

Date: Monday, March 24, 2008

Time: 9:00 a.m.

Where: Orange County Transportation Authority Headquarters
600 South Main Street, First Floor - Conference Room 154
Orange, California 92868



BOARD AGENDA

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154, 600 South Main Street
Orange, California
Monday, March 24, 2008, at 9:00 a.m.

ACTIONS

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Invocation

Director Amante

Pledge of Allegiance

Director Winterbottom

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public wishing to address the Board of Directors regarding any item appearing on the agenda may do so by completing a Speaker's Card and submitting it to the Clerk of the Board. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.



BOARD AGENDA

ACTIONS

Special Matters

1. Presentation of Resolutions of Appreciation for Employees of the Month for March 2008

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-20, 2008-19, 2008-21 to Ricardo Serna, Coach Operator; Marc Brekenfeld, Maintenance; and Sarah Swensson, Administration, as Employees of the Month for March 2008.

2. Presentation of Resolution of Appreciation to Freeway Service Patrol Driver

Present Orange County Transportation Authority Resolution of Appreciation No. 2008-18 to Service Authority for Freeway Emergencies Employee, Dave Ferrer.

3. Presentation of Resolution of Appreciation to Orange County Sheriff's Department Employee of the Quarter

Present Orange County Transportation Authority Resolution of Appreciation No. 2008-22 to Orange County Sheriff's Deputy Mike Gavin.

Consent Calendar (Items 4 through 19)

All matters on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

4. Approval of Minutes

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of March 10, 2008.



BOARD AGENDA

ACTIONS

5. Approval of Resolutions of Appreciation for Employees of the Month for March 2008

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-20, 2008-19, and 2008-21 to Ricardo Serna, Coach Operator, Marc Brekenfeld, Maintenance, and Sarah Swensson, Administration, as Employees of the Month for March 2008.

6. Approval of Resolution of Appreciation to Freeway Service Patrol Driver

Adopt Orange County Transportation Authority Resolution of Appreciation No. 2008-18 to Service Authority for Freeway Emergencies Employee, Dave Ferrer.

7. Approval of Resolution of Appreciation to Orange County Sheriff's Department Employee of the Quarter

Adopt Orange County Transportation Authority Resolution of Appreciation No. 2008-22 for Orange County Sheriff's Deputy Mike Gavin.

8. State Legislative Status Report

Manny Leon/P. Sue Zuhlke

Overview

At the end of the 2008 Legislative session, three of the four current leaders in the Assembly and Senate will leave office allowing new members to fill those positions. Brief backgrounds on the new leaders-elect are provided. The California Air Resources Board recently approved funding for \$1 billion in Proposition 1B funds related to air pollution mitigation. An overview of the action is provided.

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

9. Federal Legislative Status Report
Richard J. Bacigalupo

Overview

This federal legislative status report seeks approval of principles which support the current fiscal year 2009 requests for transportation appropriations and would serve as a guide for future requests, and also provides an update on progress of the federal budget process.

Recommendation

Adopt the recommended Appropriation Request Principles and inform the Orange County congressional delegation that the appropriation requests for fiscal year 2009 submitted by the Orange County Transportation Authority comply with these principles.

10. Garden Grove Freeway (State Route 22) Design-Build Project Unilateral Contract Change Orders
Joe Toolson/Kia Mortazavi

Overview

On August 23, 2004, the Orange County Transportation Authority's Board of Directors awarded a design-build contract to improve 12 miles of the Garden Grove Freeway (State Route 22) from Valley View Street to the Costa Mesa Freeway (State Route 55) interchange. Change requests have been made by the design-build contractor for escalation in prices of steel and asphalt materials. Board of Directors' approval is requested to process these two contract change orders.

Recommendations

- A. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 25 to Agreement No. C-3-0663 with Granite-Myers-Rados, in the amount of \$178,191, for the price escalation of steel materials for the Garden Grove Freeway (State Route 22) Design-Build Project.



BOARD AGENDA

ACTIONS

10. (Continued)

- B. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 26 to Agreement No. C-3-0663 with Granite-Myers--Rados, in the amount of \$759,156, for the price escalation of asphalt materials for the Garden Grove Freeway (State Route 22) Design-Build Project.

11. **Metrolink Fiscal Year 2006-07 Budget Reconciliation**

Abbe McClenahan/Kia Mortazavi

Overview

The Orange County Transportation Authority provides a yearly operating and capital subsidy for the operation of Metrolink service in Orange County. Staff is providing a report on Metrolink's Fiscal Year 2006-07 Budget reconciliation.

Recommendation

Authorize staff to direct Metrolink to apply the Orange County Transportation Authority's operating budget surplus of \$3,107,300 toward the fiscal year 2008-09 Metrolink operating subsidy.

12. **Agreement for Purchase, Installation, and Maintenance of Networked Telecommunications Equipment and Software for Construction Circle Base**

Barbara Pouliot/James S. Kenan

Overview

Purchase and installation of a networked telecommunications system is required for the Construction Circle base. Proposals were solicited and received in accordance with the Orange County Transportation Authority's fixed assets procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1343 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$128,138, for networked telecommunications equipment and software for the Construction Circle base.



BOARD AGENDA

ACTIONS

Orange County Local Transportation Authority Consent Calendar Matters

13. Moulton Parkway Smart Street Project Update
Jennifer Bergener/Kia Mortazavi

Overview

The Orange County Transportation Authority has received a request from the City of Laguna Niguel for additional construction funding for the Moulton Parkway Smart Street. This request is presented for Board of Directors' review and approval.

Recommendations

- A. Approve the City of Laguna Niguel's request for an additional \$3,820,352 for the construction phase of the Moulton Parkway (Street of the Golden Lantern) Smart Street.
- B. Authorize staff to increase the Measure M Smart Street Program allocations by \$3,820,352 for the Moulton Parkway Smart Street between Aloma Avenue and Serenity Lane.

14. Request for Additional Funds for the Final Design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project
Lora Cross/Kia Mortazavi

Overview

Design of a pedestrian undercrossing at the Orange Transportation Center to ease access to train boarding platforms and improve safety is now complete. Additional costs, in the amount of \$108,000, were incurred to address final revisions to the plans and to respond to comments received during the public bid process.

Recommendation

Authorize the use of \$108,000 of Commuter Urban Rail Endowment funds to cover the costs associated with the final design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project.



BOARD AGENDA

ACTIONS

15. **Agreement for Renewed Measure M Website Consultant**
Stella Lin/Ellen S. Burton

Overview

The Orange County Transportation Authority Board of Directors has directed staff to construct a comprehensive website that will deliver Renewed Measure M project information in a timely and efficient manner and will promote transparency in government. Consultant services are required to develop and maintain this section within the existing website. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1370 between the Orange County Transportation Authority and Civic Resource Group, in an amount not to exceed \$150,000 per year for three years, for developing and maintaining the Renewed Measure M website. The total maximum cumulative obligation is \$450,000.

Orange County Transit District Consent Calendar Matters

16. **Agreement for Asphalt Pavement Reconstruction at the Garden Grove Base**
James J. Kramer/Kia Mortazavi

Overview

Reconstruction of the asphalt pavement at the southeast section of the Garden Grove Base is necessary because the current asphalt pavement has deteriorated. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1409 between the Orange County Transportation Authority and Premier Paving, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$318,900, for asphalt pavement reconstruction at the Garden Grove Base.



BOARD AGENDA

ACTIONS

17. **Cooperative Agreement with Regional Center of Orange County**
Dana Wiemiller/Beth McCormick

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the Regional Center of Orange County. This agreement is required to reestablish roles, responsibilities, and process for a cost sharing arrangement for the provision of ACCESS services to the Regional Center of Orange County consumers.

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0426 between the Orange County Transportation Authority and the Regional Center of Orange County, to share in the cost of ACCESS transportation provided to the Regional Center of Orange County consumers.

18. **ACCESS Performance Measurements Update**
Curt Burlingame/Beth McCormick

Overview

At the November 26, 2007, Board of Directors meeting, staff provided an update regarding ACCESS service provided by Veolia Transportation Services, Inc., including a report on contractual performance measurements. At that time, the Board of Directors directed staff to continue providing monthly reports on ACCESS service performance measurements. This report provides ACCESS performance measurement data through January 2008 and updates on several service improvement initiatives.

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

19. **Agreement for Vehicle Oil Analysis**
Connie Raya/Beth McCormick

Overview

On February 25, 2008, the Orange County Transportation Authority Board of Directors approved Agreement No. C-7-1137, between the Orange County Transportation Authority and ANA Laboratories, Inc., for a term of three years with two one-year options. Due to an oversight, the approved funding for the contract only represents the amount for the first year of the initial term and not the amount necessary for a three-year initial term. The amount necessary for a three-year initial term is \$144,000. Although approved, the agreement has not been fully executed due to the discrepancy between the approved initial term and the funds necessary to complete the work required.

Recommendation

Authorize the Chief Executive Officer to modify the pending Agreement No. C-7-1137 with ANA Laboratories, Inc., to reflect an increase in the approved contract amount from \$48,000 to an amount not to exceed \$144,000, for the initial three-year term.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

20. **Orange and Los Angeles Intercounty Transportation Study Update**
Wendy L. Garcia/Kia Mortazavi

Overview

The Orange County Transportation Authority, in cooperation with the Los Angeles County Metropolitan Transportation Authority, is conducting the Orange and Los Angeles Intercounty Transportation Study focusing on transportation issues and opportunities between Orange and Los Angeles counties. Current efforts are presented for Board of Directors' review and approval.



BOARD AGENDA

20. (Continued)

ACTIONS

Committee Recommendations

- A. Approve Corridor Mobility Problem and Purpose and Need Report.
- B. Direct staff to conduct an elected officials' workshop and public open houses to receive feedback regarding the proposed Orange and Los Angeles Intercounty Transportation Study Conceptual Alternative Strategies.
- C. Oppose the Orangeline Development Authority's proposal to use the Pacific Electric Railroad Right-of-Way in Orange County.
- D. Remove from further consideration any toll facilities on the Santa Ana Freeway (Interstate 5) south of the Orange County/Los Angeles County line.

Orange County Local Transportation Authority Regular Calendar Matters

21. Proposition 1B Traffic Light Synchronization Program Proposed Program of Projects

Jennifer Bergener/Kia Mortazavi

Overview

On November 7, 2006, California voters passed Proposition 1B, a \$19.9 billion bond initiative for transportation improvements throughout the state. Included in Proposition 1B is the Traffic Light Synchronization Program, which makes available \$250 million for traffic light synchronization projects. A candidate list of projects is submitted for Board of Directors' review and approval.

Recommendations

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Traffic Light Synchronization Program and commit local match funds as proposed.



BOARD AGENDA

ACTIONS

21. (Continued)

- B. Authorize the Chief Executive Officer to execute cooperative agreements with the local agencies in which the proposed projects are located to administer the proposed projects.
- C. Authorize staff to make all necessary amendments to the Regional Transportation Improvement Program and State Transportation Improvement Program and execute any necessary agreements to facilitate the actions above.

Discussion Items

22. Public Comments

At this time, members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action may be taken on off-Agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Board of Directors.

23. Chief Executive Officer's Report

24. Directors' Reports

25. Closed Session

- A. Pursuant to Government Code Section 54956.8 to meet with OCTA negotiator James Staudinger to discuss the purchase of real property interests identified as follows:

	<u>Assessor Parcel Number (APN)</u>	<u>Street Address</u>	<u>City</u>
1.	033-030-19	None	Fullerton
2.	033-030-20	None	Fullerton
3.	033-092-02	None	Fullerton
4.	033-143-29	None	Fullerton



BOARD AGENDA

25. (Continued)

ACTIONS

	<u>Assessor Parcel Number (APN)</u>	<u>Street Address</u>	<u>City</u>
5.	033-143-30	None	Fullerton
6.	033-143-31	None	Fullerton
7.	033-143-38	None	Fullerton
8.	033-200-49	None	Fullerton
9.	033-200-50	None	Fullerton
10.	073-100-06	None	Fullerton/Anaheim

The negotiator for each property interest is the owner of the property.

B. Pursuant to Government code Section 54956.9(b)(1).

26. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on April 14, 2008**, at the OCTA Headquarters.

Minutes of the Meeting of the
Orange County Transportation Authority
Orange County Service Authority for Freeway Emergencies
Orange County Local Transportation Authority
Orange County Transit District
Board of Directors
March 10, 2008

Call to Order

The March 10, 2008, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Vice Chairman Buffa at 9:02 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

Roll Call

Directors Present:

Peter Buffa, Vice Chair
Jerry Amante
Patricia Bates
Bill Campbell
Richard Dixon
Paul Glaab
Cathy Green
Allan Mansoor
John Moorlach
Curt Pringle
Miguel Pulido
Mark Rosen
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

Also Present:

Arthur T. Leahy, Chief Executive Officer
Paul C. Taylor, Deputy Chief Executive Officer
Wendy Knowles, Clerk of the Board
Laurena Weinert, Assistant Clerk of the Board
Kennard R. Smart, Jr., General Counsel
Members of the Press and the General Public

Directors Absent:

Chris Norby, Chairman
Arthur C. Brown
Carolyn Cavecche
Janet Nguyen

Invocation

Director Rosen gave the invocation.

Pledge of Allegiance

Director Winterbottom led the Board and audience in the Pledge of Allegiance.

Public Comments on Agenda Items

Vice Chairman Buffa announced that members of the public who wished to address the Board of Directors regarding any item appearing on the agenda would be allowed to do so by completing a Speaker's Card and submitting it to the Clerk of the Board.

Special Matters

1. Measure M Taxpayers' Oversight Committee Annual Public Hearing Results and Compliance Findings

David Sundstrom, Taxpayers' Oversight Committee Chair and Orange County Auditor-Controller, presented the public hearing results and compliance findings to the Board.

Mr. Sundstrom provided an overview of who serves on the Committee, how they are appointed, and what topics they address.

A motion was made by Director Green, seconded by Director Amante, and declared passed, by those present, to receive and file as an information item.

Director Moorlach was not present to vote on this item.

Consent Calendar (Items 2 through 20)

Vice Chairman Buffa stated that all matters on the Consent Calendar would be approved in one motion unless a Board Member or a member of the public requested separate action on a specific item.

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes

Director Rosen pulled this item and stated that wished the minutes show that he was not present for the vote on Item 20, rather than showing he abstained on the vote for this item.

A motion was made by Director Rosen seconded by Director Campbell, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' regular meeting of February 25, 2008.

Director Bates abstained from voting on this item, having not been present at the February 25 Board meeting.

Director Moorlach was not present to vote on this item.

3. Approval of Board Member Travel

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to approve travel for Chairman Chris Norby from March 9-11, 2008, and Director Janet Nguyen from March 10-13, 2008, to travel to Washington, D.C., to attend the 2008 American Public Transportation Association Legislative Conference.

Director Moorlach was not present to vote on this item.

4. Audits, Assessments, and Studies

Vice Chairman Buffa pulled this item and made a motion, which was seconded by Director Winterbottom, to send this item back to the Finance and Administration Committee for a more detailed look at the amounts of money spent on audits. Motion passed unanimously.

Director Moorlach was not present to vote on this item.

5. Audit Report for State Transportation Improvement Program Planning, Programming, and Monitoring Program, Fiscal Year 2003-04 Work Program

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to receive and file the audit report for the State Transportation Improvement Program – Planning, Programming, and Monitoring Program, Fiscal Year 2003 04 Work Program.

Director Moorlach was not present to vote on this item.

6. State Legislative Status Report

Director Amante pulled this item and asked about the change in position on Senate Bill 375, and if OCTA is doing this in an effort to continue discussions. Wendy Villa, State Relations Manager, responded that the change in position is primarily to facilitate discussions with the author and it is OCTA's understanding that the author may be open to amendments if the Oppose position is removed.

A motion was made by Director Amante, seconded by Director Green, and declared passed by those present, to:

- A. Approve a set of principles that should be considered as amendments to SB 375 (Steinberg, D-Sacramento) that help address the concerns of transportation agencies and modify position from oppose to oppose unless amended.
- B. Adopt the following recommended positions on legislation:
 - Sponsor AB 2906 (Tran, R-Costa Mesa)
 - Support SB 1316 (Correa, D Santa Ana)
 - Oppose unless amended AB 660 (Galgiani, D-Stockton)
 - Oppose unless amended AB 842 (Jones, D-Sacramento)

Director Moorlach was not present to vote on this item.

7. Cooperative Agreement with the City of Placentia and Request for Proposals for Engineering Services for the Design of the Placentia Metrolink Station

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0346 with the City of Placentia for the design and construction of the Placentia Metrolink Station Improvement Project.
- B. Approve the release of Request for Proposals 7-1294 for design consulting services for the Placentia Metrolink Station Improvement Project.
- C. Approve the proposed evaluation criteria and weightings.

Director Moorlach was not present to vote on this item.

8. Second Quarter Fiscal Year 2007-08 Grant Status Report

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to receive and file as an information item.

Director Moorlach was not present to vote on this item.

9. Fiscal Year 2007-08 Second Quarter Budget Status Report

Director Campbell pulled this item and stated that he noticed worrisome trends and asked staff to highlight those issues.

Andy Oftelie, Manager of Financial Planning and Analysis, responded, summarizing the discussion which took place at the Finance and Administration Committee meeting. He addressed the "economic downturn" and the impact to OCTA. He provided updated information on:

- Reduction in Measure M sales tax expected;
- Decreases in revenues and impacts on various projects;
- Decreases in farebox returns and ridership during the current fiscal year;
- Adjustments that are necessary and planned;
- Change in the implementation plan for bus rapid transit;
- Proposed fare adjustment.

A motion was made by Director Campbell, seconded by Director Amante, and declared passed by those present, to receive and file this item for information.

10. Approval of Local Transportation Fund Fiscal Year 2008-09 Apportionment Estimates

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to approve the Local Transportation Fund fiscal year 2008-09 apportionment estimates and authorize the Chief Executive Officer to advise all prospective claimants of the amounts of all area apportionments from the Orange County Local Transportation Fund for the following fiscal year.

Director Moorlach was not present to vote on this item.

Orange County Local Transportation Authority Consent Calendar Matters

11. Cooperative Agreements with the Cities of Los Alamitos, Seal Beach, Westminster, Fountain Valley, Costa Mesa, and Newport Beach for the Go Local Program

Director Rosen pulled this item and offered that he felt the Go Local project listing for Garden Grove was not correct. He further stated that the “collaboration with Huntington Beach for a north/south transit connection” was a prior project, but the City had switched and joined in a consortium with the City of Santa Ana. He felt that project should be on the current list.

Darrell Johnson, Director of Transit Project Delivery, responded that Director Rosen was correct and an item is being prepared to address the change approved by the Transit Committee.

Discussion followed, and a motion was made by Director Rosen, seconded by Director Dixon, and declared passed by those present, to approve the following, including additions of Recommendations G, H, and I by the Board at this time:

- A. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0382 between the Orange County Transportation Authority and the City of Los Alamitos, in an amount not to exceed \$100,000, to study access to Metrolink with the City of Seal Beach.
- B. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0385 between the Orange County Transportation Authority and the City of Seal Beach, in an amount not to exceed \$100,000, to study access to Metrolink with the City of Los Alamitos.
- C. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-6-0830 between the Orange County Transportation Authority and the City of Westminster, in an amount not to exceed \$100,000, to conduct a needs analysis and feeder service connection study with the cities of Fountain Valley, Huntington Beach, and Stanton.
- D. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0411 between the Orange County Transportation Authority and the City of Fountain Valley, in an amount not to exceed \$100,000, to conduct a needs analysis and feeder service connection study with the cities of Huntington Beach, Westminster, and Stanton.
- E. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0509 between the Orange County Transportation Authority and the City of Costa Mesa, in an amount not to exceed \$100,000, to evaluate direct transit connections to John Wayne Airport with the City of Newport Beach.

11. (Continued)

- F. Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0514 between the Orange County Transportation Authority and the City of Newport Beach, in an amount not to exceed \$100,000, to evaluate direct transit connections to John Wayne Airport with the City of Costa Mesa.
- G. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement No. C-6-0782 between the Orange County Transportation Authority and the City of Garden Grove to modify the city's Go Local project concept.
- H. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement No. C-6-0801 between the Orange County Transportation Authority and the City of Huntington Beach to modify the city's Go Local project concept.
- I. Authorize the Chief Executive Officer to execute Amendment No. 2 to Cooperative Agreement No. C-7-0033 between the Orange County Transportation Authority and the City of Stanton to modify the city's Go Local project concept.

12. Consultant Selection for the Renewed Measure M Freeway Strategic Plan

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-7-1462 between the Orange County Transportation Authority and RBF Consulting, Inc., in an amount not to exceed \$100,000, to provide services for the preparation of the Renewed Measure M Freeway Strategic Plan.

Vice Chairman Buffa and Director Bates abstained from voting on this item.

13. Combined Transportation Funding Program - September 2007 Semi-Annual Review

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to approve adjustments to the Combined Transportation Funding Program project allocations as presented in Attachment B.

Director Moorlach was not present to vote on this item.

Orange County Transit District Consent Calendar Matters

14. Sole Source Agreement with Orbital Sciences Corporation

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-7-1232 between the Orange County Transportation Authority and Orbital Sciences Corporation, in an amount not to exceed \$106,589, for engineering costs and hardware to develop the interface between the Orbital Transportation Management Systems Orb/Guide/IVU3100 mobile data terminal and the M/A-COM M801 mobile radio

Director Moorlach was not present to vote on this item.

15. Sole Source Agreement to Purchase Farebox Bill Validators

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Purchase Order No. A-06815 between the Orange County Transportation Authority and GFI Genfare, in an amount not to exceed \$332,560, for procurement of 800 new BV8 model bill validators.

Director Moorlach was not present to vote on this item.

16. Amendment to Agreement for the Purchase of 140 Gasoline Cutaway Buses

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-6-0550, between the Orange County Transportation Authority and Creative Bus Sales, Inc., in an amount of \$12,157,136, to purchase 140 additional gasoline-powered cutaway buses, for a total contract value of \$17,143,986.

Director Moorlach was not present to vote on this item.

17. Amendment to Agreement for Heating, Ventilation, Air Conditioning Repairs and Maintenance Services

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement No. C-5-3001 between the Orange County Transportation Authority and ACM Systems, Inc., to exercise the second option term in an amount not to exceed \$200,000, for heating, ventilation, air conditioning repairs and maintenance services for a total contract value of \$572,500.

Director Moorlach was not present to vote on this item.

18. Amendment to Agreement for Parking Lot Sweeping Services

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement No. C-4-1103 between the Orange County Transportation Authority and Webco Sweeping, to exercise the third option term in an amount not to exceed \$57,000, for parking lot sweeping services, for a total contract value of \$217,700.

Director Moorlach was not present to vote on this item.

19. Amendment to Agreement for Landscaping Services

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement No. C-7-0061 between the Orange County Transportation Authority and RGS Services, Inc., to exercise the first option term, in an amount not to exceed \$106,000, for landscaping services for a total contract value of \$197,620.

Director Moorlach was not present to vote on this item.

20. Customer Relations Report for Second Quarter Fiscal Year 2007-08

A motion was made by Director Pulido, seconded by Director Green, and declared passed by those present, to receive and file as an information item.

Director Moorlach was not present to vote on this item.

Regular Calendar

Orange County Transportation Authority Regular Calendar Matters

21. Report to the Legislative Analyst Office on the Completion of the Garden Grove Freeway (State Route 22) Design-Build Project

Tom Bogard, Director of Highway Project Delivery, presented this item to the Board.

Director Campbell suggested that the report to the Legislative Analyst Office (LAO) include what the differences would have been on this project had it been a design-bid project as opposed to a design-build project.

21. (Continued)

Director Green felt it was noteworthy that the scope of the project changed at the beginning with the requirement by Caltrans for seismic retrofits of bridges and the addition of the Magnolia bridge portion of the project. Mr. Bogard stated that the work which was incorporated would understandably have adjusted both the budget and schedule; therefore, those were choices made by the Board and would not be viewed in a negative light.

A motion was made by Director Green, seconded by Director Moorlach, and declared passed by those present, to:

- A. Receive and file as an information item.
- B. Direct staff to use appropriate internal and external resources to make this report the definitive report on design-build project delivery.

Discussion Items

22. Chief Executive Officer Goals for 2008

Chief Executive Officer (CEO), Arthur T. Leahy, presented his goals for 2008 and suggested that another goal be added to address the work on the Oso Parkway off-ramp to indicate that "the CEO will work with the Caltrans District 12 Director Quon to seek that the project is funded and continues to advance."

Director Bates expressed her appreciation to the CEO for the addition of this goal, highlighting that this had been the site of a tragic accident in 2007 and continues to be an issue in South County.

Director Amante requested status on the LOSSAN integration project and the increased 30-minute headways as part of the Metrolink service expansion.

23. Multiple Air Toxics Exposure Study

Dr. Jean Ospital, Health Effects Officer, South Coast Air Quality Management District, provided a briefing for the Board on the Multiple Air Toxics Exposure Study (MATES). A PowerPoint presentation was included in Dr. Ospital's report.

Dr. Ospital highlighted:

- Background and key components of the study;
- Enhancements to the study;
- Substances measured and sites monitored;
- Air toxics cancer risk by site;
- Comparison of diesel particulates;
- Emissions;
- Modeling;

23. (Continued)

- Risks;
- Non-cancer assessment;
- Policy implications; and
- Next Steps

A brief discussion followed Dr. Ospital's briefing. No action was taken by the Board.

24. Public Comments

At this time, Vice Chairman Buffa stated that members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors, but no action would be taken on off-agenda items unless authorized by law.

No public comments were offered.

25. Chief Executive Officer's Report

CEO, Arthur T. Leahy, reported that:

- He recently met with a number of legislators regarding goods movement and the Transportation Corridor Improvement Fund (TCIF) container fees, as well as the growing problems on goods movement issues. Senator Ducheny (San Diego) was present and quite focused on his area's need.
- A number of calls have been received this morning from the California Transportation Commission (CTC) staff regarding their announcement regarding the TCIF funds, which is expected later this date.
- He spoke with CTC Executive Director, John Barna, this morning and the failure to fund the Raymond project is not a function of a technical problem with the project; it is simply fitting projects into the allocations for the corridor. Additional funds may be available this summer on grade separations and they would look to get that project funded in that category.
- Chairman Norby, along with Directors Brown and Nguyen, are in Washington, D.C. at the American Public Transportation Association's Legislative Conference.
- Chairman Norby speaks on Thursday at the Orange County Business Council's Board meeting regarding his vision for the upcoming year.
- Director Quon provided comments and a letter from Caltrans Director Kempton announcing his formal support for the change (to allow open access) in operation of the high-occupancy vehicle (HOV) lanes.

25. (Continued)

Mr. Leahy asked Kirk Avila, Treasurer, to provide an update on developments of late regarding the 91 Express Lanes. Mr. Avila stated that approximately \$75 million of OCTA's bonds are at Lehman Brothers; \$25 million are at Bear Stearns. Per Board direction in February, the funds were to be moved from Bear Stearns to Lehman Brothers on a temporary basis, and that transfer will take place on March 12.

Mr. Avila provided a further update regarding rates and stated that Bear Stearns tendered approximately \$10 million of bonds this past week, which meant an investor for these bonds could not be found. Instead of holding the bonds in inventory, they pushed those to the liquidity bank. As a result, OCTA was able to receive approval (from Bond General Counsel as well as Lehman Brothers' counsel) to open a brokerage account to invest solely in those bonds that have been tendered. This results is that OCTA is investing and is an investor of \$9.3 million in 91 Express Lanes bonds, generating an 8 percent return.

26. Directors' Reports

Director Winterbottom reminded the Board that a lunch meeting will be held following this meeting to introduce the new Chief Executive Officer of Cofiroute.

Director Dixon reported that the Southern California Association of Governments (SCAG) Regional Council voted last week unanimously to direct staff to use the baseline data in the Regional Transportation Plan (RTP). SCAG is in the process of making the changes as necessary within the Plan.

Director Dixon commented that issues regarding the Orangeline and the tunnel have not been resolved at this time, and a meeting will take place on March 19 to discuss them. He stated he was confident the Orangeline will be moved from the constrained to the strategic plan at that time, based on the information OCTA has sent forward and staff's recommendations.

He encouraged OCTA to work with Riverside County to support the tunnel being taken out of the constrained plan and moved into the strategic plan.

Director Dixon stated that once the Coastal Commission decided that they were going to not allow the 241 tollroad extension to move forward, Director Dixon requested that SCAG staff send him a letter outlining the unintended consequences of that action and has given a copy of that letter to OCTA.

26. (Continued)

He also stated that if, through the appeals process regarding the 241 extension fails to be successful, the federal government would do another determination of air conformity within the air basin. If they determine that Orange County does not meet air quality conformity, they will send a letter to Caltrans, which is forwarded on to all impacted agencies, a 12-month grace period is put into place to develop projects to take the place of the 241 extension project. If that does not happen in that 12-month period, the federal government will step in and become the Regional Transportation Planning Agency for Southern California, specifically in the air basin, which would result in a considerable problem for funding.

Director Campbell reported that he traveled for OCTA to Denver to observe their Union Train Station and plans for a multi-modal transportation center, partially funded by private investors. He stated that this was helpful in terms of thinking about the development of the Anaheim Regional Transportation Intermodal Center.

Director Pringle reported that he made the same trip and for the same purpose.

CEO, Mr. Leahy, informed Members that Director Cavecche was also on the trip to Denver.

Director Green reported that while she was recently in China, she had the opportunity to take the Maglev from Shanghai to the airport and commented that this type of system would not likely help Orange County unless the travel was for a long distance, due to the distance needed to build up the high rate of speed.

Director Bates commented that the opposition (with regard to the 241 extension) is making an extensive effort to suggest that the LaPata connection and widening Interstate 5 are replacement projects in the RTP. She stated she would like to see an op-ed piece prepared to immediately discredit that suggestion. She further stated that the Transportation Corridor Agencies (TCA) did not pay adequate attention to the groundswell of opposition regarding a road on the beach and the distortions which were part of that early push by the opposition. She stated that this ultimately came to rest at the Coastal Commission.

Director Glaab stated that several members of the Coastal Commission had multiple invitations to view the layout of the area for the 241 project, but most did not to respond to those invitations and relied upon poor information. He then commended SCAG for the letter which was written regarding the RTP.

Director Amante thanked Director Dixon for his efforts at SCAG.

27. Closed Session

A closed session was held:

- A. Pursuant to Government Code Section 54956.9(b)(1).
- B. Pursuant to Government Code Section 54956.9(a) to discuss Gilbert Viera v. Orange County Transportation Authority, et al., OCSC No. 07CC02637.
- C. Pursuant to Government Code Section 54957.6 to meet with Orange County Transportation Authority designated representative, Sherry Bolander, regarding the collective bargaining agreement negotiations with the Transportation Communications International Union (TCU) representing the Facilities Technicians, Equipment Parts Clerks, Stock Room Clerks, Revenue Clerks, Senior Facility Technicians, Senior Revenue Clerks, and Facility Assistants.

Directors Pringle and Pulido were absent for this session.

28. Adjournment

The meeting was adjourned at 11:50 a.m. Vice Chairman Buffa announced that the next regularly scheduled meeting of this Board will be held at **9:00 a.m. on March 24, 2008**, at the OCTA Headquarters.

ATTEST

Wendy Knowles
Clerk of the Board

Peter Buffa
OCTA Vice Chairman



ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

RICARDO SERNA

WHEREAS, the Orange County Transportation Authority recognizes and commends Ricardo Serna; and

WHEREAS, be it known that Ricardo Serna has been a principal player at the OCTA and has performed his responsibilities as a Coach Operator in a professional, safe, courteous, and reliable manner; and

WHEREAS, Ricardo Serna has demonstrated his integrity by maintaining an excellent work record for the last 15 years. His dedication exemplifies the high standards set forth for Orange County Transportation Authority employees; and

WHEREAS, Ricardo Serna has demonstrated that safety is vital by achieving 13 years of safe driving and that courtesy to our customers ensures continued patronage for OCTA; and

WHEREAS, Ricardo Serna's teamwork and partnership is evident as a member of the Santa Ana Base and his can-do spirit has earned him the respect of his fellow Coach Operators.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Ricardo Serna as the Orange County Transportation Authority Coach Operator Employee of the Month for March 2008; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Ricardo Serna's valued service to the Authority.

