be programmed on the South Milliken project, which requires the baseline agreement to be amended.

iii) Terminate the North Milliken Grade Separation project TCIF baseline agreement.

With the TCIF funds for North Milliken project being replaced by STIP funds, there is no longer a need for a baseline agreement.

Recommendation 5: Transfer the TCRP funds from the North Milliken Grade Separation to Laurel Street Grade Separation project in Colton.

With the TCRP funds for North Milliken Avenue Grade Separation project being replaced by STIP funds, the TCRP funds need to be programmed to grade separation project that is in a future year and does not have TCIF funds programmed on it. Laurel Street Grade Separation is the highest priority project that meets these criteria.

This set of recommendations provides for immediate funding of North Milliken Grade Separation which is ready to advertise; allows the I--215 Bi-County project to proceed to construction on its current schedule as fully funded; and allows for Barton Interchange to proceed on with environmental clearance and design on the current schedule, and commence with right-of-way acquisition with a one year delay. SANBAG staff will continue to pursue funding in an effort to fund the construction of the Barton Road Interchange.

Financial Impact: This item directs funding sources controlled by SANBAG to priority projects identified by the SANBAG Board, but, in itself imposes no financial impact to the current fiscal budget. Budget amendments required as result of this agenda item will be brought forward to the Board for their consideration at a future meeting.

Reviewed By: This item has not received prior committee approval, but was noticed in a SANBAG update to Board members on January 8, 2010.

Responsible Staff: Garry Cohoe, Director of Freeway Construction

SpecialBRD1001a-gc
Attachments: SpecialBRD1001a1-gc

EXHIBIT A

Numbers shown in ($1,000)

Programming Proposal to Utilize I-215 Savings

13-Jan-10

I-215 North

		Task Number	Cost Estimate	Total savings or needs	TEA 21 or DEMO-LU	RIP/IIP	Measure	TCRP	TEA	CMAQ	CMIA	STP	ARRA	PNRS
Existing Funding Plan	I215-Segment 1 & 2 Constr.	838	$ 251,390		$ 1,935	$ 19,127		$ 8,750	$ 3,433	$50,185		$ 34,850	$ 110,724	$ 22,386
Propose Change				$ 76,590		$ (18,127)		-137	$ (1,771)	$ (21,179)		$ (34,850)	$ -	$ (800)
Propose Funding Plan			$ 174,800		$ 1,935	$ 1,000		$ 8,887	$ 1,662	$ 29,006		$ -	$ 110,724	$ 21,586
Existing Funding Plan	Segment 5 Constr.	838	$ 44,667								$ 44,667			
Propose Change				$ 15,460							$ (15,460)			
Propose Funding Plan			$ 29,207								$ 29,207			
Existing Funding Plan	SR-210 Segment 11 Connectors Constr.	824	$ 74,634			$ 45,634	$ -				$ 29,000			
Propose Change				$ 26,962		$ (26,962)					$ -			
Propose Funding Plan			$ 47,672			$ 18,672	$ -	$ -	$ -	$ -	$ 29,000	$ -	$ -	$ -
Existing Funding Plan	I-215 R/W Additional Capital	836	$ 11,760				$ 11,760							
Propose Change							$ (10,838)			$ 5,570				$ 800
Propose Funding Plan			$ 11,760				$ 922			$ 5,570				$ 800

Local Stimulus

Existing Funding Plan	Local Stimulus	504/505	$ -				$ -							
Propose Change				$ 10,000			$ 10,000							
Propose Funding Plan			$ 10,000				$ 10,000							

I-215 Bi-County Gap Closure

Existing Funding Plan	I-215 Bi Cnty PS&E, R/W & Construction	839	$ -											
Propose Change				$ 144,508		$ 45,089	$ 33,500			$ 15,609	$ 15,460	$ 34,850		
Propose Funding Plan			$ 144,508			$ 45,089	$ 33,500	$ -	$ -	$ 15,609	$ 15,460	$ 34,850		

