

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.25

(1)

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the recommendation from Ratification and Approval of Amendment No. 2 to the Service Agreement by and between County of Riverside and City of Calimesa for the Cherry Valley Boulevard at I-10 Interchange Project to designate the County as lead agency for the Design Phase Authorizing Specified Services to the City of Calimesa for the Cherry Valley Boulevard at Interstate 10 Interchange Project. District 5.

Roll Call:

Ayes: Jeffries, Spiegel, and Washington

Nays: None

Absent: Perez and Hewitt

(2)

On Motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried, IT WAS ORDERED that the above matter be reconsidered.

Roll Call:

Ayes: Jeffries, Spiegel, and Washington,

Nays: None

Absent: Perez and Hewitt

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 14, 2022, of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: June 14, 2022
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
3.25

xc: Transportation

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



ITEM: 3.25
(ID # 17719)

MEETING DATE:

Tuesday, June 14, 2022

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION
DEPARTMENT: Ratification and Approval of Amendment No. 2 to the Service Agreement by and between County of Riverside and City of Calimesa for the Cherry Valley Boulevard at I-10 Interchange Project to designate the County as lead agency for the Design Phase Authorizing Specified Services to the City of Calimesa for the Cherry Valley Boulevard at Interstate 10 Interchange Project. District 5. [\$3,656,000 Total Amendment Cost - City of Calimesa Funds 100%] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and approve Amendment No. 2 to the Service Agreement by and between County of Riverside and City of Calimesa for the Cherry Valley Boulevard at I-10 Interchange Project to designate the County as lead agency for the design phase and authorize the Chair of the Board to execute the same.

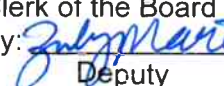
ACTION:Policy, 4/5 Vote Required


Mark Lancaster, Director of Transportation 6/1/2022

MINUTES OF THE BOARD OF SUPERVISORS

3) On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington and Perez
Nays: None
Absent: Hewitt
Date: June 14, 2022
xc: Transportation

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**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	\$ 0	\$ 1,000,000	\$ 3,656,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: City of Calimesa (100%). There are no General Funds used in this project.			Budget Adjustment: No	
			For Fiscal Year: 22/23 - 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Cherry Valley Boulevard / I-10 Interchange, located within the City of Calimesa (City), is a key interchange serving the City and surrounding communities. The interchange is a major access point for existing residential and retail sites. Significant growth and development in the area have taken place in recent years and modifications to accommodate existing and future traffic needs are required.

On March 21, 2017 (Agenda Item No. 3.24), the County Board of Supervisors approved a Service Agreement between the County and the City designating the County as lead agency for the Project Initiation Document (PID) phase of the Cherry Valley Boulevard / I-10 Interchange (Project).

On December 11, 2018 (Agenda Item No. 3.40), the County Board of Supervisors approved Amendment No. 1 to the Service Agreement between the County and the City, which designated the County as the lead agency for the development and implementation of the Environmental (PA&ED) phase for the Project.

The environmental phase is expected to be completed in summer 2022. The City now desires to designate the County as the lead agency for the development of Plans, Specifications, and Estimate (PS&E) for the Project. Amendment No. 2 to the Service Agreement defines the responsibilities, terms, and conditions whereby Project will be funded and completed. The City will be 100% responsible for the project funding.

The Transportation Department is requesting that the Agreement be ratified to extend the termination date of the Service Agreement from December 31, 2021 to June 30, 2024, or completion of the Final Design phase of the project—whichever is sooner.

The City approved Amendment No. 2 to the Service Agreement at their May 16, 2022 City Council Meeting.

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

An engineering services agreement with Michael Baker International, Inc. to deliver the necessary PS&E will be executed by a future Board of Supervisors action.

Cherry Valley Boulevard / I-10 Interchange Project Number: C7-0038

Impact on Citizens and Businesses

The project will benefit the local residents and businesses by providing improvements that will alleviate current and future traffic demands, improve safety, and the operation of the Cherry Valley Boulevard/I-10 Interchange.

SUPPLEMENTAL:

Additional Fiscal Information

The City of Calimesa will fund 100% of the project cost. No County funds will be used.

