



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: July 3, 2024

To: Honorable Mayor and City Council Members

From: Rochelle Clayton, Acting City Manager;
Lynn Merrill, Director of Public Works, Operations, and Maintenance.

Department: Public Works

Subject: **Resolution List of Projects under SB1 2024/2025 Road Maintenance Program; and Authorizing the Director of Finance to Amend the FY 2024/25 Capital Improvement Plan, Recording Supplemental Appropriations (All Wards)**

Recommendation:

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

1. Adopt Resolution No. 2024-146 approving the Road Maintenance and Rehabilitation proposed project list for submittal to the California Transportation Commission and adopting a list of projects for Fiscal Year 2024/25 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017; and
2. Adopt Resolution No. 2024-147 authorizing the Director of Finance and Management Services to amend the FY 2024/25 Capital Improvement Plan, recording supplemental appropriations:
 - a. In the amount of \$5,787,126.00 in SB1 Fund and \$1,355,877.50 in Gas Tax Fund, for a total additional appropriation of \$7,143,003.50 for Street Rehabilitation Phase 1- 14 Locations Project (Project No. 13630).

Executive Summary:

The City of San Bernardino is poised to enhance its road infrastructure under the provisions of Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017. For Fiscal Year 2024/25, the City anticipates receiving \$5,787,126 in SB1 funds, which, combined with \$1,355,877.50 from Gas Tax funds, will total \$7,143,003.50 allocated for street rehabilitation projects at 14 locations. The City must allocate \$1,167,244

annually from its Gas Tax to maintain eligibility for these SB1 funds. Staff recommends adopting these two resolutions to approve the project list and authorize the necessary financial appropriations for the identified street rehabilitation projects. This strategic initiative will ensure the City's roads are well-maintained, safe, and compliant with state requirements.

Background

Senate Bill (SB) 1

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.

On November 1, 2017, the State Controller deposited various portions of new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of the new RMRA funding was apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032 (h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and road systems.

- Annually, on July 1st, the City of San Bernardino, along with all other eligible California agencies, submits a work plan to the California Transportation Commission (CTC) committing the following fiscal years RMRA funding to a specific pavement preservation project in the coming year or in a future year if the City so desires. The submission of the work plan maintains the City's eligibility to garner RMRA funding during the forthcoming fiscal year. Without this commitment of RMRA funds the City loses its eligibility to collect RMRA funding through the State Controller's Office (SCO).

The City used a Pavement Management System to develop the SB1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities' priorities for transportation investment.

On May 15th, 2024, the Public Works Department issued a contract for a new Pavement Management Program and Asset Inventory. This new Pavement Management Program will help establish streets in need of repair in the coming years.

Discussion

The City anticipates receiving an estimated \$5,787,126 in SB1 funds in FY 2024/25, which will be used to support the repair, rehabilitation, and improvement of the City street segments identified on the SB1 FY 2024/25 project list. In order to remain eligible to receive such funds through RMRA program, the City, through its general funds, is required to allocate \$1,167,244.00 on an annual basis.

Every year on July 1st, the City is required to adopt a resolution identifying projects using RMRA allocation and submit this list of adopted projects to the State to meet the eligibility requirement to receive RMRA funds. If this is not done by July 1, the City loses its eligibility to collect RMRA funding.

Local Streets and Roads - Projected FY2024-25 Revenues

Based on State Dept of Finance statewide revenue projections

Estimated May 2024

	Highway Users Tax Acct (HUTA) ⁽¹⁾ Streets & Highways Code					TOTAL HUTA	Road Mntnc Rehab Acct	TOTAL
	Sec2103 ⁽⁵⁾	Sec2105 ⁽³⁾	Sec2106 ⁽³⁾	Sec2107 ⁽³⁾	Sec2107.5 ⁽⁴⁾			
SAN BERNARDINO	2,107,974	1,410,440	858,743	1,923,474	10,000	6,310,631	5,787,126	12,097,757

The City's required local Maintenance of Effort (MOE) amount to be applied to the project under SB1 is estimated to be \$1,167,244.00, as shown on the table below.

Maintenance of Effort - General Fund for Streets & Roads - Estimated Unofficial

Road Maintenance and Rehabilitation Account per Streets & Highways Code Sec 20.24¹

revised est: 08/07/2017

Streets and Roads Annual Report - Reported General Fund for Street Purposes						
FY2009-10	FY2010-11	FY2011-12	Average	Adjustment	RMRA M.O.E.	
SAN BERNARDINO	745,009	1,388,089	1,367,734	1,167,244		1,167,244

Staff recommends adding the following list of projects to the SB1/RMRA funded projects list so that they can be funded in-part or solely with Fiscal Year 2024-25 Road Maintenance and Rehabilitation Account revenues. These projects involve asphalt roadway maintenance and rehabilitation (mill and overlay, slurry seal), concrete improvements, striping and related work.

