

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.35
(ID # 14813)**

MEETING DATE:
Tuesday, July 27, 2021

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Approve Amendment No. 1 to the Agreement By and Between County of Riverside and Riverside County Regional Park and Open-Space District for the Salt Creek Trail Project within the Cities of Menifee and Hemet. CEQA Nothing Further Required. Districts 3 and 5. [\$157,000 Total Cost - Local Funds 100%] (Companion to Item No 16716)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that Nothing Further Is Required pursuant to the California Environmental Quality Act ("CEQA") because all potentially significant effects on the environment have been adequately analyzed in the previously adopted Mitigated Negative Declaration for the Salt Creek Trail Project; and
2. Approve Amendment No. 1 to the Agreement By and Between County of Riverside and Riverside County Regional Park and Open-Space District for the Salt Creek Trail Project within the Cities of Menifee and Hemet to increase the funding amount reimbursable by Park District to the County by \$157,000; and authorize the Chair of the Board to execute the same on behalf of the County.

ACTION: Policy


Mark Lancaster, Director of Transportation 7/12/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: July 27, 2021
xc: Transp.

Kecia R. Harper
Clerk of the Board

By: 
Deputy

(companion item 13.1)

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 157,000	\$ 0	\$ 157,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Western Trails DIF (100%). There are no General Funds used in this Project.			Budget Adjustment: No	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Regional Park and Open-Space District (Park District) and the County of Riverside (through its Transportation Department) have partnered to deliver 5 miles of paved bike trail, including 4 miles within the City of Menifee and 1 mile within the City of Hemet. The two trail segments were opened for use by the public in December 2020. The newly constructed facility represents the first phase of the ultimate 16-mile long regional Salt Creek Trail facility.

During construction, the project experienced increased construction costs in the approximate amount of \$480,000 due to: the protection of nesting migratory birds and burrowing owls; storm damage repair; COVID-19 impacts on manufacturing and delivery; unexpected relocation of utilities; and increased mitigation fees for off-site habitat restoration. The increased costs are proposed to be funded approximately 1/3 through additional Federal Highways funds, 1/3 through additional Park District funds, and 1/3 through additional County Transportation funds.

An additional \$160,000 in Federal Highway funds was approved by the Riverside County Transportation Commission on March 10, 2021.

The action before the Board of Supervisors today includes an amendment to the funding agreement between the Park District and the County to increase Park District funding by \$157,000, thereby revising the total funding amount reimbursable by Park District to the County from \$1,737,000 to \$1,894,000.

There will be a companion item heard today at the meeting of the Board of Directors for the Riverside County Regional Park and Open-Space District for the approval of the amendment with the County of Riverside.

The amendment to the agreement has been approved as to form by County Counsel.

Project No.: C5-0068, Federal Project No.: CML-5956(241)

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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Environmental Findings

By minute order dated November 14, 2017 (Agenda Item 3.25) the Board of Supervisors adopted the Final Initial Study with Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Salt Creek Trail Project. A Notice of Determination was filed upon adoption of the CEQA document. Therefore, the CEQA compliance has been completed and no further action is required.

Impact on Citizens and Businesses

The Salt Creek Trail project now provides residents with a paved Class I Bike Path along 4 miles in the City of Menifee and 1 mile in the City of Hemet. Ultimately, the regional Salt Creek Trail will span 16 miles along the Salt Creek Channel from Goetz Road in the City of Menifee to the intersection of State Street and Chambers Street in the City of Hemet. The regional trail will provide the opportunity for expansion of local and regional trail systems, sidewalks, and bike path connections from the trail to surrounding communities, schools, commercial areas and ultimately two key regional recreational facilities at Lake Skinner and Diamond Valley Lake. The trail has provided a new recreational amenity to the area and will significantly improve quality-of-life for residents.

SUPPLEMENTAL:

Additional Fiscal Information

The total project budget is \$8,141,868 with Federal Highway funds to be programmed in the amount of \$5,844,203, Park District funds to be programmed in the amount of \$1,894,000, and County Transportation funds to be programmed in the amount of \$403,665.