Dated: March 24, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2008-20





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

MARC BREKENFELD

WHEREAS, the Orange County Transportation Authority recognizes and commends Marc Brekenfeld; and

WHEREAS, be it known that Marc Brekenfeld has been a principal player in our Maintenance Department with his innovative contributions, service and commitment; and

WHEREAS, be it known that Marc Brekenfeld's positive presence is infectious, and his cheerful personality creates respect from both his peers and superiors; and

WHEREAS, Marc joined the Authority as a Certified Journeyman Mechanic in November 1986. During his employment, Marc has maintained good attendance and has achieved a 22 year safety record; and

WHEREAS, his dedication to his duties and desire to excel are duly noted, and he is recognized as an outstanding Authority employee.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Marc Brekenfeld as the Orange County Transportation Authority Maintenance Employee of the Month for March 2008; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Marc Brekenfeld's valued service to the Authority.

Dated: March 24, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

SARAH SWENSSON

WHEREAS, the Orange County Transportation Authority recognizes and commends Sarah Swensson; and

WHEREAS, be it known that Sarah Swensson has demonstrated outstanding public communications in stepping into the lead outreach role and provided critical project support for the Costa Mesa Freeway (SR-55) Access Study; and

WHEREAS, Sarah Swensson delivered outstanding performance in coordinating briefings, meetings and other communications opportunities for elected officials, business leaders, community leaders and other community members to provide much-needed public comments on future transportation solutions for the study area; and

WHEREAS, Sarah Swensson's organizational and communications skills contributed to the success of many activities, programs and issues by highlighting outstanding coach operators and new bus technology in numerous local and national publications as well as coordinating a tour of Orange County's transportation system from U.S. Secretary of Transportation Mary Peters; and

WHEREAS, Sarah Swensson's superb communications service contributed to progress on projects such as Metrolink expansion, quiet zones and grade crossing.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Sarah Swensson as the Orange County Transportation Authority Administrative Employee of the Month for March 2008; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Sarah Swensson's valued service to the Authority.

Dated: March 24, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

OFFICER DAVE FERRER

WHEREAS, *Officer Dave Ferrer; has served as Field Supervisor of Orange County Transportation Authority's Freeway Service Patrol for more than four years; and*

WHEREAS, *Officer Ferrer and his department have demonstrated the highest level of integrity and professionalism in all his dealings with Elected Officials, Authority Staff and the Motoring Public; and*

WHEREAS, *Officer Ferrer's knowledge and understanding of OCTA services, coupled with his ability to communicate with varied public audiences, has resulted in making OCTA's Freeway Service Patrol one of the most effective in the State; and*

WHEREAS, *Officer Ferrer's leadership, teamwork, positive attitude and dedication epitomize the goals of the Orange County Transportation Authority and the California Highway Patrol.*

NOW, THEREFORE, BE IT RESOLVED *that the Authority does hereby recognize, thank and salute Officer Dave Ferrer as an outstanding and valuable contributor to the Orange County Transportation Authority's Freeway Service Patrol Program; and*

BE IT FURTHER RESOLVED *that the Orange County Transportation Authority Board of Directors recognizes Officer Dave Ferrer for his exemplary service and his commitment to ensure a safer and higher quality of life for all of Orange County's motoring public.*

Dated: March 24, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2008-18





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

SERGEANT MIKE GAVIN

WHEREAS, the Orange County Transportation Authority recognizes and commends Sergeant Mike Gavin; and

WHEREAS, Sergeant Gavin has been assigned to Transit Police Services since September 2006, supervising deputies assigned to the Fixed Route Operations and Right of Way Team. He provides his teams with a clear understanding of his expectations and demands a high quality of work production and the best service possible to OCTA, it's employees and patrons who utilize the transportation system; and

WHEREAS, Sergeant Gavin uses his extensive investigations experience to teach deputies how to conduct an investigation and complete detailed reports to ensure criminal filings. He creates an environment of excitement among the deputies and motivates staff to strive for excellence; and

WHEREAS, Sergeant Gavin supervises the TPS Graffiti Abatement Team and has been instrumental in the development and design of a new "Graffiti Tracking System" which will enable local law enforcement to enter a Regional-wide graffiti clearinghouse program, with the expectation of reducing investigative time and increasing solvability.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Sergeant Mike Gavin as the Orange County Transportation Authority Transit Police Services Employee of the Quarter for March 2008; and

BE IT FURTHER RESOLVED that the Orange County Transportation Authority Board of Directors recognizes Sergeant Mike Gavin's valued service to the Authority.

Dated: March 24, 2008

Chris Norby, Chairman
Orange County Transportation Authority

Arthur T. Leahy, Chief Executive Officer
Orange County Transportation Authority

OCTA Resolution No. 2008-22





MEMO

March 19, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



March 20, 2008

To: Legislative and Communications Committee
From: Arthur T. Leahy^M, Chief Executive Officer
Subject: State Legislative Status Report

Overview

At the end of the 2008 Legislative session, three of the four current leaders in the Assembly and Senate will leave office allowing new members to fill those positions. Brief backgrounds on the new leaders-elect are provided. The California Air Resources Board recently approved funding for \$1 billion in Proposition 1B funds related to air pollution mitigation. An overview of the action is provided.

Recommendation

Receive and file as an information item.

Discussion

On February 5, 2008, California voters rejected Proposition 93 which intended to modify existing legislative term limit statutes while simultaneously extending the tenure of legislators currently serving in office. As a result, three leadership positions currently held by members of the Legislature will be termed out this year. These positions include Speaker of the Assembly, Senate President pro Tempore, and Senate Republican Leader. On February 28, the final leadership post was selected and transitions will occur at various times. An overview of the recently elected Speaker of the Assembly, President pro Tempore of the Senate, and the Senate Republican Leader is provided below.

Speaker of the State Assembly
Assembly Member Karen Bass (D-Culver City)

On February 28, Assembly Member Karen Bass was elected to serve as the new Speaker of the Assembly upon resignation of the current Speaker,

Fabian Núñez (D-Los Angeles). A formal transition date has not been set as of the writing of this report. Elected to the Assembly in 2004, Speaker-Elect Bass had never previously served as an elected official. Prior to being elected to the State Assembly, Speaker-Elect Bass served as a physician assistant and later founded the Community Coalition, a non-profit grass roots community building organization which focused on condemning/converting liquor stores in South Central Los Angeles. Speaker-Elect Bass has been part of the Speaker Núñez leadership team since being elected in 2004. For the 2005-2006 legislative session, Speaker-Elect Bass held the position of Majority Whip and for the current 2007-2008 session, has served as the Majority Floor Leader. Over the past four years in the Legislature, Speaker-Elect Bass has championed legislation related to foster care and youth development. Speaker-Elect Bass could potentially serve one to two years in this leadership post.

Senate President pro Tempore
Darrell Steinberg (D-Sacramento)

Elected to the State Senate in November 2006, Senator Steinberg previously served three terms representing the ninth district in the State Assembly (1998-2004). Prior to serving in the Assembly, Senator Steinberg served on the Sacramento City Council where then-Councilmember Steinberg was a strong advocate for education and youth literacy. During Mr. Steinberg's tenure as a Legislator, the Senator championed legislation on issues such as mental health, education, and foster care. Senator Steinberg was elected to succeed the current President pro Tempore, Don Perata (D-Oakland), in late February and could potentially serve five to six years in this leadership post. President pro Tempore-Elect Steinberg is expected to begin leading in the State Senate in August 2008.

Senate Republican Leader
Dave Cogdill (R-Modesto)

Elected to the State Senate in November 2006, Senator Cogdill previously served three terms representing District 25 of the State Assembly (2000-2006). Prior to serving in the Assembly, Senator Cogdill served on the Modesto City Council as well as a variety of local boards and commissions. During Senator Cogdill's tenure as a legislator, the Senator advocated for issues such as strengthening public safety, improving air quality, and expanding water supply and storage opportunities. Senator Cogdill was elected to succeed the current Senate Republican Leader, Dick Ackerman (R-Irvine), in late February and could also potentially serve five to six years in this leadership post. Senate Republican Leader-Elect Cogdill is expected to become Senate Republican Leader on April 15, 2008.

California Air Resources Board

On Thursday, February 28, 2008, the California Air Resources Board (CARB) approved funding targets for \$1 billion from Proposition 1B funds specifically allocated for air pollution mitigation projects due to the movement of freight along California's trade corridors. The allocation of bond dollars will focus on four trade corridors within the state most heavily impacted by freight-related air pollution. Based on CARB's recent actions, bond funds will be allocated in the following manner:

- \$550 million-Los Angeles/Inland Empire trade corridor (55 percent)
- \$250 million-Central Valley trade corridor (25 percent)
- \$140 million-Bay Area trade corridor (14 percent)
- \$60 million-San Diego/Border trade corridor (6 percent)

Upon allocation to each respective trade corridor, CARB Proposition 1B guidelines specify funds will be used for the following purposes:

- Diesel trucks serving seaports and intermodal rail yards
- Various other diesel trucks that haul goods
- Truck stop or distribution center electrification
- Diesel freight locomotives
- Commercial harbor craft

For fiscal year 2007-2008, the Legislature appropriated \$250 million out of the \$1 billion in bond funds to CARB to begin implementation of the abovementioned projects. CARB estimated that projects funded with the bond funds would decrease emissions by about 7,800 tons of diesel particulate matter and 190,000 tons of nitrogen oxides. CARB also reported that these emission reduction measures will provide additional co-benefits by decreasing greenhouse gas and black carbon soot emissions.

Summary

A new set of legislative leaders will take over the Legislature by the end of the 2008 session. The Assembly elected a new Speaker and the Senate elected a new President pro Tempore and Republican Leader. The California Air Resources Board recently approved funding targets for \$1 billion from Proposition 1B bond funds specifically allocated for air pollution mitigation projects.

Attachment

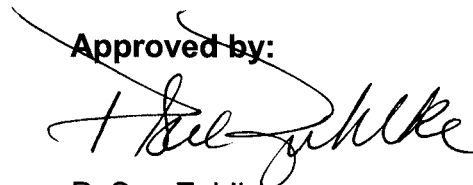
- A. Orange County Transportation Authority Legislative Matrix

Prepared by:



Manny S. Leon
Senior Government Relations
Representative
(714) 560-5393

Approved by:



P. Sue Zuhlke
Chief of Staff
(714) 560-5574



Orange County Transportation Authority Legislative Matrix

**2008 State Legislation Session
March 20, 2008**

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
OCTA SPONSORED LEGISLATION			
AB 387 (Duvall - R) Design-Build: Transit Contracts	Amends law that authorizes transit operators to enter into design-build contract according to specified procedures. Provides that there would be no cost threshold for the acquisition and installation of technology applications or surveillance equipment designed to enhance safety, disaster preparedness, and homeland security efforts. Allows those projects to be awarded based on either the lowest responsible bidder or best value.	INTRODUCED: 02/15/2007 LAST AMEND: 01/07/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 02/07/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. Hearing: 03/11/2008 1:30 p.m.	Sponsor SUPPORT: CH2M HILL OPPOSE: Associated Builders and Contractors of California, Western Electrical Contractors' Association
▶ AB 2906 (Tran – R) Vehicles: High-Occupancy Vehicle Lane: Buffer Area	Repeals existing law that requires specified high occupancy vehicle lanes to be separated from adjacent mixed flow lanes by a buffer area of at least four feet in width.	INTRODUCED: 02/22/2008 LOCATION: Assembly STATUS: 02/22/2008 INTRODUCED.	Sponsor

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH OFFICIAL POSITIONS			
AB 660 (Galgiani – D) Railroad-Highway Grade Separations	Revises the highway-railroad grade separation program of the Department of Transportation to delete funding eligibility for a grade separation at a proposed new grade crossing or for removal or relocation of highways or railroad tracks to eliminate existing grade crossings. Provides a maximum allocation of 80 percent of project costs for all projects funded. Modifies the maximum total allocation provisions. Modifies the calculation of the amount of funds deducted from the apportionments of fuel tax revenues.	INTRODUCED: 02/21/2007 LAST AMEND: 01/24/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 02/07/2008 To SENATE Committee on TRANSPORTATION AND HOUSING.	Oppose Unless Amended SUPPORT: American Federation of State, County, and Municipal Employees, CSAC (Support with amendments), City of Merced, Merced County, Southern California Contractor Association OPPOSE: Alameda Corridor East (unless amended)
AB 842 (Jones – D) Regional Plans: Traffic Reduction	Requires the Transportation Commission to update its guidelines for the preparation of regional transportation plans, including a requirement that each regional transportation plan provide for a 10 percent reduction in the growth increment of vehicle miles traveled. Requires the Department of Housing and Community develop to rank applicants for the award of capital improvement grants based upon a reduction of vehicle miles traveled as a result of the project.	INTRODUCED: 02/22/2007 LAST AMEND: 01/17/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 02/07/2008 To SENATE Committee on TRANSPORTATION AND HOUSING.	Oppose Unless Amended SUPPORT: California League of Conservation Voters (Sponsor), American Lung Association, Gray Panthers OPPOSE: Metropolitan Transportation Commission (unless amended), Association of Bay Area Governments

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 375 (Steinberg – D)</p> <p>Transportation Planning: Travel Models: Reviews</p>	<p>Relates to guidelines for travel demand guidelines used in regional transportation plans. Includes a requirement that a regional transportation plan include a sustainable community strategy designed to achieve goals for the reduction of greenhouse gas emissions. Creates provisions for an environmental document under the Environmental Quality Act that examines specific impacts of a transportation project located in a local jurisdiction that has amended its general plan and the legislative body finds the project meets specified criteria.</p>	<p>INTRODUCED: 02/21/2007 LAST AMEND: 01/28/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 01/28/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 01/28/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>Oppose Unless Amended</p> <p>(partial list)</p> <p>SUPPORT: California League of Conservation Voters (co-sponsor), Natural Resources Defense Council (co-sponsor), American Lung Association of California</p> <p>OPPOSE: Orange County Business Council, California Building Industry Association, Department of Finance, Contra Costa Transportation Authority, California Chamber of Commerce, Transportation California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 974 (Lowenthal – D)</p> <p>Ports: Congestion Relief: Environmental Mitigation</p>	<p>Requires the Ports of Los Angeles and Long Beach to transmit a portion of the funds derived from imposition of a container cargo user fee to the San Pedro Bay Ports Congestion Relief Trust Fund and San Pedro Bay Ports Mitigation Relief Trust Funds. Requires the Port of Oakland to transmit a portion of the funds derived from imposition of the fee to the Port of Oakland Congestion Relief Trust Fund and a portion to the Port of Oakland Mitigation Relief Trust Fund. Authorizes related financing agreements.</p>	<p>INTRODUCED: 02/23/2007 LAST AMEND: 09/05/2007 LOCATION: Assembly Third Reading File</p> <p>STATUS: 02/26/2008 In ASSEMBLY. From Inactive File. To third reading.</p>	<p>Support with Amendments</p> <p>(partial list)</p> <p>SUPPORT: LACMTA, Mayor Curt Pringle, City of Anaheim, Port of Long Beach (support only if amended), SCAQMD, California Air Pollution Control Officers Association, California League of Conservation Voters, Gateway Council of Governments, Natural Resources Defense Council.</p> <p>OPPOSE: California Chamber of Commerce, California Railroad Industry, California Taxpayers' Association, National Association of Manufacturers, United States Chamber of Commerce, United Chambers of Commerce of the San Fernando Valley, Howard Jarvis Taxpayers' Association</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1316 (Correa – D)</p> <p>Transportation Facilities: Tolls: Orange/Riverside</p>	<p>Authorizes the Orange County Transportation Authority to eliminate its rights, interests, and obligations in the Riverside County portion of the State Highway Route 91 toll lane by partial assignment to the Riverside County Transportation Commission or by amendment to the franchise agreement. Deletes the 2030 limitation on issuance of bonds and collections of tolls. Authorizes toll revenues to be used for transportation purposes in the State Highway 91 Corridor.</p>	<p>INTRODUCED: 02/20/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/28/2008 To SENATE Committee on TRANSPORTATION AND HOUSING</p>	<p>Support</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS BEING MONITORED			
AB 38 (Nava – D) Department of Emergency Services and Homeland Security	Deletes provisions of existing law that governs the Office of Homeland Security and the Office of Emergency Services and establishes the Department of Emergency Services and Homeland Security which would succeed to and be vested with the duties, powers, purposes, and responsibilities of both of the former offices. Requires the Office of Emergency Services to develop and complete a guidance document to the state emergency plan with respect to agriculture-related disasters.	INTRODUCED: 12/04/2006 LAST AMEND: 05/01/2007 LOCATION: Senate Public Safety Committee STATUS: 07/10/2007 In SENATE Committee on PUBLIC SAFETY: Failed passage. 07/10/2007 In SENATE Committee on PUBLIC SAFETY: Reconsideration granted.	SUPPORT: Office of Emergency Services, Office of Homeland Security, California Emergency Services Association, CSAC, California State Sheriffs' Association, Little Hoover Commission, Metropolitan Transportation Commission, James Lee Witt Associates, Regional Council of Rural Counties
AB 109 (Nunez – D) Global Warming Solutions Act of 2006: Annual Report	Requires the Governor, Treasurer's office, the Public Employees' Retirement and the State Teachers' Retirement systems to annually report to the Legislature information relating to greenhouse gas emissions and green investments. Requires all land conservancies to report to the Legislature on past, current, and future activities to sequester greenhouse gas emissions. Requires an annual report by the California Air Resources Board to the state legislature on the implementation of the Global Warming Solutions Act. Includes the reduction of such gases in the Environmental Goals and Policy Project.	INTRODUCED: 01/05/2007 LAST AMEND: 07/18/2007 LOCATION: Senate Inactive Files STATUS: 09/04/2007 In SENATE. From third reading. To Inactive File.	SUPPORT: American Federation of State County and Municipal Employees, California Association of Professional Scientists, Moller International Inc., Silicon Valley Leadership Group
AB 169 (Levine – D) Joint Powers Authorities: Indian Tribes	Provides that 16 federally recognized Indian tribal governments may participate in the Southern California Association of Governments, a joint powers authority, for specified purposes and subject to specified conditions in the six-county region of the Southern California Association of Governments.	INTRODUCED: 01/23/2007 LOCATION: Senate Local Government Committee STATUS: 05/23/2007 To SENATE Committee on LOCAL GOVERNMENT.	SUPPORT: SCAG (Sponsor)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 867 (Davis – D) Transportation Analysis Zones	Requires each metropolitan planning organization and each regional transportation planning agency, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of regional traffic analysis zones used to estimate travel behavior and traffic generation as part of the transportation demand model. Requires results of such analysis to be availed to the public and to be added as an addendum to the regional transportation plan.	INTRODUCED: 02/22/2007 LAST AMEND: 07/10/2007 LOCATION: Senate Appropriations Committee STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	SUPPORT: American Federation of State, County and Municipal Employees
AB 901 (Nunez – D) Transportation: Highway Safety Traffic Reduction	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 that requires funds from the proceeds of bonds under the act for allocation to public transit operators and transportation planning agencies. Requires the Department of Transportation and Transportation Commission to provide information regarding their needs. Imposes specified auditing requirements.	INTRODUCED: 02/22/2007 LAST AMEND: 07/05/2007 LOCATION: Senate Appropriations Committee STATUS: 07/10/2007 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.	SUPPORT: California Transit Association, LACMTA, Long Beach Transit, Merced Transit, Inyo Mono Transit, Unitrans, Associated Students of the University of California, Davis, Shields for Families, Inc.
► AB 995 (Nava – D) Trade Corridors	Relates to the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act. Provides that projects eligible for funding from the Trade Corridors Improvement Fund receive priority if they meet specified requirements. Requires the state Transportation Commission to coordinate with the state Air Resources Board for technical assistance in evaluating project applications.	INTRODUCED: 02/22/2007 LAST AMEND: 08/20/2007 LOCATION: Senate Inactive File STATUS: 02/13/2008 In SENATE. To Inactive File.	SUPPORT: American Federation of State, County and Municipal Employees, American Lung Association, Environmental Defense, Natural Resources Defense Council

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 1351 (Levine – D) Transportation: State-Local Partnerships	Amends the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006. States the intent of the Legislature to appropriate a specified amount of funds for the State-Local Partnership Program for funding transportation projects for a specified period. Defines local funds under the program relating to a local match as revenues from any locally imposed transportation related sales tax. Requires certain related reports.	INTRODUCED: 02/23/2007 LAST AMEND: 07/12/2007 LOCATION: Senate Appropriations Committee STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	SUPPORT: LACMTA, RCTC
AB 1358 (Leno – D) Planning: Circulation Element: Transportation	Requires the legislative body of a city or county, upon any revision of the circulation element of the general plan, to modify the circulation element to accommodate the safety and convenient travel of users of streets, roads, and highways, in a manner that is suitable to the rural, suburban, or urban context of the general plan. Requires the Office of Planning and Research to prepare or amend guidelines to provide for this accommodation using consideration of accommodation variation in transportation.	INTRODUCED: 02/23/2007 LAST AMEND: 07/18/2007 LOCATION: Senate Inactive File STATUS: 02/13/2008 In SENATE. To Inactive File.	(partial list) SUPPORT: AARP, California League of Conservation Voters, City of Sacramento, City of Ventura, Sacramento Metropolitan Air Quality Management District, San Luis Obispo Council of Governments, Transportation and Land Use Coalition
► AB 1756 (Caballero – D) Infrastructure Development: Public-Private Partnership	Requires the Secretary of Business, Transportation and Housing to establish the Office of Local Public-Private Partnerships in the agency to inform local agencies and other interested stakeholders of the role that public-private partnerships can play in financing, constructing, or operating, or any combination thereof, fee-producing local infrastructure projects.	INTRODUCED: 01/07/2008 LOCATION: Assembly Local Government Committee STATUS: 02/07/2008 To ASSEMBLY Committees on LOCAL GOVERNMENT and BUSINESS AND PROFESSIONS. Hearing: 04/02/2008 1:30 p.m.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 1815 (Feuer – D) Transportation Infrastructure Funding Task Force	Creates the Transportation Infrastructure Funding Task Force. Requires the task force to hold at least three public hearings around the state and to report to the Legislature and Governor on alternatives to the current system of taxing road users through per-gallon fuel taxes.	INTRODUCED: 01/17/2008 LOCATION: Assembly Transportation Committee STATUS: 02/07/2008 To ASSEMBLY Committee on TRANSPORTATION.	None Listed
AB 1845 (Duvall – R) Railroad-Highway Grade Separations	Transfers responsibility for developing the priority list for the annual grade separation program from the Public Utilities Commission to the Transportation Commission upon completion of the expenditure of Proposition 1B general obligation bond funds that are to be allocated pursuant to the priority list process.	INTRODUCED: 01/28/2008 LOCATION: Assembly STATUS: 01/28/2008 INTRODUCED.	None Listed
► AB 1850 (DeVore – R) Office of Public-Private Partnerships	Creates the Office of Public-Private Partnerships within the office of the Governor and a process for the Office of Public-Private Partnerships to develop formal public-private partnership agreements to facilitate the construction and maintenance of the state's infrastructure. Requires the Director of that office to provide the Legislature with notice before committing the state to participate in any partnership agreement.	INTRODUCED: 01/29/2008 LOCATION: Assembly Business and Professions Committee STATUS: 02/21/2008 To ASSEMBLY Committee on BUSINESS AND PROFESSIONS. Hearing: 04/01/2008 9:00 a.m.	None Listed
AB 1851 (Nava – D) Greenhouse Gas Emissions: Sale of Voluntary Offsets	Expresses legislative intent to create a process for ensuring that voluntary green house gas emissions offsets sold in the state meet clear and consistent standards, and assist local governments and others in the state in generating and marketing qualifying projects for the voluntary offsets market.	INTRODUCED: 01/29/2008 LOCATION: Assembly STATUS: 01/29/2008 INTRODUCED.	None Listed
► AB 1904 (Torrice – D) Transportation: Programming of Projects	Provides that, for purposes of calculation of state highway miles in a county for the county shares formula, would provide that the total number of non-freeway miles in a county shall be calculated so that it is not less than the total number of non-freeway miles that existed on a certain date.	INTRODUCED: 02/07/2008 LOCATION: Assembly Transportation Committee STATUS: 02/21/2008 To ASSEMBLY Committee on TRANSPORTATION.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 1954 (Jeffries – R)</p> <p>High-Occupancy Toll (HOT) Lanes</p>	<p>Relates to high-occupancy toll (HOT) lanes. Authorizes a value pricing and transit development demonstration program involving HOT lanes to be conducted, administered, and operated on transportation corridors in Riverside County.</p>	<p>INTRODUCED: 02/13/2008 LAST AMEND: 03/03/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 03/03/2008 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/03/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION. Hearing: 3/24/2008 1:30 p.m.</p>	<p>None Listed</p>
<p>► AB 1968 (Jeffries – R)</p> <p>Transportation Infrastructure Emergencies</p>	<p>Authorizes the Governor to declare a transportation infrastructure emergency for the purpose of relieving traffic congestion on any specific highway or segment of a highway for which the Department of Transportation has determined that the average daily vehicle hours of delay, excluding weekends, exceeds a specified amount. Provides for the Governor to direct the Department of to immediately create and implement an expedited process.</p>	<p>INTRODUCED: 02/14/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 02/28/2008 To ASSEMBLY Committee on TRANSPORTATION.</p>	<p>None Listed</p>
<p>► AB 1973 (Ruskin – D)</p> <p>Public Utilities Commission</p>	<p>Requires the Governor to appoint a president of the commission from among its members.</p>	<p>INTRODUCED: 02/14/2008 LOCATION: Assembly Utilities and Commerce Committee</p> <p>STATUS: 02/28/2008 To ASSEMBLY Committee on UTILITIES AND COMMERCE.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2093 (Jones – D)</p> <p>General Plan</p>	<p>Amends the Planning and Zoning Law. Provisions that the legislative body of each county and city adopt a comprehensive, long-term general plan for the physical development of the county or city. Requires to be included in the mandatory elements consideration to policies that reduce the effects of land use activities and general plan actions on the emission of greenhouse gases.</p>	<p>INTRODUCED: 02/19/2008 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 03/06/2008 To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES.</p>	<p>None Listed</p>
<p>► AB 2182 (Caballero – D)</p> <p>Regional and Local Land Use Plans</p>	<p>Establishes the Sustainable Communities Regional and Local Land Use Planning Program within the Office of Planning Research. Allows funds for planning grants and incentives for the development of specified regional and local land use plans, for grants and loans to local government, councils of governments, and other public agencies for these purposes, subject to specified criteria.</p>	<p>INTRODUCED: 02/20/2008 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 03/05/2008 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p>	<p>None Listed</p>
<p>► AB 2744 (Huffman – D)</p> <p>Metropolitan Transportation Commission: Fee</p>	<p>Authorizes the Metropolitan Transportation Commission to impose a fee on each gallon of motor vehicle fuel, delivered into the fuel supply tank or tanks of a motor vehicle in the region, excluding motor vehicle fuel used to power aircraft, for a 25-year period. Requires the commission to adopt a regional transportation/climate protection expenditure plan for the revenues derived from the fee. Provides commission would be authorized to impose the fee.</p>	<p>INTRODUCED: 02/22/2008 LOCATION: Assembly</p> <p>STATUS: 02/22/2008 INTRODUCED.</p>	<p>None Listed</p>
<p>► AB 3021 (Nava – D)</p> <p>California Transportation Financing Authority</p>	<p>Creates the Transportation Financing Authority with powers and duties relative to issuance of revenue bonds to fund transportation projects to be backed by various revenue streams of transportation funds, and toll revenues in order to facilitate construction of additional capacity on the state highway system.</p>	<p>INTRODUCED: 02/22/2008 LOCATION: Assembly</p> <p>STATUS: 02/22/2008 INTRODUCED.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 3034 (Galgiani – D)</p> <p>Safe, Reliable High-Speed Passenger Train Bond Act</p>	<p>Makes various revisions to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to be submitted to the voters. Refers to construction of a high-speed train system consistent with the High Speed Rail Authority certified environmental impact report, rather than with the final business plan. Revises descriptions of route segments of the proposed high-speed train system. Relates to revenues from operation of the high-speed train system.</p>	<p>INTRODUCED: 02/22/2008 LOCATION: Assembly</p> <p>STATUS: 02/22/2008 INTRODUCED.</p>	
<p>ACA 1 (Dymally – D)</p> <p>Elections: Redistricting</p>	<p>Proposes an amendment to the Constitution to assign the responsibility for adjusting boundary lines of Senate, Assembly, congressional, and State Board of Equalization district to a specified commission. Requires the commission to hold public hearings to provide for public input and comment. Grants the Supreme Court jurisdiction over all challenges to a redistricting plan. Requires the Governor to include in the budget presented to the Legislature funds for the redistricting process.</p>	<p>INTRODUCED: 12/04/06 LAST AMEND: 06/20/2007 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 06/20/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>None Listed</p>
<p>ACA 2 (Walters – R)</p> <p>Eminent Domain</p>	<p>Proposes a Constitutional amendment that prohibits the taking or damaging of private property without the express written consent of the owner for purposes of economic development, increasing tax revenue, or private use, or when the same use will be maintained following the taking. Requires that, prior to commencement of eminent domain proceedings, the public use for which the property is to be taken is stated in writing. Defines public use. Permits a taking to eliminate an ongoing threat to public safety.</p>	<p>INTRODUCED: 12/04/2006 LAST AMEND: 07/05/2007 LOCATION: Assembly Judiciary Committee</p> <p>STATUS: 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Failed passage. 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Reconsideration granted.</p>	<p>SUPPORT: Chris Norby, Orange County Supervisor</p> <p>OPPOSE: California Redevelopment Association, California State Association of Counties, League of California Cities</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 3 (Gaines – R) Expenditure Limits	Proposes an amendment to the Constitution that would limit total state General Fund and special fund expenditures to an annual increase of no more than the increase in the cost of living multiplied by the percentage increase in state population. Allocates any revenues exceeding the expenditure limitation to the State School Fund and to a reserve fund, to rebates for personal income taxpayers, and to fund state and California State University employees' health and dental benefits.	INTRODUCED: 12/04/2006 LAST AMEND: 06/04/2007 LOCATION: Assembly Education Committee STATUS: 01/09/2008 In ASSEMBLY Committee on EDUCATION: Not heard.	SUPPORT: Howard Jarvis Taxpayers Association
ACA 4 (Villines – R) Reapportionment	Proposes an amendment to the Constitution to provide for the establishment of the Independent Citizens' Commission on Redistricting to be comprised of registered voters, who would adjust the boundary lines of the Senate, Assembly, congressional and State Board of Equalization districts as required by law. Requires the Secretary of State to implement a random selection process for members of the commission. Provides that certain records of the commission are public records.	INTRODUCED: 12/04/2006 LAST AMEND: 06/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 06/20/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
ACA 10 (Feuer – D) Bond Indebtedness: Local Government: Transportation	Amends the State Constitution to create an additional exception to the 1 percent limit on ad valorem tax on real property for a county, or city to pay for bonded indebtedness, incurred to fund specified transportation infrastructure, that is approved by 55 percent of the voters of the county or city. Lowers to 55 percent the voter approval threshold.	INTRODUCED: 01/07/2008 LOCATION: Assembly STATUS: 01/07/2008 INTRODUCED	None Listed
ACA 11 (Blakeslee – R) Budget Process: Strategic Reserve Bank	Proposes a Constitutional Amendment. Creates the Strategic Reserve Bank governed by a board of financial experts appointed by the Governor and legislative leaders to reduce the volatility of the General Fund by moderating swings in revenues and accommodating short-term changes in revenue growth. Creates the Strategic Budget Reserve Fund.	INTRODUCED: 01/08/2008 LOCATION: Assembly STATUS: 01/08/2008 INTRODUCED	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 12 (Plescia – R) State Mandated Local Programs	Proposes a constitutional amendment requiring the Legislative Analyst to determine and report to the Legislature whether the enacted bill is a balanced state budget; provides that if the Legislative Analyst reports that it is not a balanced state budget, the Legislature is required to pass and send the Governor a bill or bills to balance the state budget within 15 days and the Governor may reduce expenditures in the enacted budget bill as necessary to balance the state budget.	INTRODUCED: 01/15/2008 LOCATION: Assembly STATUS: 01/15/2008 INTRODUCED	None Listed
SB 9 (Lowenthal – D) Trade Corridor Improvement: Transportation Project	Relates to Trade Corridor Improvement Transportation Fund projects. Establishes a process to be administered by the State Transportation Commission for allocation of fund moneys. Establishes the corridors eligible for funding. Establishes criteria for project selection based on improvement of mobility of freight and improvement of air quality. Requires projects to be ready for construction by a specified date. Provides for allocations to projects outside of the trade corridors.	INTRODUCED: 12/04/2006 LAST AMEND: 08/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 08/30/2007 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.	None Listed
SB 19 (Lowenthal – D) Trade Corridor; Projects to Reduce Emissions: Goods	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Requires the Air Resources Board to implement the Goods Movement Emission Reduction Program and to adopt guidelines and funding criteria for the program. Creates eligibility requirements for funding pursuant to this program. Creates the Goods Movement Emission Reduction Fund to be funded with bond proceeds.	INTRODUCED: 12/04/2006 LAST AMEND: 07/17/2007 LOCATION: Assembly Appropriations Committee STATUS: 07/17/2007 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 07/17/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Moller International, Inc.

