



DISCUSSION

City of San Bernardino Request for Council Action

Date: September 18, 2024

To: Honorable Mayor and City Council Members

From: Rochelle Clayton, Acting City Manager
Jeannie Fortune, Interim Director of Finance & Management Services
Mary Alvarez-Gómez, Grants Division Manager

Department: City Manager's Office

Subject: **American Rescue Plan Update (Fall 2024) (All Wards)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Receive and file an update on City of San Bernardino American Rescue Plan Act (ARPA) projects, allocations, and spending to date; and
2. Authorize the City Manager to formally obligate ARPA funds for City led projects per U.S Department of Treasury Guidelines, by executing Inter-Agency agreements for previously City Council approved ARPA projects; and
3. Provide staff direction on any unassigned ARPA funds.

Executive Summary

The City of San Bernardino was awarded \$77,656,407 in American Rescue Plan Act (ARPA) funds. The City received 2 tranches, half of the funds in May 2021, and the remainder of the funds in May of 2022. As of September 2024, the City has allocated a total of \$76,304,896 of the City's \$77,656,407 original distribution from the Treasury, and must formally obligate all funds prior to the December 31, 2024, deadline. Although the City has obligated over \$30 million to City Council approved projects, approximately \$47 million remains to be formally obligated through an agreement or contract.

Background

The U.S. Treasury issued the final rule for the use of the funds on January 6, 2022, providing clarification on allowable investments, but generally not expanding the list of

eligible projects and programs. The City is allocating these funds and working within the guidance, focusing on investments in Qualified Census Tracts (QCTs) and other priority investments.

Treasury then issued the [2022 Final Rule](#) and [Overview of the 2022 Final Rule](#) describing how recipients may use ARPA funds to:

- **Replace lost public sector revenue**, using the standard allowance portion of this funding to provide government services up to the amount of revenue lost due to the pandemic. The City of San Bernardino's standard allowance is \$10 million dollars.
- **Respond to the far-reaching public health and negative economic impacts of the pandemic**, by supporting the health of communities, and helping households, small businesses, impacted industries, nonprofits, and the public sector recover from economic impacts.
- **Provide premium pay for essential workers**, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors.
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet.

Additionally, the [2023 Interim Final Rule](#) and [Overview of the 2023 Interim Final Rule](#) describe three additional eligible uses of ARPA funds:

- **Emergency relief from natural disasters**, to provide emergency relief from the physical and economic impacts of natural disasters.
- **Surface transportation projects**, utilizing funds for eligible projects through three pathways.
- **Title I projects**, investing in activities that are eligible under the CDBG and ICDBG programs, as listed in section 105(a) of the Housing and Community Development Act of 1974.

Discussion

The U.S. Treasury requires ARPA funds to be obligated by December 31, 2024, and fully expended by December 31, 2026. For ARPA funds to be considered obligated by the Treasury, a legally binding agreement committing the funds must be executed for each program or project. This is typically done through Professional Services Agreements, Construction Contracts, etc., where the City procures goods and services

through third-party vendors (i.e., an “External Obligation”). For ARPA-funded programs that are being provided directly by the City, ARPA funds will need to be obligated through inter-agency agreements (i.e., an “Internal Obligation”). Simply allocating funds through a resolution alone is not sufficient by Treasury standards.

Currently, the Mayor and City Council have committed \$76,304,896 of the City’s \$77,656,407 ARPA funds. Of this amount, \$30,229,301 has been obligated and \$12,287,587 has been spent. The table below provides an overview of all ARPA-funded projects approved by the Mayor and City Council and their current obligation and expenditure status:

American Rescue Plan Act Fund Status			
Economic Development	Allocated	Obligated	Spent
Small Business Non-Profit Assistance	\$3,126,300	\$3,126,300*	\$2,575,000
Entrepreneur Resource Center (Aspen Institute Initiative)	\$1,873,700	\$1,873,700	\$1,873,700
Façade Improvements (Paintbrush Program)	\$1,000,000	\$1,000,000*	\$0
Parks & Recreation	Allocated	Obligated	Spent
Seccombe Park Renovations	\$9,000,000	\$408,245	\$171,278
Nicholson Park	\$8,850,000	\$5,740,402	\$131,561
Roosevelt Bowl Renovation	\$600,000	\$433,752	\$74,803
Lytle Creek Soccer Fields	\$600,000	\$600,000	\$7,502
Guadalupe Fields	\$2,063,851	\$1,572,402	\$118,643
Encanto Community Center	\$655,887	\$0	\$0
City Services	Allocated	Obligated	Spent
Graffiti Abatement	\$1,000,000	\$1,000,000*	\$316,503
Violence Intervention Program	\$1,000,000	\$750,000	\$511,588
Infrastructure	Allocated	Obligated	Spent
Street Improvements	\$1,080,158	\$0	\$0
Water Infrastructure Lead Connectors	\$5,160,000	\$0	\$0