Original Agreement amount	\$450,000	Project Study Report
Amendment No. 1	\$1,980,000	Environmental Document
Amendment No. 2	\$3,656,000	Final Design
Total Agreement amount	\$6,086,000	

ATTACHMENTS:

Vicinity Map

Amendment No. 2 to the Service Agreement between County of Riverside and City of Calimesa


Jason Farin, Principal Management Analyst

6/8/2022


Cynthia M. Gurzel, Chief Deputy County Counsel

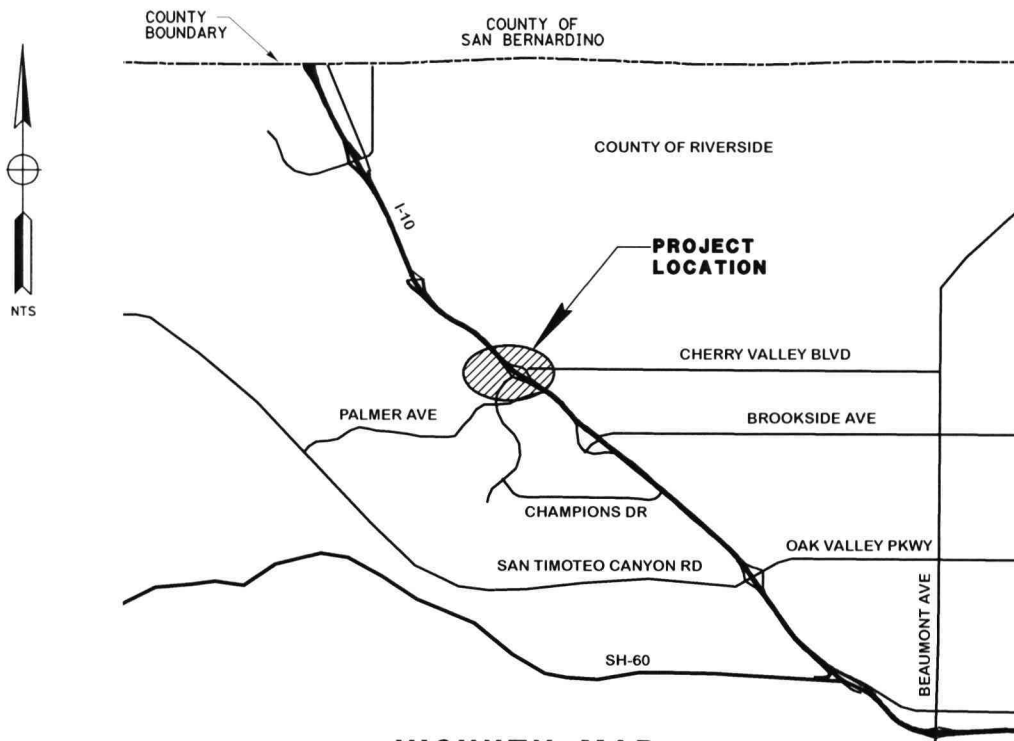
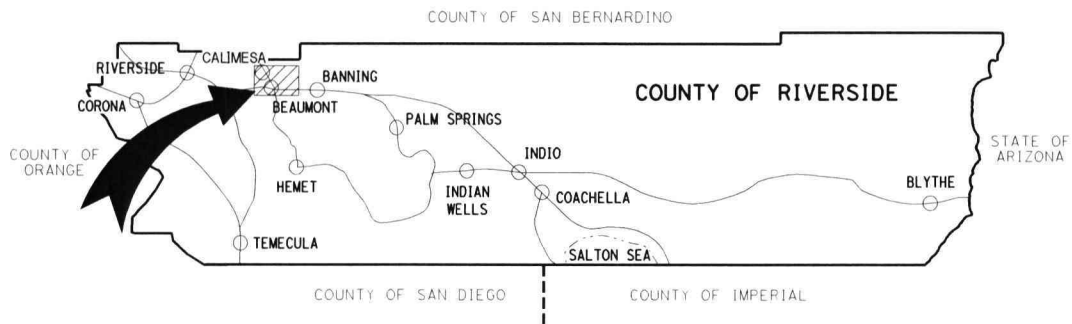
6/7/2022

COUNTY OF RIVERSIDE
TRANSPORTATION DEPARTMENT

CHERRY VALLEY BLVD AT INTERSTATE 10

INTERCHANGE IMPROVEMENTS
IN THE CITY OF CALIMESA

PROJECT No. C7-0038



VICINITY MAP

TOWNSHIP 2S RANGE 2W SECTION 25 AND 1W SECTION 30
COUNTY ROAD BOOK PAGE No. 87

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

AMENDMENT 2

SERVICE AGREEMENT BY AND BETWEEN

COUNTY OF RIVERSIDE

AND

CITY OF CALIMESA

FOR

CHERRY VALLEY BOULEVARD AT INTERSTATE 10 INTERCHANGE

This Amendment 2 to the Service Agreement (hereinafter "Amendment") is entered into this 14 day of June, 2022, by and between the County of Riverside, a political subdivision of the State of California, (hereinafter "COUNTY") and the City of Calimesa, a municipal corporation, (hereinafter "CITY") for the provision of certain activities related to the construction of the interchange overcrossing and ramp improvements located at the interchange of Cherry Valley Boulevard and Interstate 10 ("I-10 Interchange" or "Interchange"), (hereinafter "PROJECT"), currently located within the jurisdictional boundaries of CITY. The COUNTY and CITY are sometimes hereinafter referred to individually as the "PARTY" and collectively as the "PARTIES."