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 61 (Runner – R) High-Occupancy Toll Lanes and Toll Roads	Authorizes the Department of Transportation to apply to the State Transportation Commission for the development and operation of a high-occupancy toll land or toll road project sponsored by the department. Deletes the four project limitation and the requirement for the Legislature to approve each project by statute.	INTRODUCED: 01/16/2007 LAST AMEND: 05/01/2007 LOCATION: Assembly Transportation Committee STATUS: 06/07/2007 To ASSEMBLY Committee on TRANSPORTATION.	SUPPORT: Department of Transportation (source), Association of Southern California Government, Department of Finance
SB 286 (Dutton – R and Lowenthal – D) Transportation Enhancement Funds: Conservation Corps	Requires, with respect to federal funds made available to the state for transportation enhancement projects, transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria that give priority in project selection to the sponsors of eligible projects that partner with, commit to employ the services of, a community conservation corps, or the state conservation corps to construct or undertake the project.	INTRODUCED: 02/15/2007 LAST AMEND: 01/17/2008 LOCATION: Assembly Appropriations Committee STATUS: 01/17/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 01/17/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
SB 364 (Simitian –D) Personal Information: Privacy	Amends existing law that requires any agency, and any person or business, that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or data, following discovery or notification of the security breach, to any resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Requires a report to the Office of Information Security and Privacy Protection.	INTRODUCED: 02/20/2007 LAST AMEND: 01/28/2008 LOCATION: Assembly STATUS: 01/30/2008 In SENATE. Read third time. Passed SENATE. To ASSEMBLY.	SUPPORT: Consumers Union, Consumer Federation of California, Electronic Frontier Foundation, Privacy Rights Clearinghouse

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 445 (Torlakson –D)</p> <p>Road User Task Force</p>	<p>Creates the Road User Task Force to hold public hearings around the state and to report on alternatives to the current system of taxing road users through per-gallon fuel taxes.</p>	<p>INTRODUCED: 02/21/2007 LAST AMEND: 03/06/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 03/06/2008 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/06/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p>	<p>(partial listing)</p> <p>SUPPORT: California Association of Councils of Governments, California State Association of Counties, City of Costa Mesa, El Dorado Transportation Commission, League of California Cities, Merced County Association of Governments, Sacramento Transportation Authority, Sonoma County Transportation Authority</p>
<p>SB 716 (Perata – D)</p> <p>Transit Operators</p>	<p>Relates to appropriations to transportation agencies from the Public Transportation Modernization, Improvement, and Service Enhancement Account for transit capital projects pursuant to a specified formula. Specifies requirements for an eligible project sponsor to receive an allocation of funds appropriated from the account. Requires the Transportation Commission and the Controller to administer these provisions.</p>	<p>INTRODUCED: 02/23/2007 LAST AMEND: 07/11/2007 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 07/11/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>SUPPORT: Alameda Contra Costa Transit District, American Federation of State, County, and Municipal Employees</p> <p>OPPOSE: LACMTA</p>
<p>SB 841 (Calderon – D)</p> <p>Vehicles: Mature Driver Improvement Course</p>	<p>Amends existing law that requires the Director of Motor Vehicles to establish standards and develop criteria for approval of initial and renewal mature driver improvement courses. Specifies that a course may be offered in an Internet format, if the course is educationally equivalent to the course provided in the classroom format. Authorizes the department to require such course provider to include technologies that reasonably verify the identity of the person taking the course.</p>	<p>INTRODUCED: 02/23/2007 LAST AMEND: 06/27/2007 LOCATION: Assembly Inactive File</p> <p>STATUS: 08/20/2007 In ASSEMBLY. To Inactive File.</p>	<p>SUPPORT: TrafficSchool.com (sponsor), Automobile Club of Southern California, California State Automobile Association</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 947 (Hollingsworth – R)</p> <p>Consultation: Transportation Facilities</p>	<p>Requires notice of at least one scoping meeting to be provided to transportation planning agencies or public agencies required to be consulted concerning a project proposed by a lead agency which requires an environmental impact report under the California Environmental Quality Act. Requires the project's effect on overpasses, on-ramps, and off-ramps to be included in that consultation.</p>	<p>INTRODUCED: 02/23/2007 LAST AMEND: 04/30/2007 LOCATION: Assembly Natural Resources Committee</p> <p>STATUS: 05/24/2007 To ASSEMBLY Committees on NATURAL RESOURCES and TRANSPORTATION.</p>	<p>SUPPORT: Cities of El Cajon, Murrieta, Poway, Temecula, and Victorville, Lakeside Chamber of Commerce, San Diego Regional Chamber of Commerce, San Diego Mayor Jerry Sanders</p> <p>OPPOSE: California Chapter of the American Planning Association, Sierra Club California</p>
<p>► SB 1240 (Kehoe – D)</p> <p>Air Pollution: Low-Carbon Fuel Standards</p>	<p>Requires the Air Resources Board to adopt, implement, and enforce a low-carbon fuel standard by regulation that achieves the maximum technologically feasible and cost-effective reductions in carbon intensity of transportation fuels, and at least a 10 percent reduction in the carbon intensity of transportation fuels by a specified date. Provides that fuel standard would apply to all refiners, blenders, producers and importers of transportation fuels. Provides that reporting requirements be imposed, as specified.</p>	<p>INTRODUCED: 02/14/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/28/2008 To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.</p>	<p>None Listed</p>
<p>► SB 1278 (Maldonado – R)</p> <p>Building Standards: Green Building Construction</p>	<p>Establishes the Green Neighborhood Grant Act, to be administered by the State Energy Resources Conservation and Development Commission where grants would be awarded annually to private developers for development projects that have been certified by the Building Industry Institute as complying with the Green Builder Program. Reimburses the developer for percentage of the total development cost of a certified developer project. Provides no more than one grant annually for a development in specified cities.</p>	<p>INTRODUCED: 02/19/2008 LOCATION: Senate Energy, Utilities and Communications Committee</p> <p>STATUS: 02/28/2008 To SENATE Committees on ENERGY, UTILITIES AND COMMUNICATIONS and ENVIRONMENTAL QUALITY</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1295 (Ducheny – D)</p> <p>Coastal Act: Coastal Redevelopment Permit: Appeal</p>	<p>Amends the California Coastal Act of 1976 that provides for the planning and regulation of development within the coastal zone, and that any appealable action on a coastal development permit or claim of exemption for any development by a local government or port governing body may be appealed by any two members of the California Coastal commission. Revises that provision to eliminate an appeal by two members of the California Coastal Commission.</p>	<p>INTRODUCED: 02/19/2008 LOCATION: Senate Natural Resources and Water Committee</p> <p>STATUS: 02/28/2008 To SENATE Committee on NATURAL RESOURCES AND WATER.</p>	<p>None Listed</p>
<p>► SB 1363 (Perata – D)</p> <p>Transportation Projects: Lease Agreements</p>	<p>Extends existing law that authorizes the Department of Transportation and regional transportation agencies to enter into up to four comprehensive development lease agreements with public and private entities for transportation projects primarily designed for improvement of goods movement that may charge users of those projects tolls and user fees.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 02/28/2008 To SENATE Committee on TRANSPORTATION AND HOUSING</p>	<p>None Listed</p>
<p>► SB 1422 (Lowenthal –D)</p> <p>High Speed Rail Authority</p>	<p>Amends existing law that creates the High Speed Rail Authority. Provides that the authority may keep the Secretary of Business, Transportation and Housing informed of its activities.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Senate Rules Committee</p> <p>STATUS: 03/06/2008 To SENATE Committee on RULES.</p>	<p>None Listed</p>
<p>► SB 1429 (Perata – D)</p> <p>State Owned Toll Bridges</p>	<p>Requires state owned toll bridge project sponsors to seek supplemental funding from state general obligation bond funds make available for transportation capital improvements.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Senate Transportation and Housing Committee</p> <p>STATUS: 03/06/2008 To SENATE Committee on TRANSPORTATION AND HOUSING.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCA 1 (McClintock – R) Eminent Domain: Condemnation Proceedings	Proposes an amendment to the Constitution to provide that private property may be taken or damaged only for a stated public purpose and not without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. Provides that if the property ceases to be used for the public use, the former owner would have the right to reacquire the property at its fair market value. Provides reevaluation procedures.	INTRODUCED: 12/04/2006 LAST AMEND: 02/05/2007 LOCATION: Senate Judiciary Committee STATUS: 02/05/2007 From SENATE Committee on JUDICIARY with author's amendments. 02/05/2007 In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.	None Listed
SCA 5 (McClintock – R) State and Local Government Finance: Taxes	Proposes an amendment to the Constitution to establish a constitutional definition of a tax as any monetary exaction imposed by a governmental entity. Recasts the definition of a special tax. Conditions the imposition by the state or local government of a new tax, or a change in a tax, that increases the amount of any tax levied upon the approval of 2/3 membership of the governing body and voter approval. Prohibits new tax without voter approval. Provides exceptions.	INTRODUCED: 01/30/2007 LAST AMEND: 03/21/2007 LOCATION: Senate Revenue and Taxation Committee STATUS: 04/25/2007 In SENATE Committee on REVENUE AND TAXATION: Heard, remains in Committee.	SUPPORT: Howard Jarvis Taxpayers' Association, California Chamber of Commerce, Council for Citizens Against Government Waste, Mid Valley Chamber of Commerce, Milpitas Chamber of Commerce OPPOSE: California Tax Reform Association, East Bay Municipal Utilities District

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCA 14 (Denham – R) Governor: State Budget	Proposes a Constitutional amendment. Requires the budget submitted by the Governor to be a balanced budget, pursuant to a determination to be made by the Legislative Analyst. Provides that if, by January 10, the Governor fails to submit a balanced budget, as determined by the Legislative Analyst, the Governor shall forfeit any salary from January 11 until the date a balanced budget is submitted.	INTRODUCED: 01/09/2008 LOCATION: Senate Rules Committee STATUS: 01/17/2008 To SENATE Committees on RULES and ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS.	None Listed
SCA 15 (Denham – R) Legislature: Sessions: State Budget	Proposes an amendment to the State Constitution. Requires, if the Legislature fails to pass the Budget Bill by June 15 of any year, that each house of the Legislature meet in session 24 hours a day, and not recess or adjourn, until the Budget Bill is passed and presented to the Governor.	INTRODUCED: 01/09/2008 LOCATION: Senate Rules Committee STATUS: 01/17/2008 To SENATE Committees on RULES and ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS.	None Listed
SCA 16 (Denham – R) Legislature: Compensation	Proposes an amendment to the State Constitution. Provides that, if a Budget Bill is not passed by June 15, Members of the Legislature may not be paid any salary from June 16 to the date a Budget Bill is passed and sent to the Governor. Provides that once a Budget Bill is passed and sent to the Governor, a Member of the Legislature may not be paid any salary due for that period of time.	INTRODUCED: 01/09/2008 LOCATION: Senate Rules Committee STATUS: 01/17/2008 To SENATE Committees on RULES and ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCR 68 (Denham – R) Budget Bill Conference Committee	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 regular session to require that any conference committee on the Budget Bill be comprised of 10 members. Requires the Senate Committee on Rules and the Speaker of the Assembly to appoint three members each and the minority party caucuses in each house to appoint two members each.	INTRODUCED: 01/09/2008 LOCATION: Senate Rules Committee STATUS: 01/09/2008 INTRODUCED. 01/09/2008 To SENATE Committee on RULES.	None Listed
SCR 69 (Denham – R) Budget Bill Votes	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 Regular Session to require that a vote by a committee or subcommittee in either house of the Legislature to take action on the Budget Bill, or a vote by a conference committee to take action on the Budget Bill, be a 2/3 vote.	INTRODUCED: 01/09/2008 LOCATION: Senate Rules Committee STATUS: 01/09/2008 INTRODUCED. 01/09/2008 To SENATE Committee on RULES.	None Listed
SB 5 c (Senate Budget & Fiscal Review Committee) Highway Users Tax Account	Requires transfers of revenues from the Highway Users Tax Account to counties or cities that would otherwise be made during certain months of 2008, to instead be made in September of 2008. Allows counties and cities to make use of any cash balance in any account that is designated for the receipt of state funds allocated for local streets and roads maintenance without the use of this cash being reflected as an expenditure of bond act funds, provided the cash is replaced.	INTRODUCED: 02/07/2008 LAST AMEND: 02/13/2008 LOCATION: Senate Third Reading File STATUS: 02/13/2008 From SENATE Committee on BUDGET AND FISCAL REVIEW: Do pass as amended. 02/13/2008 In SENATE. Read second time and amended. To third reading.	None Listed



MEMO

March 19, 2008

To: Members of the Board of Directors
WK
From: Wendy Knowles, Clerk of the Board
Subject: **Board Committee Transmittal for Agenda Item**

The following item is being discussed at a Committee meeting which takes place subsequent to distribution of the Board agenda. Therefore, you will be provided a transmittal following that Committee meeting (and prior to the Board meeting) informing you of Committee action taken.

Thank you.



March 20, 2008

To: Legislative and Communications Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Federal Legislative Status Report

Overview

This federal legislative status report seeks approval of principles which support the current fiscal year 2009 requests for transportation appropriations and would serve as a guide for future requests, and also provides an update on progress of the federal budget process.

Recommendation

Adopt the recommended Appropriation Request Principles and inform the Orange County congressional delegation that the appropriation requests for fiscal year 2009 submitted by the Orange County Transportation Authority comply with these principles.

Background

Pursuant to Board action on January 17, 2008, the Orange County Transportation Authority (OCTA) has submitted its fiscal year 2009 transportation appropriation project list. A summary of those submitted projects is contained in Attachment A.

Since the submission of these requests, both Republicans and Democrats in the House of Representatives (House) have discussed the possibility of suspending all specific appropriations for this year, as part of a general concern regarding the use of "earmarks" in the appropriation process. This discussion is ongoing at this time and has been manifested in a recently circulated Republican Earmark Standards Guidance and in a survey form from the Appropriations Committee Chair, David Obey (D-WI), to all committee members asking if the members believe that the House should suspend earmarks for the year or continue to provide responsible earmarks at reasonable levels.

Discussion

The specific transportation appropriation requests submitted by the OCTA are responsible and reasonable requests, which do not fall into the categories of earmark abuses often cited as a reason for discontinuing the earmark process. In an effort to underscore this point, the Chair of the OCTA Legislative and Communications Committee has requested that staff bring forward principles which describe that OCTA appropriation requests are transparent, that the projects are accountable to the OCTA Board of Directors (Board) and the public, and that such requests, which are supported by substantial local or private funding, seek to return a fairer share of federal transportation revenues to Orange County. These principles would form the basis of distinguishing responsible appropriation requests such as those traditionally submitted by OCTA from the general earmarks abuses currently under attack in Washington.

The Appropriations Request Principles contained in Attachment B respond to this request. The principles describe the underlying process and rationale for OCTA appropriations requests. The principles also describe how project requests, such as those submitted by the OCTA, benefit the public purpose of complementing state, local, and private funding to provide a greater return of federal revenues to Orange County.

If approved by the Board, these principles will be communicated to the members of the Orange County delegation in the House as a supplement to the fiscal year 2009 requests and will provide guidance to the Board in future appropriations requests.

While the appropriations process is being debated, progress is being made on the federal fiscal year 2009 budget process. The House and Senate budget committees have approved separate budget proposals that call for full funding of the highway and transit investment commitment authorized by the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: a Legacy for Users (SAFETEA-LU). This would mean a fiscal year 2009 funding level for the highway program at \$41.2 billion and the transit program at \$10.34 billion. Both measures also make room in the budget for separate legislation which could be enacted later this year to fill a revenue shortfall of \$3.7 billion in the highway account of the highway trust fund. The Senate budget committee resolution also provides room in the budget for the possibility of an additional \$3.5 billion to be made available in fiscal year 2008 for "ready to go" infrastructure projects as part of a possible short-term economic stimulus package. While these actions, even if approved by the full House and Senate, are not binding, the actions do represent a sense of congressional direction and are a positive first step in the annual appropriation process.

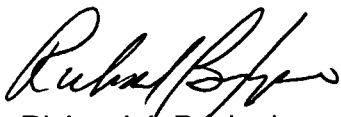
Summary

A set of Appropriation Request Principles are offered for approval, in order to distinguish responsible OCTA appropriation requests from earmark abuses elsewhere. The federal fiscal year 2009 budget process is progressing, with budget committees in both the Senate and House providing a budget sufficient for full funding of SAFETEA-LU at the fiscal year 2009 guaranteed levels. The February monthly reports for OCTA's legislative consultants are provided as Attachment C and D.

Attachments

- A. Summary of FY 2009 OCTA Federal Transportation Appropriations Requests
- B. Appropriation Request Principles
- C. Federal Legislative Status Report for the Month of February
- D. Report to the Orange County Transportation Authority from Smith Dawson & Andrews

Prepared by:



Richard J. Bacigalupo
Federal Relations Manager
(714) 560-5901

Summary of FY 2009 OCTA Federal Transportation Appropriations Requests

Project Name	FY 09 Request	*FY 08 Appropriated	Prior Appropriations/FY	District	Calvert 44	Campbell 48	Miller 42	Rohr 46	Royce 40	Sanchez 47	Boxer	Feinstein	
HIGHWAYS													
A Connector Improvements to the Riverside Freeway (State Route 91) in Orange County	\$7,000,000	\$0		40, 42, 44	X		X		X		X	X	
B San Diego Freeway (Interstate 405) Widening	\$5,000,000	\$490,000	\$1,500,000 /05 \$1,000,000 /06	46,48		X		X			X	X	
C San Diego Freeway (Interstate 5) Segment Improvements	\$4,000,000	\$0	\$5,000,000 /05	44,48	X	X					X	X	
D Santa Ana Freeway (Interstate 5) Segment Improvements	\$5,000,000	\$0		48		X					X	X	
STREETS AND ROADS													
E Bristol Street Widening	\$5,000,000	\$656,600	\$750,000 /05 \$600,000 /06	47							X	X	X
TRANSIT AND GRADE SEPARATIONS													
F Anaheim Regional Transportation Intermodal Center (ARTIC)	\$9,000,000	\$588,000		40,42,44, 47	X		X		X	X	X	X	
G Grade Separations - North Orange County	\$5,000,000	\$490,000		40					X		X	X	
H Intercounty Express Bus	\$3,000,000	\$490,000	\$1,080,486 /04	42,44	X		X				X	X	
Total	\$43,000,000	\$2,714,600	\$9,930,486										

* Includes a 2 percent reduction required by the 2008 Omnibus Act

Congressional Districts	Forms Due
CA-47 U.S. Representative Loretta Sanchez	02/15/08
CA-42 U.S. Representative Gary Miller	02/15/08
CA-44 U.S. Representative Ken Calvert	02/29/08
CA-48 U.S. Representative John Campbell	02/29/08
CA-46 U.S. Representative Dana Rohrabacher	03/03/08
CA-40 U.S. Representative Ed Royce	03/03/08
Senator Dianne Feinstein	02/29/08
Senator Barbara Boxer	02/29/08

Appropriation Request Principles

In recognition of the public benefits which result from responsible annual federal appropriations supplementing OCTA projects, the Board hereby adopts the following appropriation request principles. These principles apply to the presently submitted federal fiscal year 2009 appropriations requests and will guide the Board in its choice of future annual appropriations requests.

1. **OCTA appropriations requests are transparent.** Being transparent means that the annual federal appropriations requests are the result of a federal, state, and local public planning process and that the projects are not being undertaken for the personal benefit of any member of the OCTA Board or any OCTA employee.
2. **OCTA appropriations requests are accountable.** Being accountable means that annual federal appropriations requests will be made only after the approval of the OCTA Board, and that the projects for which funding is sought will receive regular review and oversight by the OCTA Board with periodic communications to the congressional delegation regarding the status of these projects.
3. **OCTA appropriations requests will be undertaken in a context of cooperative fairness.** This means that the annual federal appropriation requests will be made for projects which provide a strong public benefit, which will increase the fair share return of federal transportation revenues to Orange County, and which are supported by a substantial local or private matching share.

Federal Legislative Status Report for the Month of February

Partners contributing to the work described in this report include: Rick Alcalde, Dr. Lesli McCollum Gooch, Jay Ghazal, Jim Holton, and Dan Feliz. This report summarizes advocacy with members of Congress and committee staff on behalf of the Orange County Transportation Authority (OCTA). Also included are status updates and recommended strategy for the following:

- 1) Appropriations
- 2) Highway Bill Re-authorization and SAFETEA LU Technical Corrections
- 3) Other Pending Legislation/Congressional Activity
- 4) Recent Meetings and Other Actions on Behalf of OCTA

1. FY2009 Appropriations

Appropriations request forms have been submitted to all Orange County congressional offices and the two California Senators by the OCTA Federal Relations Manager.

Recommendation: *We recommend that OCTA advocates continue to follow up with the California Senators and each Orange County delegation office to discuss strategy on how to proceed with the Transportation/HUD Appropriations Subcommittee during the month of March. We also need to be prepared to provide any additional earmark request information to GOP House Members to comply with new House Republican Conference guidelines on earmarks. We are working with Republican staff to fully interpret these new requirements.*

Earmark reform continues to be an important discussion item for the House Republican Conference. The earmark reform measures that GOP leadership has proposed would provide additional certification for Members' earmark requests and increase the percentage of local share for transportation projects.

In our discussions with Appropriations Committee minority staff, we confirmed that House Republican offices will need to provide additional information to the Appropriations Committee to comply with new Republican Conference guidelines on earmarks. We were also told that local governments may be exempt from the local share requirement. We are working with the Republican OC offices to facilitate a quick response to any additional information the Appropriations Committee may request.

Potomac Partners DC recently facilitated a meeting with Rep. Miller's new appropriations staff with the Appropriations Committee Minority Staff Director to introduce them and discuss OCTA priorities. The meeting proved valuable for our efforts on the Authority's behalf.

Potomac Partners DC also secured a meeting for Supervisor Pat Bates with Transportation Appropriations Ranking Member, Joe Knollenberg. OCTA's FY 2009 projects were discussed as well as a continued dialogue on the SR-91 projects and the 'goods movement' issue. Mr. Knollenberg has developed a good understanding of the Authority's needs and a strong desire to help. This should prove valuable in this year's appropriations pursuits.

2. SAFETEA LU Technical Corrections

The Senate continues to delay action on the SAFETEA LU Technical Corrections bill. We have been told that there is "agreed to language" that will clear the remaining holds which have been placed on this bill in the Senate. We are continuing to work with Sen. Reid and key members of both House and Senate Committees to ensure that the provision for Maglev with the OCTA preferred language remains in the final Technical Corrections bill while we continue to press for passage of the legislation.

3. Pending Legislation/Congressional Activity

We are continuing to monitor the Calvert/Jackson Freight Fee Bill and we have spoken to Transportation and Infrastructure Committee Staff about potential committee consideration (i.e. future congressional hearings) of the concept of freight fees, as well as about goods movement in general.

We are also continuing to monitor the progress of a Housing Economic Stimulus bill and the potential to include other proposed stimulus measures, such as funding for transportation projects, into an economic stimulus package.

Recommendation: We recommend that members of the OCTA Board continue to take the opportunity when in Washington DC to discuss the "Orange County Goods Movement Policy" and guiding principles for funding such a program with key members of the House Transportation & Infrastructure Committee. Such discussions are of significant value to Committee Members, like Chairman Oberstar and Ranking Member Mica, who are eager to reach out to municipalities and end users for ideas that could help facilitate the next transportation re-authorization process and identify sources of revenue to fund highway and surface transportation projects. While the Senate Environment and Public Works Committee has not been as out-front on this issue as the House in the past, Chairwoman Boxer's interest and activity on this issue could provide dramatic solutions. We should continue to engage her office on this issue.

Housing Economic Stimulus Package

The second “Economic Stimulus Package” aimed at addressing the current housing crisis has stalled in the Senate and did not receive enough votes for cloture to bring the bill to a vote. This bill is also not being supported by the White House. With this stimulus bill gaining no traction it is unlikely that additional provisions for transportation and infrastructure projects will be considered.

H.R. 5102, the ON TIME Act of 2007

We discussed the On Time Act with senior Transportation and Infrastructure Committee staff. They do not believe that this bill will be marked up and referred out of committee because the container fees proposed are not well supported. During a recent meeting with Chairman Oberstar, he mentioned that the container fee issue was debated during consideration of the 2006 Port Security bill, as a way to pay for the security measures in the bill, but the fee was eventually eliminated in Conference. He added that the fee proposed in that case was directly related to a specific service being provided. In the case of the On Time Act, the nexus of the fee and service being provided is not as clear and is thus more questionable.

4. Recent Meetings and Other Action on Behalf of OCTA

During the week of February 25th, we facilitated a number of Congressional meetings for Supervisor Bates in Washington, DC. A summary of topics for those meetings is included below. In addition to meetings with Chairman Oberstar, Rep. Duncan and Rep. Knollenberg, we did have a meeting scheduled with Ranking Member Mica. Due to Supervisor Bates’ busy itinerary she was unable to meet with Mr. Mica. We plan to facilitate a future discussion with him when Supervisor Bates is able to return to Washington, DC.

Monday 25 February

Chairman Jim Oberstar (D-MN), Transportation and Infrastructure Committee

Participants in the meeting included Transportation & Infrastructure Committee staff and Bill Richard, Chairman Oberstar’s Chief of Staff. Items discussed included:

- Brief introduction to Orange County’s population dynamics and transportation needs.
- Transportation Re-authorization goals and objectives.
- Orange County’s “Goods Movement Policy.”
- Donor State and Donor County dynamics.
- Success of SR-91 toll road.
- Importance of grade separations in the County.

- Measure M and the County's success in convincing a fiscally conservative public that funding transportation projects is important and vital to economic growth.
- Discussion of transportation projects and impact on congestion relief.

Tuesday 26 February

Ranking Member Joe Knollenberg (R-MI), Transportation/HUD Appropriations Subcommittee

- Underscored the importance of the SR-91 projects and the Board's continued priority for the FY 2009 funding cycle.
- Discussion of the local government and OCTA structure in Orange County.
- Measure M and the County's success in convincing a fiscally conservative public that funding transportation projects is important and vital to economic growth.
- Donor State and Donor County dynamics.
- Orange County's "Goods Movement Policy."

Ranking Member John J. Duncan (R-TN), Highways and Transit Subcommittee

- Brief introduction to Orange County's population dynamics and transportation needs.
- Transportation Re-authorization goals and objectives (focus on 'goods movement').
- Overview of Orange County priority transportation projects (focus on SR-91, innovative OCTA driven solutions to congestion).
- An invitation was extended to Rep. Duncan to visit Orange County and see first-hand important transportation projects.

Other actions and items relating to OCTA federal legislative advocacy include:

1. We have been working to obtain "donor state" and "donor county" information from the Department of Transportation and Governor's office. So far we have determined that neither DOT nor the Governor's office have trust fund data by county or region. It has been suggested that we ask SCAG if they have done any studies on this type of data.
2. Rick Alcalde traveled to Orange County and participated in the federal legislative advocacy discussions and the briefing on the Revenue and Study Commission recommendations that was presented to the OCTA board on February 25th.
3. We are continuing to work with Chairman Oberstar's key staff to target the best time to bring Chairman Oberstar out to Orange County to showcase important OCTA projects. During the meeting with Supervisor Bates, we reiterated the invitation and received a positive reaction from the Chairman.

Congressional Outreach

A list of Congressional Members outside of the Orange County delegation that we would recommend bringing to Orange County includes the following:

Rep. Oberstar (D-MN), Chairman of the Transportation & Infrastructure Committee

Rep. John Duncan (R-TN), Ranking Member of the Highways and Transit Subcommittee

Rep. Corrine Brown (D-FL), Chairwoman of the Railroads Subcommittee

Rep. Bill Shuster (R-PA), Ranking Member of the Railroads Subcommittee

We are prepared to work with the OCTA, OCBC and the congressional offices to bring these Members to Orange County to tour key projects and learn more about the transportation challenges in Orange County.

**Report to the
ORANGE COUNTY TRANSPORTATION AUTHORITY
From
Smith, Dawson & Andrew**

**Focus: FY 2009 Budget & Appropriations Preparations
February, 2008**

Highlights

The President submitted his budget to Congress on February 4. This budget proposes a \$202.1 million cut to public transportation programs below the \$10.3 billion levels in SAFETEA-LU. Spending within the highway program categories was also to be reduced by nearly \$1.8 billion below the \$41.2 billion guaranteed in the SAFETEA-LU law. The FY 2009 transportation budget incorporates the Administration's approach to the growing revenue shortfall in the Highway Trust Fund, with a shift of \$3.2 billion now dedicated to public transportation in the Mass Transit Trust Fund back to the Highway Trust Fund.

Specifically, the DOT budget requests \$40 billion for highways and \$10.1 billion for mass transit programs. Within the transit programs budget request, \$8.3 billion is slated for the Formula and Bus Grants program, and this represents the amounts authorized by SAFETEA-LU as well as a \$593 million increase over FY 2008. Other relevant DOT program budget requests are as follows:

- Congestion Mitigation and Air Quality Improvement Program (CMAQ) - \$1.8 billion;
- Clean Fuels Grant Program - \$51 million to support transit operators in transitioning to cleaner and more efficient buses and fuels, an increase from \$49 million appropriated in FY 2008; and
- Transit Planning -\$113.5 million to support the activities of regional planning agencies and states to plan for transit investments, an increase from \$107 million appropriated in FY 2008.

The budget also included a \$100 million request for capital matching grants to States for intercity passenger rail projects. This is a large increase over the request made last year, which ended up yielding \$30 million in FY 2008 funding--the first year federal funds were provided to states for this purpose. The budget request for Amtrak is \$800 million for FY 2009, a reduction of \$525 million or 40 percent from last year's appropriated dollars.

