

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

May 18, 2021

**FROM**

**BRENDON BIGGS, Director, Department of Public Works – Transportation**

**SUBJECT**

Program Supplement Agreements to Master Agreement for Emergency Relief Funds for July 2018 Storms

**RECOMMENDATION(S)**

1. Approve Program Supplement Agreement No. F132 (**County Agreement No. 21-362**) to Master Agreement No. 08-5954F15, with the State of California Department of Transportation, which allocates \$22,651.10 of federal Emergency Relief funds as reimbursement for the \$25,255 in costs for the restoration of Needles Highway, in the Needles area.
2. Approve Program Supplement Agreement No. F133 (**County Agreement No. 21-363**) to Master Agreement No. 08-5954F15, with the State of California Department of Transportation, which allocates \$194,410 of federal Emergency Relief funds as reimbursement for the \$194,410 in costs for the restoration of Essex Road, in the Essex area.
3. Authorize the Director of the Department of Public Works to approve the future Program Supplement Agreement to Master Agreement No. 08-5954F15, with the State of California Department of Transportation, which will allocate the remaining reimbursement for the \$2,603.90 in costs for the restoration of Needles Highway not recovered in Program Supplement Agreement No. F132.

(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.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue, and other state and local funding. The total cost of restoration work on Needles Highway as a result of the July 2018 storm damage was \$25,255. Federal Emergency Relief (ER) funds administered by the State of California Department of Transportation (Caltrans) will reimburse \$22,651.10 of the \$25,255 in costs incurred for repairing damage on Needles Highway. The remaining cost of repairs to Needles Highway, \$2,603.90, was funded with Gas Tax revenue. Once additional federal ER funds are available 100% of the restoration work costs will be reimbursed. The total cost of the restoration work on Essex Road as a result of the same

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storm event was \$194,410. Federal ER funds will reimburse 100% of costs incurred for work completed repairing damages on Essex Road. Reimbursable costs for both roads include repair of asphalt downdrains damaged by monsoon rains. The restoration costs for both roads were appropriated under the Department's 2018-19 Road Operations budget (6650002000 332500/588575).

**BACKGROUND INFORMATION**

In July 2018 a monsoonal rainstorm occurred in San Bernardino County, causing significant damage to roads and highways. Essex Road in the Essex area as well as Needles Highway in the Needles area experienced debris flows, rock falls and embankment erosion. The monsoon event destroyed asphalt downdrains along both Essex Road and Needles Highway. Downdrains carry surface water runoff from the roadway and shoulders down an embankment. Debris removal and repairs were completed on both roads in order to restore essential traffic, protect the road, and prevent further damage.

Emergency Relief funds reimburse 100% of costs incurred for work completed within 180 days after the disaster declaration date of July 7, 2018. All of the restoration work on Essex Road and Needles Highway was completed within this period. Currently, there are insufficient federal ER funds available to reimburse the Department completely for all restoration work costs on Needles Highway. Caltrans notified the Department that once additional federal ER funds become available, the Department will receive another Program Supplement Agreement. The Department requests authority for the Director of the Department to approve the future Program Supplement Agreement to request reimbursement for the remaining \$2,603.90 when those funds become available.

Caltrans and the Federal Highway Administration (FHWA) approved the restoration work cost reimbursements for the respective projects in March 2019. However, the amount of claims Caltrans received exceeded the amount of funds available. FHWA approved Advance Construction funding for the projects in June of 2020. Advance Construction funding allows the state and local agencies to expend their own funds for work costs and receive reimbursement at a later date when additional federal funding becomes available and reimbursements are made in the order that claims were received. Federal Emergency Relief funds became available for these projects in February of 2021, but not enough for complete reimbursement of Needles Highway costs.

In accordance with Master Agreement No. 08-5954F15, approval of a Program Supplement Agreement is required for each specific Project and prior to the County invoicing for reimbursement of costs associated with the Project. These Program Supplements are governed by Master Agreement No. 08-5954F15, between the County and Caltrans that was approved by the Board on July 26, 2016 (Item No. 29). The Program Supplement Agreement sets out special covenants as a condition for the local agency to receive federal-aid through the State for a designated project. The Program Supplement Agreement also identifies the type of funds available for reimbursement.

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The item meets the County and Chief Executive Officer's goals and objectives by working with Caltrans to ensure that the necessary agreements are processed in accordance with Caltrans guidelines to receive federal funds as reimbursement for project costs.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on April 19, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on April 26, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 2, 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: Janice Rutherford  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 18, 2021



cc: PW/Trans - Srirajan w/agrees for sign  
Contractor - C/O PW/Trans w/agree  
File - w/agree w/map

CCM 05/19/2021