The increase in the Park District's funding is \$157,000, revising the total funding amount reimbursable by Park District to the County from \$1,737,000 to \$1,894,000.

There are no County General Funds used in this project.

Activity	FEDERAL HIGHWAY Congestion mitigation and air quality funds (federal)	PARK DISTRICT Western trail development impact fees (local)	COUNTY Transportation combined improvement funds (local)
Environmental, engineering, and surveying	\$0	\$1,673,000	\$0
Construction, construction administration, and environmental mitigation	\$5,090,000	\$64,000	\$0
Budget adjustment at bid opening	\$594,203	\$0	\$242,610
Budget adjustment at completion of construction	\$160,000	\$157,000	\$161,055

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Total Estimated Cost	\$5,844,203	\$1,894,000	\$403,665
	\$8,141,868		

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Vicinity Map

Amendment No. 1 to Agreement

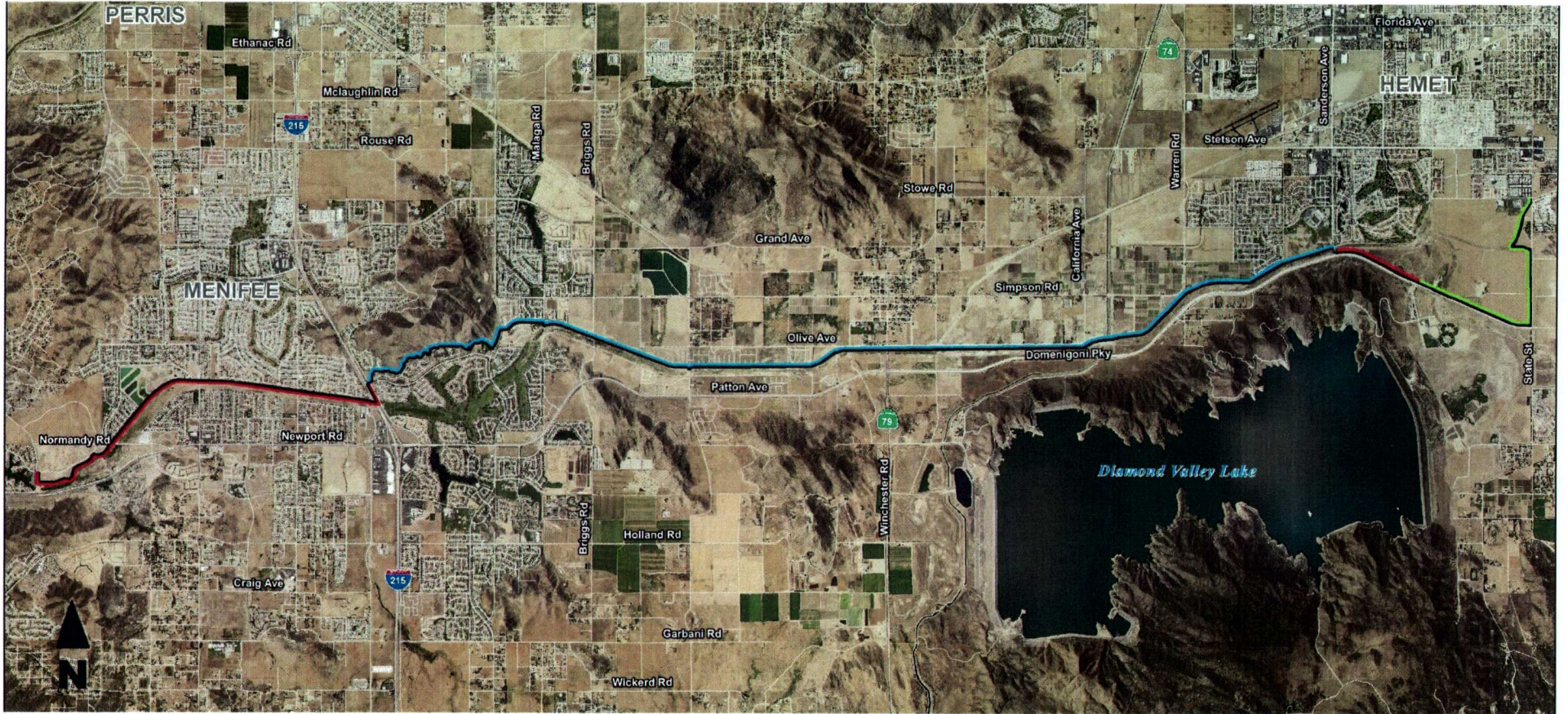


Jason Farin, Principal Management Analyst 7/20/2021






Gregory L. Priamos, Director County Counsel 7/15/2021

16 MILE SALT CREEK TRAIL



0 1
Mile

LEGEND

-  **Current Project - environmental document and construction limits**
-  **Current Project - environmental document only**
-  **Future Project**

**AMENDMENT NO. 1
TO THE AGREEMENT BY AND BETWEEN
COUNTY OF RIVERSIDE AND
RIVERSIDE COUNTY REGIONAL PARK AND OPEN-SPACE DISTRICT
FOR THE SALT CREEK TRAIL PROJECT**

This Amendment No. 1 to the Agreement for the Salt Creek Trail Project (hereinafter "AMENDMENT") is entered into this 27th day of July, 2021, by and between the County of Riverside, a political subdivision of the State of California, through its Transportation Department (hereinafter "COUNTY"), and the Riverside County Regional Park and Open-Space District, a special district created pursuant to the California Public Resources Code Division 5, Chapter 3, Article 3, (hereinafter "PARK DISTRICT"), together referred herein to as the "PARTIES."

RECITALS

- A. The COUNTY and PARK DISTRICT entered into an agreement entitled, "Agreement By and Between County of Riverside and Riverside County Regional Park and Open-Space District for the Salt Creek Trail Project" dated September 19, 2017 (hereinafter "AGREEMENT"). The AGREEMENT provides the terms and conditions, scope of work, and funding amount for the design and construction of the Salt Creek Trail Project within the Cities of Menifee and Hemet (hereinafter "PROJECT").