Congressional earmark preparations continued. The Republican leadership requested additional certifications from its members submitting earmark requests. However, at this time not all members have complied. The requirements include a signed certification affirming that:

- none of the funding requested will be used for a building, program, or project that has been named for a sitting Member of Congress;
- none of the funding requested will be passed through to another entity for non-support or non-procurement activities;
- the requesting entity agrees to provide matching funds of 5% or more above statutory requirement, if it is not a government entity; and
- a detailed finance plan for the earmark will be provided.

In addition, the House Republican leadership continues to call for a moratorium on earmarks and seeks to establish a bipartisan panel to review the current earmark process. This proposal is framed by Congressmen Frank Wolf (VA), Jack Kingston (GA) and Zach Wamp (TN).

On March 5, House Appropriations Chairman David Obey sent a "Dear Colleague" letter to all Republican Members of the House asking them to declare by signature if they support the moratorium on earmarks, and to acknowledge that they will not submit any earmark requests. He asked for a response by March 19 in order for the Appropriations Committee to "determine how it would proceed." The letter states that no response would be considered support for the earmark moratorium and therefore, he would not expect any earmark requests from non-responsive Members.

SDA Outreach

Contact on Capitol Hill on behalf of OCTA

- Smith with *Sen. Murray's* office regarding potential visit
- Smith and Gaines with *Rep. DeFazio's* office regarding potential visit
- Gaines with *Sen. Feinstein's* office regarding California Coastal Commission action
- Gaines with *Sen. Boxer's* office regarding appropriations and reauthorization issues.
- Smith and Gaines monitored Republican caucus rules regarding earmarks and "certification" requirements.
- Andrews discussed technical corrections bill with majority Senate Committee on Environment & Public Works staff
- Andrews with majority staff of the House Subcommittee on Transportation Appropriations regarding mark-up scheduling
- Gaines with *Rep. Sanchez's* office regarding appropriations and California Coastal Commission action
- SDA group continued outreach to Republican and Democratic leadership regarding activities related to earmark preparations
- SDA group monitored important Congressional hearings and press conferences related to OCTA goals and objectives

Contact with Federal Agencies on behalf of OCTA

- Burrell attended briefing by FTA staff regarding President's budget
- Burrell attended FTA training on Civil rights Title VI, DBE and ADA compliance

Contact with relevant organizations on behalf of OCTA

- Burrell with APTA and Washington transportation reps on budget and reauthorization
- Burrell attended reception along with Secretary Peters for former DOT Secretary Slater

Miscellaneous

- Gaines & Andrews---attended February 25 OCTA Board tutorial on reauthorization
- Gaines, Smith, Warner & Burrell---assisted with Director Bates Washington trip agenda and met with Supervisor Bates and Jeff Corless during visit



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Garden Grove Freeway (State Route 22) Design-Build Project
Unilateral Contract Change Orders

Highways Committee Meeting of March 17, 2008

Present: Directors Amante, Cavecche, Dixon, Glaab, Green, Mansoor,
Norby, Pringle, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 25 to Agreement No. C-3-0663 with Granite-Myers-Rados, in the amount of \$178,191, for the price escalation of steel materials for the Garden Grove Freeway (State Route 22) Design-Build Project.
- B. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 26 to Agreement No. C-3-0663 with Granite-Myers-Rados, in the amount of \$759,156, for the price escalation of asphalt materials for the Garden Grove Freeway (State Route 22) Design-Build Project.



March 17, 2008

To: Highways Committee
From: Arthur T. Leahy, ^{ATL (per)} Chief Executive Officer
Subject: Garden Grove Freeway (State Route 22) Design-Build Project
Unilateral Contract Change Orders

Overview

On August 23, 2004, the Orange County Transportation Authority's Board of Directors awarded a design-build contract to improve 12 miles of the Garden Grove Freeway (State Route 22) from Valley View Street to the Costa Mesa Freeway (State Route 55) interchange. Change requests have been made by the design-build contractor for escalation in prices of steel and asphalt materials. Board of Directors approval is requested to process these two contract change orders.

Recommendations

- A. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 25 to Agreement No. C-3-0663 with Granite-Myers-Rados, in the amount of \$178,191, for the price escalation of steel materials for the Garden Grove Freeway (State Route 22) Design-Build Project.
- B. Authorize the Chief Executive Officer to execute unilateral Contract Change Order No. 26 to Agreement No. C-3-0663 with Granite-Myers-Rados, in the amount of \$759,156, for the price escalation of asphalt materials for the Garden Grove Freeway (State Route 22) Design-Build Project.

Background

On September 22, 2003, the Orange County Transportation Authority (Authority) approved an evaluation and award process based on "best value" for the Garden Grove Freeway (State Route 22) design-build contract. On March 17, 2004, proposals were received from the joint venture of Granite-Myers-Rados (GMR) and Kiewit Pacific Company. Upon review of the proposals, it was determined that the prices were significantly higher than the engineer's estimate and that a

best and final offer (BAFO) would be necessary. On June 30, 2004, BAFOs were received from both prospective bidders. On August 23, 2004, the Board of Directors (Board) awarded the State Route 22 design-build contract to GMR based on the BAFO, in the amount of \$390 million.

In addition, a contingency allotment of \$16,000,000, or approximately 4 percent of the total construction bid amount, was set aside to perform unforeseen work not anticipated in the original scope of work and for identified items known to exist but which could not be quantified at the time of bid submittal. Included within these known contingency items, which could not be quantified at the time of bid, was the cost escalation for both steel and asphalt materials for the project.

Discussion

Cost escalation of construction materials such as steel and asphalt can have a dramatic impact on the bid prices received for the construction of a freeway and therefore, provisions for the fluctuation of these materials were included within the State Route 22 contract terms. The use of escalation clauses allows for recovery of cost by the contractor in the event that market prices increase on these materials during the contract duration. At the same time, if prices for such materials decrease, then the contractor would be required to provide a credit to the Authority for the material savings during construction of State Route 22. This contractual requirement allows prospective bidders to decrease bid contingencies for unknown price fluctuations on materials such as steel and asphalt and also allows the Authority to avoid inflated bid prices from contractors by offsetting potential contract risk.

By contract, the price adjustment for steel is determined by the Engineering News Record's publication of the 20-city average pricing for the months nearest the requested adjustment. Both the Authority and GMR are in agreement on the requested monthly adjustments; however, there is disagreement on the duration in which the adjustment is applied. The contractor, GMR, contends that the escalation of steel should apply to the period between the initial project proposal submittal date of March 17, 2004, until all work is complete on steel related items. Authority staff contends that the contract stipulates the period for escalation begins when the BAFO was submitted on June 30, 2004, and terminates when all work is complete for steel related items of work. This disagreement represents over a three-month difference in duration for a period when steel escalation was at its peak. Authority counsel has been consulted on this matter and concurs with staff's assessment on this escalation period. Based on staff assessment, a total contract increase of \$178,191 is required for price escalation of steel materials under Contract Change Order (CCO) No. 25.

Under the terms of the contract, the price adjustment of asphalt is based on the California Statewide Paving Price Index publication. As with steel materials, the Authority and GMR are in agreement on the requested monthly adjustments; however, there is disagreement on the escalation period. This disagreement represents over a three-month difference in duration. Authority counsel has been consulted on this matter and concurs with staff's assessment on this escalation period. Based on Authority staff review, a total contract increase of \$759,156 is required for price escalation of asphalt materials under CCO No. 26.

Project level negotiation has continued for several months on CCO No. 25 and CCO No. 26 without resolution. On February 6, 2008, GMR acknowledged that these contract change orders will be processed unilaterally by the Authority (Attachment A). Any amount above the Authority's payment will remain in dispute until resolved.

Unilateral CCOs are defined as "a contract modification that is signed only by the contracting official to make unilateral changes to the scope of work." Unilateral CCOs are standard in the industry when two parties cannot agree on the specific terms and conditions. This contracting process is used when parties agree on a portion of a contract change but cannot agree on the matter in its entirety. The use of the unilateral CCO allows for payment to the contractor for the work at the value determined by the Authority. The contractor may then file a contract claim for the remaining amount under the dispute resolution clause of the contract. If the dispute resolution process finds in favor of the contractor, no penalty can be assessed against the Authority on the amount previously paid by the unilateral CCO.

After close review and consideration of CCO No. 25 and CCO No. 26, Authority staff and legal counsel decided that the Authority should proceed in processing both CCOs. The full amount of CCO No. 25 and CCO No. 26 will be paid out of construction contingency.

Fiscal Impact

The additional cost described in CCO No. 25 and CCO No. 26 to Agreement No. C-3-0663 was approved in the Authority's Fiscal Year 2007-08 Budget, Development Division, Account 0010-9017-F7100-7LJ, and is funded with Local Transportation Authority funds.

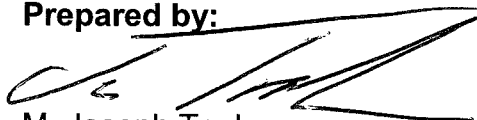
Summary

The Authority continues to advance the largest project to be constructed in the State of California on an active freeway using the innovative design-build delivery method. Staff recommends Board approval of unilateral CCO No. 25 and unilateral CCO No. 26, to Agreement No. C-3-0663 with GMR for escalation of steel and asphalt material costs.

Attachment

- A. Letter from David B. Smith, PE, GMR, to Kathleen E. Perez, Authority – Dated February 6, 2008

Prepared by:



M. Joseph Toolson
Program Manager
(714) 743-6717

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



Granite-Myers-Rados, A Joint Venture

February 6, 2008

Ms. Kathleen E. Perez
Department Manager-Capitol Projects
Contract Administration and Materials Management
Orange County Transportation Authority
P. O. Box 14184
Orange, CA 92863-1584

Reference: Garden Grove Freeway (SR-22) HOV Lane Design Build Project
Contract No. 3-0663

Subject: Contract Change Order #25 – Steel Escalation Adjustment
Contract Change Order #26 – Asphalt Escalation Adjustment

Dear Kathleen:

Granite-Myers-Rados (GMR) is in receipt of the above referenced Contract Change Orders, issued by OCTA on February 1, 2008.


These change orders were issued as a result of Project Level Negotiations (PLN) in accordance with Contract Section 19. These change orders represent the OCTA's assessment of the amount of steel and asphalt escalation to be paid for under Contract Section 12.1.9 and Appendix 8-1 and 8-2 (the BAFO amount). GMR does not agree with OCTA's assessment and continues to assert that escalation for both steel and asphalt should be paid for from the original proposal date of March 17, 2004 (the Proposal amount).

This letter is to confirm our discussions during PLN that GMR does not intend to sign and return CCO #25 and 26 as issued. Our understanding is that OCTA would issue these CCOs as Unilateral Change Orders. Please confirm this is your intention.

Depending on OCTA's confirmation of the above, GMR considers either the balance of Proposal amount or the entire Proposal amount requested to still be in dispute. Therefore, please consider this letter our request to elevate to Executive Level Negotiation, the remaining portion of these issues.

If you have any questions, please do not hesitate to contact us.

Sincerely,
GRANITE-MYERS-RADOS, a JV


David B. Smith, PE
Principal on Site

cc: Leintz, Toolson, Bogard, Meifert, Doc Control

P.O. Box 5606 Orange, CA 92863 • 4000 Metropolitan Drive, Suite 201 Orange, CA 92868
Telephone (714) 712-1600 • Fax (714) 712-1601



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Metrolink Fiscal Year 2006-07 Budget Reconciliation

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize staff to direct Metrolink to apply the Orange County Transportation Authority's operating budget surplus of \$3,107,300 toward the fiscal year 2008-09 Metrolink operating subsidy.



March 13, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Metrolink Fiscal Year 2006-07 Budget Reconciliation

Overview

The Orange County Transportation Authority provides a yearly operating and capital subsidy for the operation of Metrolink service in Orange County. Staff is providing a report on Metrolink's Fiscal Year 2006-07 Budget reconciliation.

Recommendation

Authorize staff to direct Metrolink to apply the Orange County Transportation Authority's operating budget surplus of \$3,107,300 toward the fiscal year 2008-09 Metrolink operating subsidy.

Background

The Southern California Regional Rail Authority, a regional joint powers authority, operates a 400-mile commuter rail system known as Metrolink. Metrolink's five-agency membership includes the Los Angeles County Metropolitan Transportation Authority, the Orange County Transportation Authority (OCTA), the Riverside County Transportation Commission, the San Bernardino Associated Governments, and the Ventura County Transportation Commission.

Each member agency shares in the cost to fund Metrolink and provides an annual operating subsidy and capital subsidy based on an allocation formula. OCTA's fiscal year (FY) 2006-07 annual operating and capital subsidies were \$11,465,611 and \$4,739,057, respectively. Each member agency is billed quarterly for its share of the cost. Every FY, Metrolink provides a reconciliation of the previous year-end financial position relative to the budget and each member agency's approved contribution. Metrolink is a heavily outsourced organization and as such, must first recognize all vendor invoices in addition to completing all financial audits prior to final reconciliation of the budget. This process usually takes five months after the end of the FY.

On January 8, 2008, Metrolink staff presented the Metrolink Technical Advisory Committee with its FY 2006-07 operating and capital budget savings totaling \$11,170,910, of which OCTA's share is \$3,124,700. Each of the five member agencies, at its discretion, can direct Metrolink to apply the operating budget savings as needed, including requesting cash reimbursement. In the event of a budget deficit, member agencies would be required to provide additional funding.

Discussion

Metrolink's FY 2006-07 Budget reconciliation to actual expenditures and revenues ended the year with a substantial savings in funds, the highest since the inception of Metrolink service. The higher than normal FY 2006-07 budget variance appears to be an anomaly and is not expected to occur this FY as current year expenditures are on target compared to budget, and in the case of fuel, over budget by 5 percent. The Metrolink FY 2006-07 Budget savings is due primarily to extraordinary revenue growth. Actual fare revenue growth, budgeted to be 9 percent, was actually closer to 14 percent. Total actual revenue exceeded the budget by approximately \$6,475,000 and includes an additional \$2,984,000 in fare revenue, \$255,000 in maintenance way, dispatching, and other operating revenues, and \$3,236,000 in interest income. Expenses were also lower than the expected budget by \$7,998,000, due primarily to Metrolink and contractor staff vacancies. Additionally, record low rainfall resulted in lower extraordinary maintenance cost on the railroad right-of-way.

OCTA's share of FY 2006-07 operating budget savings equates to \$3,107,300 and a capital project savings of \$17,400. The operating budget components are expenses such as train operations, maintenance of equipment, fuel, security, utilities, payments to freight railroads and administrative expenses. The capital budget consists of rehabilitation and renovation projects and new capital projects such as railroad infrastructure improvements, special track work, signal system replacements, and other improvements needed to replace assets to minimize train disruptions. The capital surplus represents the local cash match to federal grants and will be applied as the projects are completed, at which time the surplus will be expended. OCTA staff recommends its operating budget surplus be applied to the FY 2008-09 operating subsidy, in an amount of \$3,107,300.

Summary

Metrolink's FY 2006-07 Budget reconciliation resulted in an operating budget surplus for OCTA, in the amount of \$3,107,300. Staff is recommending the budget surplus be applied as a credit to the Metrolink FY 2008-09 operating subsidy.

Attachment

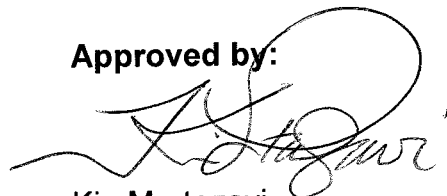
None.

Prepared by:



Abbe McClenahan
Principal Transportation Analyst
(714) 560-5673

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Purchase, Installation, and Maintenance of Networked Telecommunications Equipment and Software for Construction Circle Base

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

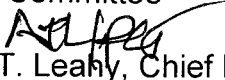
This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1343 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$128,138, for networked telecommunications equipment and software for the Construction Circle base.



March 13, 2008

To: Transit Committee
From: 
Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Purchase, Installation, and Maintenance of Networked Telecommunications Equipment and Software for Construction Circle Base

Overview

Purchase and installation of a networked telecommunications system is required for the Construction Circle base. Proposals were solicited and received in accordance with the Orange County Transportation Authority's fixed assets procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1343 between the Orange County Transportation Authority and Integrated Technology, whose offer best meets the Orange County Transportation Authority's requirements, in an amount not to exceed \$128,138, for networked telecommunications equipment and software for the Construction Circle base.

Background

The Orange County Transportation Authority (OCTA) plans to move several paratransit functions to the Construction Circle base property in Irvine this year and in the future expand the use of this property to other transit functions. As a part of this project, OCTA is purchasing and implementing a telecommunications systems solution for this campus, networking it with the other OCTA bus bases and to the Orange administration offices (Orange). The end result will be the same core systems in place as are at the other bases and will include equipment, configuration, installation, and following system acceptance, maintenance for one year, including 24/7 remote monitoring. During the maintenance period, normal moves, adds, and changes (MAC) tasks will be handled by the OCTA telecommunications team.

Based on their findings, the evaluation committee recommends the following firm to the Finance and Administration Committee for consideration of an award for their technical expertise and experience:

Integrated Technology
Orange, California

Following is a discussion of the four evaluation criteria categories:

Qualifications of Firm

Over the past 17 years, Integrated Technology has provided communications solutions for businesses throughout Southern California. Integrated Tech is a Nortel Elite Advantage Partner, the highest partnership level available, and has designed and implemented Nortel systems for many local governmental agencies including the cities of Anaheim and Mission Viejo, as well as business firms such as Pacific Life. Integrated Technology recently provided and installed a complete replacement of all telecommunications systems for the 91 Express Lanes.

Staffing and Project Organization

The staffing section of the proposal established the methods that the firms will use to manage the project and identified key project staff assigned.

The evaluation committee highly rated the proposal from Integrated Technology for its key personnel's collective technical and project experience with similar projects to this. Integrated Technology has the ability to fulfill all elements of the work plan without the use of subcontractors. The proposed personnel for this project have extensive experience with installation and implementation of the systems and requirements for the Construction Circle base. All key personnel members proposed for this contract will be available for the duration of the project and the current client commitment is at an acceptable level.

Work Plan

The work plan is intended to provide a comprehensive description of how the services will be performed.

The work plan proposed by Integrated Technology clearly demonstrated that Integrated Technology can meet the business requirements as well as the technical requirements of OCTA's scope of work. The firm provided the best technical proposal and work plan. Integrated Technology also provided clearly identifiable milestones for each project deliverable with a timeframe for completion that meets OCTA's needs.

Cost and Price

Integrated Technology provided the lowest cost proposal, over \$40,000 less than the second lowest cost proposal.

OCTA recently worked with the staff proposed for this project on the purchase and installation of the 91 Express Lanes telecommunications systems. This project, larger and much more complex than the Construction Circle base project, was implemented smoothly and has provided OCTA's customers with a greatly improved caller experience. As a result of the firm's work on the 91 Express Lanes project, OCTA has confidence that Integrated Technology will meet the requirements of the Construction Circle project.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2008 Budget, Finance, Administration and Human Resources/Information Systems Account 9027 and is funded through Local Transportation Fund.

Summary

The evaluation committee met and reviewed this item. The evaluation committee recommends approval of Agreement No. C-7-1343, in the amount of \$128,138, with Integrated Technology, the offer which most closely meets Orange County Transportation Authority's technical requirements.

Attachments

- A. RFP 7-1343 Telecommunication Equipment and Software Project
Proposal Evaluation Criteria Matrix
- B. RFP 7-1343 Telecommunication Equipment and Software Project
Review of Proposals

Prepared by:



Barbara Pouliot
Telecommunications Administrator
Information Systems
(714) 560-5534

Approved by:



James S. Kenan
Executive Director, Finance,
Administration and Human Resources
(714) 560-5678

RFP 7-1343

Telecommunication Equipment And Software Project

PROPOSAL EVALUATION CRITERIA MATRIX					
Firm Integrated Technologies				Weights	Criterial Score
Evaluation Number	1	2	3		
Qualifications of Firm	3.00	3.50	4.00	5	17.50
Staffing/Project Organization	4.00	4.00	4.00	6	24.00
Work Plan	3.50	4.50	3.50	5	19.17
Cost and Price	5.00	5.00	5.00	4	20.00
Overall Score	76.50	84.00	81.50		80.67
Firm: Verizon				Weights	Criterial Score
Evaluator Number	1	2	3		
Qualification of Firm	4.00	4.50	4.00	5	20.83
Staffing/Project Organization	5.00	3.00	3.00	6	22.00
Work Plan	5.00	3.00	4.00	5	20.00
Cost and Price	2.00	2.00	2.00	4	8.00
Overall Score	83.00	63.50	66.00		70.83
FIRM: AT&T				Weights	Criterial Score
Evaluator Number	1	2	3		
Qualifications of Firm	4.00	4.00	4.00	5	20.00
Staffing/Project Organization	3.00	2.00	3.00	6	16.00
Work Plan	2.00	2.50	2.00	5	10.83
Cost and Price	3.00	3.00	3.00	4	12.00
Overall Score	60.00	56.50	60.00		58.83
FIRM: Shared Technologies				Weights	Criterial Score
Evaluator Number	1	2	3		
Qualification of Firm	3.00	2.50	2.00	5	12.50
Staffing/Project Organization	3.00	3.00	3.00	6	18.00
Work Plan	4.00	2.50	3.00	5	15.83
Cost and Price	2.00	2.00	2.00	4	8.00
Overall Score	61.00	51.00	51.00		54.33
FIRM: Intelli-Flex				Weights	Criterial Score
Evaluator Number	1	2	3		
Qualifications of Firm	1.00	2.50	3.00	5	10.83
Staffing/Project Organization	2.00	1.50	3.00	6	13.00
Work Plan	1.00	2.00	2.00	5	8.33
Cost and Price	3.00	3.00	3.00	4	12.00
Overall Score	34.00	43.50	55.00		44.17

RFP 7-1343 Telecommunication Equipment And Software Project

Review of Proposals

PRESENTED TO THE FINANCE AND ADMINISTRATION COMMITTEE - MARCH 12, 2008

5 proposals were received, and 1 firm recommended for award

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Proposal Amount
1	80.67	Integrated Technologies Orange, CA	None	Outstanding proposal, complete, and comprehensive Excellent work plan meeting all scope of work requirements Excellent project schedule Experienced project team Prior and current OCTA experience 91 Express Lanes	\$128,137.68
2	70.83	Verizon Thousand Oaks, CA	None	Good proposal meet OCTA's requirements Provided a comprehensive work plan Experience project team Proposed the highest cost	\$168,910.88
3	58.83	AT &T Anaheim, CA	None	Proposal did not meet OCTA's requirements Did not address OCTA's scope of work requirements, submitted an AT&T scope of work Did not provide job titles or an organizational chart for the proposed project team. Proposed a higher cost	\$148,603.01
4	54.33	Shared Technologies Santa Fe Springs, CA	None	Marginal proposal lacked essential information Did not address OCTA's scope of work requirements Proposed a higher cost	\$165,910.88
5	44.17	Intelli-Flex Cypress, CA	None	Proposal failed to meet OCTA's requirements Work plan not completely define Proposed a higher cost Project team does not meet OCTA's requirements	\$155,580.48

<u>Evaluation Panel</u>	<u>Proposal Criteria</u>	<u>Weight Factors</u>
Information Systems	Qualification of the Firm	25%
Community Transportation	Staffing and Project Organization	30%
Contract Administration	Work Plan	25%
and Material Management	Cost and Price	20%



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Moulton Parkway Smart Street Project Update

Highways Committee Meeting of March 17, 2008

Present: Directors Amante, Cavecche, Dixon, Glaab, Green, Glaab, Mansoor, Norby, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the City of Laguna Niguel's request for an additional \$3,820,352 for the construction phase of the Moulton Parkway (Street of the Golden Lantern) Smart Street.
- B. Authorize staff to increase the Measure M Smart Street Program allocations by \$3,820,352 for the Moulton Parkway Smart Street between Aloma Avenue and Serenity Lane.



March 17, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Moulton Parkway Smart Street Project Update

Overview

The Orange County Transportation Authority has received a request from the City of Laguna Niguel for additional construction funding for the Moulton Parkway Smart Street. This request is presented for Board of Directors review and approval.

Recommendations

- A. Approve the City of Laguna Niguel's request for an additional \$3,820,352 for the construction phase of the Moulton Parkway (Street of the Golden Lantern) Smart Street.
- B. Authorize staff to increase the Measure M Smart Street Program allocations by \$3,820,352 for the Moulton Parkway Smart Street between Aloma Avenue and Serenity Lane.

Background

In 1990, Orange County voters approved Measure M, the half-cent sales tax for transportation improvements throughout the County. Included in Measure M is the Smart Street Program (SSP), which made funding available for investment in designated high-capacity, high-volume streets. The goal of the SSP is to substantially improve travel time and traffic flow through a coordinated effort across multiple jurisdictions.

The original estimated revenues for the SSP limited the number of smart streets that could be implemented. As a result, the Board of Directors (Board) directed staff to focus on the completion of four of the originally identified smart street corridors. Those four include Beach Boulevard, Imperial Highway,

Katella Avenue, and Moulton Parkway. More detailed project descriptions and current status are included in Attachment A. As the implementation of the four smart streets progressed, it was realized that due to rising cost of property acquisition, construction, and labor, the original smart streets funding would not be adequate to complete the projects. The original program funding was \$158.1 million.

In 1997, the Board set aside an additional \$30 million of revenues from the Measure M Master Plan of Arterial Highways (MPAH) program to complete the implementation of the four corridors. The smart streets are part of the MPAH network, making them eligible to receive these funds. To help ensure the completion of the SSP, the Board again, in 2007, approved the use of an additional \$7.7 million of MPAH funds for the implementation of these four corridors. This action was included in the strategies for the final call for projects for the streets and roads program. The total funds available to implement the SSP include \$158.1 million of SSP revenues and \$37.7 million of MPAH revenues, for a total amount of \$195.8 million. To date, Orange County Transportation Authority (OCTA) has allocated \$189 million, leaving an unallocated balance of \$6.8 million available to complete the program.

Discussion

The City of Laguna Niguel (City) opened bids on December 18, 2007, for construction of the Moulton Parkway Smart Street between Aloma Avenue and Serenity Lane. The lowest responsive bid, with allowable contingencies and construction engineering, was \$6,316,352. The City's original smart streets allocation for this project was \$2,246,000. To date, the City has spent \$1,150,000 of that allocation along with \$1,660,334 of City funds for all pre-construction related work. This leaves a balance of \$1,096,000 of SSP funds for the construction phase, creating a \$5,220,352 shortfall for the construction phase. The City is proposing to commit \$1,400,000 in general fund revenue to the project and is requesting an additional SSP allocation for construction, in the amount of \$3,820,352, to fully fund this segment.

Staff has reviewed the City's request, including a complete analysis of the bid package, and recommends approval. This request can be accommodated within the unallocated balance of \$6.8 million for smart streets. With the approval of this request, there will be approximately \$3 million remaining in revenues to accommodate future funding requests for the remaining smart streets segments. OCTA anticipates that there will be additional funding requests from other agencies as projects' bids are received. Consistent with prior Board direction, the remaining revenues will continue to be programmed on a first-come, first-serve basis based on actual bid amounts.

Summary

The City is requesting an increase in funding for their portion of the Moulton Parkway Smart Street. Staff reviewed the request and determined it to be reasonable and consistent with escalation rates since the original estimates were completed. An additional funding allocation for the Moulton Parkway Smart Street, in the amount of \$3,820,352, is recommended.

Attachment

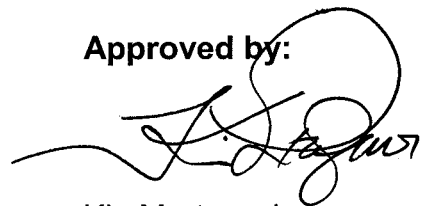
- A. Smart Street Program Estimated Remaining Project With Unfunded Needs

Prepared by:



Jennifer Bergener
Manager, Capital & Local Programs
(714) 560-5462

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

Smart Street Program Estimated Remaining Project With Unfunded Needs

Smart Street	Limits	Status
Beach Boulevard	Imperial Highway (La Habra) to Ellis Avenue (Huntington Beach)	Complete
Katella Avenue	San Gabriel Freeway (Interstate 605) to Costa Mesa Freeway (State Route 55)	4 outstanding segments: Humor Drive to Jean Street and Jean Street to 9th Street (Anaheim), Stanton Channel to Jean Street (County), and Knott Avenue to Stanton Channel (Stanton)
Imperial Highway	From Los Angeles County Line to Santa Ana Canyon Road	2 outstanding segments Los Angeles County Line to Harbor (La Habra) and Associated Road Intersection (Brea)
Moulton Parkway	Main Street (Santa Ana) to Del Prado (Dana Point)	Last segment included in current request



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Request for Additional Funds for the Final Design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the use of \$108,000 of Commuter Urban Rail Endowment funds to cover the costs associated with the final design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project.



March 13, 2008

To: Transit Committee

From: Arthur T. Leahy, Chief Executive Officer *ATL*

Subject: Request for Additional Funds for the Final Design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project

Overview

Design of a pedestrian undercrossing at the Orange Transportation Center to ease access to train boarding platforms and improve safety is now complete. Additional costs, in the amount of \$108,000, were incurred to address final revisions to the plans and to respond to comments received during the public bid process.

Recommendation

Authorize the use of \$108,000 of Commuter Urban Rail Endowment funds to cover the costs associated with the final design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project.

Background

The Orange Transportation Center (which includes a Metrolink station) currently has an at-grade crossing on Chapman Avenue for passengers and pedestrians to get from one side of the station to the other. The construction of a pedestrian underpass will improve passenger safety at the station and allow for easier and better access to and from the station parking and bus transfer facilities at the station. The project is estimated to cost \$8.8 million and also includes extension of the passenger platforms to accommodate longer passenger trains, reconfiguration of the current bus transfer facility, and improved station destination signage.

The Southern California Regional Rail Authority (SCRRA) is the lead agency for the design and construction of this project. On May 25, 2005, the Orange County Transportation Authority (Authority) Board of Directors (Board) approved the use of \$500,000 of Commuter Urban Rail Endowment (CURE)

Request for Additional Funds for the Final Design of the Orange Transportation Center Pedestrian Undercrossing Improvement Project

funding for the development of a project definition report and design phase for this project. In December 2006, an additional \$144,000 in CURE funds for the project design was approved.

Discussion

The SCRRA incurred additional design costs as a result of comments and issues that needed to be addressed during the design review of the Orange Transportation Center pedestrian undercrossing, as well as comments received during the public bid process.

The pedestrian undercrossing project was reviewed by the City of Orange (City), and design revisions were made to reflect the comments received. A new set of renderings was created to show the design revisions and landscaping details. The renderings were also used as part of the local community outreach efforts. Additionally, the City's requirement for a water quality management plan was not addressed in the initial set of plans and specifications.

The plans were also reviewed by the Office of the State Architect. Comments received resulted in additional changes to the plans and specifications. During the bid period, SCRRA received a number of requests for information and clarification from potential bidders. As a result of these requests, bid documents for this project were revised and re-issued. The original bid opening in December 2007 was rescheduled for January 21, 2008, by SCRRA.

All of the above factors contributed to the increase in design costs for this project as shown below:

Project Changes	Cost
Water quality management plan	\$ 19,000
Second set of renderings	\$ 30,000
Modifications to underpass wall for later enhancements	\$ 30,000
Modifications of bid documents/plans for various issues	\$ 29,000
Total	\$108,000

Details of the cost increases are addressed in the attached letter from SCRRA (Attachment A).

The design phase of the project has been completed and no further changes are anticipated. The SCRRA Board of Directors awarded the construction contract on February 22, 2008. Construction is due to begin in early April 2008.

**Request for Additional Funds for the Final Design of the
Orange Transportation Center Pedestrian Undercrossing
Improvement Project**

Page 3

The total estimated project budget is \$8.8 million. The 2006 State Transportation Improvement Plan includes \$8 million to fund the construction of the pedestrian undercrossing and the balance is funded through CURE. The project budget is included as Attachment B.