New Projects which are proposed for the City Council Approval to be listed under SB1/RMRA funding:

Projects in City's FY2024/25 CIP Program to be listed under SB1 Road Maintenance Program:

Below is a list of all locations for projects listed under SB1 Road Maintenance Program:

- Street Rehabilitation Phase 1 - 14 locations (Project No: 13630)
 - N. Mayfield between W. 8th and 9th
 - N. Western between W. 8th and Union
 - E. Gilbert between N. Waterman and Cedar
 - W. 14th between N. G. and F.
 - E. Hardt between S. Tippecanoe and Richardson
 - E. Drake Drive (off of Foisy)/ E. Holden Drive
 - N. Orange between E. Highland and 210 Freeway
 - N. Electric Ave. between W. 40th and 48th
 - N. Varsity Ave. between W. 48th and North Grand

- W. College between University Parkway and North Grand
- W. Roosevelt Ave. west from N. State St.
- W. Washington Ave. from California west bound to Emma Road
- E. 34th Street between N. Mountain View and N. Sierra Way
- N. Mountain View between W. 30th and Parkdale

Staff recommends appropriating funds in the amount of \$7,143,003.50. Of this, \$5,787,126.00 would come from SB1 funds and \$1,355,877.50 (Maintenance of Effort \$1,167,244.00 plus \$188,633.50) from Gas Tax funds.

Staff recommends approval of the attached Resolutions listing proposed projects to be funded under SB1 2024/2025 Road Maintenance Program.

2021-2025 Strategic Targets and Goals

This project is consistent with Key Target No. 1d. Create a framework for spending decisions and 1f. Create an asset management plan. Approval of the proposed project list will allow staff to move forward in addressing deferred street maintenance needs identified in the pavement management plan, and help secure project funding resources available through SB1/RMRA.

Fiscal Impact

There is no General Fund impact associated with this item. The required funding to meet the MOE requirement is \$1,167,244.00 plus \$188,633.50, funded by the Gas Tax Funds.

Conclusion

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

1. Adopt Resolution No. 2024-146 approving the Road Maintenance and Rehabilitation proposed project list for submittal to the California Transportation Commission and adopting a list of projects for Fiscal Year 2024/25 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017; and
2. Adopt Resolution No. 2024-147 authorizing the Director of Finance and Management Services to amend the FY 2024/25 Capital Improvement Plan, recording supplemental appropriations:
 - a. In the amount of \$5,787,126.00 in SB1 Fund and \$1,355,877.50 in Gas Tax Fund, for a total additional appropriation of \$7,143,003.50 for Street Rehabilitation Phase 1- 14 Locations Project (Project No. 13630).

Attachments

Attachment 1	Resolution No. 2024-146 Approving SB1 Project List for Submittal
Attachment 2	Resolution No. 2024-147 Amending FY 2024/25 Capital Improvement Plan

Ward:

All Wards

Synopsis of Previous Council Actions:

June 26, 2023	Resolution 2023-091 approving the Road Maintenance and Rehabilitation proposed project list for submittal to the California Transportation Commission and adopting a list of projects for Fiscal Year 2023/24 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017.
June 1, 2022	Resolution 2022-110 Approving the Road Maintenance and Rehabilitation Proposed Projects list for Submittal to the California Transportation Commission: Adopting a list of projects for Fiscal Year 2022/2023 to be funded by Senate Bill 1: Road Repair and Accountability Act 2017
May 19, 2021	Resolution 2021-119 Approving the Road Maintenance and Rehabilitation Proposed Projects list for Submittal to the California Transportation Commission: Adopting a list of projects for Fiscal Year 2021/2022 to be funded by Senate Bill 1: Road Repair and Accountability Act 2017
April 15, 2020	Resolution 2020-67 Adopting a list of projects for Fiscal Year 2020/21 to be funded by Senate Bill 1: The Road Repair and Accountability Act of 2017.
May 1, 2019	Resolution 2019-063 Adopting a list of projects for Fiscal Year 2019/20 Funded by Senate Bill 1 (SB1): The Road Repair and Accountability Act of 2017.
May 16, 2018	Resolution 2018-143 Approving a list of projects to receive Road Maintenance and Rehabilitation Account Funding.
December 20, 2017	Resolution 2017-242 Approving a list of projects to receive Road Maintenance and Rehabilitation Account Funding.