- B. During construction, the PROJECT experienced increased costs due to: the protection of nesting migratory birds and burrowing owls; storm damage repair; COVID-19 impacts on manufacturing and delivery; unexpected relocation of utilities; and increased mitigation fees for off-site habitat restoration.
- C. The PARTIES now desire to amend the AGREEMENT to modify the funding amount reimbursable by the PARK DISTRICT to the COUNTY for the PROJECT and to update the total cost of the PROJECT.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contained herein, the PARTIES hereto agree as follows:

- 1. The Recitals set forth above are true and correct and are incorporated into this AMENDMENT by this reference, as though fully set forth herein.
- 2. The first sentence of paragraph 4 of the section entitled "PARK DISTRICT AGREES:" is hereby amended to increase the funding amount reimbursable by the PARK DISTRICT to the COUNTY for the PROJECT

JUL 27 2021 3.35413.1

1 by one-hundred fifty-seven thousand dollars (\$157,000), from one-million seven-hundred thirty-seven
2 thousand dollars (\$1,737,000) to one-million eight-hundred ninety-four thousand dollars (\$1,894,000), as
3 follows: "To reimburse COUNTY a sum not to exceed one-million eight-hundred ninety-four thousand
4 dollars (\$1,894,000)."

- 5 3. Paragraph 5 of the section entitled "IT IS MUTUALLY AGREED AS FOLLOWS:" is hereby amended to
6 increase the total cost of the PROJECT by one-million three-hundred fourteen thousand eight-hundred
7 sixty-eight dollars (\$1,314,868), from six-million eight-hundred twenty-seven thousand dollars
8 (\$6,827,000) to eight-million one-hundred forty-one thousand eight-hundred sixty-eight dollars
9 (\$8,141,868), as follows: "The total cost of PROJECT is estimated to be \$8,141,868 as detailed in the
10 attached Exhibit "B"."
- 11 4. Exhibit "B" is deleted and replaced with the revised Exhibit "B", attached hereto and incorporated herein
12 by reference.
- 13 5. Except as amended by this AMENDMENT, all provisions of the AGREEMENT shall remain in full force
14 and effect and shall govern the actions of the PARTIES under this AMENDMENT.
- 15 6. Nothing in the provisions of this AMENDMENT is intended to create duties or obligations to or rights in
16 third parties not parties to this AMENDMENT.