Staff is recommending that \$108,000 in CURE funds be added to the project budget to cover the additional final design costs. The Authority's total CURE contribution to the project would increase from \$644,000 to \$752,000.

Fiscal Impact

The funds associated with this increase in design costs were not included in the Authority's Fiscal Year 2007-08 Budget. Upon Board approval, the necessary funds will be transferred from Account 0093-7831/A0001-ECD, Eastern Area Maintenance Facility.

Summary

The pedestrian undercrossing design has been completed. Staff is seeking Board approval to increase the Authority's funding contribution by \$108,000 to cover additional costs incurred by SCRRA for design services.

Attachments

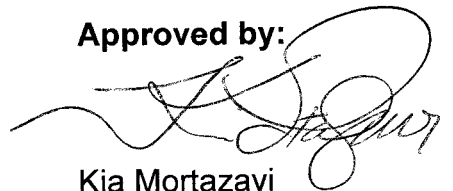
- A. Letter from Stuart Chuck, Metrolink, SCRRA, to Dinah Minter, Authority - Dated February 6, 2008
- B. Orange Transportation Center Pedestrian Undercrossing Project Funding Analysis

Prepared by:



Lora Cross
Project Manager
(714) 560-5788

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

Member Agencies:
 Los Angeles County
 Metropolitan Transportation
 Authority.
 Orange County
 Transportation Authority.
 Riverside County
 Transportation Commission.
 San Bernardino
 Associated Governments.
 Ventura County
 Transportation Commission.
 Ex Officio Members:
 Southern California
 Association of Governments.
 San Diego Association
 of Governments.
 State of California.

February 6, 2008

Dinah Minter
 Manager, Metrolink Expansion Program
 Orange County Transportation Authority
 550 South Main Street
 P.O. Box 14184
 Orange, CA 92863

Dear Dinah,

I am requesting an additional \$108,000 to complete the design process for the Orange Depot Pedestrian Crossing Project. This funding is needed to cover the following work by our engineering consulting firms (J.L. Patterson and Parsons Brinkerhoff Quade & Douglas):

- 1) Development of underpass wall treatments to provide an artwork recess requested by the City – approximately \$30,000

During the design of the Orange Depot Pedestrian Crossing Project, it was determined that the City would add an art component to the undercrossing after the project was constructed. At the City's request, the project plans included notes to indicate the future installation of artwork on the undercrossing wall. To help the City in its release of a "Call for Artists", additional design work was performed by SCRRA's engineering consultant to develop structural and architectural details for the artwork recess. This work was not included in the consultant's original scope of services.

- 2) Production of a second set of project renderings for the City – approximately \$30,000

A second set of project renderings were produced at the request of the Orange City Manager's office. These renderings were needed by City staff to update City departments, committees, and Council on the finalization of the project design. The second set of renderings was not included in the original scope for our engineering consultant.

Dinah Minter
February 6, 2008
Page 2

3) Preparation of Water Quality Management Plan – approximately \$19,000

In accordance with state and county storm water regulations, the City of Orange has a Local Implementation Plan (LIP) to mitigate illegal discharges into roadways and into the groundwater supply. The City of Orange's LIP requires that all development projects within the City submit a Water Quality Management Plan (WQMP). The development of a WQMP for the Orange Depot Pedestrian Crossing Project was not included in the original scope for our engineering consultant.

4) Development of bid document modifications to address questions and issues raised by potential bidders – approximately \$29,000.

The project received a significant amount of interest from both prime contractors and subcontractors. A total of 30 firms obtained the bid documents, and a substantial number of questions and requests for clarification were submitted by prospective bidders. Additional quality assurance checks were performed on all plans and specifications. In order to ensure that various project components were well-defined, additional effort was made to modify a number of drawings and specifications.

Please let me know if you need more information on any of the above. Thanks for your help with this project.

Sincerely,



Stuart Chuck
Station Design Manager

**Orange Transportation Center Pedestrian Undercrossing
Project Funding Analysis**

Use of Funds by Phase	Approved Budget	Additional Funds	Proposed Budget
Design	\$ 644,000	\$108,000	\$ 752,000
Construction	\$6,712,000		\$6,712,000
Construction Management	\$ 580,000		\$ 580,000
Contract Administration	\$ 408,000		\$ 408,000
Project Reserve - Construction	\$ 300,000		\$ 300,000
Total	\$8,644,000	\$108,000	\$8,752,000

Source of Funds	Approved Budget	Additional Request	Proposed Budget
State Transportation Improvement Plan Funds	\$8,000,000		\$8,000,000
Commuter Urban Rail Endowment Funds	\$ 644,000	\$108,000	\$ 752,000
Total	\$8,644,000	\$108,000	\$8,752,000



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Renewed Measure M Website Consultant

Transportation 2020 Committee meeting of March 17, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Cavecche, Dixon, and Pringle
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1370 between the Orange County Transportation Authority and Civic Resource Group, in an amount not to exceed \$150,000 per year for three years, for developing and maintaining the Renewed Measure M website. The total maximum cumulative obligation is \$450,000.



March 17, 2008

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Renewed Measure M Website Consultant

Overview

The Orange County Transportation Authority Board of Directors has directed staff to construct a comprehensive website that will deliver Renewed Measure M project information in a timely and efficient manner and will promote transparency in government. Consultant services are required to develop and maintain this section within the existing website. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1370 between the Orange County Transportation Authority and Civic Resource Group, in an amount not to exceed \$150,000 per year for three years, for developing and maintaining the Renewed Measure M website. The total maximum cumulative obligation is \$450,000.

Background

The Orange County Transportation Authority (OCTA) hosts and maintains a website that generates over one million hits a month. The OCTA website features current information on roads, freeways, bus transit, Metrolink, 91 Express Lanes, and existing Measure M programs. When Renewed Measure M (M2) passed in November 2006, OCTA began developing a website section to deliver M2 project related information. In September 2007, staff presented the M2 website section to the Transportation 2020 Committee. This new section was introduced to the public in October 2007.

Anticipating the growth of internet usage and the importance of easy access to all M2 project information by the public, the Board of Directors approved a full

time employee (FTE) position and an initial budget of \$150,000 on August 13, 2007, to add functionality while maintaining the M2 website section.

The goal of this new M2 website section is to create a central source of online information that will serve many different facets of the community including taxpayers, businesses, and other stakeholders.

Using the new M2 section, stakeholders and public officials will have direct access to the most recent information affecting each city on a local level. All website visitors will be able to view current M2 project information in a variety of interactive ways, such as zooming into maps to see projects that affect specific commutes or neighborhoods. With access to interactive street-level mapping, website visitors will be able to see details on project scope, length, cost, and other pertinent information.

For the business community, companies can register as a vendor in order to receive e-mail notices on M2 project procurement opportunities and obtain other business-related information online. This will help streamline communications between OCTA and the business community.

Personalized project updates will be sent to visitors who sign up on the website. This contact information and up-to-date project information will be stored in databases built for the M2 section. Visitors can also participate in online surveys and polls to gauge public opinion on M2 projects. As M2 projects evolve, website features, applications, and content will be developed and updated on an ongoing basis.

Discussion

This procurement was handled in accordance with OCTA's procedures for professional and technical services. The project was advertised on November 26, 2007 and December 3, 2007, in a newspaper of general circulation, and on CAMM NET. A pre-proposal meeting was held on November 27, 2007, and was attended by 12 consultants. A total of 10 proposals were received on December 26, 2007.

An evaluation committee composed of staff from Marketing, Information Systems, Local Government Relations, and Contracts Administration and Materials Management was established to review the offers submitted. The evaluation committee conducted interviews on January 21 and 29 with the top three firms from the original ten proposals. During the interviews, each firm was given the opportunity to showcase ideas and work samples, as well as introduce the firm's project team members.

The offers were evaluated based on the following criteria:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 30 percent
- Work Plan 25 percent
- Cost and Price 20 percent

The customary scoring factor for each criteria is 25 percent; however, due to the technical requirements associated with this procurement, the staffing and project organization criteria was changed to 30 percent to reflect the importance of competency and related prior experience. The pricing criteria was reduced to 20 percent to accommodate the corresponding increase in staffing and project organization criteria.

Based on its findings, the evaluation committee recommends the following firm for consideration of an award:

Firm and Location

Civic Resource Group
Los Angeles, California

Following is a discussion of the four evaluation criteria categories.

Qualifications of Firm

Civic Resource Group (CRG) has been providing public outreach web development services for many public agencies for more than eight years. The firm offers a range of web design and development solutions, interactive web applications and features, e-communication tools, web video and multimedia productions, and web-based public outreach programs.

CRG has developed and maintained websites for other regional public agencies such as Riverside County Transportation Commission (RCTC), Los Angeles County Metropolitan Transportation Authority (LACMTA), Metrolink, Southern California Association of Governments (SCAG), and San Diego Association of Governments (SANDAG), as well as many other cities and counties within Southern California. CRG also offers the services in database design, information management, and application development needed for this M2 section.

Staffing and Project Organization

CRG has assembled a highly qualified project team with previous experience on similar projects.

Recognized as a leader in e-government, the project principal is a frequent speaker and author on information technology's best practices in the public sector. The project principal will lead the key phases in information architecture and manage an interdisciplinary team to accomplish OCTA's website development requirements.

A senior level web architect and project manager will work as the project manager. This manager is a user interface and system integration specialist and a usability expert with previous experience on OCTA projects and other regional web portals.

The developer has six years of direct system design and application experience working with Java, VB.net, and ASP.net among others. The developer also has experience working on similar projects.

Website network design will be handled by the network engineer, an experienced system engineer, network administrator, and network specialist. The team's expertise covers infrastructure, configuration, network protocols, security/firewalls, and content management experience.

With a specialization in integrating user interfaces, the graphic designer works with clients to develop efficient and graphically pleasing websites and online applications using interactive design principles to create an integrated web presence.

An experienced project coordinator, the graphic designer/programmer has experience developing, managing, and monitoring content for websites and innovative online applications. The graphic designer/programmer also has experience in web design principles and manages existing content management services for various clients.

CRG agrees to retain and make available these key personnel, or comparable staff, for the duration of the project.

Work Plan

CRG's work plan demonstrated a strategic and systematic approach to website development and maintenance. The comprehensive work plan provided was organized into eight different categories: site development, interactive mapping, site maintenance, interactive surveys, e-mail subscription service, e-commerce features, and database creation and management.

CRG's work plan demonstrates an understanding of the overall project requirements as well as specific needs in a public agency environment. The work plan outlined clear and detailed solutions to handle all required tasks

listed in the request for proposals in a systematic approach. The work plan also addressed critical issues related to web development such as sustainability, policy, security, and risk assessment.

CRG is also prepared to assist in branding and design of the Renewed Measure M web section to ensure user-friendly information is provided in a aesthetically pleasing manner.

Cost and Price

CRG provided competitive, fully burdened rates for all key personnel. CRG had the lowest overall price per hour of the three interviewed firms.

Fiscal Impact

The project was approved in the fiscal year 2007-08 budget for the M2 Early Action Plan, External Affairs/Marketing, Account No. 0017-7519-M0201-K4D, and is funded through M2 funds. Staff anticipates spending \$150,000 in fiscal year 2007-2008. In subsequent fiscal years, \$150,000 per year will be budgeted, and project continuance will be contingent on Board of Directors' budget approval. The total maximum cumulative obligation for this contract will be \$450,000 over a three-year period.

Summary

Based on the information provided, staff recommends award of a time and materials Agreement No. C-7-1370 to Civic Resource Group, in an amount not to exceed \$150,000 per year, over a three-year term, for developing and maintaining a comprehensive Renewed Measure M website.

Attachments

- A. Proposal Evaluation Criteria Matrix RFP 7-1370 Measure M Comprehensive Website Project
- B. Review of Proposals RFP 7-1370 Measure M Comprehensive Website Project

Prepared by:



Stella Lin
Marketing Manager
(714) 560-5342

Approved by:



Ellen S. Burton, Executive Director
External Affairs
(714) 560-5923

PROPOSAL EVALUATION CRITERIA MATRIX							
RFP 7-1370 Measure M Comprehensive Website Project							
FIRM: Civic Resource Group						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualification of Firm	5.00	5.00	5.00	5.00	5.00	5	25.00
Staffing/Project Organization	5.00	4.50	4.50	5.00	4.00	5	23.00
Work Plan	4.00	4.50	5.00	4.00	4.00	6	25.80
Cost and Price	4.00	4.00	4.00	4.00	4.00	4	16.00
Overall Score	90.00	90.50	93.50	90.00	85.00		89.80
FIRM: Thirdwave						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	5.00	4.50	4.00	4.00	4.00	5	21.50
Staffing/Project Organization	5.00	4.00	4.00	4.00	4.00	5	21.00
Work Plan	5.00	4.00	4.50	5.00	5.00	6	28.20
Cost and Price	3.00	3.00	3.00	3.00	3.00	4	12.00
Overall Score	92.00	78.50	79.00	82.00	82.00		82.70
FIRM: Iteris, Inc.						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualification of Firm	3.00	4.50	4.50	5.00	5.00	5	22.00
Staffing/Project Organization	3.00	4.00	5.00	5.00	4.00	5	21.00
Work Plan	4.00	5.00	4.50	5.00	4.00	6	27.00
Cost and Price	3.00	3.00	3.00	3.00	3.00	4	12.00
Overall Score	66.00	84.50	86.50	92.00	81.00		82.00

Review of Proposals
RFP 7-1370 Measure M Comprehensive Website Project

PRESENTED TO THE TRANSPORTATION 2020 COMMITTEE - MARCH 17, 2008
 10 proposals were received, 3 firms interviewed, and 1 firm recommended for award

<u>Proposal Criteria</u>	<u>Weight Factors</u>	<u>Evaluation Panel</u>
Qualification of the Firm	25%	Information Systems
Staffing and Project Organization	30%	Local Government Relations
Work Plan	25%	Marketing
Cost and Price	20%	Contracts Administration and Materials Management (CAMM)

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Proposal Amount
1	89.80	Civic Resource Group Los Angeles CA	None	Excellent proposal meeting all scope of works requirements Excellent work plan Developed OCTA's current website Excellent project team Proposed lower labor rates	Project Manager: \$125.00 Graphic Designer: \$115.00 Programmer: \$95.00
2	82.70	ThirdWave Los Angeles CA	None	Good proposal meeting the scope of work requirements Good work plan Good project team Developed CAMM NET Scored low for having the highest labor rates	Project Manager: \$150.00 Graphic Designer: \$80.00 Programmer: \$125.00
3	82.00	Iteris, Inc. Santa Ana CA	None	Good proposal meeting the scope of work requirements Good work plan Extensive mapping experience Average labor rates	Project Manager: \$145.00 Graphic Designer: \$75.00 Programmer: \$135.00



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Asphalt Pavement Reconstruction at the Garden Grove Base

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1409 between the Orange County Transportation Authority and Premier Paving, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$318,900, for asphalt pavement reconstruction at the Garden Grove Base.



March 13, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Asphalt Pavement Reconstruction at the Garden Grove Base

Overview

Reconstruction of the asphalt pavement at the southeast section of the Garden Grove Base is necessary because the current asphalt pavement has deteriorated. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1409 between the Orange County Transportation Authority and Premier Paving, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$318,900, for asphalt pavement reconstruction at the Garden Grove Base.

Background

The Orange County Transit District (District), predecessor to the Orange County Transportation Authority (Authority), completed construction of the Garden Grove Base in 1977. In 1981, the District expanded the Garden Grove Base to provide additional bus parking south of Garden Grove Base. The existing asphalt pavement in the southeasterly portion of the Garden Grove Base has deteriorated and requires reconstruction. The southwesterly portion was reconstructed in 2007. On August 28, 2007, the Authority executed Contract Task Order C-6-0085-7 with Miralles Associates, Inc., to provide design and construction support services for the reconstruction of asphalt pavement. The project consists of removal and replacement of the asphalt pavement located in the southeasterly portion of the Garden Grove Base, which is currently utilized for training bus drivers in the operation of handicap passenger lifts, storage of inactive buses, parking of buses in revenue service, and employee and visitor parking.

Discussion

This procurement was handled in accordance with the Authority's procedures for public works and construction projects, which conform to state requirements. Public work projects are handled as sealed bids and award is made to the lowest responsive, responsible bidder. On December 6, 2007, Invitation for Bids 7-1409 was released and posted on CAMM NET, and an electronic notification was sent to 675 firms. The project was advertised on December 10 and December 19, 2007, in a newspaper of general circulation. A pre-bid conference was held on December 20, 2007, and was attended by five firms. Addendum No. 1 and Addendum No. 2 were issued on December 11, 2007 and January 15, 2008, respectively, to address administrative issues, respond to questions, and provide clarifications to the plans and specifications. On January 21, 2008, nine bids were received. All bids were reviewed by staff from the Development Division and the Contracts Administration and Materials Management Department to ensure compliance with the terms and conditions, specifications, and drawings. State law requires award to the lowest responsive, responsible bidder. Two firms had identical low bids and both firms were deemed responsive and responsible. In accordance with California Government Code, Section 53064, in the event that there are two or more identical lowest bids, the award of a contract may be determined by lot. The Authority's general counsel reviewed the appropriate government code and provided staff with direction for selecting the lowest responsive, responsible bidder.

Both firms were notified in writing of the situation and were invited to attend the meeting to determine the lowest responsive, responsible bidder. Each firm signed and returned to the Authority an acknowledgement form that stated that it was understood that there was a tie and that the process to determine the winner would be binding. On February 13, 2008, the two firms came to the Authority's offices and were given identical pieces of paper. Each firm listed its name on the paper and folded it identically. A neutral third party pulled one of the slips out of a container. The selected firm and additional two low bids received are listed below.

<u>Firm and Location</u>	<u>Bid Price</u>
Premier Paving, Inc. Ontario, California	\$318,900
R.J. Noble Orange, California	\$318,900
All American Asphalt Corona, California	\$325,000

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2007-08 Budget, Development, Account 1722-9022-D3122-FY3, and is funded through the Orange County Transit District.

Summary

Staff has reviewed all bids received and recommends the approval of Agreement No. C-7-1409, in the amount of \$318,900, with Premier Paving, Inc., the lowest responsive, responsible bidder for asphalt pavement reconstruction at the Garden Grove Base.

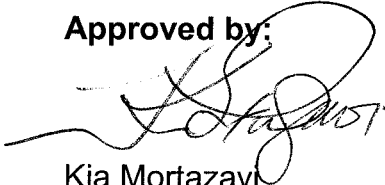
Attachment

None.

Prepared by:


James J. Kramer, P.E.
Principal Civil Engineer
(714) 560-5866

Approved by:


Kia Mortazavi
Executive Director, Development
(714) 560-5741



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Cooperative Agreement with Regional Center of Orange County

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0426 between the Orange County Transportation Authority and the Regional Center of Orange County, to share in the cost of ACCESS transportation provided to the Regional Center of Orange County consumers.

Note: Attachment A to Exhibit A has been replaced with a corrected copy.
(See attached)

- (h) When a vendor makes a report of an event to the Department of Social Services' Community Care Licensing Division pursuant to Title 22, California Code of Regulations, Section 80061(b) the vendor shall simultaneously report the event to the regional center by telephone, FAX or electronic mail.
 - (1) The vendor shall concurrently submit to the regional center a copy of any subsequent written report regarding the event that is submitted to the Department of Social Services' Community Care Licensing Division.
- (i) When a long-term health care facility reports an unusual occurrence to the Department of Health Services' Licensing and Certification Division pursuant to Title 22, California Code of Regulations, Sections 72541, 75339, 76551 or 76923, the long-term health care facility shall simultaneously report the unusual occurrence to the regional center immediately by telephone, FAX or electronic mail.
 - (1) The long-term health care facility shall concurrently submit to the regional center a copy of any subsequent report, or any written confirmation of the unusual occurrence, that is submitted to the Department of Health Services' Licensing and Certification Division.
- (j) The vendor or long-term health care facility may submit to the regional center a copy of the report submitted to a licensing agency when the report to the licensing agency contains all the information specified in subsection (d)(1) through (10).
- (k) These regulations shall not remove or change any reporting obligations under the Elder and Dependent Adult Abuse Reporting Act commencing with Welfare and Institutions Code Section 15600 or the Child Abuse and Neglect Reporting Act commencing with Penal Code Section 11164.

Authority: Section 11152, Government Code. Reference: Sections 4500, 4501, 4502, 4648, 4648.1 and 4742, Welfare and Institutions Code.

54327.1. Requirements for Special Incident Reporting by Regional Centers.

- (a) The regional center shall submit an initial report to the Department of any special incident, as defined in Section 54327(b) within two working days following receipt of the report pursuant to Section 54327(b).
- (b) When a regional center has knowledge of a special incident for which the vendor or long-term health care facility is responsible for reporting but has not submitted a report to the regional center within the required time period, the regional center shall submit an initial report to the Department within two working days of learning of the occurrence.
- (c) The initial report shall include the following information, to the extent the information is available at the time of the initial report:
 - (1) The consumer(s) name and date of birth;
 - (2) The vendor or long-term health care facility's name, address and telephone number;

- (3) The name and telephone number of the regional center contact person regarding the special incident;
 - (4) The consumer(s) Unique Consumer Identifier (UCI);
 - (5) Name of the consumer's conservator or guardian, if applicable;
 - (6) Date, time and location of the incident;
 - (7) Date the incident was reported to the regional center;
 - (8) Name of the person preparing the report;
 - (9) Date the report was prepared;
 - (10) Type of incident;
 - (11) Any medical care or treatment required as a result of the special incident;
 - (12) Relationship of the alleged perpetrator to the consumer;
 - (13) Identification of any persons or entities notified about the incident and the date they were notified;
 - (14) A description of the special incident;
 - (15) If the special incident was a death, indication if the death was disease related; non-disease related; or, unknown;
 - (16) A description of any actions/outcomes taken by any of the following persons or entities in response to the special incident:
 - (A) Regional center(s);
 - (B) Vendor(s);
 - (C) Department of Health Services Licensing;
 - (D) Department of Social Services Community Care Licensing;
 - (E) Child Protective Services;
 - (F) Adult Protective Services;
 - (G) Long Term Care Ombudsman;
 - (H) Law enforcement; and/or
 - (I) Coroner.
 - (17) Any additional information the regional center determines is necessary to explain or describe the special incident.
- (c) Any required information that is not submitted with the initial report in (b) shall be submitted within 30 working days following receipt of the report of the special incident pursuant to Section 54327(b).
 - (d) The regional center shall comply with all Department requests for initial and follow-up information pertaining to a special incident.
 - (e) The report shall be considered complete when the regional center has submitted all the information required by this section.
 - (f) Effective January 1, 2002, all reports of special incidents prepared by the regional center shall be transmitted to the Department utilizing the Department's Electronic Data Reporting System.

Authority: Section 11152, Government Code. Reference: Sections 4434, 4500, 4501, 4502, 4629, 4648, 4648.1 and 4742, Welfare and Institutions Code.



March 13, 2008

To: Transit Committee
From: Arthur T. Leahy, *ATL* Chief Executive Officer
Subject: Cooperative Agreement with Regional Center of Orange County

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with the Regional Center of Orange County. This agreement is required to reestablish roles, responsibilities, and process for a cost sharing arrangement for the provision of ACCESS services to the Regional Center of Orange County consumers.

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement No. C-8-0426 between the Orange County Transportation Authority and the Regional Center of Orange County, to share in the cost of ACCESS transportation provided to the Regional Center of Orange County consumers.

Background

The Regional Center of Orange County (RCOC) is the agency responsible, under the Lanterman Act, to assist people with developmental disabilities and their families in securing services and support which maximize opportunities for quality living and integration into the community. As part of these services, the RCOC is also responsible for arranging and purchasing transportation for its consumers. The RCOC purchases a variety of transportation for consumers, including Orange County Transportation Authority (Authority) fixed route passes, ACCESS service, and privately contracted paratransit services.

Under the Americans with Disabilities Act (ADA), the Authority can charge a higher fare to social service agencies or other organizations for trips guaranteed to the organization. RCOC and the Authority entered into a cost-sharing agreement in April 2003. This agreement expires June 30, 2008, and a new agreement is necessary to continue this arrangement (Attachment A).

Discussion

In fiscal year 2006-07, more than 400,000 trips were provided to RCOC consumers, which accounts for approximately one-third of all ACCESS trips. The cooperative agreement establishes a negotiated trip rate for ACCESS trips provided to RCOC consumers with an annual consumer price index (CPI) adjustment. The per trip rate for fiscal year 2008-09 will be \$5.16.

Fiscal Impact

The estimated revenue associated with Cooperative Agreement No. C-8-0426 will be included in the Authority's revenue projections for the proposed Fiscal Year 2008-09 Budget, Transit Division/Community Transportation Services, Account 2131-5246-A1004-APC.

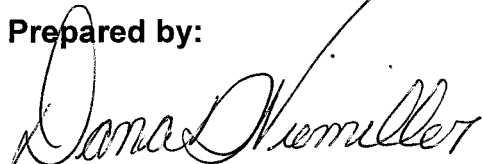
Summary

Staff recommends the Board of Directors approval for the Chief Executive Officer to execute Cooperative Agreement No. C-8-0426 with Regional Center of Orange County to maintain a cost-sharing arrangement for the provision of ACCESS service.

Attachment

- A. Draft Cooperative Agreement No. C-8-0426 between the Orange County Transportation Authority and the Regional Center of Orange County

Prepared by:



Dana Wiemiller
Community Transportation Coordinator
(714) 560-5718

Approved by:



Beth McCormick
General Manager, Transit
(714) 560-5964

DRAFT COOPERATIVE AGREEMENT NO. C-8-0426

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

REGIONAL CENTER OF ORANGE COUNTY

THIS AGREEMENT is made and entered into on this ____ day of _____, 2008 by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584, a public corporation of the State of California (hereinafter referred to as "AUTHORITY") and the Regional Center of Orange County, P.O. Box 22012, Santa Ana, California 92702-2010, a non-profit corporation of the State of California (hereinafter referred to as "RCOC").

RECITALS:

WHEREAS, the AUTHORITY is the provider of fixed route public transportation services and complementary public paratransit services within Orange County, as mandated by the Americans with Disabilities Act of 1990 identified as ACCESS services by the AUTHORITY; and

WHEREAS, the RCOC is required under the Lanterman Act to assist people with developmental disabilities and their families in securing services and supports which maximize opportunities for choices in living, working, learning and recreating in the community; and

WHEREAS, the RCOC is responsible for purchasing transportation services, including paratransit services, only when included in an RCOC consumer's Individual Program Plan and it is not the responsibility of any other public agency; and

WHEREAS, the AUTHORITY currently provides specialized paratransit services to RCOC consumers attending programs funded by RCOC; and

WHEREAS, AUTHORITY's Board of Directors has reviewed and approved this Cooperative Agreement with RCOC on March 24, 2008;

NOW, THEREFORE, it is mutually understood and agreed by AUTHORITY and RCOC as follows:

1 **ARTICLE 1. COMPLETE AGREEMENT**

2 This Agreement, including all exhibits and documents incorporated herein and made
 3 applicable by reference, constitutes the complete and exclusive statement of the terms and
 4 conditions of the agreement between AUTHORITY and RCOC and it supersedes all prior verbal
 5 representations, understandings and communications.

6 **ARTICLE 2. TERM OF AGREEMENT**

7 A. This Agreement shall commence on July 1, 2008 and shall continue in full force and effect
 8 through June 30, 2010 ("Initial Term"), unless earlier terminated or extended as provided in this
 9 Agreement.

10 B. AUTHORITY, at its sole discretion, may elect to extend the term of this Agreement up to an
 11 additional twelve (12) months, commencing July 1, 2010, and continuing through June 30, 2011 ("First
 12 Option Term"), and thereupon require RCOC to continue to provide services, and otherwise perform, in
 13 accordance with Exhibit A, entitled "Scope of Services", and at the rates set forth in Article 5,
 14 "Payment."

15 C. AUTHORITY, at its sole discretion, may elect to extend the term of this Agreement up to an
 16 additional twelve (12) months, commencing July 1, 2011, and continuing through June 30, 2012
 17 ("Second Option Term"), and thereupon require RCOC to continue to provide services, and otherwise
 18 perform, in accordance with Exhibit A, entitled "Scope of Services", and at the rates set forth in Article 5,
 19 "Payment."

20 D. AUTHORITY, at its sole discretion, may elect to extend the term of this Agreement up to an
 21 additional twelve (12) months, commencing July 1, 2012, and continuing through June 30, 2013 ("Third
 22 Option Term"), and thereupon require RCOC to continue to provide services, and otherwise perform, in
 23 accordance with Exhibit A, entitled "Scope of Services", and at the rates set forth in Article 5,
 24 "Payment."

25 E. AUTHORITY's election to extend the Agreement beyond the Initial Term shall not diminish
 26 its right to terminate the Agreement for AUTHORITY's convenience or RCOC's default as provided

1 elsewhere in this Agreement. The "maximum term" of this Agreement shall be the period extending
2 from July 1, 2008 through June 30, 2013, which period encompasses the Initial Term, First Option
3 Term, Second Option Term, and Third Option Term.

4 **ARTICLE 3. RESPONSIBILITIES OF AUTHORITY**

5 AUTHORITY agrees to the following responsibilities:

6 A. AUTHORITY will provide transportation services for RCOC consumers through a
7 program of specialized paratransit services provided by a third party transportation provider selected by
8 AUTHORITY (hereinafter referred to as "SERVICE").

9 B. SERVICE shall be provided during the existing hours of operation unless mutually
10 agreed upon by the AUTHORITY and RCOC.

11 C. AUTHORITY will provide the vehicle equipment necessary for established level of
12 SERVICE, as defined in its contract Agreement for services with a third party transportation provider.
13 SERVICE shall be provided using a comparable vehicle fleet to that of the existing fleet unless mutually
14 agreed upon by the AUTHORITY and the RCOC.

15 D. Through its Agreement with a third party transportation provider, AUTHORITY will
16 provide vehicle operators, scheduling and dispatching, and an operations contact person for the
17 SERVICE.

18 E. AUTHORITY will provide RCOC with technical assistance in the following areas:

- 19 1) Grant applications;
20 2) Vehicle donations;
21
22 3) Service planning; and
23 4) Geographic Information Systems

24 F. AUTHORITY will provide RCOC with a list of authorized consumers using the service,
25 summary of rides provided and vehicle service hours operated on a monthly/quarterly invoice within
26 thirty (30) days after the end of the billing period.

1 G. AUTHORITY will provide monthly operating statistics to RCOC including ridership,
2 no-shows and cancellations.

3 H. AUTHORITY shall consider the impacts to RCOC consumer service centers as
4 identified in Exhibit A, "Scope of Services" in its transit planning process.

5 **ARTICLE 4. RESPONSIBILITIES OF RCOC**

6 RCOC agrees to the following responsibilities:

7 A. RCOC shall be solely responsible for determining which consumers receive
8 SERVICE.

9 B. RCOC shall provide Transportation Service Requests to third party provider of
10 SERVICE as a means of authorization for SERVICE.

11 C. RCOC shall provide a representative to AUTHORITY's Community Transportation
12 Services Contractor meeting.

13 D. RCOC shall administer a no-show and cancellation policy for consumers receiving
14 SERVICE.

15 E. RCOC shall refer all service quality complaints to AUTHORITY's Customer Relations
16 Department. Complaint resolution will be handled in accordance with the AUTHORITY's established
17 procedures, and executed by third party transportation provider.

18 F. RCOC shall initiate mobility assessments for its consumers as established in its
19 Transportation Mobility Policy to identify those consumers who could use fixed route transportation
20 services, mobility training and/or a Travel Host Program.

21 G. RCOC shall make reasonable efforts to encourage and enable its consumers to use
22 the fixed route transportation services as a first priority.