North Milliken Ave. Grade Separation

						RIP/IIP	Measure	TCRP	TCIF	Other Funds	UPRR			
Existing Funding Plan	N. Milliken Grade Sep		$ 64,426			$ -	$ 6,080	$ 40,347	$ 6,490	$ 11,509	$ -			
Propose Change				$ -		$ 45,089	$ (5,356)	$ (40,347)	$ (6,490)	$ 4,944	$ 2,160	$ -		
Propose Funding Plan			$ 64,426			$ 45,089	$ 724	$ -	$ -	$ 16,453	$ 2,160	$ -		

1. Replace $6,370 Measure i on I-215 R/W with I-215 Construction Savings which consists of CMAQ $5,570 and PNRS $800. Parcels requiring the additional funding are on Segment 3 and have a current E-76 for CMAQ and PNRS funds.
2. $922 of Measure i is required to match the CMAQ and PNRS. The remaining Measure funds is not needed for I-215 R/W.
3. Program the $10,000 Measure I from I-215 R/W to the Local Stimulus.
4. Program the remaining Measure i balance of $838 savings from I-215 R/W on the I-215 Bi-County
5. Program $45,089 of I-215 and Connectors RIP savings onto the N. Milliken Grade Separation project.
6. Program $1,771 TEA from I-215 construction onto SR 210 Segments 8-11 landscaping
7. Program the remaining balance of I-215 north construction savings on the I-215 Bi-County Gap Closure project: $15,623 CMAQ, $15,460 CMIA, and $34,850 STP
8. Program $45,089 of RIP to I-215 Bi-County Gap Closure. Move equal amount of currently programmed RIP on I-215/Barton Rd. Interchange to a later year.
9. Fully find I-215 Bi-County by programming $33,500 Measure I. Total Measure funds includes $838 from I-215 R/W. Consider replacing Measure with Federal AC.
10. Program $6,490 of TCIF from N. Milliken Grade Separation to S. Milliken Grade Separation
11. Program $40,347 of TCRP from N. Milliken Grade Separation to Laurel St. Grade Separation

Note: Total ARRA funds on I-215 Segments 1&2 = $128,064; $17,340 programmed on Construction Management

LEGEND:

	SAVINGS
	PROJECT NEEDS
	FUNDS FROM SAVINGS
	FUNDS FROM I-215/BARTON IC

Governments SANBAG Working Together

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TRANSPORTATION MEASURE I

■ San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 4

Date: January 20, 2010

Subject: 2010 State Transportation Improvement Program (STIP)

Recommendation:* 1) Approve proposed 2010 State Transportation Improvement Program (STIP) programming as shown in Table 1 (attached).

2) Approve proposed 2010 STIP Transportation Enhancements (TE) programming as shown in Table 2 (attached).

Background: The SANBAG Board of Directors acted in December 2009 to receive the schedule for development of the 2010 State Transportation Improvement Program (STIP). This schedule includes policy committee consideration of the final programming recommendations in January 2010 and Board approval of the 2010 STIP recommendations in February 2010 for submittal to the California Transportation Commission (CTC) by February 12, 2010.

The CTC adopted the 2010 STIP Fund Estimate (FE) on September 9, 2009. Unfortunately, the 2010 STIP is estimated to be 40 percent short of the funding level needed for projects already programmed to 2013, so adding projects for near-term delivery is not an option at this time. What small additional capacity exists would only be available in years 2014 and 2015. Further, this small capacity is dependent on the state's ability to sell bonds. Because of the STIP shortfall, the CTC acted in October to establish priorities for the limited available funding during the 2009-2010 year. These priorities are expected to remain in effect for several years more. The CTC prioritization is as follows:

