

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

June 22, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Amendment to Cooperative Agreement with the City of Victorville for the Green Tree Boulevard Extension Project, Victorville Area

RECOMMENDATION(S)

Approve **Amendment No. 1 to Cooperative Agreement No. 16-797** with the City of Victorville extending the contract termination date from June 30, 2021 to June 30, 2024 for the Green Tree Boulevard Extension Project in the Victorville area.

(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Amendment No. 1 only extends County Contract No. 16-797 (Agreement) termination date and does not result in any additional financial contribution from the County of San Bernardino (County) for the Green Tree Boulevard Extension Project in the Victorville area (Project).

Under the Agreement the County's fair-share contribution for the Project is \$716,901. This amount will be initially funded by a loan of Discretionary General Funds (DGF), approved in the County's 2015-16 Annual Budget in the amount of \$841,000. This loan was secured based on a rough Project cost estimate submitted prior to the approval of the Agreement. A loan from the DGF was required because insufficient Development Impact Fees (DIF) have been collected for the County's required DIF contribution. Upon Project completion and receipt of final invoice of the actual Project cost, and sufficient DIF for the Victor Valley Subarea – Arterial account have been collected, the DIF account will reimburse the DGF \$841,000 loan for the Project. Sufficient appropriation is included in the Department of Public Works (Department) 2020-21 Road Operations budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The City of Victorville (City) is serving as the lead agency for the Project, with the exception of the right-of-way acquisition within County jurisdiction. The County and City each were responsible for right-of-way acquisition within their own jurisdictions. All right-of-way acquisitions are complete and the City is progressing into the construction phase. The construction phase is anticipated to last approximately two years and is scheduled to begin in the Summer of 2021.

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This item requests the Board of Supervisors (Board) approval to extend the Agreement termination date from June 30, 2021 to June 30, 2024 to allow sufficient time for the City to construct the Project, address any construction concerns, reconcile actual Project costs, prepare the final billing, and closeout the Project. The extension of the Agreement's termination date is required because of the time needed to acquire right-of-way, which delayed the Project delivery schedule. In addition, the City had not secured funding for the Project's construction phase. The City has now secured the funding and is proceeding with the Project construction.

In addition, the Town of Apple Valley (Town) is a party to the Agreement, however, the City and Town agree that since the Town has fulfilled its financial obligation to the City, pursuant to the Agreement, that the Town should not be included as a party to the proposed Amendment No. 1. Therefore, the Town is not a party to this Amendment No. 1 to the Agreement.

On October 18, 2016 (Item No. 41), the Board authorized the County to enter into an Agreement with the City and the Town to fund the required development mitigation fair-share contribution from each party, in accordance with the San Bernardino County Transportation Authority (SBCTA, formerly known as "San Bernardino Associated Governments") Nexus Study.

The Project will widen, realign, as well as construct a new connecting roadway and a new bridge over the Burlington Northern Santa Fe Railway on Yates Road and Green Tree Boulevard, from Park Boulevard, continuing west and ending at the intersection of Green Tree Boulevard and Hesperia Road.

Except as amended by the proposed Amendment No. 1, all other terms and conditions of the Agreement remain the same. The City approved Amendment No. 1 to the Agreement on May 4, 2021.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on March 19, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on May 6, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 21, 2021.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 22, 2021



cc: PW/Trans- Srirajan w/agree
Contractor- C/O PW/Trans w/agree
File- w/agree
LA 07/2/2021