23 **ARTICLE 5. PAYMENT**

24 A. RCOC shall pay AUTHORITY for SERVICE provided on a monthly basis at the per trip
25 rate of Five Dollars and Sixteen Cents (\$5.16) per person per one way trip effective July 1, 2008
26 through June 30, 2009. RCOC will pay AUTHORITY within thirty (30) days of receiving the invoice.

1 B. Effective July 1, 2009 through June 30, 2010 and in the event this Agreement is
2 extended for one or more of the three (3) option terms, the per trip rate will be increased each year
3 by either:

4 (1) using the percent change in the "Consumer Price Index (CPI) – All Urban
5 Consumers for the Los Angeles-Riverside-Orange County, CA area for All Items" from one calendar
6 year to the next, using that percent change to calculate the percent increase in the trip rate, when
7 the CPI increases from year to year; unless

8 (2) the CPI decreases from one year to another, then the trip rate shall remain the
9 same and no adjustment will be made for the following option term.

10 **ARTICLE 6. MUTUAL AGREEMENTS**

11 Both parties agree to the following responsibilities and understandings regarding this agreement
12 for SERVICE:

13 A. The subsidy amount and fare amount for SERVICE shall be adjusted and re-negotiated
14 on an annual basis.

15 B. The RCOC will support the AUTHORITY's efforts to maximize use of ACCESS
16 vehicle service hours by scheduling productive consumer trips (greatest number of passengers per
17 vehicle service hour).

18 C. RCOC will work closely with AUTHORITY to ensure that any consumers using ACCESS
19 for RCOC funded transportation are covered under the terms and conditions of this Agreement.

20 D. Service Standards are as set forth in Exhibit A, "Scope of Services."

21 E. This Agreement does not prohibit RCOC from securing other transportation or
22 paratransit services for RCOC consumers.

23 **ARTICLE 7. INDEMNIFICATION**

24 A. AUTHORITY shall indemnify, defend, and hold harmless RCOC, its officers, directors,
25 employees and agents from and against any and all claims (including attorneys' fees and reasonable
26 expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, damage

1 to or loss of use of property caused by the negligent acts, omissions, or willful misconduct by OCTA, its
2 officers, directors, employees, agents, subcontractors or suppliers in connection with or arising out of
3 the performance of this Agreement.

4 B. RCOC shall indemnify, defend, and hold harmless AUTHORITY, its officers, directors,
5 employees and agents from and against any and all claims (including attorneys' fees and reasonable
6 expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, damage
7 to or loss of use of property caused by the negligent acts, omissions, or willful misconduct by RCOC, its
8 officers, directors, employees, agents, subcontractors or suppliers in connection with or arising out of
9 the performance of this Agreement.

10 **ARTICLE 8. NOTICES**

11 All notices hereunder and communications regarding the interpretation of the terms of this
12 Agreement, or changes thereto, shall be effected by delivery of said notices in person or by depositing
13 said notices in the U.S. mail, registered or certified mail, return receipt requested, postage prepaid and
14 addressed as follows:

15 To RCOC:

16 Regional Center of Orange County
17 P.O. Box 22010
18 Santa Ana, CA 92702-2010

19 ATTENTION: Janis B. White, Ed.D.

20 Associate Executive Director
21 (714) 796-5262
22 (714) 541-1676 (fax)

To AUTHORITY:

Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584

ATTENTION: Pia Veesapen

Contract Administrator
(714) 560-5619
(714) 560-5792 (fax)

23 **ARTICLE 9. FEDERAL, STATE, AND LOCAL LAWS**

24 AUTHORITY and RCOC each agree that in performance of their respective obligations under
25 this Agreement, they shall comply with all applicable federal, California State and local laws, statutes
26

1 and ordinances and all lawful orders, rules and regulations promulgated thereunder.

2 **ARTICLE 10. FORCE MAJEURE**

3 Either party shall be excused from performing its obligations under this Agreement during the
4 time and to the extent that it is prevented from performing by a cause beyond its control, including, but
5 not limited to: any incidence of fire, flood, acts of God; commandeering of material, products, plants or
6 facilities by the federal, state or local government; national fuel shortage; or a material act of omission
7 by the other party; when satisfactory evidence of such cause is presented to the other party, and
8 provided further that such nonperformance is unforeseen, beyond the control and is not due to the fault
9 or negligence of the party not performing.

10 **ARTICLE 11. CHANGES**

11 A. RCOC acknowledges that during the term of this Agreement AUTHORITY's Board of
12 Directors may decide to make changes in AUTHORITY's ACCESS program. If this occurs, RCOC
13 agrees to negotiate in good faith with AUTHORITY any necessary changes in the terms and conditions
14 of this Agreement.

15 B. RCOC recognizes that provision of service by AUTHORITY is predicated upon the
16 receipt of federal, state and/or local operating funds. Should such funding change significantly during
17 the term of this Agreement, RCOC agrees to negotiate in good faith with AUTHORITY any necessary
18 changes in the terms and conditions of this Agreement to accommodate changes in the amount of
19 funding available for service.

20 C. The AUTHORITY recognizes that RCOC's performance under the terms of this
21 Agreement is subject to the appropriation of sufficient funds by the California Department of
22 Developmental Services and should insufficient appropriations occur, AUTHORITY agrees to negotiate
23 in good faith with RCOC necessary changes in the terms and conditions of this Agreement.

24 /

25 /

26 /

ARTICLE 12. TERMINATION

AUTHORITY or RCOC may, for its own convenience, terminate this Agreement at any time in whole or in part by giving the other party written notice thereof no less than ninety (90) days in advance of the specified date of termination.

Upon execution by both parties, this Agreement shall be made effective on July 1, 2008.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. C-8-0426 to be executed on the date first above written.

REGIONAL CENTER OF ORANGE COUNTY

ORANGE COUNTY TRANSPORTATION AUTHORITY

By _____
Bill Bowman
Executive Director

By _____
Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

By _____
Kennard R. Smart, Jr.
General Counsel

APPROVED:

By _____
Beth McCormick
General Manager, Transit

Date: _____

EXHIBIT A
SCOPE OF SERVICES

1. Service Guidelines

- 1.1. OCTA agrees to provide, and directly invoice the RCOC for, standard ACCESS subscription service within the operating guidelines and performance standards of the ACCESS service.
- 1.2. OCTA will invoice the RCOC for authorized service in accordance with the designated RCOC fee schedule.
- 1.3. RCOC clients must maintain continuous ACCESS eligibility in order to be eligible for ACCESS service.
- 1.4. Requested service must comply with all ACCESS service guidelines and requirements including ¾-mile proximity to active OCTA Fixed Route service, no-show, cancellation, customer conduct and suspension policies as outlined in the ACCESS Riders Guide and any addendum to the Riders Guide.
 - 1.4.1. RCOC clients or client care providers must call the ACCESS service line, (877) OCTA-ADA to cancel individual days where the client will not require transportation at least one hour before the start of the scheduled pick up window in order to avoid a late cancel or no-show.
 - 1.4.2. Requests to cancel or suspend service for a period longer than two weeks must be submitted by the RCOC using the designated Transportation Service Request form (TSR).
- 1.5. RCOC authorized service will be restricted to basic ACCESS curb-to-curb service (RCOC will not request or authorize door or do not leave alone service).
- 1.6. Service may be provided directly by the OCTA or by an OCTA authorized contractor or sub-contractor using OCTA, contractor or subcontractor owned vehicles. As required, OCTA, its contractor or subcontractor will provide a wheelchair accessible vehicle (should the client utilize a wheelchair).

2. Transportation Service Request Process and Scheduling

- 2.1. ACCESS service will be scheduled by OCTA or by an OCTA authorized contractor or subcontractor within ACCESS service and ADA guidelines.
- 2.2. RCOC will submit a written transportation service requests (TSR) to OCTA or its designated contractor authorizing service before service will be provided under this agreement.

2.3. The TSR will, at a minimum, include the client name, client ACCESS ID number, trip origin, trip destination, origin telephone number, destination telephone number, the time that the client must arrive at their program or destination, the time that the customer will be available to leave their destination or program to return to their home or point of origin (if round trip is requested), if the client is ambulatory or in a wheelchair, the name and telephone number of the client care provider that is to be notified with the trip start date and times.

2.4. For new service requests or to modify existing service for an eligible client:

2.4.1. OCTA or its designated contractor will process the request and provide the RCOC with an effective date or other response within ten days of receiving the request.

2.4.2. OCTA or its designated contractor will contact the client or client care provider to notify them of the effective date scheduled pick up window for approved trips.

2.5. To Suspend or discontinue service for an eligible client

2.5.1. OCTA or its designated contractor will process all requests to suspend or discontinue service within three days of receiving the request.

3. Reporting Requirements

3.1. **Accident Reporting** – OCTA, its designated contractor or subcontractor will immediately report any accident involving a RCOC consumer to the RCOC by telephone to RCOC's centralized reporting number (714) 796-5335.

3.1.1. OCTA, its designated service contractor or subcontractor will provide a full written accident report to the RCOC by faxing the report to (714) 796-0600 within 24 hours.

3.2. **Incident Reporting** – OCTA, its designated contractor or subcontractor will notify the RCOC of any incident, as defined in Title 17, California Code of Regulations (included as Attachment A to this Exhibit A), that may occur during transportation, and continue to report follow-up activity for the incident. All reports will be submitted to RCOC's centralized reporting number (714) 796-5335 and centralized facsimile number (714) 796-0600.

4. **Operating Statistics** – the following operating statistics will be submitted to RCOC with the monthly invoice. This data will be provided to the RCOC in an electronic format, excel table, which will allow the RCOC to summarize and perform other data analysis for the data. The data is to include:

- 4.1. Number of completed trips
- 4.2. Number of no shows and late cancels
- 4.3. Number of canceled trips
- 4.4. The service date, client name and client origin shall be included in the reporting for each of the above mentioned events, 4.1 through 4.3.

5. Contract Liaison

- 5.1. The RCOC shall designate an individual to be the primary contact for the work provided under this Agreement.
- 5.2. OCTA and its service contractor shall designate an individual to be the primary contact for the work provided under this Agreement.
- 5.3. The RCOC, OCTA and OCTA contractor designees may meet quarterly at their discretion, either in person or by teleconference, to discuss any concerns that each may have.

Title 17
California Code of Regulations

s 1215. Authority.

Chapter 5 Sections 436.50-436.63 of Part 1 of Division 1 of the Health and Safety Code.

Note: Authority cited: Sections 102 and 208, Health and Safety Code.

s 1215.1. Definitions.

(a) "Alcohol" means the unique chemical compound, ethyl alcohol, with the exception that reference in these regulations to compounds to be avoided as skin antiseptics includes the generic class of organic compounds known as alcohols.

(b) "Forensic Alcohol Analysis" means the practical application of specialized devices, instruments, and methods by trained laboratory personnel to measure the concentration of ethyl alcohol in samples of blood, breath, urine, or tissue of persons involved in traffic accidents or traffic violations.

(c) "Breath Alcohol Analysis" means analysis of a sample of a person's expired breath, using a breath testing instrument designed for this purpose, in order to determine the concentration of ethyl alcohol in the person's blood.

(d) "Concentration" means the weight amount of alcohol contained in a unit volume of liquid or a unit volume of gas under specified conditions of temperature and pressure; in the case of a solid tissue specimen, "concentration" means the weight amount of alcohol contained in a unit weight of specimen.

(e) "Forensic Alcohol Laboratory" means a place at which specialized apparatus, instruments, and methods are used by trained laboratory personnel to measure the concentration of alcohol in samples of blood, breath, urine, or tissue of persons involved in traffic accidents or in traffic violations; this may be an activity of a laboratory engaged in activities other than alcohol analysis.

(f) "Forensic Alcohol Supervisor" means a person employed by a forensic alcohol laboratory who can be responsible for all aspects of the performance of forensic alcohol analysis and for the supervision of personnel who perform such analysis.

(g) "Forensic Alcohol Analyst" means a person employed by a forensic alcohol laboratory who performs the technical procedures of forensic alcohol analysis.

(h) "Forensic Alcohol Analyst Trainee" means a person employed by a forensic alcohol laboratory for the purpose of receiving comprehensive practical experience and instruction in the technical procedures of forensic alcohol analysis under the supervision of a forensic alcohol supervisor or forensic alcohol analyst.

- (i) "Method" means the steps used by a trained person to make a measurement of alcohol concentration.
- (j) "Instrument" or "Device" means any item or combination of items of equipment used to make a measurement of alcohol concentration; simple and complex devices are included in this meaning.
- (k) "License" means a document issued by the State Department of Health to a laboratory to perform the tests referred to in the Health and Safety Code, Sections 436.51 and 436.52.
- (l) "Sample" or "Specimen" means a representative portion of breath, blood, urine, or tissue or of an artificially constituted material, taken for the purpose of measuring its alcohol concentration.
- (m) "Alveolar" refers to the smallest air sacs in the lungs and to that portion of the expired breath which is in equilibrium with respect to alcohol with the immediately adjacent pulmonary blood.
- (n) "Department" means the California State Department of Health and its duly authorized representatives.

s 1216. Authorization Requirement.

- (a) Every laboratory performing forensic alcohol analysis shall have a valid license issued in accordance with the provisions of these regulations.
 - (1) Forensic alcohol analysis shall be performed only by persons who meet the qualifications set forth in these regulations for forensic alcohol supervisors, forensic alcohol analysts, or forensic alcohol analyst trainees.
 - (A) A trainee may perform forensic alcohol analysis only under the supervision of a forensic alcohol supervisor or forensic alcohol analyst.
 - (2) The Department shall not be limited by these regulations in performing functions in administration of the alcohol analysis and licensing program.

s 1216.1. Qualifications for Licensing.

- (a) A laboratory meets the qualifications for licensing by:
 - (1) Employing at least one forensic alcohol supervisor. If forensic alcohol analysis is performed by persons other than forensic alcohol supervisors, such persons shall meet the qualifications set forth in these regulations for forensic alcohol analysts or forensic alcohol analyst trainees;
 - (2) Maintaining a quality control program in forensic alcohol analysis procedures;

(3) Demonstrating satisfactory performance in a proficiency testing program conducted by or approved by the Department;

(4) Passing such on-site inspections as the Department may require;

(5) Showing ability to meet the requirements set forth in these regulations.

(b) These qualifications shall be maintained at all times by each licensed laboratory.

(c) The Department may deny a license or renewal thereof, or take disciplinary action against a licensee, for failure to maintain these qualifications in a manner which meets the Department's standards for approval.

(d) Whenever a licensed laboratory employing only one forensic alcohol supervisor loses that person, the Department may upon petition of the laboratory extend the license for a period not exceeding 90 days during which time the laboratory shall hire another forensic alcohol supervisor.

(1) Such an extension shall be contingent on the laboratory's having in its employ at least one forensic alcohol analyst and upon the laboratory's successfully demonstrating to the Department continued competence in forensic alcohol analysis through such proficiency tests, examinations, and on-site inspections as the Department may require.

(e) A forensic alcohol supervisor is a person who meets the following qualifications:

(1) Possesses a baccalaureate or higher degree, or an equivalent, in chemistry, biochemistry, or other appropriate discipline as determined by the Department;

(2) Has two years of experience in performing forensic alcohol analysis, such experience to include experience in interpretation and correlation of alcohol analyses with subjective observations of the demeanor and behavior of persons who have ingested known amounts of ethyl alcohol; or, in lieu of such two years of experience, satisfactorily completes a training course approved by the Department, such training course to include at minimum the following schedule of subjects:

(A) Value and purpose of forensic alcohol analysis, including breath alcohol analysis;

(B) Physiological action of alcohol;

(C) Pharmacology and toxicology of alcohol;

(D) Laboratory methods of alcohol analysis;

(E) Instruments and procedures for breath alcohol analysis;

(F) Practical laboratory demonstration of the student's ability to perform alcohol analysis;

(G) Interpretation of results of alcohol analysis, including correlation of alcohol analyses with subjective observations of the demeanor and behavior of persons who have ingested known amounts of alcohol;

(H) Court testimony;

(I) Court decisions regarding chemical tests of alcohol to determine alcohol influence; and

(J) Requirements of these regulations;

(3) Successfully demonstrates accuracy in the analysis of proficiency test samples submitted by the Department, and successfully passes examinations prescribed by the Department;

(4) Demonstrates the ability to adhere to the provisions of these regulations; or (in lieu of (1) and (2) above)

(5) Either is a person who, prior to January 1, 1971, qualified as director of a clinical laboratory operating under the provisions of the California Business and Professions Code, or is a person who, for a period of one year prior to January 1, 1971, has been employed in the activities of a forensic alcohol supervisor.

(f) A forensic alcohol analyst is a person who meets the following qualifications:

(1) Successfully completes at least 60 semester-hours, or their equivalent in quarter-hours, of college level courses, including 8 hours of general chemistry and 3 hours of quantitative analysis;

(2) Successfully completes a training period in alcohol analysis on forensic or clinical specimens in a forensic alcohol laboratory or in a clinical laboratory;

(3) Performs during the training period a minimum of 25 analyses of alcohol concentration in blood samples, at least half of which contain alcohol;

(4) Successfully demonstrates accuracy in the analysis of proficiency test samples submitted by the Department, and successfully passes examinations prescribed by the Department;

(5) Demonstrates ability to adhere to the provisions of these regulations; or (in lieu of (1), (2), and (3) above)

(6) Either is a person who, prior to January 1, 1971, was a clinical laboratory technologist licensed under the provisions of the California Business and Professions Code, or is a person who, for a period of one year prior to January 1, 1971, has been employed in the activities of a forensic alcohol analyst.

(g) A forensic alcohol analyst trainee is a person who meets the following qualifications:

(1) Meets the educational qualification set forth as (1) for a forensic alcohol analyst;

(2) Is employed by a licensed forensic alcohol laboratory.

s 1217. Forensic Alcohol Laboratory License.

(a) Upon receipt of a completed application which shows ability to meet the requirements set forth in these regulations, and upon payment of any required fee, the Department shall submit such proficiency test samples and perform such examinations as are required for that laboratory to complete the qualifications.

(b) Upon the laboratory's successfully completing all the qualifications, the Department shall issue to the applicant laboratory a forensic alcohol laboratory license.

s 1217.1. Renewal of Licenses.

(a) Licenses under these regulations shall be renewed as required by the Department as long as the activity requiring authorization continues. Renewal shall be contingent upon the laboratory continuing in the qualifications set forth in these regulations.

(1) A forensic alcohol laboratory license shall be valid from January 1 to December 31 of a calendar year. Applications for renewal and applicable fees shall be submitted to the Department on or before October 1 of each year.

(2) Failure to apply for renewal shall result in forfeiture after a period of three months from the day on which the application for renewal should have been submitted, with the exception that the Department may grant a temporary extension under special circumstances.

(3) An application for renewal shall not list as a forensic alcohol analyst trainee any person who fails to comply with the requirements of Section 1216.1 (f) (4) within a period of one year after he was first listed with the Department as a trainee. The Department may extend this period for a justifiable reason, such as illness.

s 1217.2. Application Forms.

Application for a license and renewal thereof, shall be made on forms furnished by the Department. The applicant shall set forth all pertinent information called for by the form.

s 1217.3. Report of Change or Discontinuance.

(a) A person responsible for the operation of a forensic alcohol laboratory shall report to the Department in writing within 30 days any change in qualified personnel who may be performing forensic alcohol analysis, change of ownership, change of address or change or discontinuance of an activity authorized under these regulations.

(b) Such reports shall be made on forms furnished by the Department and shall set forth all pertinent information called for by the form.

(c) Persons who formerly qualified as forensic alcohol supervisors or forensic alcohol analysts in another laboratory may be required to demonstrate again their ability to meet the requirement of Section 1216.1 (e) (3) or 1216.1 (f) (4) using the method, apparatus and facilities of the forensic alcohol laboratory which newly lists them in such a Report of Change or Discontinuance.

s 1217.4. License Implications.

Licenses issued under these regulations shall not imply approval of anything carried out by a laboratory other than what is specified on the document.

s 1217.5. Licensing Records.

Forensic Alcohol Laboratory Licenses shall become part of permanent records available to the courts for legal proceedings or to the Department.

s 1217.6. Inspection and Additional Requirements.

(a) Display of Licenses. Licenses issued under these regulations shall be displayed on request to representatives of the Department.

(b) Access to Premises. The Department may enter at all reasonable times upon any laboratory for the purpose of determining whether or not there is compliance with the provisions of these regulations.

s 1217.7. Surveys and Proficiency Tests.

(a) Laboratories having been licensed or applying for licensing as forensic alcohol laboratories shall be subject to on-site surveys by representatives of the Department, the results of which must meet the requirements of these regulations, and shall accept periodic evaluation samples, perform analyses and report the results of such analyses to the Department.

(b) These analytical results shall be used by the Department to evaluate the accuracy of the forensic alcohol analyses performed by the laboratory, and the results must meet the requirements of these regulations.

s 1217.8. Fees and Other Procedures.

The annual application fee for a Forensic Alcohol Laboratory License or its renewal shall be one

hundred dollars (\$100). A laboratory operated by the state, city or county or other public organization shall be exempt from the annual application fee requirement. Other procedures in the administration of these regulations shall be carried out as set forth in Chapter 5 (commencing with section 436.50) of Part 1 of Division 1 of the Health and Safety Code. Such other procedures include suspension or revocation of license, denial of license, and disciplinary action.

s 1218. Training Program Approval.

Any organization, laboratory, institution, school, or college conducting a course of instruction for persons to qualify under these regulations shall submit a course summary and list of instructors and their qualifications to the Department for approval.

s 1218.1. Additional Requirements.

At the discretion of the Department, any phase or portion of a training program shall be subject to alteration in an effort to update the program as technological advances are made or if a portion has been judged inappropriate.

s 1218.2. Contracts.

The Department may contract with persons it deems qualified to administer such practical tests and written or oral examinations as may be required under these regulations. This section shall not be construed to authorize the delegation of any discretionary functions conferred on the Department by law, including, but not limited to, the evaluation of tests and examinations.

s 1219. General.

Samples taken for forensic alcohol analysis and breath alcohol analysis shall be collected and handled in a manner approved by the Department. The identity and integrity of the samples shall be maintained through collection to analysis and reporting.

s 1219.1. Blood Collection and Retention.

(a) Blood samples shall be collected by venipuncture from living individuals as soon as feasible after an alleged offense and only by persons authorized by Section 13354 of the Vehicle Code.

(b) Sufficient blood shall be collected to permit duplicate determinations.

(c) Alcohol or other volatile organic disinfectant shall not be used to clean the skin where a specimen is to be collected. Aqueous benzalkonium chloride (zephiran), aqueous merthiolate or other suitable aqueous disinfectant shall be used.

(d) Blood samples shall be collected using sterile, dry hypodermic needles and syringes, or using clean, dry vacuum type containers with sterile needles. Reusable equipment, if used, shall not be cleaned or kept in alcohol or other volatile organic solvent.

(e) The blood sample shall be deposited into a clean, dry container which is closed with an inert stopper.

(1) Alcohol or other volatile organic solvent shall not be used to clean the container.

(2) The blood shall be mixed with an anticoagulant and a preservative.

(f) When blood samples for forensic alcohol analysis are collected post-mortem, all practical precautions to insure an uncontaminated sample shall be employed, such as:

(1) Samples shall be obtained prior to the start of any embalming procedure. Blood samples shall not be collected from the circulatory system effluent during arterial injection of embalming fluid. Coroner's samples do not need a preservative added if stored under refrigeration.

(2) Care shall be taken to avoid contamination by alcohol from the gastrointestinal tract directly or by diffusion therefrom. The sample shall be taken from a major vein or the heart.

(g) In order to allow for analysis by the defendant, the remaining portion of the sample shall be retained for one year after the date of collection.

(1) In coroner's cases, blood samples shall be retained for at least 90 days after date of collection.

(2) Whenever a sample is requested by the defendant for analysis and a sufficient sample remains, the forensic alcohol laboratory or law enforcement agency in possession of the original sample shall continue such possession, but shall provide the defendant with a portion of the remaining sample in a clean container together with a copy or transcript of the identifying information carried on the original sample container.

s 1219.2. Urine Collection and Retention.

(a) The only approved urine sample shall be a sample collected no sooner than twenty minutes after first voiding the bladder.

(b) The specimen shall be deposited in a clean, dry container which also contains a preservative.

(c) In order to allow for analysis by the defendant, the remaining portion of the sample shall be retained for one year after the date of collection.

(1) Whenever a sample is requested by the defendant for analysis and a sufficient sample remains, the forensic alcohol laboratory or law enforcement agency in possession of the original sample shall continue such possession, but shall provide the defendant with a portion of the remaining sample in a clean container together with a copy or transcript of the identifying information carried by the original sample container.

s 1219.3. Breath Collection.

A breath sample shall be expired breath which is essentially alveolar in composition. The quantity of the breath sample shall be established by direct volumetric measurement. The breath sample shall be collected only after the subject has been under continuous observation for at least fifteen minutes prior to collection of the breath sample, during which time the subject must not have ingested alcoholic beverages or other fluids, regurgitated, vomited, eaten, or smoked.

s 1220. General.

(a) All laboratory methods used for forensic alcohol analysis shall be subject to standards set forth in this Article.

(b) Each licensed forensic alcohol laboratory shall have on file with the Department detailed, up-to-date written descriptions of each method it uses for forensic alcohol analysis.

(1) Such descriptions shall be immediately available to the person performing an analysis and shall be available for inspection by the Department on request.

(2) Each such description shall include the calibration procedures and the quality control program for the method.

s 1220.1. Standards of Performance.

(a) Methods for forensic alcohol analysis shall meet the following standards of performance:

(1) The method shall be capable of the analysis of a reference sample of known alcohol concentration within accuracy and precision limits of plus or minus 5 percent of the value; these limits shall be applied to alcohol concentrations which are 0.10 grams per 100 milliliters or higher;

(2) The method shall be capable of the analysis of ethyl alcohol with a specificity which is adequate and appropriate for traffic law enforcement.

(3) The method should be free from interference from anticoagulants and preservatives added to the sample;

(4) Blood alcohol results on post-mortem samples shall not be reported unless the oxidizable substance is identified as ethyl alcohol by qualitative test;

(5) The method shall give a test result which is always less than 0.01 grams of alcohol per 100 milliliters of blood when living subjects free of alcohol are tested.

(b) The ability of methods to meet the standards of performance set forth in this Section shall be

evaluated by the Department using a laboratory's proficiency test results and such ability must meet the requirements of these regulations.

s 1220.2. Standards of Procedure.

(a) Methods for forensic alcohol analysis shall meet the following standards of procedure:

(1) The method shall be calibrated with standards which are water solutions of alcohol.

(A) Such alcohol solutions are secondary standards.

(B) Each forensic alcohol laboratory shall establish the concentration of each lot of secondary alcohol standards it uses, whether prepared or acquired, by an oxidimetric method which employs a primary standard, such as United States National Bureau of Standards potassium dichromate;

(2) The procedure shall include blank and secondary alcohol standard samples at least once each day that samples are subjected to forensic alcohol analysis.

(A) The blank and secondary alcohol standard samples shall be taken through all steps of the method used for forensic alcohol analysis of samples.

(3) The procedure shall also include analysis of quality control reference samples as described in Section 1220.3 and shall include at least duplicate analyses of samples for forensic alcohol analysis.

(A) A quality control reference sample shall not be taken from the same lot of alcohol solution which is used as a secondary alcohol standard.

(4) Alcohols or other volatile organic solvents shall not be used to wash or rinse glassware and instruments used for alcohol analysis;

(5) All instruments used for alcohol analysis shall be in good working order and routinely checked for accuracy and precision.

s 1220.3. Quality Control Program.

(a) Methods for forensic alcohol analysis shall be performed in accordance with the following quality control program:

(1) For each method of forensic alcohol analysis it performs, each forensic alcohol laboratory shall make or acquire a suitable quality control reference material containing alcohol, a sample of which it shall analyze along with each set of samples; the alcohol concentration in the reference material shall be between 0.10 and 0.20 grams per 100 milliliters of liquid;

(2) For each lot of quality control reference material, the laboratory shall determine a mean value

of at least 20 replicate analyses, at a rate of no more than 2 analyses per day, with the method used for analysis of samples for forensic alcohol analysis;

(3) Acceptable limits of variation for the method shall be set as follows:

(A) The lower limit shall be calculated by subtracting, from the mean value, 0.01 grams per 100 milliliters;

(B) The higher limit shall be calculated by adding, to the mean value, 0.01 grams per 100 milliliters;

(4) At least one sample of the quality control reference material shall be analyzed with each set of samples analyzed for the purpose of forensic alcohol analysis;

(5) Whenever analysis of the quality control reference material is outside the acceptable limits, the method shall be regarded to be in error, and a forensic alcohol supervisor shall take remedial action to investigate and correct the source of error;

(6) Until such time as the error has been corrected, as shown by return of the analysis of the quality control reference material to values within the acceptable limits, no samples shall be analyzed for the purpose of forensic alcohol analysis.

s 1220.4. Expression of Analytical Results.

(a) With the exception of tissue analysis, all analytical results shall be expressed in terms of the alcohol concentration in blood, based on the number of grams of alcohol per 100 milliliters of blood.

(1) The symbols, grams %, %, and % (W/V), shall be regarded as acceptable abbreviations of the phrase, grams per 100 milliliters of liquid.

(b) Analytical results shall be reported to the second decimal place, deleting the digit in the third decimal place when it is present.

(c) Blood alcohol concentrations less than 0.01% in living subjects may be reported as negative.

(d) Blood alcohol concentrations less than 0.02% on post-mortem blood samples may be reported as negative.

(e) A urine alcohol concentration shall be converted to an equivalent blood alcohol concentration by a calculation based on the relationship: the amount of alcohol in 1.3 milliliters of blood is equivalent to the amount of alcohol in 1 milliliter of urine.

(f) A breath alcohol concentration shall be converted to an equivalent blood alcohol concentration by a calculation based on the relationship: the amount of alcohol in 2,100 milliliters of alveolar breath is equivalent to the amount of alcohol in 1 milliliter of blood.

(g) Tissue analysis results shall be expressed in terms of a weight amount of alcohol in a unit weight of the specimen.

s 1221. General.

Breath alcohol analysis shall be performed in accordance with standards set forth in this Article.

s 1221.1. Authorized Procedures.

(a) Breath alcohol analysis shall be performed only with instruments and related accessories which meet the standards of performance set forth in these regulations.

(b) Such instruments may be used for the analysis of breath samples in places other than licensed forensic alcohol laboratories and by persons other than forensic alcohol supervisors, forensic alcohol analysts and forensic alcohol analyst trainees only if such places and persons are under the direct jurisdiction of a governmental agency or licensed forensic alcohol laboratory.

(1) Breath alcohol analysis by persons other than forensic alcohol supervisors, forensic alcohol analysts and forensic alcohol analyst trainees shall be restricted to the immediate analysis of breath samples collected by direct expiration by the subject into the instrument in which the measurement of alcohol concentration is performed.

(2) Except for the requirements of Section 1220.4, such immediate analysis shall not be subject to the requirements of Article 6.

s 1221.2. Standard of Performance.

(a) Instruments for breath alcohol analysis shall meet the following standard:

(1) The instrument and any related accessories shall be capable of conforming to the "Model Specifications for Evidential Breath Testing Devices" of the National Highway Traffic Safety Administration of the U.S. Department of Transportation, which were published in the Federal Register, Vol. 49, No. 242, Pages 48854-48872, December 14, 1984, and are hereby adopted and incorporated.

(b) The ability of instruments and any related accessories to conform to the standard of performance set forth in this section shall be tested by the U.S. Department of Transportation.

s 1221.3. Approved Instruments.

(a) Only such types and models of instruments and related accessories as are named in the "Conforming Products List" published in the Federal Register by the National Highway Traffic and Safety Administration of the U.S. Department of Transportation shall be used for breath alcohol analysis in this State.

s 1221.4. Standards of Procedure.