RECITALS

- A. On March 21, 2017, the COUNTY and CITY entered into an agreement entitled "Service Agreement By and Between County of Riverside and City of Calimesa for Cherry Valley Boulevard at Interstate 10 Interchange" to define the terms and conditions, scope of work, and budget for completing the Project Initiation Document (PID) of the PROJECT (hereinafter "Agreement").
- B. On December 11, 2018, the COUNTY and CITY entered into Amendment 1 to the Agreement to designate the COUNTY as lead agency for the development of the Environmental Phase of the PROJECT, and to include and define the terms and conditions under which said Environmental Phase of the PROJECT is to be administered, engineered, coordinated, managed, and financed.
- C. The COUNTY and CITY have concluded the process of entering into a Project Development Cooperative Agreement (Cooperative Agreement No. 08-1631) with The State of California acting through the Department

JUN 14 2022 3:25

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

1 of Transportation (STATE) that provides the terms and conditions under which the COUNTY, as implementing
2 agency, will be allowed to environmentally clear and design the PROJECT.

3 D. The COUNTY and CITY desire to continue developing the PROJECT in cooperation with the STATE to
4 alleviate congestion and improve traffic operations at the Cherry Valley Boulevard and I-10 Interchange. The
5 proposed PROJECT includes reconstructing the bridge over the I-10, modifying the ramps and local street
6 alignments, constructing retaining walls, and widening Cherry Valley Boulevard.

7 E. The current County Transportation Improvement Program (2021/2022 TIP, as approved by the Riverside
8 County Board of Supervisors, October 26, 2021) identifies the PROJECT funding through completion of the
9 PID and Environmental Phases of the PROJECT only.

10 F. The CITY has now secured funds for the Design Phase of the PROJECT.

11 G. After holding a public information workshop June 22, 2020 to gather input and answer questions from the
12 public, the CITY selected the Locally Preferred Alternative (LPA) at the September 8, 2020 council meeting.
13 The selected LPA is referred to as Alternative 3 in the PID, a Diverging Diamond Interchange.

14 H. The COUNTY and CITY now desire to amend the Agreement, to have the COUNTY provide the
15 administrative, technical, managerial, and support services necessary to complete the Design Phase (Plans,
16 Specifications, and Cost Estimate, also known as "PS&E") of the PROJECT. The COUNTY has extensive
17 experience in the development and implementation of interchange projects involving Federal and State
18 agencies. Keeping the COUNTY as the lead will facilitate continuity in the development and implementation of
19 the PROJECT.

20 I. The COUNTY and CITY desire to amend the Agreement to include and to define the terms and conditions
21 under which said Design Phase of the PROJECT are to be administered, engineered, coordinated, managed,
22 and financed.

23 J. The COUNTY and CITY desire to also amend Exhibit "B-1" to reflect the change to PROJECT costs and
24 funding, a copy of the revised exhibit is attached hereto as Exhibit "B-2."

25 K. The COUNTY and CITY agree, as funding is secured by CITY, the Agreement will be further amended and
26 the PROJECT will move forward on a phase by phase basis as reflected on Exhibit B-2.

AGREEMENT

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

1. SECTION 1. The following paragraphs are added to Section 1 of the Agreement:

7. To complete, or cause to be completed, the plans, specifications, and cost estimate for the PROJECT as well as providing utility relocation coordination. The Right-of-Way Phase will be authorized by a future amendment to the Agreement.

8. To identify, locate and denote all utility facilities and utility conflicts within the PROJECT area on the plans. COUNTY shall make all necessary arrangements with the owners of utility facilities conflicting with construction for their protection, relocation, or removal. COUNTY shall require the utility owners and/or its contractors performing the relocation work within the CITY to obtain a CITY Encroachment Permit prior to the performance of said relocation work. CITY and COUNTY shall coordinate and cooperate in the effort to establish prior rights related to utility encroachments into each jurisdiction's right-of-way.

2. SECTION 2. The following paragraphs are added to Section 2 of the Agreement:

9. To issue, at no cost to the COUNTY or its consultants and contractors, upon proper application by the COUNTY or the COUNTY'S consultants or contractors, an encroachment permit authorizing entry onto CITY'S right-of-way to perform survey, geotechnical, and other investigative activities required for preparation of the Design Phase of the PROJECT.