Homelessness Initiatives	Allocated	Obligated	Spent
Lutheran Social Services Community Wellness Center Homekey Project	\$5,000,000	\$5,000,000	\$0
Motel Voucher Program	\$973,500	\$973,500	\$0
Navigation Center Construction	\$12,450,000	\$379,500	\$159,860
Navigation Center Operations	\$4,500,000	\$0	\$0
Homelessness Outreach Team	\$1,500,000	\$1,500,000	\$444,577
Mobile Showers & Laundry	\$150,000	\$150,000	\$99,651
Temporary Housing for ASU Residents	\$76,500	\$76,500*	\$76,500
Emergency Nuisance & Building Health & Safety Abatement	\$500,000	\$500,000*	\$400,024
IT Infrastructure	Allocated	Obligated	Spent
Enterprise Resource Planning System	\$10,000,000	\$0	\$181,397
Staff Salaries	Allocated	Obligated	Spent
Hero Pay	\$5,145,000	\$5,145,000*	\$5,145,000
Total Council Allocated:	<u>\$76,304,896</u>	\$30,229,301	\$12,287,587
ARPA Allocation	<u>\$77,656,407</u>		
Unassigned Funds	<u>\$1,351,511</u>		

**Budget line items with an asterisk represent an internal obligation by the City via the execution of an Inter-Agency Agreement.*

**Obligation total amount makes the assumption that Council will approve the use of Inter-Agency agreements to formally obligate funds per U.S Treasury ARPA Guidelines.*

Economic Development

Small Business Non-Profit Assistance (All Wards)

Provides small businesses and non-profits operating within the City of San Bernardino grants ranging from \$10,000 to \$35,000 to aid in their recovery from the pandemic. The

program offered two (2) cycles of grant opportunities where successful applicants completed a selected business course offered by the Inland Empire Business Development Center as a prerequisite to receiving a grant award.

- Current Status – The first round of the grant opportunities is complete, and the second round of grant opportunities is in process and ready to award.
- Next Steps – An Inter-agency agreement will need to be executed to formally obligate the funds as the program is being administered directly by the City.

Entrepreneur Resource Center (*Aspen Institute Initiative*) (All Wards)

A collaboration between the City of San Bernardino and the Inland Empire Center for Entrepreneurship (IECE) at California State University San Bernardino (CSUSB) to provide a center for local small businesses and non-profits to access valuable resources such as business counseling and other specialized business assistance programs to recover from the ongoing and residual effects of the pandemic.

- Current Status – 100% of funds have been obligated and expended.
- Next Steps – No additional actions are needed.

Parks & Recreation

Seccombe Park Renovations (Ward 1)

Outdoor and amenities improvements to the 43-acres of Seccombe Lake Park, located in the center of the City and within a qualified census tract (58.00). Additional \$1M in funds from the San Manuel Band of Mission Indians was received to support the project.

- Current Status – The design plans are at the 90% stage and are under review. An RFP is currently in process of being drafted for release.
- Next Steps – Staff anticipates bringing a construction contract for Council to award in November 2024.

Nicholson Park (Ward 6)

Closed for over 8 years, improvements to Nicholson Park will allow residents access to a revitalized outdoor space when completed. This project aligns with improved health outcomes and although not directly in a qualified census tract, serves a low-income area (tract 44.01) and a nearby qualified census tract (44.04). Additional funding sources for this project include \$2.7M from CDBG and \$150,000 from the Meadowbrook Bridge Settlement.

- Current Status – Construction began in April 2024 and the grand opening is expected in April/May 2025. The ARPA allocation for Nicholson Park currently exceeds the project cost; however, there are pending change orders that still need

to be processed. The City is currently assessing the amount of ARPA funds that will be saved after the change orders.

