

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 26, 2024

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Amendment to The Joint Exercise Of Powers Relative To The San Bernardino Associated Governments Agreement for Improvement and Coordination of Governmental Services

RECOMMENDATION(S)

Approve **Amendment No. 4** to The Joint Exercise Of Powers Relative To The San Bernardino Associated Governments **Agreement No. 75-831** to improve and coordinate governmental services, updating the name of the organization to San Bernardino Council of Governments, update method by which agency dues are assessed, and increasing annual member dues by \$318,100, for an updated total amount of \$351,028, including an annual inflator. (Presenter: Luther Snoke, Chief Executive Office, 387-4811)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will result in the use of additional Discretionary General Funding (Net County Cost) of \$318,100, including an increase based on the lesser of the Consumer Price Index (CPI) or 2% annual adjustment, beginning 2024-25 and every year thereafter. Currently, the County's total annual assessment fee, now payable to the San Bernardino Council of Governments (SBCOG) instead of San Bernardino County Transportation Authority (SBCTA), both formerly known as San Bernardino Associated Governments (SANBAG), is \$32,928 per year. The total new assessment of \$351,028 includes an increase based on the lesser of the CPI or 2%. The annual assessment fee has been and will continue to be funded out of the Countywide Discretionary budget unit. The \$351,028 will be included in the Countywide Discretionary recommended 2024-25 budget and in future recommended budgets.

In the past, SBCTA invoiced the member agencies, however, moving forward the billing will be completed under SBCOG.

BACKGROUND INFORMATION

The County entered into The Joint Exercise Of Powers Relative To The SANBAG Agreement No. 75-831 (Agreement) in March 1973. SANBAG consists of representatives from 24 cities and towns, and the County. Each party entered into the Agreement to improve and coordinate governmental services on a countywide, subregional, and regional basis through the establishment of a cooperative association of governments. It was to also develop a unified and

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coordinated subregional transit system. The County approved the last amendment to the Agreement in March 1976.

In January 2017, SANBAG split into two agencies: SBCTA and SBCOG. SBCTA consolidated the County Transportation Commission, local transportation authority, service authority for freeway emergencies and local congestion management into one agency that conducts transportation planning, construction, and operation in San Bernardino County.

Meanwhile, SBCOG provides a forum for member agencies to exchange information and collaborate on regional issues. This collaboration helps member agencies to leverage resources to improve coordination and reduce duplicative efforts.

Since 2018, SBCOG has relied on funds from the Property Assessed Clean Energy / Home Energy Renovation Opportunity program to supplement SBCOG member dues and has implemented several programs through its 2018 Work Plan. The 2018 Work Plan (Plan) is a five-year Plan which identifies the priority programs and budgets for the Council of Governments (COG). The development and implementation of an Emergency Communication Nurse System, the preliminary work to establish a regional Housing Trust, and various grant research and writing proposals are some of the results from the Plan.

At a July 5, 2023, SBCOG Board of Directors (SBCOG Board) meeting, a COG Ad Hoc Committee (Committee) was established to discuss expanding the capacity of the COG and increase the dues paid by member agencies to pay for additional service offerings. The additional service offerings include increasing COG staff from 1.3 to three, as well as consultant support, all of which will carry out the functions of project management, liaison, regional advocacy, and grant writer/coordinator. Since August 2023, the Committee met monthly, analyzing programs, services, and budgets of other similar organizations such as San Gabriel Valley Council of Governments, Western Riverside Council of Governments, and the Coachella Valley Association of Governments. Based on its findings, and the desire to expand services, the Committee recommended increasing the annual budget from \$658,000 and 1.3 staff to \$1,500,000, three staff, and consultant support.

The existing Agreement assesses member dues using a formula of 50% population/50% assessed valuation. In addition to the original County assessment allocation of \$19,598, the SBCOG Board approved an additional assessment of \$5,330 per jurisdiction in 2015-16 and another assessment of \$8,000 per jurisdiction in 2021-22 (collectively, Total Current Assessments). However, the Committee determined the Total Current Assessments limit SBCOG's ability to provide a broader set of services and programs for its member agencies.

The Committee established a baseline annual budget increase from \$658,000 to \$1,500,000 as a starting point for consideration and evaluated the following three cost allocation scenarios regarding the distribution of COG baseline costs across jurisdictions:

- 100% Population
- 100% Fund Sales and Property Tax Revenues Received
- 50% Population/50% Fund Sales and Property Tax Revenues Received

Ultimately, the Committee recommended a new assessment method of 50% Population/50% Funded Sales and Property Tax Revenues Received (New Assessment). Under the New

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Assessment, the Total Current Assessment would be added to the new formula and includes an increase based on the lesser of the CPI or 2% annual adjustment to cover the regular increases in costs beginning in 2024-25 and every year thereafter. Below is a table listing each member agency, the proposed 2024-25 assessment, and the corresponding percentage, identifying the County as a major contributor.

Member Agencies	Proposed 2024-25 Assessment	Percentage
Adelanto	\$25,572	2%
Apple Valley	\$40,848	3%
Barstow	\$24,784	2%
Big Bear Lake	\$19,762	1%
Chino	\$58,614	4%
Chino Hills	\$44,798	3%
Colton	\$35,744	2%
Fontana	\$100,327	7%
Grand Terrace	\$18,405	1%
Hesperia	\$47,249	3%
Highland	\$34,304	2%
Loma Linda	\$23,467	2%
Montclair	\$31,370	2%
Needles	\$16,721	1%
Ontario	\$123,395	8%
Rancho Cucamonga	\$86,968	6%
Redlands	\$50,139	3%
Rialto	\$68,851	5%
San Bernardino	\$105,339	7%
Twentynine Palms	\$23,341	2%
Upland	\$46,246	3%
Victorville	\$66,822	4%
Yucaipa	\$33,574	2%
Yucca Valley	\$22,331	1%
County	\$351,028	23%
Total (rounded)	\$1,500,000	100%

Amendment No. 4 to the Agreement removes the specific formula to assess member dues from the Agreement and instead requires the SBCOG Board to approve a policy to assess member dues. The policy is expected to be approved in 2024-25. This allows the SBCOG Board the authority to adjust the method for assessing member agency dues as needed, without needing to amend the Agreement.

At the January 3, 2024, SBCOG Board meeting, the SBCOG Board accepted the Committee's recommendation and approved Amendment No. 4 to the Agreement. All member agencies are required to approve the new dues by April 30, 2024, after which they will go into effect on July 1, 2024. Once implemented, the Committee and the City/County Managers' Technical Advisory Committee will work to identify program and project priorities and amend the approved Plan.

PROCUREMENT

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Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on March 1, 2024; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on March 11, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 12, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 26, 2024



cc: File - JPA/SANBAG w/agree for sign
CCM 03/29/2024