

RESOLUTION NO. 2024-198

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF FINANCE AND MANAGEMENT SERVICES TO AMEND THE STATE ROUTE 210/WATERMAN AVENUE INTERCHANGE PROJECT BUDGET IN THE AMOUNT OF \$322,806 FROM THE MEASURE I FUND FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$1,948,934, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO COOPERATIVE AGREEMENT NO. 22-1002720 WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY (SBCTA) FOR WATERMAN AVENUE AT STATE ROUTE 210 (SR-210) INTERCHANGE PROJECT

WHEREAS, the City of San Bernardino intends to initiate phased improvements of the Waterman Avenue at State Route 210 (SR-210) interchange within the limits of the City; and

WHEREAS, the parties have already entered into agreement to delineate roles, responsibilities relative to project management, Project Approval/Environmental Documents, Plan Specification and Estimates, Right of Way, and Construction of the project; and

WHEREAS, the improvements will include converting one southbound lane and one northbound lane into a left-turn lane and widening the eastbound on-ramp to two lanes; and

WHEREAS, the project improvements are funded by Measure I and Measure S; and

WHEREAS, Resolution 2021-300, approved by the Mayor and City Council on December 15, 2021, provided funding in the amount of \$1,398,270 from Measure I for Cooperative Agreement No. 22-1002720 with SBCTA; and

WHEREAS, Resolution 2024-062, approved by the Mayor and City Council on April 3, 2024, provided funding in the amount of \$227,858 from Measure S for Amendment No. 1 on Cooperative Agreement No. 22-1002720 with SBCTA; and

WHEREAS, on July 16, 2024 SBCTA received seven bids for the construction of the project which came in above the engineer's estimate, resulting in the need for Amendment No. 2 to the Cooperative Agreement No. 22-1002720-02; and

WHEREAS, the City is requesting \$322,806 from Measure I for Amendment No. 2 to Cooperative Agreement No. 22-1002720-02, which will bring the new total not-to-exceed amount to \$1,948,934, ensuring the project can continue and the construction contract can be awarded.

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. The Mayor and City Council hereby authorize the Director of Finance and Management Services to amend the State Route 210/Waterman Avenue Interchange Project budget in the amount of \$322,806 from the Measure I Fund, for a total not-to-exceed amount of \$1,948,934.

SECTION 3. The Mayor and City Council hereby authorize the City Manager to execute Amendment No. 2 to Cooperative Agreement No. 22-1002720 with the San Bernardino County Transportation Authority (SBCTA) for Waterman Avenue at State Route 210 (SR-210) interchange Project.

SECTION 4. 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.

SECTION 5. 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 6. 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 4th day of September 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. 2024-198, adopted at a regular meeting held on the 4th day of September 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 _____ 2024.

Genoveva Rocha, CMC, City Clerk