- Next Steps – Staff will bring a recommendation to the Mayor and City Council to reallocate the ARPA savings from the Nicholson Park project to the Encanto Community Center project in November of 2024.

Roosevelt Bowl Renovation (Ward 2)

Built in 1934 and a historic asset, Roosevelt Bowl located at Perris Hill Park is an outdoor amphitheater currently underutilized due to needed and necessary upgrades to comply with the Americans with Disabilities Act (ADA). Landscaping and restoration of the of the access trail, and renovation of the main building and restrooms. An additional \$1.4M in federal funds thanks to Congressman Pete Aguilar was received to complete this project. ARPA guidelines allow for investment in this project to address disproportionately impacted neighborhoods through park improvements that can be linked to better health outcomes.

- Current Status – The design plans are at the 90% stage and are under review. An RFP is currently in process of being drafted for release.
- Next Steps – Staff anticipates bringing a construction contract for Council to award in November 2024.

Lytle Creek Soccer Fields (Ward 3)

With input from the community, a disused parking lot at the north end of Lytle Creek Park will be converted to two futsal courts, providing more opportunities for recreation for youth in the area. This project meets ARPA guidelines for investments in disproportionately impacted neighborhoods where park improvements that can be linked to better health outcomes are eligible for ARPA funds.

- Current Status – A construction contract is being brought to Council for award at this September 18, 2024, meeting. If awarded, the ARPA funds will be fully obligated.
- Next Steps – No additional actions are needed. The project is expected to be completed in April 2025.

Guadalupe Fields (Ward 1)

City ARPA funding (\$2,063,851) and County ARPA funding (\$995,000) to improve the baseball fields at Sal Saavedra Park, a 2.25-acre park on Roberds Avenue in the westside of the city. The project will renovate the existing building & baseball field, upgrade lights, replace fences, install new bleachers and scoreboard, and install new park amenities.

- Current Status - All funds will be obligated by September 2024 and expended by February 2025.

- Next Steps – No additional actions are needed at this time.

Encanto Community Center (Ward)

ARPA funds are allocated for the rehabilitation of the Encanto Community Center. Project elements include building exterior rehab and fencing with ADA Access, staff offices and multipurpose rooms renovation, a commercial kitchen renovation, updating the gymnasium floor, and a complete overhaul of locker room. Additionally, the project includes parking lot updates and adding public art options in the front of the building.

- Current Status – An RFP for a construction contract is currently out for bid.
- Next Steps – Staff anticipates bringing a construction contract for Council to award in December 2024. Construction is anticipated to be completed in February 2026.

City Services

Graffiti Abatement and Clean-Up Program (All Wards)

This program is administered by the City to mitigate unsightly graffiti citywide and cleaning dump sites throughout the City. The program also supports paint supplies to a volunteer artist to paint utility boxes, benches, and murals in areas that were previously regularly tagged with graffiti. The Final Rule provided by Treasury specifically allows this use of ARPA funds as a method to improve the neighborhoods in which small businesses operate and attract new small business owners.

- Current Status – The program is currently in operation and will run through the end of the period of performance on December 31, 2026.
- Next Steps – An Inter-agency agreement will need to be executed to formally obligate the funds as the program is being administered directly by the City.

Façade Improvements (*Paintbrush Program*) (All Wards)

The "Paintbrush Program" focuses on facade improvement support to businesses operating within qualified census tracts throughout the City to enhance economic opportunities within the small business community and to encourage additional investment in the City's commercial corridors. The Program will help create a pedestrian-friendly, aesthetically pleasing environment for residents, visitors, and tourists, and may also create substantial economic benefits for merchants and property owners as a result of increased interest and activity. The investment will increase the competitive advantage of operating a business in the city of San Bernardino.

- Current Status – Applications for the program opened on August 26, 2024 and funds are expected to be exhausted in early 2025.
- Next Steps – An Inter-agency agreement will need to be executed to formally obligate the funds as the program is being administered directly by the City.

Violence Intervention Program (All Wards)

This is an evidence-based program that works to provide culturally competent service delivery, in community-based, hospital-based, and school-based intervention services, to reduce gang violence, recidivism, and provide supportive services to individuals and families that are affected by gang violence. A wide range of services are provided including crisis response, conflict mediation and resolution, customized case management, mentoring and connections to educational and workforce development. ARPA funds for this program are also used to leverage Cal VIP state grant funds. Treasury guidelines allow for ARPA funds to be used to match state grant funds that enable the funding to go further for greater impact on the community.

