

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

January 11, 2022

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Amendment to Cooperative Agreement with the Town of Apple Valley for Central Road and Other Roads Project

RECOMMENDATION(S)

Approve **Amendment No. 1 to Cooperative Agreement No. 21-544** with the Town of Apple Valley to add three roads to the Central Road and Other Roads Scrub Seal, Chip Seal and Overlay Project in the Apple Valley area and increase the estimated contribution amounts for the Town of Apple Valley by \$601,000, from \$223,000 to \$824,000, and San Bernardino County by \$835,000, from \$3,965,000 to \$4,800,000, for a total increase to the project of \$1,436,000, from \$4,188,000 to \$5,624,000, with no change to the contract period of July 13, 2021 through June 30, 2026.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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 not result in the use of Discretionary General Funding (Net County Cost). The proposed amendment will increase the total estimated cost for the Central Road and Other Roads Scrub Seal, Chip Seal, and Overlay Project in the Apple Valley area (Project) by \$1,436,000, from \$4,188,000 to \$5,624,000. The San Bernardino County (County) estimated share of the project cost is increasing by \$835,000, from \$3,965,000 to \$4,800,000, which will be funded with the Senate Bill 1 Road Maintenance and Rehabilitation Account (RMRA) funds. The Town of Apple Valley's (Town) estimated share of the project cost is increasing by \$601,000, from \$223,000 to \$824,000. Sufficient appropriation and revenue are included in the Department of Public Works' (Department) 2021-22 Road Operations budget (6650002000 44H15088).

BACKGROUND INFORMATION

The Project consists of preparation work, such as crack sealing and patching, or leveling course, and application of a scrub seal, chip seal and/or overlay to the existing pavement. A leveling course is a thin layer of an asphalt mixture that is applied over an existing pavement to correct surface irregularities. During development of the original Cooperative Agreement No. 21-544, three roads located within the project area were excluded from the Project as they were contained within the Town's pending annexation of the unincorporated area. Subsequently, the annexation request to the Local Agency Formation

**Amendment to Cooperative Agreement with the Town of Apple Valley
for Central Road and Other Roads Project
January 11, 2022**

Commission (LAFCO) was not approved by a majority of the affected parcel owners during the Consolidated Mail Ballot Election to annex a portion of the project area, which was held on August 31, 2021. The Department and the Town now desire to include these three roads as part of the Project so that all roads within the project area receive the necessary road treatment. With the addition of these roads, the Project will cover an additional 6.91 miles (from 44.90 miles to 51.81 miles) of maintenance work. The County will continue to serve as the lead agency for the Project, with the Department's Road Operations labor force conducting the maintenance activities. The first phase of the Project began in Summer 2021 and the second phase is anticipated to be completed in Summer 2023.

On June 22, 2021 (Item No. 68), the Board of Supervisors (Board) authorized the Project (Project No. 8) as part of the 2021-22 RMRA project list. Since the additional three roads are located within the project area, the RMRA funds may be used. The roads that are the subject of the amendment may be added to Project No. 8 without the submission of a revised Board-approved project list to the California Transportation Commission (CTC) because the project list remains the same with Project No. 8 having an expanded road list. Pursuant to the RMRA guidelines established by the CTC, local agencies may communicate such changes to the CTC as part of the annual expenditure reporting process.

On July 13, 2021 (Item No. 37), the Board approved Cooperative Agreement No. 21-544 with the Town for road maintenance work on various roads in the Apple Valley area. The estimated total project cost was \$4,188,000; the County's share of this cost was \$3,965,000 and the Town's share of the Project cost was \$223,000. Under Cooperative Agreement No. 21-544, the Department's Road Operations labor force was assigned the agency to perform the road maintenance for the Project.

Approval of the proposed Amendment will add the three roads contained in the Town's unsuccessful annexation and initially excluded from the Project (see Exhibit "A-1" attached to the Amendment for list of roads) and will revise the parties' share of project costs. The Amendment also replaces Exhibits A and B of the Agreement with Exhibits "A-1" and "B-1".

This item meets the County and the Chief Executive Officer's goals and objectives by allowing the County to continue working with the Town to ensure that the Project is completed in a manner that is satisfactory to the parties. Except as amended by this Amendment No. 1, all other terms and conditions of Cooperative Agreement No. 21-544 shall remain the same. The Town approved this Amendment No. 1 on December 14, 2021.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on November 24, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on December 15, 2021; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on December 15, 2021.

**Amendment to Cooperative Agreement with the Town of Apple Valley
for Central Road and Other Roads Project
January 11, 2022**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe 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: January 11, 2022



cc: PW/Trans - Castillo w/agree
 Contractor - C/O PW/Trans w/agree
 File - w/agree w/map
CCM 01/13/2022