10. To deposit with COUNTY, within 30 days of receipt of invoice from COUNTY, the sum of \$200,000 (two hundred thousand dollars) prior to commencement of the Design Phase of the PROJECT.

3. SECTION 3. Paragraphs 1, 2, 3 and 9 of Section 3 of the Agreement are deleted in their entirety and replaced with the following paragraphs:

1. The recitals set forth at the beginning of the Agreement, Amendment 1 and this Amendment are incorporated herein by this reference.

2. The total cost for the preparation of the PID, Environmental, and Design Phases is estimated to be \$6,086,000 as detailed in Exhibit B-2.

3. COUNTY and CITY acknowledge and agree that any funding for the PID, Environmental, and Design

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

Phases of the PROJECT will be the sole responsibility of CITY. Nothing in this Agreement, as amended, is intended to commit the COUNTY to fund any work or shall be construed as obligating the COUNTY to provide replacement funding for any anticipated funding or to continue with the PROJECT, if funds are no longer available. In the event that adequate funds are not available to move forward with the PROJECT phases, the COUNTY shall not be obligated to commence any future phases of the PROJECT unless addressed by future agreement(s) between COUNTY and CITY.

9. This Agreement will terminate on December 31, 2025 or upon completion of the Design Phase for the PROJECT, whichever is sooner.

4. **EXHIBIT B-1.** Exhibit B-1 is deleted and replaced with Exhibit B-2 attached hereto and incorporated herein to increase the estimated cost to complete Phase 3: Design, Phase 4: Right of Way, and Phase 5: Construction. Any reference to Exhibit B or Exhibit B-1 in the Agreement shall also refer to Exhibit B-2.

5. **EFFECTIVE DATE.** This Amendment shall be effective December 31, 2021.

6. **ELECTRONIC SIGNATURES AND COUNTERPARTS.** This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each PARTY to this Amendment agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Amendment. The PARTIES further agree that the electronic signatures of the PARTIES included in this Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the PARTY using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the PARTIES. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

IN WITNESS HEREOF, the PARTIES hereto have caused this Amendment to the Agreement to be duly executed this day and year first written above.

APPROVALS

COUNTY Approvals

CITY OF CALIMESA Approvals

RECOMMENDED FOR APPROVAL:

APPROVED BY:

_____ Dated: _____

MARK LANCASTER

_____ Dated: _____

Director of Transportation

William Davis, Mayor

APPROVED AS TO FORM:

 _____ Dated: _____

APPROVED AS TO FORM:

Deputy County Counsel

APPROVAL BY THE BOARD OF _____ Dated: _____

SUPERVISORS:

QUINN M. BARROW

City Attorney

 _____ Dated: JUN 14 2022

JEFF HEWITT

Chair, Riverside County Board of Supervisors

ATTEST:

ATTEST:

_____ Dated: _____

 _____

Dated: JUN 14 2022 ARLENE GERDES

KECIA R. HARPER

City Clerk

Clerk of the Board of Supervisors (SEAL)

JUN 14 2022 3:25

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

EXHIBIT B-2

ESTIMATED PROJECT COSTS AND FUNDING SUMMARY

ESTIMATED PROJECT COSTS

Project Phase	Cost to Date	Estimated Cost to Complete	Total
Phase 1: Preparation of PID and Caltrans Review	\$450,000	\$0.00	\$450,000
Phase 2: Environmental	\$1,680,000**	\$300,000	\$1,980,000
Phase 3: Design	\$0	\$3,656,000	\$3,656,000
Phase 4: Right-of-way*	\$0	\$8,410,000	\$8,410,000
Phase 5: Construction (includes construction management, utilities, contingency & CITY oversight)	\$0	\$42,421,000	\$42,421,000
TOTAL	\$2,130,000	\$54,787,000	\$56,917,000

*A portion of this cost estimate includes legal costs and fees incurred in connection with property acquisition.

**Through March 1, 2022.

Amendment 2 to the Cherry Valley Boulevard/I-10 Service Agreement

FUNDING – SUMMARY

Project Phase	Source	Fund Amount	Total
Phase 2: Environmental	Local – CITY (Funded)	\$1,980,000	\$1,980,000
Phase 3: Design	Local – CITY (Funded)	\$3,656,000	\$3,656,000
Phase 4: Right-of-Way	Local – CITY (Unfunded)	\$8,410,000	\$8,410,000
Phase 5: Construction	Local – CITY (Unfunded)	\$42,421,000	\$42,421,000

A subsequent amendment to this Agreement, or a separate agreement is required for Phases 4 and 5 if funding is secured by the CITY.