*

Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

SpecialBRD1001a-wl
Attachments: SpecialBRD1001a1-wl; SpecialBRD1001b-wl

General Allocation Plan Priorities:
Projects in the following categories will receive allocations on a first come, first served basis so long as sufficient capacity remains.
1. AB 3090 cash reimbursements.
2. Planning, programming and monitoring.
3. Projects funded with both STIP and other competitively selected Proposition 1B funds, including allocations for preconstruction components. Projects with more than $20 million of STIP construction funding will be allocated from the Transportation Facilities Account.
4. Projects at risk of losing federal funding if not allocated (e.g. the Transportation Enhancement program and the Highway Bridge Program)
5. Capital funding for:
A. Required mitigation projects for construction projects previously allocated.
B. Capacity expansion projects on the interregional road system and capacity expansion intercity rail projects.
C. Other capacity expansion projects including local road and transit projects.
D. Operational improvements on the state highway system and to the intercity rail system.
E. Grade separation projects.

- *The Commission will give lower priority to projects in the following categories (excluding TE funded projects):*
  - ✓ *Preconstruction funding (excluding preconstruction components for projects funded with both STIP and other Proposition 1B funds).*
  - ✓ *Operational improvements on local roads and transit operational improvements.*
  - ✓ *Local road rehabilitation and reconstruction.*
  - ✓ *Bicycle and pedestrian facilities.*
  - ✓ *Landscaping (if not a required mitigation).*
  - ✓ *Enhancements, including soundwalls.*

Staff is mindful of this prioritization as guidance for full programming of SANBAG's 2010 STIP balance to maintain priority access to the funds. Consequently, the proposed 2010 STIP programming focuses first on Planning, Programming and Monitoring (PPM) funds, then on meeting project delivery commitments on Proposition 1B projects, and then support for existing Measure I projects.

SpecialBRD1001a-wl
Attachments: SpecialBRD1001a1-wl; SpecialBRD1001a2-wl

2010 STIP Programming – Recommended Priorities

Table 1 documents past STIP commitments by the SANBAG Board, the current availability of STIP funds, and current STIP programming. Staff recommends the following to receive top priority for 2010 STIP programming:

1. Planning, Programming and Monitoring (PPM) funds
2. North Milliken Grade Separation Project (a Proposition 1B Trade Corridor Improvement Fund project addressed in the related item in this agenda)
3. I-215 Bicounty project (now a Proposition 1B Corridor Mobility Improvement Account (CMIA) project as a recipient of CMIA savings from I-215 North
4. I-15 Ranchero Road Interchange (maintaining existing programming of $7.304m for Right of Way), and replacement of funding for the I-215/Barton Road Interchange

PPM

SANBAG relies on PPM funds for fundamental transportation commission activities such as transportation improvement program development, administration of state and federal transportation funds, and project delivery support.

SANBAG has historically programmed one to two percent of the statutorily authorized five percent of regional county share funds available for programming toward PPM activities. These funds are budgeted for staff support of STIP and RTIP program development, monitoring, and project delivery. Table 1 shows programming at two percent out of the maximum five percent allowable.

North Milliken Grade Separation and I-215 Bicounty Projects

With the current state budget situation, both state Traffic Congestion Relief Program (TCRP) funds and Proposition 1B TCIF funds are not available to the project in accordance with its delivery schedule. Original programming on North Milliken included $40.3 million of TCRP funds and $6.5 million of TCIF funds. To keep the project on schedule for construction, staff has negotiated with the CTC staff to support use of STIP savings, per the provisions AB 608, from the I-215 North corridor. However, this use of the STIP savings, rather than on the I-215 Bicounty project in accordance with prior CTC direction, necessitates reprogramming of STIP funds previously programmed on the I-215/Barton Road Interchange project to maintain full funding for the Bicounty project, a condition of STIP programming. Full funding of the North Milliken project also requires additional funding beyond the STIP savings in the amount of $4 million, which the City of Ontario has agreed to contribute.

Other Existing Programming and Unprogrammed Share Balance

The 2010 STIP Fund Estimate approved by the CTC showed unprogrammed capacity for SANBAG in the amount of about $71.0 million. This was reduced by approximately $26.7 million to address a shortfall associated with the Right of Way closeout phase for the SR-210 project, resulting in an unprogrammed STIP share balance of $44.3 million.