- Current Status – 75% of funds are obligated and the non-profit service providers continue to deliver violence intervention services.
- Next Steps - A plan to bring an item to Council for approval of the remaining allocation in November 2024.

Infrastructure

Street Improvements (All Wards)

This project was identified as an ARPA-eligible project to repair and rehab various streets throughout the City. At the time of award, specific streets needed to be identified and brought back to Council for approval.

- Current Status – Public Works has identified that these funds are no longer needed.
- Next Steps – Staff will bring a recommendation to the Mayor and City Council to reallocate these ARPA funds in November of 2024.

Water Infrastructure Lead Connectors

ARPA guidelines identify water projects as an allowable investment on projects such as water, sewer, and storm drainage infrastructure. The San Bernardino Municipal Water District (SBMWD) identified a number of lateral service line connectors that were installed in the Muscoy area during a time when materials used contained lead. San Anselmo was also suspected but after testing it was determined there was none, decreasing the amount of funding needed to complete the project.

- Current Status - The procurement process was recently completed, and this project is scheduled for obligation in October 2024.
- Next Steps – An item to decrease the allocation amount for this project at a future Council meeting prior to December 31, 2024. Also, an Inter-agency agreement will need to be executed to formally obligate the funds for this program to the Water Department.

Homelessness Initiatives

Treasury guidelines for the use of ARPA funds allow projects and initiatives to address public health and negative economic impacts eligible use category also includes emergency assistance for individuals experiencing homelessness, either individual-level assistance (e.g., rapid rehousing services) or assistance for groups of individuals.

Lutheran Social Services Community Wellness Center Homekey Project (All Wards)

A 140-unit non-congregate housing, including 20 supportive housing units. The original allocation of ARPA funds for this project was intended to support the construction of the center however this project received \$35M in HomeKey grant funds that will cover the cost of construction.

- Current Status - 100% of funds are obligated.
- Next Steps - A request for Council to reallocate the funds from construction to operations expenses is slated for a future Council meeting in November 2024.

Motel Voucher Program (All Wards)

The goal of this program is to provide a short-term strategy for serving the unhoused while the Navigation Center is under construction and during the process of encampment clean-ups throughout the City.

- Current Status - This program is paused.
- Next Steps - In anticipation of the injunction being lifted within the next few weeks, and encampment clean-up work resuming, staff can revisit issuing motel vouchers to any unhoused individuals needing relocation assistance.

Navigation Center Construction (All Wards)

The H.O.P.E Campus is a homeless shelter and navigation center with congregate and non-congregate facilities containing approximately 200 shelter beds, administrative offices and a commercial kitchen, laundry facilities and other related amenities.

- Current Status – An RFP will be released in mid-September.
- Next Steps – Staff anticipates bringing a contract for Council to award in November 2024. The construction of the facility is planned for completion in the fall of 2025.

Navigation Center Operations (All Wards)

This allocation is to support the costs associated with operating the Navigation Center through the remainder of the ARPA period of performance, December 31, 2026.

- Current Status – Details on anticipated operation expenditures are being worked on simultaneously with the efforts for constructing the project site.
- Next Steps – A request to Council to reallocate the funds from operations to

construction expenses is slated for a future Council meeting in November 2024.

Homelessness Outreach Team (All Wards)

Hope The Mission is contracted by the City to provide outreach services to the unhoused population through the community. Services offered include supportive substance use disorder, mental health, and supplies that include food, water, hygiene kits, and clothing. The Outreach Team operates 7 days a week.

- Current Status – 100% of funds are obligated.
- Next Steps – No additional action is needed at this time.

Mobile Showers & Laundry Services (All Wards)

Community Action Partnership is contracted by the City to operate a one-year Mobile Shower Project. Utilizing a 28 feet long mobile shower unit equipped with three (3) full-service restrooms, one of which is ADA accessible. The trailer also has an adjacent laundry area that contains two (2) washers and two (2) dryers allowing unhoused residents the ability to wash their clothing. The mobile shower and laundry unit operates two (2) times a week, each event lasting approximately 6 hours. The mobile shower unit will rotate through 4 different locations throughout the City to serve as many unhoused individuals as possible.