17 [Signature Page Follows]

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1 **APPROVALS**

2 **COUNTY** Approvals

3 RECOMMENDED FOR APPROVAL:

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5
6 Mark Lancaster Dated: 7-12-21

7 MARK LANCASTER

8 Director of Transportation

9
10 APPROVED AS TO FORM:

11 GREGORY P. PRIAMOS, COUNTY COUNSEL

12
13 Danielle Maland Dated: 7/14/21
14 Danielle Maland
15 Deputy County Counsel

16 APPROVAL BY THE BOARD OF SUPERVISORS

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19 Karen S. Spiegel Dated: JUL 27 2021

20 Karen Spiegel
21 PRINTED NAME

22 Chair, Riverside County of Supervisors

23 ATTEST:

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26 Kecia R. Harper Dated: JUL 27 2021

27 KECIA R. HARPER

28 Clerk of the Board (SEAL)

PARK DISTRICT Approvals

RECOMMENDED FOR APPROVAL:

_____ Dated: _____

KYLA BROWN

General Manager

APPROVED AS TO FORM:

GREGORY P. PRIAMOS, COUNTY COUNSEL

12
13 Wesley Stanfield Dated: 7/14/21
14 Wesley Stanfield
15 Deputy County Counsel

APPROVAL BY THE BOARD OF DIRECTORS

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19 Chuck Washington Dated: _____

20 Chuck Washington
21 PRINTED NAME

22 Chairman, Board of Directors

23 ATTEST:

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26 Kecia R. Harper Dated: 07/27/21

27 KECIA R. HARPER

28 Clerk of the Board (SEAL)

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APPROVALS

COUNTY Approvals

RECOMMENDED FOR APPROVAL:

_____ Dated: _____

MARK LANCASTER

Director of Transportation

APPROVED AS TO FORM:

GREGORY P. PRIAMOS, COUNTY COUNSEL

_____ Dated: _____

Danielle Maland
Deputy County Counsel

APPROVAL BY THE BOARD OF SUPERVISORS

_____ Dated: _____

Karen Spiegel
PRINTED NAME

Chair, Riverside County of Supervisors

ATTEST:

_____ Dated: _____

KECIA R. HARPER

Clerk of the Board (SEAL)

PARK DISTRICT Approvals

RECOMMENDED FOR APPROVAL:

 _____ Dated: Jun 29, 2021

KYLA BROWN

General Manager

APPROVED AS TO FORM:

GREGORY P. PRIAMOS, COUNTY COUNSEL

 _____ Dated: 7/14/2021

Kristine Bell-Valdez
Supervising Deputy County Counsel

APPROVAL BY THE BOARD OF DIRECTORS

_____ Dated: _____

Chuck Washington
PRINTED NAME

Chairman, Board of Directors

ATTEST:

_____ Dated: _____

KECIA R. HARPER

Clerk of the Board (SEAL)

EXHIBIT B • SALT CREEK TRAIL PROJECT BUDGET

Activity	FEDERAL HIGHWAY Congestion Mitigation and Air Quality Funds (CMAQ) funds (federal)	PARK DISTRICT Western Trail Development Impact Fees (DIF) (local)	COUNTY TRANSPORTATION Combined Improvement Funds (local)
Environmental, engineering, and surveying	\$0	\$1,673,000	\$0
Construction, construction administration, and environmental mitigation	\$5,090,000	\$64,000	\$0
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Total Estimated Cost	\$5,844,203	\$1,894,000	\$403,665
			\$8,141,868

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