Staff recommends that the priority for allocating the remaining unprogrammed STIP regional share funds should be completion of currently programmed projects and completion of projects that are in development but deliverable within the 2010 STIP cycle. The currently programmed Barton Road/I-215 Interchange project meets these criteria and is recommended to receive the entire unprogrammed balance. This effectively replaces the funds needed for the Proposition 1B Bicounty project, but in a later year.

2010 STIP Transportation Enhancements (TE) Programming

In August 2003 the CTC voted to incorporate the TE program into the STIP beginning with FY03/04 so that all future federal TE apportionments will be programmed through the STIP. A region is allowed to include in its STIP submittal any TE-eligible project or a TE project reserve. The 2010 STIP FE identified annual programming targets for each county to assist in the programming of TE funds. A region is not limited by these targets, but TE programming does count against the total county share. In addition, a region is not required to program its full TE-eligible share on TE projects, but the statewide TE apportionments must be met. If a region chooses not to use its full TE apportionment, the CTC may leave a portion of county shares unprogrammed and available only for TE projects.

SANBAG's TE balance through the 2010 STIP is $23.2 million. Staff recommends use of $10 million of these funds on the SR-210 landscaping of four freeway segments, with the balance left in reserve for large-scale, high-priority regional TE projects approved by the SANBAG Board in 2003 as shown in Table 2. These projects were either initiated before or during TEA-21, or are associated with Measure I Major Projects. Project sponsors can receive allocations from the CTC after approval by SANBAG and as the projects are ready for implementation. These projects are subject to the same timely-use-of-funds guidelines as STIP projects.

Financial Impact: This item is consistent with STIP development activities provided for in the SANBAG Budget, Tasks 37310000 and 50010000. Approval of SANBAG's 2010 STIP priorities by the CTC may result in changes to future SANBAG budgets, reflecting funding for specific highway projects managed by SANBAG.

Reviewed By: This item has had no prior policy committee review.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

SpecialBRD1001a-wl
Attachments: SpecialBRD1001a1-wl; SpecialBRD1001a2-wl

TABLE 1: 2010 STIP PROGRAMMING RECOMMENDATIONS
(Proposed programming shown in bold italics)
($ in thousands)

San Bernardino

Agency	Rte	PPNO	Project	Ext	Voted	Total	Project Totals by Fiscal Year: Prior	10-11	11-12	12-13	13-14	14-15	Project Totals by Component: R/W	Const	E & P	PS&E	R/W Sup	Con Sup
Highway Projects Proposals:																		
SANBAG		9811	Planning, programming, and monitoring			8,100	1,200	1,200	1,200	1,500	1,500	1,500	0	8,100	0	0	0	0
Caltrans	15	174L	NB lane, Victorville-Barstow (RIP), phase 2			40,141	3,955	0	36,186	0	0	0	3,955	36,186	0	0	0	0
Caltrans	138	239D	Widening, LA Co-Rt 15 (RIP)			15,450	0	0	15,450	0	0	0	0	15,450	0	0	0	0
Caltrans	395	260B	Rt 15-Farmington, widen (RIP)			4,000	4,000	0	0	0	0	0	0	0	4,000	0	0	0
Hesperia	loc	172I	Rt 15 Ranchero Rd interchange	Jun-10		7,034	7,034	0	0	0	0	0	7,034	0	0	0	0	0
Hesperia	loc	172I	Rt 15 Ranchero Rd interchange, add construction			7,979	0	0	0	7,979	0	0	0	7,979	0	0	0	0
SANBAG	loc	0134K	I-10 HOV lanes from Haven Ave to Ford			7,314	0	0	0	0	7,314	0	0	0	0	7,314	0	0
SANBAG	loc	243K	I-215/Barton interchange reconstruction			61,708	0	0	0	17,400	44,308	0	17,400	44,308	0	0	0	0
SANBAG	**loc**	**TBP**	**I-215 Bi County HOV gap closure (CMIA)**			15,460	0	0	15,460	0	0	0	0	4,237	0	0	0	11,223
SANBAG	**loc**	**TBP**	**I-215 Bi County HOV gap closure**			45,089	0	0	45,089	0	0	0	0	45,089	0	0	0	0
SANBAG	**loc**	**TBP**	**North Milliken Grade Separation**			45,089	45,089	0	0	0	0	0	0	45,089	0	0	0	0
SANBAG	res	1111	TE reserve			14,202	0	0	4,045	3,416	3,079	3,662	0	14,202	0	0	0	0
	Total Existing STIP Projects					271,566	61,278	1,200	117,430	30,295	56,201	5,162	28,389	220,640	4,000	7,314	0	11,223
Rail and Transit Project Proposals:																		
			Subtotal, Rail & Transit Projects			0	0	0	0	0	0	0	0	0	0	0	0	0
Transportation Enhancement (TE) Project Proposals																		
SANBAG	res	1111	TE reserve			14,202	0	0	4,045	3,416	3,079	3,662	0	14,202	0	0	0	0
			Subtotal TE Projects			14,202	0	0	4,045	3,416	3,079	3,662	0	14,202	0	0	0	0
			Unprogrammed share balance			0												

