

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

**November 15, 2022**

**FROM**

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

**SUBJECT**

California Environmental Quality Act Finding for the Merrill Avenue and Other Roads Project in the Fontana Area

**RECOMMENDATION(S)**

1. Find that the Merrill Avenue and Other Roads Project in the Fontana 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 Merrill Avenue and Other Roads Project in the Fontana area as defined in the Notice of Exemption and 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.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Merrill Avenue and Other Roads Project in the Fontana area (Project) will be funded with Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) funds. The requested actions are administrative in nature with minimal financial impact. Sufficient appropriation and revenue are included in the Department of Public Works (Department) 2022-2023 Road Operations budget (6650002000 14H15022).

**BACKGROUND INFORMATION**

The Project involves pavement rehabilitation on Merrill Avenue, Randall Avenue, and Sequoia Avenue in the Fontana area. Other improvements include replacing storm drains at various locations and relocating a flashing beacon on Randall Avenue, constructing new and updating existing curb ramps at various locations in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) guidelines, as well as repairing spandrels and cross-gutters. Minimal work for the Project, such as driveway approaches, sidewalk and curb ramp repairs, will be done outside of the existing right-of-way and will require permission from property owners; however, no acquisitions will be required.

The Project was prioritized by the Board of Supervisors (Board) as part of the 2019-20 SB 1 RMRA project list approved on April 30, 2019 (Item No. 53). Updating existing ADA compliant

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curb ramps and installation of new ADA compliant curb ramps in the Project area are required for the subject road improvements under the federal “2013 DOJ/DOT 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.

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 providing for the safety of County residents by improving access for all pedestrians.

**PROCUREMENT**

The Department plans to bring the Project’s plans and specifications, as well as a recommendation to advertise for competitive bids, to the Board for consideration in Winter 2022/2023.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on October 18, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on October 29, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 31, 2022.

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**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: November 15, 2022



cc: PW/Trans - Biggs w/CEQA & receipt w/map  
File - Transportation w/CEQA & receipt w/map  
CCM 11/17/2022