(a) Procedures for breath alcohol analysis shall meet the following standards:

(1) For each person tested, breath alcohol analysis shall include analysis of 2 separate breath samples which result in determinations of blood alcohol concentrations which do not differ from each other by more than 0.02 grams per 100 milliliters.

(2) The accuracy of instruments shall be determined.

(A) Such determination of accuracy shall consist, at a minimum, of periodic analysis of a reference sample of known alcohol concentration within accuracy and precision limits of plus or minus 0.01 grams % of the true value; these limits shall be applied to alcohol concentrations from 0.10 to 0.30 grams %. The reference sample shall be provided by a forensic alcohol laboratory.

1. Such analysis shall be performed by an operator as defined in Section 1221.4 (a)(5), and the results shall be used by a forensic alcohol laboratory to determine if the instrument continues to meet the accuracy set forth in Section 1221.4 (a)(2)(A).

(B) For the purposes of such determinations of accuracy, "periodic" means either a period of time not exceeding 10 days or following the testing of every 150 subjects, whichever comes sooner.

(3) Breath alcohol analysis shall be performed only with instruments for which the operators have received training, such training to include at minimum the following schedule of subjects:

(A) Theory of operation;

(B) Detailed procedure of operation;

(C) Practical experience;

(D) Precautionary checklist;

(E) Written and/or practical examination.

(4) Training in the procedures of breath alcohol analysis shall be under the supervision of persons who qualify as forensic alcohol supervisors, forensic alcohol analysts or forensic alcohol analyst trainees in a licensed forensic alcohol laboratory.

(A) After approval as set forth in Section 1218, the forensic alcohol laboratory is responsible for the training and qualifying of its instructors.

(5) An operator shall be a forensic alcohol supervisor, forensic alcohol analyst, forensic alcohol analyst trainee or a person who has completed successfully the training described under Section 1221.4 (a) (3) and who may be called upon to operate a breath testing instrument in the

performance of his duties.

(6) Records shall be kept for each instrument to show the frequency of determination of accuracy and the identity of the person performing the determination of accuracy.

(A) Records shall be kept for each instrument at a licensed forensic alcohol laboratory showing compliance with this Section.

s 1221.5. Expression of Analytical Results.

Results of breath alcohol analysis shall be expressed as set forth in Section 1220.4.

s 1222. General.

Forensic alcohol laboratories and law enforcement agencies shall maintain records which clearly represent their activities which are covered by these regulations. Such records shall be available for inspection by the Department on request.

s 1222.1. Forensic Alcohol Laboratory Records.

(a) Each laboratory which is licensed to perform forensic alcohol analysis shall keep the following records for a period of at least three years:

(1) An up-to-date record of persons in its employ who are qualified as forensic alcohol supervisors and forensic alcohol analysts; the record shall include the qualifications of each such person, including education, experience, training and performance in proficiency tests and examinations;

(2) A list of persons in its employ who are forensic alcohol analyst trainees, the date on which each such person began his training period and the number and results of analyses performed during the training period;

(3) Records of samples analyzed by that laboratory under these regulations, their results and the identity of persons performing the analyses;

(4) Records of the quality control program;

(5) Records of laboratory performance evaluation in alcohol analysis as shown by results of proficiency tests;

(6) Records of such determinations of accuracy of breath testing instruments as a laboratory may perform for law enforcement agencies;

(7) Records of such training as a laboratory may provide to persons who operate breath testing instruments for law enforcement agencies.

s 1222.2. Breath Alcohol Analysis Records.

(a) Each agency shall keep the following records for breath testing instruments which are under its jurisdiction:

- (1) Records of instrument determinations of accuracy;
- (2) Records of analyses performed, results and identities of the persons performing analyses;
- (3) At the location of each instrument, the precautionary checklist to be used by operators of the instrument.



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
WK
From: Wendy Knowles, Clerk of the Board
Subject: ACCESS Performance Measurements Update

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

No action was taken on this receive and file informational item.



March 13, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: ACCESS Performance Measurements Update

Overview

At the November 26, 2007, Board of Directors meeting, staff provided an update regarding ACCESS service provided by Veolia Transportation Services, Inc., including a report on contractual performance measurements. At that time, the Board of Directors directed staff to continue providing monthly reports on ACCESS service performance measurements. This report provides ACCESS performance measurement data through January 2008 and updates on several service improvement initiatives.

Recommendation

Receive and file as an information item.

Background

Veolia Transportation Services, Inc. (Veolia) assumed management and operation of the Orange County Transportation Authority's (Authority) ACCESS service in July 2006. In response to continued service quality issues experienced after the start of the contract, the Authority Board of Directors (Board) put Veolia on formal notice for lack of performance. The Board also required Authority staff to provide regular updates to the Transit Committee (Committee) and the Board. In response, Authority staff has presented weekly written updates along with monthly performance measurement updates to the Committee and the Board, beginning in August 2006.

ACCESS service quality began to stabilize and show improvement beginning in March 2007. Veolia has continued to improve the delivery of the ACCESS service. Authority staff has continued to provide monthly service updates, as directed by the Board.

Discussion**Performance Measurements**

Veolia and Community Transportation Services (CTS) staff have continued to work closely to monitor ACCESS service quality and address issues that cause the quality of service to fall below contractual performance standards. The standards monitored on a daily basis include on-time performance, service delivery failure, and customer comments. All three indicators have continued to show positive trends since September 2007. At that time, Veolia implemented a new driver bid, including new work assignments for many drivers, which caused a temporary degradation of service quality. Currently, customer comments and service delivery failures are very near levels achieved prior to the driver bid.

Veolia's on-time performance also continues to improve. During the three-month period from October 2007 through December 2007, on-time performance has consistently met or exceeded the 94 percent performance standard. On-time performance averaged 94.27 percent for the month of October, 94.47 percent for the month of November, and 94.55 percent for the month of December; an overall average of 94.43 percent for this period. In addition, on-time performance exceeded the 95 percent level in January 2008, where the monthly average was 95.05 percent (Attachment A).

Service delivery failures, or trips in excess of 120 minutes late, continued to decrease and stabilize since the spike experienced after the new driver assignments in September and consistently remained at approximately 11 per week during October, November, and December. The trend has continued to show improvements in January 2008, where the average has been approximately 8.5 service delivery failures per week (Attachment B).

While the trend in customer complaints consistently improved during the months of April through August 2007, complaint totals increased as a result of the new driver assignments in September. However, trends began to show consistent improvement in recent months, with totals falling below pre-September figures in November, December, and January (Attachment C). The most common customer complaints have been buses running behind schedule, driver no-show, driver judgment, schedule error, and reservation operator error (Attachment D). While there has been significant improvement since the beginning of the year, the number of complaints still exceeds the contractual performance standard of one per 1,000 passengers.

Service Improvement Initiatives

As indicated in this report, ACCESS service performance measurements have continued to stabilize and/or improve over the past several months. There are additional efforts underway to sustain this positive trend as the service enters the remaining 18 months of the contract.

Enhanced Communication with Special Agencies

There are several locations throughout the County that a large number of ACCESS customers travel to regularly. Veolia and Authority staff conduct regular outreach activities with these locations to ensure clear communication on passenger expectations and delivery of ACCESS service.

Relocation of ACCESS Support Functions to Construction Circle

Modifications are underway which would enable the Authority to relocate several ACCESS support functions to the Irvine Construction Circle facility, such as driver training, ACCESS scheduling, and radio dispatch. In addition, the ACCESS call center, which is currently located at the Authority's administrative offices in Orange, would be included in this relocation. The relocation of these functions will provide much-needed relief to the at-capacity conditions currently experienced at the Irvine Sand Canyon facility. This project also marks an initial step to establish the Construction Circle location as the Authority's primary paratransit facility, allowing for increased flexibility addressing the future structure of contracting for ACCESS and contracted fixed route services.

Driver Training

During the past two months, all Veolia drivers have been re-certified in wheelchair securement. Drivers are regularly confronted with new types of mobility devices. This campaign delivered new safety information to the drivers and served as a refresher course to reinforce existing policies and procedures.

Enhanced Tools to Monitor Real-time Service Delivery

Last year, Veolia installed two large screen monitors in the radio dispatch center for the purpose of displaying real-time service delivery status to dispatch staff. Veolia has recently enhanced the software used to display information on these monitors. This will increase the dispatcher's ability to identify trips that are in jeopardy of falling outside of service standards, so that pro-active corrective action can be taken.

Summary

From November 2007 through January 2008, ACCESS service quality continued to improve. Recent performance measurements indicate that service has remained stable, showing improvements in the areas of on-time performance and service delivery failures. In addition, several service improvement initiatives have been implemented in an effort to provide an environment of continued improvement in service quality. Staff will continue to monitor service quality and report, as directed, to the Board of Directors.

Attachments

- A. On-Time Performance
- B. Service Delivery Failure
- C. Monthly Customer Comments
- D. Top Five Complaints

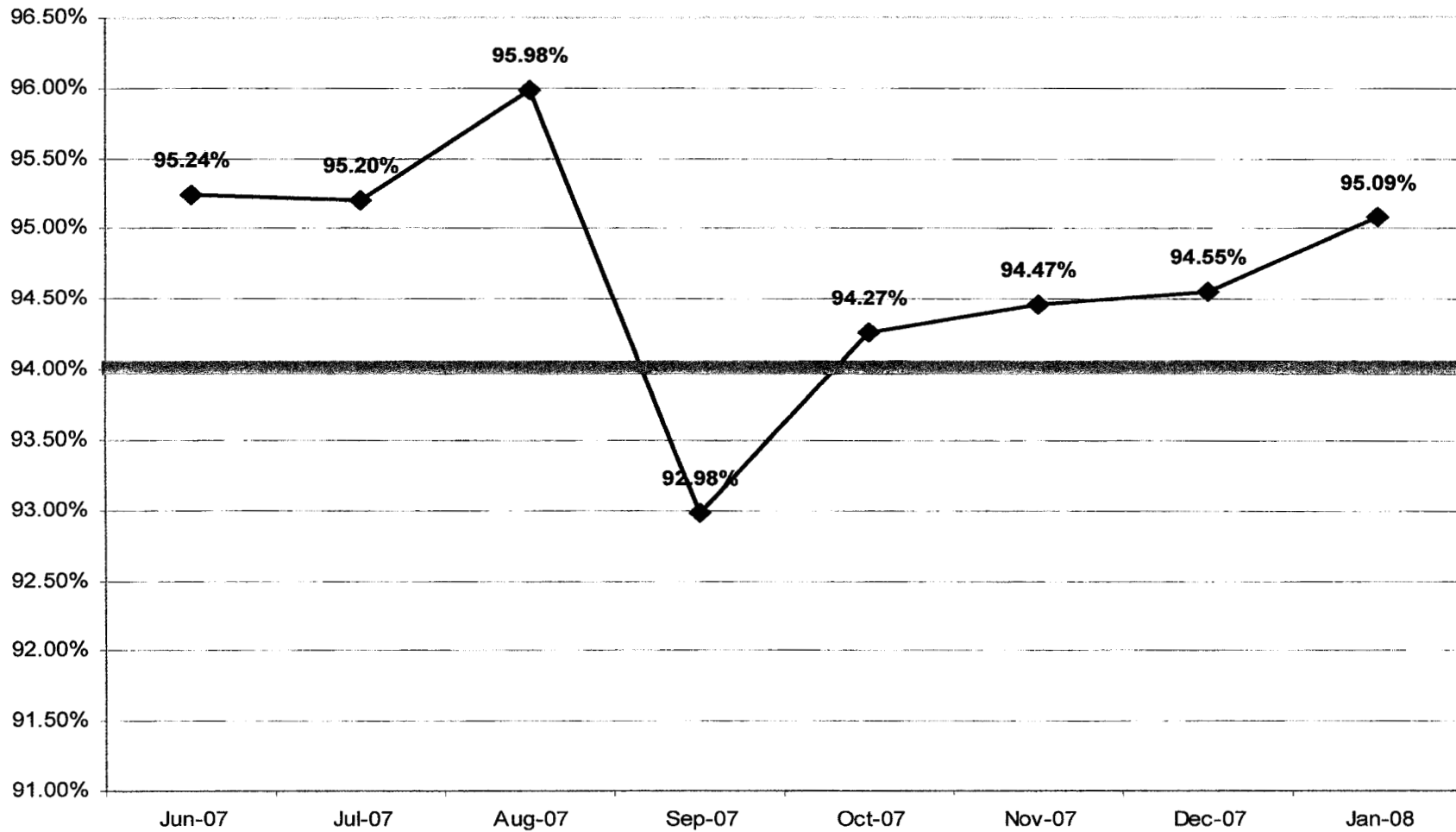
Prepared by:


Curt Burlingame
Section Manager
Community Transportation Services
714-560-5921

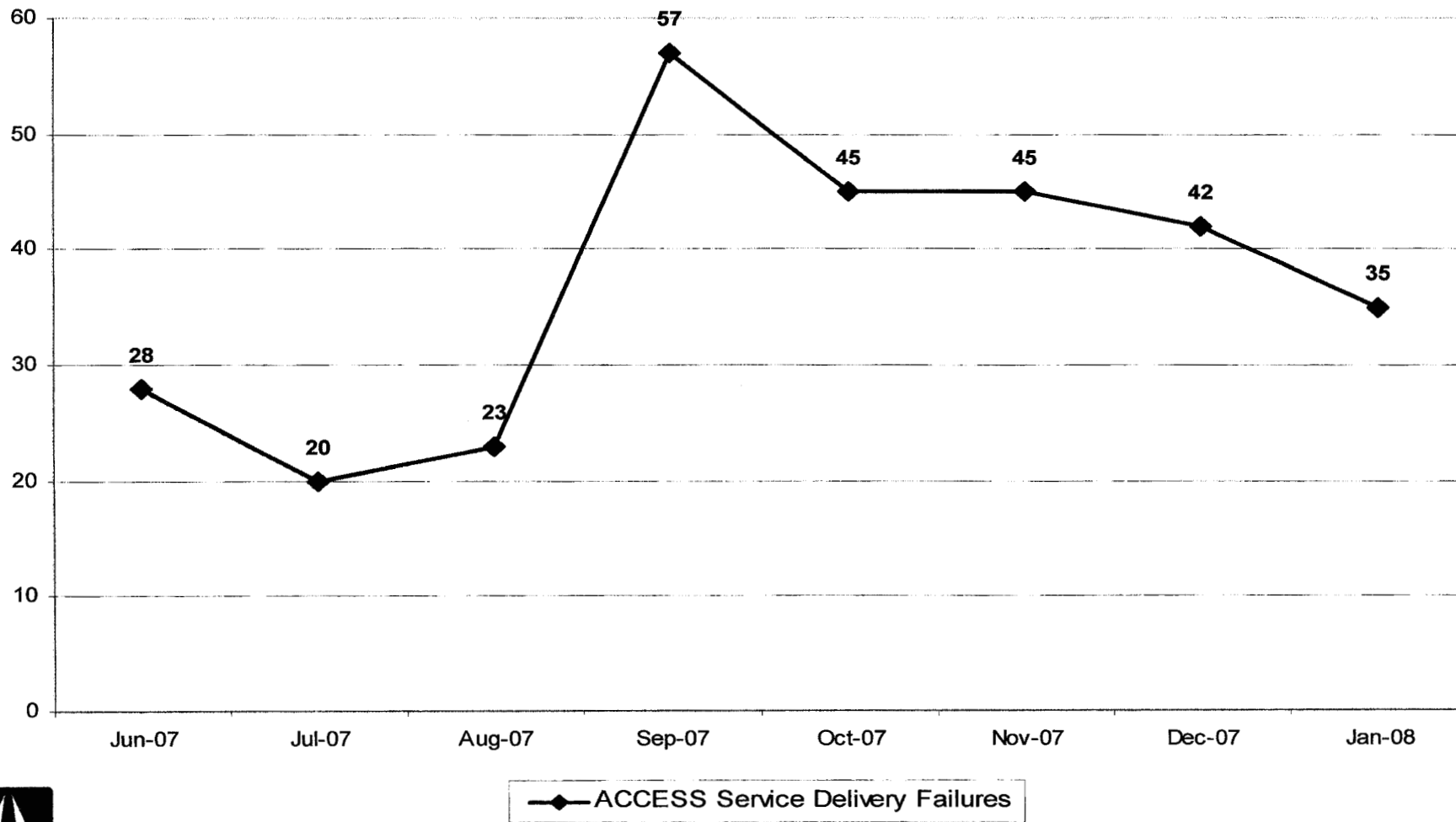
Approved by:


Beth McCormick
General Manager, Transit
714-560-5964

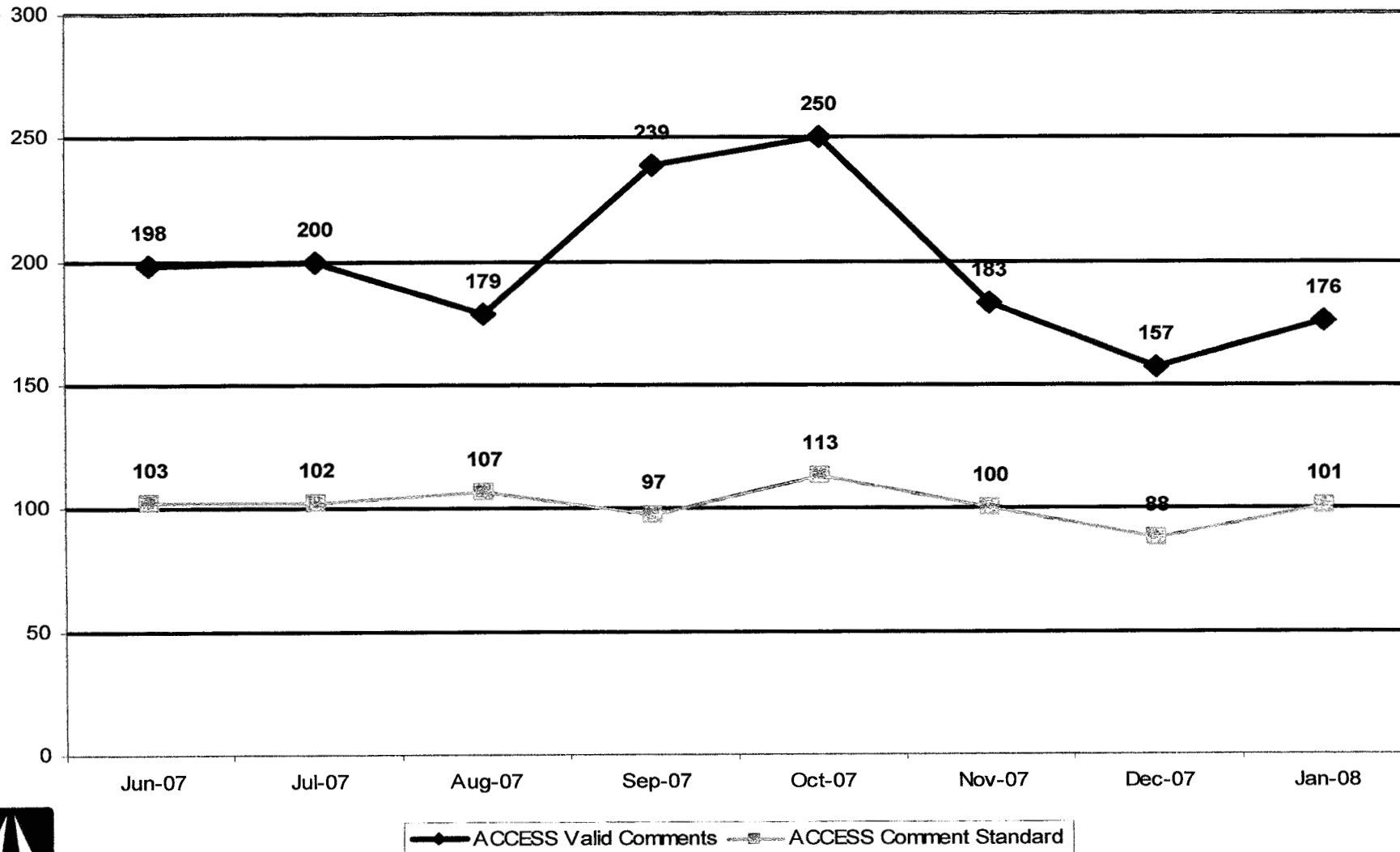
On-Time Performance



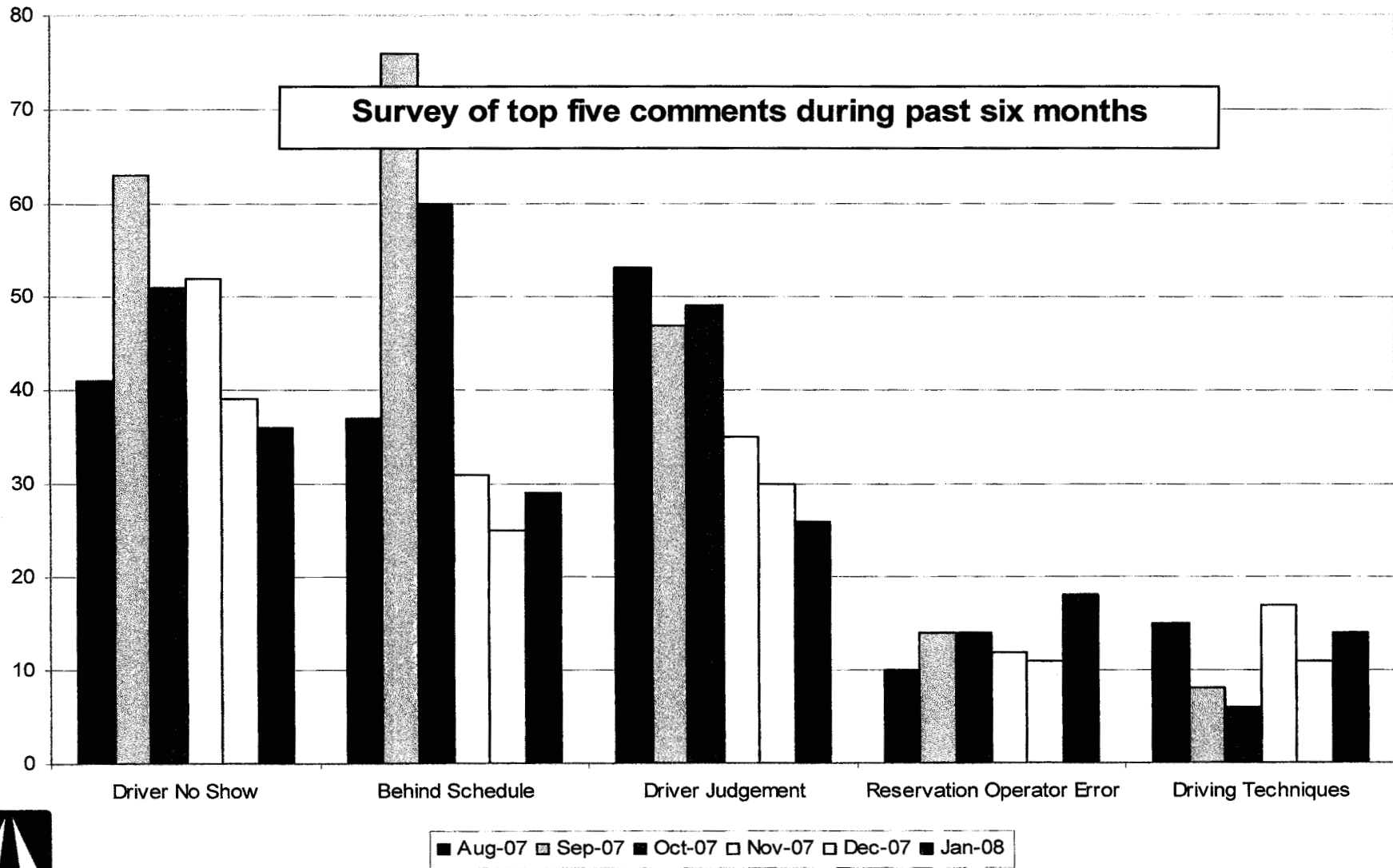
Service Delivery Failure



Monthly Customer Comments



Top Five Complaints



REVISED
ATTACHMENT D



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for Vehicle Oil Analysis

Transit Committee Meeting of March 13, 2008

Present: Directors Buffa, Green, Pulido, and Winterbottom
Absent: Directors Brown, Dixon, and Nguyen

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to modify the pending Agreement No. C-7-1137 with ANA Laboratories, Inc., to reflect an increase in the approved contract amount from \$48,000 to an amount not to exceed \$144,000, for the initial three-year term.



March 13, 2008

To: Transit Committee
From: Arthur T. Leahy,  Chief Executive Officer
Subject: Agreement for Vehicle Oil Analysis

Overview

On February 25, 2008, the Orange County Transportation Authority Board of Directors approved Agreement No. C-7-1137, between the Orange County Transportation Authority and ANA Laboratories, Inc., for a term of three years with two one-year options. Due to an oversight, the approved funding for the contract only represents the amount for the first year of the initial term and not the amount necessary for a three-year initial term. The amount necessary for a three-year initial term is \$144,000. Although approved, the agreement has not been fully executed due to the discrepancy between the approved initial term and the funds necessary to complete the work required.

Recommendation

Authorize the Chief Executive Officer to modify the pending Agreement No. C-7-1137 with ANA Laboratories, Inc., to reflect an increase in the approved contract amount from \$48,000 to an amount not to exceed \$144,000, for the initial three-year term.

Background

On February 14, 2008, a staff report on vehicle oil analysis was submitted to the Transit Committee for consideration of a contract award to ANA Laboratories, Inc., in an amount not to exceed \$48,000, for a one-year term with four one-year options. At that committee meeting, Director Buffa made a motion to modify staff recommendation to recommend award of a three-year contract with two additional option years. On February 25, 2008, the Board of Directors (Board) approved the item as modified by the Transit Committee. Due to a staff oversight, the revised contract term was not reconciled with a revised maximum obligation for a three-year initial term. Board action is requested to correct this error so the agreement can be executed.

Discussion

Board action is required to reconcile the funding required for an initial term of three years for an agreement with ANA Laboratories, Inc., to provide oil analysis services. The required funding for the initial three-year term is \$144,000.

Summary

Staff recommends modifying the amount approved for pending Agreement No. C-7-1137 to ANA Laboratories, Inc., to an amount not to exceed \$144,000, for a three-year term, with two one-year options.

Attachment

None.

Prepared by:



Connie Raya
Section Manager,
Maintenance Resource Management
(714) 560-5975

Approved by:



Beth McCormick
General Manager, Transit
(714) 560-5964



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Orange and Los Angeles Intercounty Transportation Study Update

Highways Committee Meeting of March 17, 2008

Present: Directors Amante, Cavecche, Dixon, Glaab, Green, Pringle, Mansoor, Norby, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations (reflects change from staff recommendations)

- A. Approve Corridor Mobility Problem and Purpose and Need Report.
- B. Direct staff to conduct an elected officials' workshop and public open houses to receive feedback regarding the proposed Orange and Los Angeles Intercounty Transportation Study Conceptual Alternative Strategies.
- C. Oppose the Orangeline Development Authority's proposal to use the Pacific Electric Railroad Right-of-Way in Orange County.
- D. Remove from further consideration any toll facilities on the Santa Ana Freeway (Interstate 5) south of the Orange County/Los Angeles County line.



March 17, 2008

To: Highways Committee
From: Arthur T. Leahy, ^{ATL/pt} Chief Executive Officer
Subject: Orange and Los Angeles Intercounty Transportation Study Update

Overview

The Orange County Transportation Authority, in cooperation with the Los Angeles County Metropolitan Transportation Authority, is conducting the Orange and Los Angeles Intercounty Transportation Study focusing on transportation issues and opportunities between Orange and Los Angeles counties. Current efforts are presented for Board of Directors review and approval.

Recommendations

- A. Approve Corridor Mobility Problem and Purpose and Need Report.
- B. Direct staff to conduct an elected officials workshop and public open houses to receive feedback regarding the proposed Orange and Los Angeles Intercounty Transportation Study Conceptual Alternative Strategies.

Background

In summer 2006, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved the 2006 Long-Range Transportation Plan (LRTP) and a supporting action plan. The action plan included direction to conduct a joint transportation study with the Los Angeles County Metropolitan Transportation Authority (Metro). The Orange and Los Angeles (OC/LA) Intercounty Transportation Study (Study) was launched in July 2007. This study will identify a broad range of conceptual strategies for improving intercounty travel, emphasizing relevant issues of interest to western and northern Orange County cities.

This initial technical study determines how the baseline transportation system performs, defines the mobility problem, develops a Purpose and Need

Statement, and identifies a broad range of conceptual alternative strategies for transportation improvements for the study area. The study establishes a foundation for future efforts to develop projects. The study area is provided in Attachment A.

The OC/LA Study also includes an active public involvement program. OCTA and Metro are committed to encouraging public involvement and seeking input throughout the transportation planning process. In order to solicit feedback, a program that communicates proactively and engages a broad range of stakeholders has been developed. Attachment B provides an overview of the outreach activities to date.

Discussion

The Corridor Mobility Problem and Purpose and Need Report summarizes the need for future transportation improvements based on the problems and deficiencies identified in the OC/LA study area. It provides the basis for defining conceptual alternative strategies for consideration. It will also provide a starting point for future efforts in forming the evaluation measures that can be used to screen alternative strategies in favor of more competitive options.

The executive summary for the OC/LA Study Corridor Mobility Problem and Purpose and Need Report highlights the technical analysis of the transportation system in the study area (Attachment C). This, coupled with local agency input received to date, has led to the development of six key issues to be addressed by the OC/LA Study. They represent problems as well as opportunities for improvement. The key issues include:

- Interagency Coordination
- Freeway Congestion
- Arterial Roadway Congestion
- Transit Connectivity
- Optimization of Existing Infrastructure
- Use of Pacific Electric (PE) Railroad Right-of-Way (ROW)

Initial Set of Conceptual Alternative Strategies

The initial set of conceptual alternative strategies (Attachment D) identifies potential solutions to the mobility problems presented in the Corridor Mobility Problem and Purpose and Need Statement. These conceptual alternative strategies are multimodal and build upon each other in cumulative layers. At this point in the study process, the conceptual alternatives should include all

reasonable conceptual strategies. A summary of the initial set of conceptual alternative strategies is provided below.

2030 Baseline

Transportation projects included in the 2030 Baseline have a committed funding source and are planned for completion prior to the year 2030. The 2030 Baseline projects carry forward into all other conceptual alternatives. The components of the baseline year 2030 concept include the following:

- Freeway enhancement projects as identified in the adopted OCTA and Metro LRTPs (baseline and constrained projects only);
- In Orange County, Renewed Measure M freeway projects;
- Arterial roadway improvements as identified in study area city capital improvement programs;
- Planned enhancements by OCTA and Metro to local bus transit routes;
- New OCTA bus rapid transit routes on Harbor Boulevard, Westminster Avenue, and State College Boulevard/Bristol Street in Orange County;
- New Metro Rapid routes on Atlantic Boulevard and Long Beach Boulevard in Los Angeles County; and
- The implementation of 30-minute headways for Metrolink service between Fullerton and Laguna Niguel/Mission Viejo in Orange County.

Transportation Systems Management (TSM)/Transportation Demand Management (TDM) Alternative

This alternative is a required component of the major investment study process and will be carried forward as the basis of each subsequent alternative. The purpose of the TSM/TDM alternative is to develop lower cost strategies that improve the roadway system's performance and result in more efficient use of transportation resources. The TSM/TDM concept focuses on increasing local bus coordination, implementing traffic signal coordination on streets near and across the County line to reduce congestion, and increasing freeway traffic monitoring. This alternative also includes additional park-and-ride and transit center facilities.