Note: $14.44 million in STIP funding in addition to funds reflected in this document is committed to future Mountain/Desert STIP projects per action of the SANBAG Board of Directors on March 5, 2008.

TABLE 2: 2010 STIP TRANSPORTATION ENHANCEMENTS PROGRAMMING

($ in thousands)

	PROGRAMMING TARGETS	Prior	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	TOTAL
1	TE Reserve	$4,045	$3,416	$3,079	$3,662	$4,511	$4,512	$23,225

NOTES (by line number):

1 Projects eligible for allocation from this lump sum TE Reserve will be approved by Caltrans and submitted for CTC approval at time of allocation. Current set-asides for allocation from this reserve include:

SR-210 Landscape ($10,000,000) 4 segments
I-10 Landscape in Yucaipa ($841,000)
Riverwalk Trail in Victorville ($6,202,000)
Santa Ana River Trail in San Bernardino County ($3,921,000)

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TRANSPORTATION MEASURE I

■ San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 5

Date: January 20, 2010

Subject: Nomination of Candidates for Additional Corridor Mobility Improvement Account (CMIA) Funds

Recommendation:* 1. Receive report on the adopted CMIA and Route 99 Accountability Implementation Plan Supplement 2 / Project Cost Savings by the California Transportation Commission (CTC) approved on December 13, 2009.

2. Approve nomination of candidate CMIA projects to be submitted to the California Transportation Commission (CTC) by February 2, 2010 for additional CMIA program consideration with funds generated from CMIA project cost savings as follows:

a. I-215 Bi-county HOV Gap Closure project. Request an additional $27.211 million of CMIA funds.

b. I-15/ La Mesa Nisqualli Road Interchange. Request $20.0 million of CMIA funds.

c. I-15/Ranchero Road Interchange project. Request $24.35 million of CMIA funds.

d. I-10 Westbound Mixed Flow Lane project. Request $11.375 million of additional CMIA funds.

Background: Proposition 1B, approved by the voters of California in November 2006, provides for about $19.9 billion in additional transportation funding within California. Of

Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

this total, $4.5 billion is for the CMIA. The CMIA program of projects was adopted by CTC in March 2007. The adopted CMIA program included five projects in San Bernardino region:

1. I-215 Widening between I-10 and Route 30, San Bernardino Segment 1 & 2, total of $49.12 million in CMIA funds.

2. I-215 Widening between I-10 and Route 30, San Bernardino Segment 5, total of $59.0 million in CMIA funds.

3. Route 210/I-215 connectors; total of $22.0 million in CMIA funds.

4. I-10 Westbound lane in Yucaipa to Redlands, total of $26.50 million in CMIA funds.

5. I-10 Ramp widening and auxiliary lanes (Cherry, Citrus, Cedar Avenues – Fontana/Bloomington area), total of $19.23 million in CMIA funds.

