

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

July 13, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Agreement with the State of California, Department of Transportation, to Participate in the Regional Surface Transportation Program Federal Exchange and State Match Program 2020-21

RECOMMENDATION(S)

Approve **Agreement No. 21-545** [State Agreement No. X21-5954(187)] between San Bernardino County and the State of California Department of Transportation to exchange the remaining \$1,094,369 of San Bernardino County's 2020-21 apportionment of Federal Regional Surface Transportation Program funds for non-federal State Highway Account funds and for the State of California Department of Transportation to pay San Bernardino County \$100,000 from the unobligated State Match Program funds for Fiscal Year 2020-21.
(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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

FINANCIAL IMPACT

Approval of this Agreement will not result in the use of Discretionary General Funding (Net County Cost). Under the terms of State of California Department of Transportation (State) Agreement No. X21-5954(187), the State agrees to pay San Bernardino County (County) a total amount of \$1,194,369. Of this amount, \$1,094,369 will be claimed under the Federal Apportionment Exchange Program and \$100,000 will be claimed under the State Match Program. This revenue is included in the Department of Public Works (Department) 2021-22 Road Operations budget.

BACKGROUND INFORMATION

State Agreement No. X21-5954(187) authorizes the County to participate in the Regional Surface Transportation Program (RSTP) Federal Exchange and State Match program for 2020-21, which allows the exchange of \$1,094,369 of Federal RSTP funds for non-federal State Highway Account funds and claim of \$100,000 in 2020-21 State Match Program funds.

This exchange, as authorized by Streets and Highway Code section 182.6, benefits the County by removing federal restrictions from the monies, thereby allowing more freedom for how these funds can be spent. This exchange also provides the County with funds immediately, rather than on a reimbursement basis. The County has been exchanging funds with the State annually through this program for several years and has been utilizing the funds for maintenance work on County maintained roads.

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The Agreement also allows the County to claim \$100,000 in 2020-21 State Match Program funds from State Highway Account funds, as authorized by Streets and Highways Code Section 182.9. While the State Match funds must first be used to match the local share of federal transportation projects, any excess funds may be used for any transportation purpose.

Near the end of each year, the County may select to enter into an agreement with the State to exchange the County's remaining annual apportionment of federal funds for a like amount of non-federal State Highway Account funds. Federal apportionment for 2020-21 is available through the Fixing America's Surface Transportation (FAST) Act. The FAST Act is also referred to as "Public Law 114-94," which was signed into law on December 4, 2015. This law serves as a funding source and an authorization bill that governs federal surface transportation spending.

This item meets the County and the Chief Executive Officer's goals and objectives by working with the State in exchanging funds for County's immediate use on transportation related projects and maintenance work on County maintained roads.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott M. Runyan, Supervising Deputy County Counsel, 387-5455) on June 14, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on June 22, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 28, 2021.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Janice Rutherford
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 13, 2021



cc: PW/Trans- Srirajan w/agree for sign
Contractor- C/O PW/Trans w/agree
File- w/agree
LA 07/14/2021