- Current Status – 100% of funds are obligated.
- Next Steps – No additional action is needed at this time.

Temporary Housing for ASU Residents (Ward 1)

Emergency response efforts to address individuals living in an unsafe condemned building, the City assisted 51 individuals/families through this Relocation Assistance Program, providing financial assistance in the amount of \$1,500 per person/household.

- Current Status – 100% of funds are obligated and expensed.
- Next Steps – No additional action is needed at this time.

Emergency Nuisance & Building Health & Safety Abatement (All Wards)

To mitigate imminent health and safety issues, properties identified throughout the City and deemed as "red-tag," or unsafe, the City will use a multi-departmental task force through this program to target such properties. Mitigation efforts includes securing the property or building with metal or wood fabrication to deter any potential for illegal occupancy.

- Current Status – 90% of funds have been expensed.
- Next Steps – No additional action is needed at this time.

IT Infrastructure

Enterprise Resource Planning System

Utilizing the standard allowance in ARPA funds to replace the Enterprise Resource Planning (ERP) system. These necessary upgrades are needed to provide improved customer services with up-to-date permitting, planning, and financial systems and accompanying information technology equipment.

- Current Status – This project is funded through the \$10M standard allowance in ARPA funds and can be utilized for government services.
- Next steps – A request to Council to reallocate any anticipated funds no longer needed for this project is slated for a future Council meeting in November 2024.

Staff Salaries

Hero Pay

ARPA funding may be used to restore and support public sector employment. Eligible uses include providing worker retention incentives. Council approved a one-time \$5,000 stipend to approximately 1,029 full-time and part-time staff in city departments, include the water department who were on staff within the period of time from the start of the pandemic through the date of Council action. The funds were disbursed and fully expended in September 2023.

- Current Status – 100% of funds are obligated and expended.
- Next Steps – No additional action is needed at this time.

2021-2025 Strategic Targets and Goals

Investments in the community using the American Rescue Plan funds support Key Strategic Goal 2. Focused, Aligned Leadership and Unified Community, b. Evaluate operations and performance, investment in resources, technology, and tools to continually improve organizational efficiency and effectiveness; and Goal 3. Improved Quality of Life.

Fiscal Impact

There is no fiscal impact associated with receiving and filing a City of San Bernardino American Rescue Plan Act Update, or authorizing the City Manager to executed ARPA Inter-Agency agreements for previously City Council approved ARPA projects.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Receive and file an update on City of San Bernardino American Rescue Plan Act (ARPA) projects, allocations, and spending to date; and

2. Authorize the City Manager to formally obligate ARPA funds for City led projects per U.S Department of Treasury Guidelines, by executing Inter-Agency agreements for previously City Council approved ARPA projects; and
3. Provide staff direction on any unassigned ARPA funds.

Attachments

Attachment 1 - San Bernardino Inter-Agency ARPA Agreement Template

Ward:

All Wards

Synopsis of Previous Council Actions:

July 19, 2023	Mayor and City Council received and filed an update on ARPA funds, and adopted Resolution No. 2023-107 assigning \$10,000,000 in American Rescue Plan Act funds for the replacement of the City's Enterprise Resource Planning System, and amending the FY 2022/23-2024/24 Biennial Budget by \$10,000,000.
May 17, 2023	Mayor and City Council reallocated unspent funding from the ASU Temporary Housing and the full allocation from the San Bernardino Valley College for a total of \$973,500 for interim housing during development of the SB Hope Campus
December 7, 2022	Mayor and City Council Adopted Resolution No. 2022-26 Amending the FY 2021/22 Operating and Capital Budget allocating \$24,650,000 in ARPA funds
February 2, 2022	Mayor and City Council Adopted Resolution No. 2022-26 Amending the FY 2021/22 Operating and Capital Budget allocating \$24,050,000 in ARPA funds
October 20, 2021	Mayor and City Council Adopted Resolution No. 2021-247 Amending the FY 2021/22 Operating and Capital Budget allocating \$8,160,000 in ARPA funds
August 4, 2021	Mayor and City Council received a report and discussed the categories for spending the City's American Rescue Plan Allocation
March 17, 2021	Mayor and City Council received a presentation on the American Rescue Plan from Congressman Pete Aguilar