Since the adoption of the CMIA program in 2007, the CTC further adopted the Accountability Implementation Plan and its Supplement 1 to provide guidance on how project delivery within the program should be monitored and managed by the sponsoring agencies and CTC. The guidelines established special emphasis on project delivery and financial accountability based on funding and schedule commitments in a form of baseline agreements among the sponsors of each CMIA project. The baseline agreement locks in project cost and the CMIA funding amount, which cannot be increased. Any project cost increase must therefore be borne by the sponsoring agencies. CMIA savings are administered and re-programmed by the CTC, although preference is given to the savings remaining in the same corridor (e.g., I-215 in San Bernardino County).

In 2009, many CMIA project bids came in lower than the engineering estimates (or programmed amounts) because of the competitiveness in the construction industry in the current economic environment. At the December 2009 CTC meeting, Supplement 2 of the Accountability Implementation Plan was adopted to address how project cost savings will be administered by the Commission. Supplement 2 also provided special provisions for cost savings on projects subject to Assembly Bill X3-20 or a Private Placement Bond (PIB) purchase contract such as SANBAG's contract with the state. Agencies that funded Proposition 1B projects with federal stimulus (ARRA) funds or purchased PIBs can request CTC reprogramming of the bond funds to other qualified projects within the regions as outlined in AB X3-20 or the provisions of the Bond Purchase Contract. The latter scenario applied to San Bernardino region because SANBAG purchased a PIB to assure delivery of the I-215 project despite the state's inability otherwise to

provide CMIA and STIP funds. As approved by SANBAG Board, the CMIA savings from the I-215 projects will be programmed to fund the I-215 Bi-county HOV gap closure project. Staff is currently working with CTC staff to finalize the re-programming action at the February CTC meeting.

Supplement 2 also created an opportunity to program additional CMIA projects that will be funded through CMIA savings. The CTC is currently accepting nominations from sponsoring agencies. Eligible projects include the original nominated projects that were not funded as part of the initial $4.5 billion program, and new projects that can benefit or enhance the current programmed CMIA projects. Candidate projects must meet all CMIA eligibility requirements detailed in the CMIA Guidelines. These include the ability to commence construction no later than December 31, 2012. The additional CMIA project nominations are due to the CTC by February 2, 2010. Caltrans has also requested that sponsoring agencies obtain a letter of concurrence from the Caltrans District Director indicating District support for the project sponsor's submittal and consistency with the CMIA savings guidelines.

Because of the aggressive time schedule established by the guidelines, staff recommends submittal of the following projects to the CTC for the additional CMIA program consideration.

1. I-215 Bi-county HOV Gap Closure project. Request an additional $27.21 million of CMIA funds.

2. I-15/ La Mesa Nisqualli Road Interchange. Request $20.0 million of CMIA funds.

3. I-15/Ranchero Road Interchange project. Request $24.35 million of CMIA funds.

4. I-10 Westbound Mixed Flow Lane project. Request $11.37 million of additional CMIA funds.

The CTC will evaluate all project proposals and establish a first round of potential recipients of additional CMIA funds based on project eligibility and geographic balance. The CTC will continue to accept additional projects in the future on a first-come first-serve basis to utilize all CMIA savings. Staff will work closely with the CTC and Caltrans through the evaluation process to take advantage of this opportunity to further address our transportation funding challenges.

Financial Impact: Additional CMIA allocations could positively impact the approved Fiscal Year 2009-2010 SANBAG Budget by reducing SANBAG's Measure I commitment for the above mentioned projects.

Reviewed By: This item has had no prior policy committee review. It will be considered for approval at the special January 20 meeting of the SANBAG Board of Directors.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

San Bernardino Associated Governments

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Working Together

MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning

- Develop an accessible, efficient, multi-modal transportation system

- Strengthen economic development efforts

- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996