

RESOLUTION NO. 2024-147

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF SAN BERNARDINO, CALIFORNIA,
AUTHORIZING THE DIRECTOR OF FINANCE TO
AMEND THE FY 2024/25 CAPITAL IMPROVEMENT
PLAN RECORDING SUPPLEMENTAL APPROPRIATIONS
FOR VARIOUS PROJECTS**

WHEREAS, on April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statute 2017), which is known as the Road Repair and Accountability Act of 2017 to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road system. SB1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years; and

WHEREAS, the City of San Bernardino (“City”) developed a Five-Year Capital Improvement Program (CIP) consistent with the 2021-2025 Key Strategic Targets and Goals established by the Mayor and City Council; and

WHEREAS, this CIP is a five-year program that links the planning of capital improvements to realistic, reliable funding sources. This ensures that the planning and implementation of such projects are balanced within available resources; and

WHEREAS, projects included in the CIP are based on an assessment of community needs, Mayor and City Council priorities and available funding. Capital projects relate to new construction, major improvements or rehabilitation of assets, or acquisition of a structure.

WHEREAS, CIP projects are reviewed and updated annually. Consideration is given to potential sources of funding, financing opportunities, and the value of the project using criteria including the protection of public health and safety, adherence to legal requirements, environmental quality, level of public support, return on investment, availability of financing, and relationship to Mayor and City Council Goals and Objectives; and

WHEREAS, the City developed its FY 2024/25 Capital Improvement Plan; and

WHEREAS, the FY 2045/25 Capital Improvement Plan requires a supplementation appropriation in the amount of \$5,787,126 in SBI Funds and \$1,355,877.50 in Gas Tax (Maintenance of Effort) to fully fund Street Rehabilitation- 14 locations (Project No: 13630).

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Mayor and City Council hereby authorize the Agency Director of Finance and Management Services to amend the FY 2024/25 Capital Improvement Plan, recording a supplemental appropriation in the amount of \$5,787,126 in SBI Fund and \$1,355,877.50 in Gas Tax Fund, for a total additional contribution of \$7,143,003.50 for Street Rehabilitation-14 locations (Project No: 13630) Project.

SECTION 3. As the decision-making body for the project, the City Council has reviewed and considered the information contained in the administrative record for the proposed project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds, as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines;

(2) The proposed project is exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301 (Class I -Existing Facilities) of the CEQA Guidelines because it involves street rehabilitation. Additionally, the City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(3) The application of the Class 1 categorical exemption is not barred by one of the exceptions set forth in the CEQA Guidelines Section 15300.2 because Pavement Rehabilitation does not present any unusual circumstances; would not damage scenic resources, including any resources in the area of a Scenic Highway; would not be utilized on a hazardous waste site; and would not impact historic resources of any kind; and

(4) The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 5. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 3rd day of July 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-147, adopted at a regular meeting held on the 3rd day of July 2024 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this ____ day of July 2024.

Genoveva Rocha, CMC, City Clerk