

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

September 12, 2023

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

California Environmental Quality Act Finding, Plans, and Specifications for the Fifth Street and Pedley Road Project in the San Bernardino Area

RECOMMENDATION(S)

1. Find that the Fifth Street and Pedley Road Project in the San Bernardino area is exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction).
2. Approve the Fifth Street and Pedley Road Project in the San Bernardino area as defined in the Notice of Exemption.
3. Approve plans and specifications for the Fifth Street and Pedley Road Project in the San Bernardino area, as signed and sealed by a registered civil engineer.
4. Authorize the Director of the Department of Public Works to advertise the Fifth Street and Pedley Road Project in the San Bernardino area for formal bids.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Provide for the Safety, Health and Social Service Needs of County Residents.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Fifth Street and Pedley Road Project in the San Bernardino area (Project) will be funded with City of San Bernardino (City) funds, Senate Bill 1 Road Maintenance and Rehabilitation Account (RMRA) revenue, and the Community Development Block Grant (CDBG). Sufficient appropriation and revenue are included in the Department of Public Works (Department) 2023-24 Road Operations budget (66500002000 17H15189) and will be included in future recommended budgets.

BACKGROUND INFORMATION

The Project involves widening the intersection, curb ramps in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) Guidelines and installing a pedestrian-activated traffic signal. Minimal work for the Project will be done outside of existing right-of-way which requires permission from property owners.

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This Project was prioritized by the Board of Supervisors (Board) as part of the 2022-23 SB1 RMRA project list, which was approved on May 24, 2022 (Item No. 87). Updates to existing ADA compliant curb ramps or installation of new ADA compliant curb ramps for the Project are required under the federal “2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the ADA Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing” guidelines.

The Department’s environmental staff has reviewed this Project and determined that a categorical exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines, Title 14 of the California Code of Regulations, Section 15301(c) Class 1 and Section 15302(c) Class 2 is appropriate. The Class 1 exemption allows for repair and maintenance activities on existing roads, sidewalks, gutters, and similar facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Class 2 exemption allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. When the Board considers the environmental finding, the filing and posting of a Notice of Exemption is recommended.

Pursuant to delegated authority from the United States Department of Housing and Urban Development (HUD), on June 28, 2021, the County’s Department of Community Development and Housing reviewed the Project for compliance under the National Environmental Policy Act (NEPA) and determined the Project is Categorically Excluded pursuant to Title 24 of the Code of Federal Regulations, Section 58.34(a)(12).

The Project aligns with the County and the Chief Executive Officer’s goals and objectives of ensuring development of a well-planned, balanced and sustainable County by preserving and improving the structural integrity of existing road surfaces and access for pedestrians, including those with disabilities.

The Project’s specifications include an allowance in the amount of \$25,000 for unforeseen differing site conditions associated with utility conflicts and/or soil conditions.

PROCUREMENT

The Project will be advertised to invite formal bids in accordance with Section 22037 of the California Public Contract Code. The Department anticipates returning to the Board for an award of the construction contract in Fall 2023.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on August 17, 2023; Finance (Carl Lofton, Administrative Analyst, 387-5404) on August 25, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on August 27, 2023.

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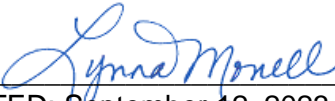
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 12, 2023



cc: PW/Trans - Biggs w/CEQA & receipt
File - Transportation w/CEQA & receipt w/CD w/map
CCM 09/25/2023