Arterial/Bus Rapid Concept

This alternative builds on 2030 Baseline and TSM/TDM improvements. The Arterial/Bus Rapid Concept is a multimodal concept that concentrates on increasing arterial roadway capacity, especially in the congested areas near the San Diego Freeway (Interstate 405) and Orange Freeway (State Route 57),

and improving freeway interchanges. New rapid bus services near and across the OC/LA county line are proposed, along with a grade-separated bus rapid transit service in the PE ROW and improved bus shuttle services to Metrolink stations.

Freeway Concept

The Freeway Concept includes the improvements in the previous three alternatives. This concept proposes to increase freeway capacity and improve traffic conditions by the year 2030. The concept includes adding capacity to all study area freeways through new general purpose lanes, high-occupancy vehicle lanes, or high-occupancy toll lanes.

Transit Concept

This alternative builds on improvements in the first three alternatives but does not include the Freeway Concept. The Transit Concept looks exclusively at transit oriented alternatives to accommodate future travel demand. The objectives of this concept are to improve transit services for both short and long distance trips, improve the efficiency of local transit services, increase Metrolink service to Los Angeles, enhance planned rapid bus routes, and provide connections between different modes of transportation. This concept proposes to enhance the Arterial/Bus Rapid Concept by replacing the grade separated bus rapid transit (BRT) service in the PE ROW with a fully elevated transit service (bus or rail). The proposed project would maintain the proposed connection to the Metro Green Line and an at-grade pedestrian/bike path within the corridor. Additionally, selected rapid bus lines proposed in the Arterial/Bus Rapid Concept are enhanced to full BRT service operating in exclusive ROWs to connect major destinations on each side of the County line.

Public/Private Concept

This alternative builds on improvements in the first three alternatives but does not include the Freeway Concept or Transit Concept. The Public/Private Concept focuses on identifying privately financed improvements to freeways, streets, and transit that could supplement the improvements that are possible with public funds. Concepts include toll lanes and truck toll lanes on freeway corridors and high-speed transit service in the PE ROW.

Next Steps

With the Board's approval, staff will conduct an elected officials workshop and two public open houses to receive feedback regarding the proposed conceptual alternative strategies. Staff anticipates returning to the Highways Committee in June 2008 with a recommendation for the final set of conceptual alternative strategies.

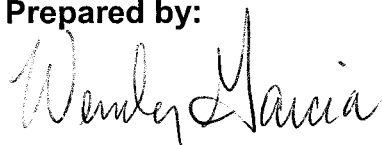
Summary

OCTA, in partnership with Metro, is working to develop strategies to improve travel between Orange and Los Angeles counties. A Corridor Mobility Problem and Purpose and Need Report along with an Initial Set of Conceptual Alternative Strategies are presented for Board consideration.

Attachments

- A. OC/LA Intercounty Transportation Study – Study Area, February 29, 2008
- B. On The Move – OC/LA Intercounty Transportation Study – Outreach Activities
- C. Orange and Los Angeles Intercounty Transportation Study, Corridor Mobility Problem and Purpose and Need Report – Executive Summary, February 6, 2008
- D. OC/LA Intercounty Transportation Study – Initial Set of Conceptual Alternative Strategies

Prepared by:

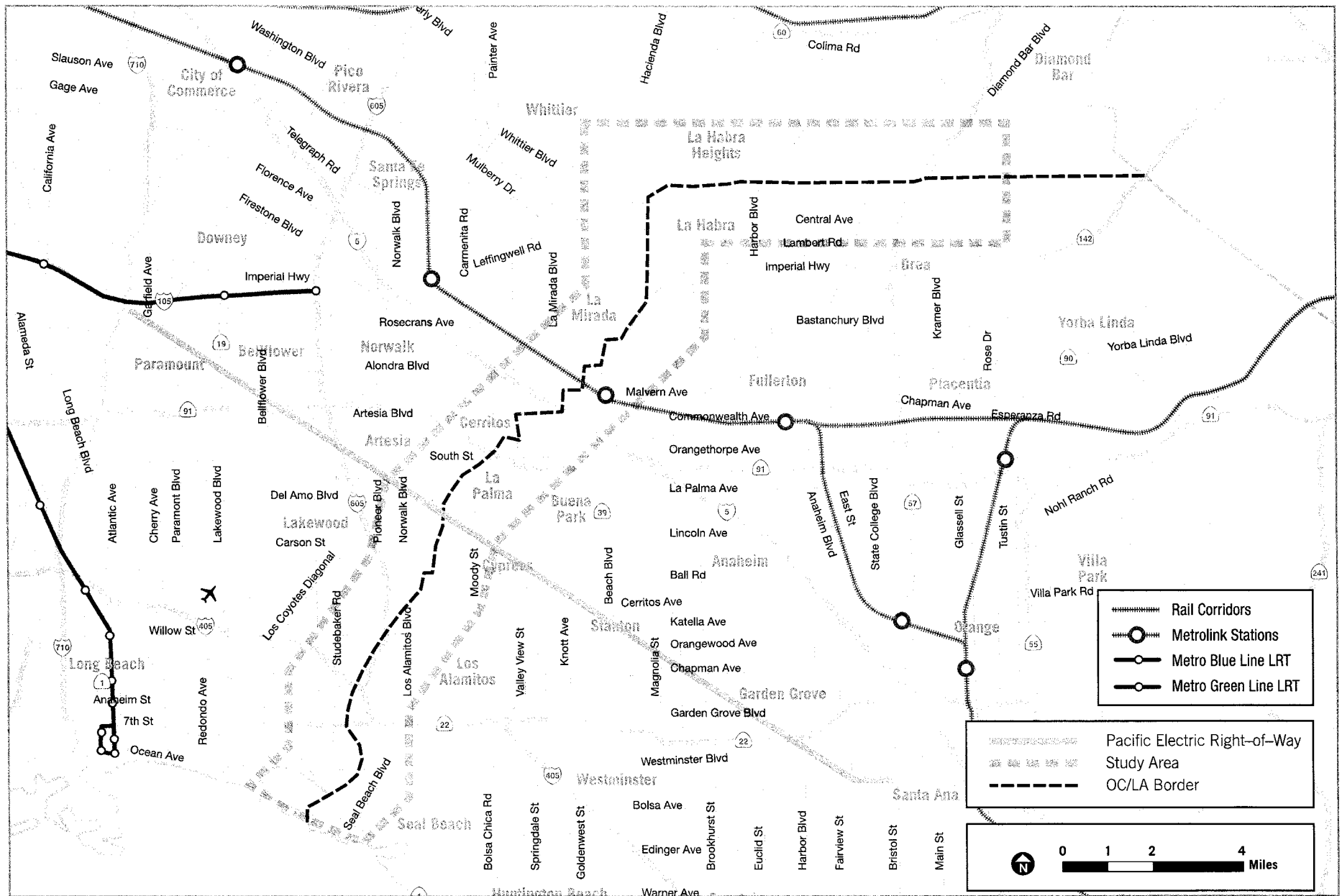


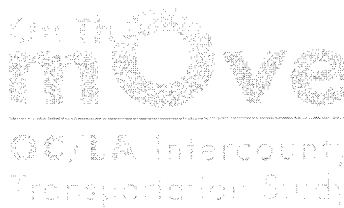
Wendy Garcia
Senior Transportation Analyst
(714) 560-5738

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741



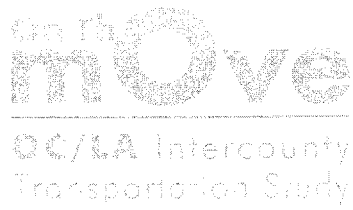


Outreach Activities

The primary outreach goal for the Orange and Los Angeles Intercounty Transportation Study is to provide meaningful opportunities for public involvement while assessing the transportation needs across the county line. This effort will lead to an initial set of conceptual alternatives. Since the study began in July 2007 several outreach activities have taken place to engage various stakeholders during the study process.

To date, Orange County Transportation Authority (OCTA) has conducted the following outreach activities:

- Conducted an Elected Officials Workshop in December 2007 to offer officials an opportunity to discuss transportation needs and prioritize issues and needs in the study area. More than 55 elected officials along with city and agency representatives attended.
- Developed and distributed a project brochure to 1,370 residents, elected and city officials, the business and education community, and other key stakeholders along the Orange and Los Angeles county line. The brochure included a detachable survey that requested information about commute times, major destination travel, and also a ranking of various modes of transportation according to improvement needs. A total of 85 surveys were collected.
- Created an online survey with the same set of questions that were presented in the project brochure. A total of 70 online surveys were tallied.
- Partnered with 14 area chambers and 17 cities to place study announcement card/survey on public counters as well as articles in two city newsletters and on six Web sites.
- Distributed a letter to 17 mayors in the study area introducing the study.
- Created a study Web site that provides background information, study area maps, and an opportunity to join the stakeholder database.
- Drafted and distributed a press release announcing the project and the online survey.
- Established, and continuing to build, a database that currently includes 1,394 stakeholders.
- Presented the study and some initial findings to OCTA's Citizens Advisory Committee in January 2008.



Outreach activities taking place in spring 2008:

- Conduct final Elected Officials Workshop to discuss proposed conceptual alternatives.
- Present two open houses, one in each county, to share conceptual alternatives.

***ORANGE AND LOS ANGELES INTERCOUNTY
TRANSPORTATION STUDY***

**Corridor Mobility Problem and
Purpose and Need Report - Executive Summary**

Task 3.3

February 6, 2008



in association with
Fehr & Peers, Arellano Associates, and Sarah Catz

TABLE OF CONTENTS

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S1 INTRODUCTION

The Orange and Los Angeles (OC/LA) Intercounty Transportation Study is exploring alternatives for improving transportation infrastructure and services across the border between Orange and Los Angeles counties. The study is jointly funded and managed by the Orange County Transportation Authority (OCTA) and the Los Angeles County Metropolitan Transportation Authority (Metro). This is the first time the two agencies are cooperatively conducting a transportation planning study. This study lays the groundwork for future, more detailed studies.

The objectives of the OC/LA Intercounty Transportation Study are to identify transportation needs and issues within the study area and to develop conceptual transportation improvements and strategies to address these needs. The study includes extensive coordination with technical staff and elected officials from cities located along the county line, as well as with the general public.

This report describes existing and future transportation conditions in the study area. The purpose and need for transportation improvements in the OC/LA study area is established based on technical analysis of travel demand data for the study area and local input. The purpose and need serves as the basis for developing conceptual alternatives and further analysis of future transportation improvements in the study area.

The OC/LA study area follows the county line from the Pacific Ocean in the southwest to the Chino Hills in the northeast. The study area includes all existing transportation corridors that travel between Orange and Los Angeles counties. Exhibit S-1 illustrates the study area, along with major transportation corridors serving the area.

Input Received from Local Agencies

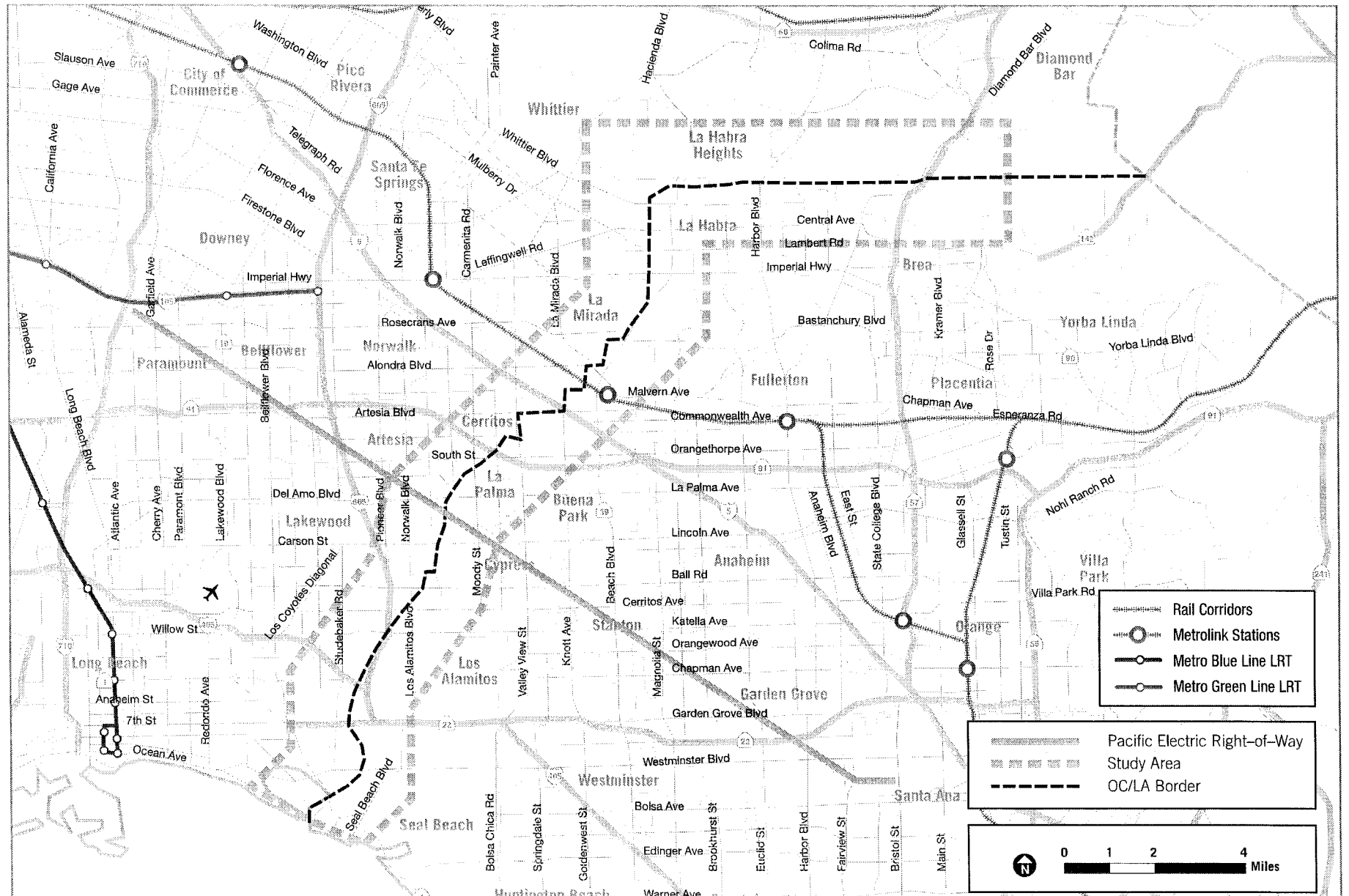
The public involvement plan for the study includes meetings with local agencies and the general public to provide information on the study and to provide an opportunity for feedback and public participation. Input for the Purpose and Need Report was provided through three Technical Working Group (TWG) meetings held with city staff and local agencies, and an Elected Officials Workshop that included OCTA and Metro Board Members along with elected officials from cities located along the county line.

Input received from these meetings included observations on the transportation modes and corridors most in need of improvement, opportunities for reducing traffic congestion across the county line, and areas where additional coordination is needed between OCTA, Metro, and other local agencies. The primary needs and areas of improvement noted in both the technical meetings and the Elected Officials Workshop included study area freeways, Metrolink service, regional transit service, and studying the potential use of the Pacific Electric right-of-way, which extends across the the county line between Orange and Los Angeles counties.

OC/LA Intercounty Transportation Study

Exhibit S-1: Study Area

February 2003



S2 STUDY AREA TRANSPORTATION SYSTEM

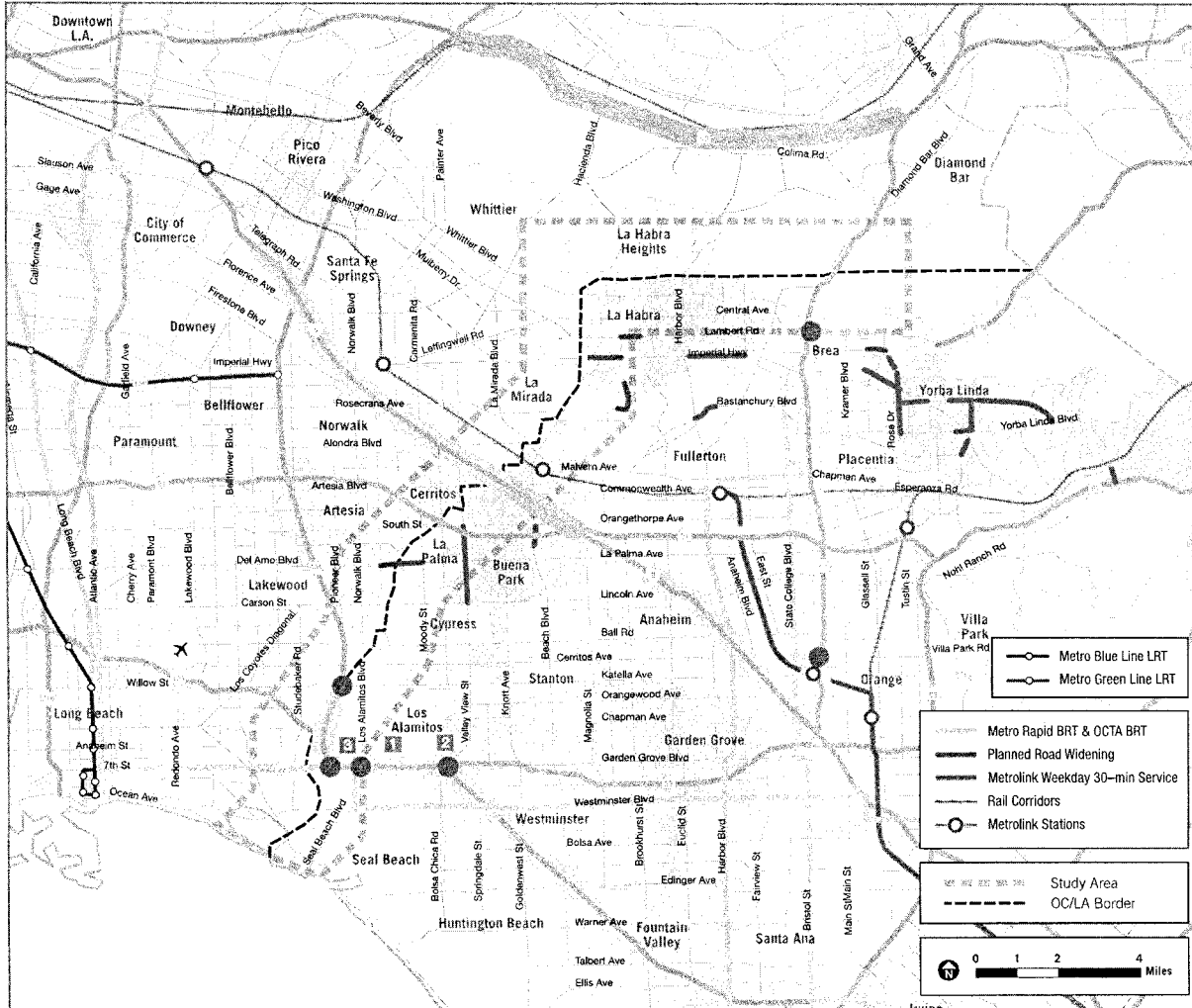
The transportation system in the OC/LA study area consists of freeways, roadways, rail systems, transportation centers, and park and ride facilities. Available modes of transportation include automobiles, bus and rail transit, and non-motorized (bicycling and pedestrian) transportation. A brief description of the existing study area transportation network is provided below:

- **Freeways:** Orange and Los Angeles counties are linked by six major freeways. The freeways are the Santa Ana Freeway (I-5), the San Diego Freeway (I-405), the San Gabriel River Freeway (I-605), the Garden Grove Freeway (SR-22), the Orange Freeway (SR-57), and the Riverside/Artesia Freeway (SR-91).
- **Arterial Roadways:** Numerous arterial roadways traverse the OC/LA county line and the project study area. Major roadways serving east-west traffic include Katella Avenue/Willow Street, Del Amo Boulevard/La Palma Avenue, and Imperial Highway. Major roadways serving north-south traffic include Los Alamitos Boulevard/Norwalk Boulevard, Valley View Street, and Harbor Boulevard.
- **Bus Transit:** Existing bus transit services consist primarily of local bus routes, operating on arterial roadways near the OC/LA county line. Transit providers operating in the study area include OCTA, Metro, Long Beach Transit, Montebello Bus Lines, Norwalk Transit, Cerritos on Wheels, and Foothill Transit.
- **Rail Transit:** Study area regional rail transit services are provided by Metrolink and Amtrak. Services include the Metrolink Orange County Line between Oceanside and Downtown Los Angeles, the Metrolink 91 Line between Riverside and Downtown Los Angeles, and the Amtrak Pacific Surfliner from San Diego to San Luis Obispo.
- **Bicycle and Pedestrian Transportation:** Several on-street and off-street bikeways are located in the study area. OCTA and several of the local cities have adopted bikeway plans that guide the implementation of future bicycle routes.

2030 Baseline Condition

Projects included in the 2030 Baseline condition have a committed funding source and are planned for completion prior to the study planning horizon of 2030. The projects included in the 2030 Baseline are summarized below and shown in Exhibit S-2 on the following page.

- Freeway enhancement projects as identified in the adopted OCTA and Metro Long Range Transportation Plans (Baseline and Constrained projects only);
- Orange County Renewed Measure M Early Action Plan freeway projects;
- Arterial roadway improvements as identified in study area city capital improvement programs (CIPs);
- Planned improvements by OCTA and Metro to local bus routes in the study area;
- New OCTA bus rapid transit routes on Harbor Boulevard, Westminster Avenue, and State College Boulevard/Bristol Street;
- New Metro Rapid routes on Atlantic Boulevard and Long Beach Boulevard; and
- Weekday 30-minute headways on Metrolink between Fullerton and Laguna Niguel.



Transportation projects included in the Baseline Year 2030 concept have a committed funding source and are planned for completion prior to the Year 2030. The components of the Baseline Year 2030 concept include the following:

- Freeway enhancement projects as identified in the adopted OCTA and Metro Long Range Transportation Plans (LRTP) (Baseline and Constrained projects only);
- In Orange County, Renewed Measure M Early Action Plan freeway projects;
- Arterial Roadway improvements as identified in study area city Capital Improvement Programs (CIPs);
- Planned enhancements by OCTA and Metro to local bus transit routes in the study area;
- New OCTA bus rapid transit routes on Harbor Boulevard, Westminster Avenue, and State College Boulevard/Bristol Street in Orange County;
- New Metro Rapid routes on Atlantic Boulevard and Long Beach Boulevard in Los Angeles County;
- The implementation of 30-minute headways for Metrolink service between Fullerton and Laguna Niguel/Mission Viejo in Orange County.

	Add 1 general purpose lane & 1 HOV lane in each direction; improve interchanges from Rosemead Blvd – Orange county Line Add 1 general purpose lane & 1 HOV lane in each direction from SR-91 to County Line Improve from SR-57 to SR-91
	Add 1 general purpose lane in each direction from Brookhurst – I-605 Auxiliary lanes between entrance ramps & downstream exit ramps at most locations Add 1 HOV lane in each direction from SR-22 to I-605
	Improve freeway access & arterial connection in communities of Los Alamitos & Cypress New freeway-to-freeway carpool ramps to I-405 Add HOV lane from I-405 to Orange County Line
	Construct HOV connector to I-405
	New NB truck climbing lane from Lambert Rd – Tonner Canyon New NB lane from Orangewood Ave-Lambert Rd
	Reconfigure existing interchange & add SB lane off-ramp at Lambert Rd Construct HOV drop ramps to Cerritos Ave
	Add 1 WB lane from I-5 to SR-57
	Add 1 HOV lane in each direction from I-605 to Brea Canyon Road

S3 STUDY AREA DEMOGRAPHICS AND LAND USE

Existing and forecast population and employment data for the project study area were obtained from OCTA and Metro. In the existing condition, there are about 410,000 residents living within one mile of the OC/LA county line. About 175,000 jobs are located within the study area. Steady growth in both population and employment levels within the OC/LA study area is anticipated in the time period between Year 2000 and Year 2030. The highest population densities for the Year 2000 and Year 2030 are observed in the central portions of the study area in Buena Park, Cerritos, Lakewood and La Mirada. The central portion of the study area also has the highest concentrations of employment along the OC/LA county line. The greatest percentage of population and employment growth between Year 2000 and Year 2030 is anticipated to occur in the northern portions of the study area (Diamond Bar, Brea, La Habra) and in the areas near the coast (Long Beach, Los Alamitos). Exhibit S-3 illustrates the forecasted population growth within the project study area between 2000 and 2030. Project study area employment growth for the same 30-year time period is illustrated in Exhibit S-4.

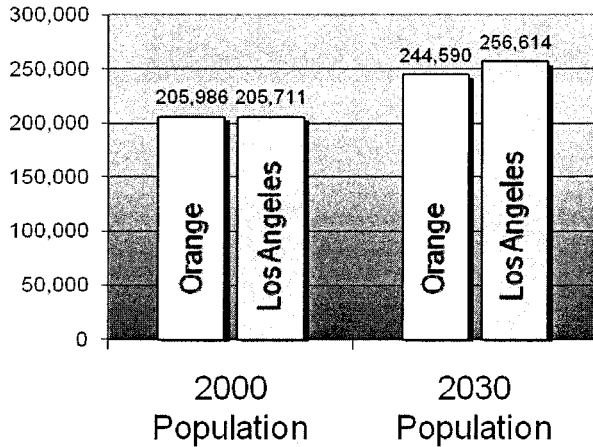


EXHIBIT S-3
STUDY AREA POPULATION GROWTH
YEAR 2000 TO YEAR 2030

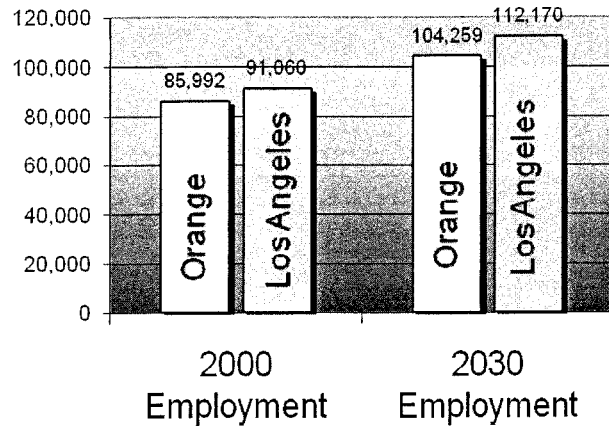


EXHIBIT S-4
STUDY AREA EMPLOYMENT GROWTH
YEAR 2000 TO YEAR 2030

S4 RELATED TRANSPORTATION STUDIES

Several transportation planning studies have been or are currently being conducted in portions of the OC/LA study area. These studies help to identify the various transportation needs in the study area and provide valuable input into the process of developing recommendations for transportation improvements. Major studies include the following:

- Regional studies: Multi-County Goods Movement Action Plan, Four Corners Transportation Study, and Metrolink Commuter Rail Strategic Plan.
- Los Angeles County studies: SR-91/I-605/I-405 Major Corridor Study, Eastside Transit Corridor Study Phase 2, Caltrans Interstate 5 Major Improvement Project EIS/EIR.
- Orange County studies: OCTA Go Local Program, I-405 Major Investment Study, West Orange County Project Definition Study, North Orange County Cities Transit Feasibility Study.

S5 TRAVEL DEMAND DATA

Forecast year 2030 travel demand data for the study area was generated using the Orange County Transportation Analysis Model (OCTAM), version 3.2, the regional model for transportation planning in Orange County. Input was also received from Metro regarding the transportation network and travel forecasts in Los Angeles County. The travel demand data showed a strong attraction between Orange and Los Angeles counties in regard to trips across the county line. This pattern is particularly apparent in cities located along the OC/LA county line. In the Year 2030, about 9% of the total daily vehicle trips generated in Orange County are forecast to travel to destinations in Los Angeles County. By comparison, about 3% of the vehicle trips generated in Los Angeles County are destined for Orange County.

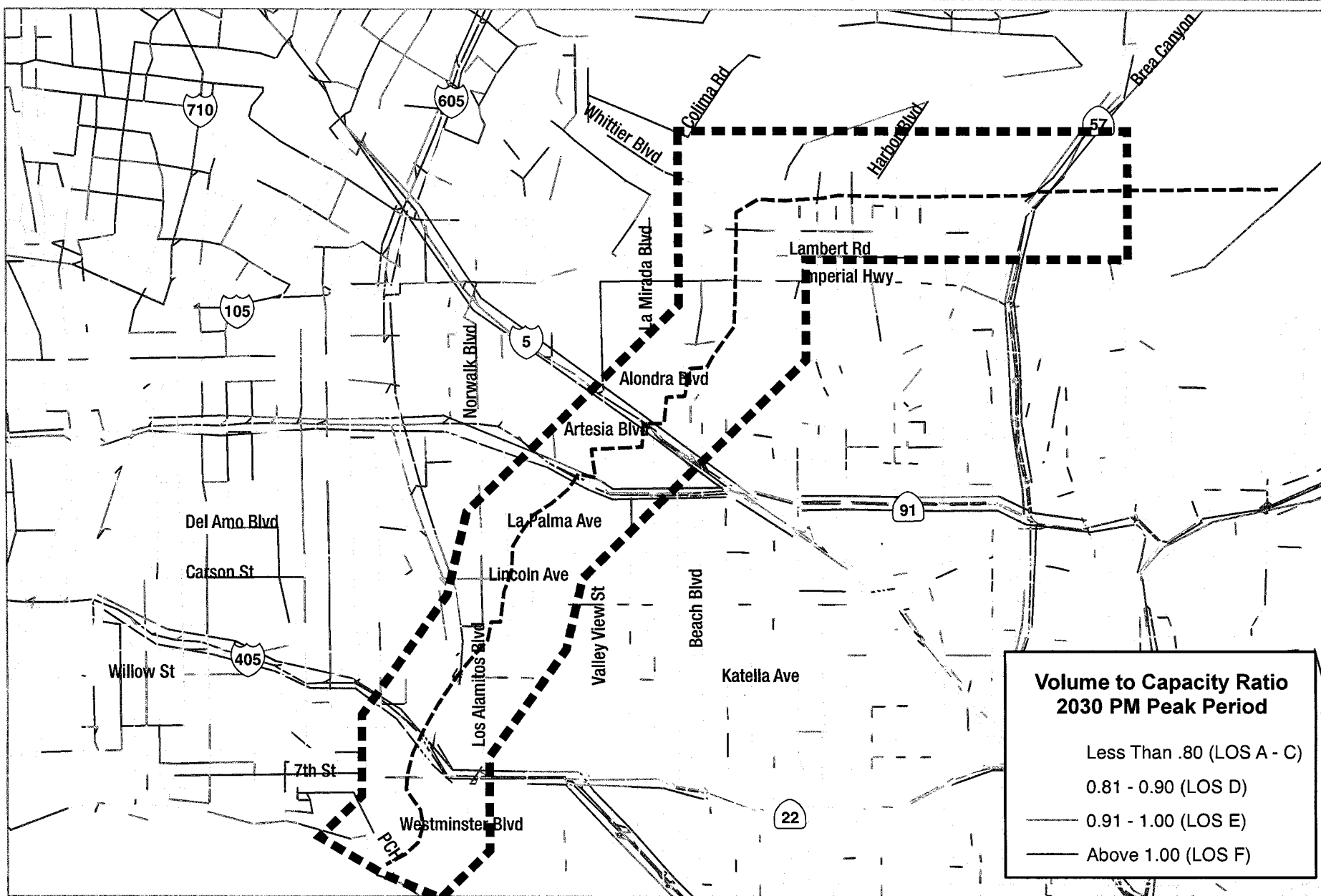
An estimated two million trips cross the OC/LA county line on a daily basis in the existing condition. Additionally, trips between the two counties are forecast to increase by 26% from the existing condition to the Year 2030. It is important to note that trips across the county line include not only the trips between Orange and Los Angeles counties, but trips with origins in San Bernardino County, Riverside County, San Diego County, or other locations in Southern California. These regional trip origins must also be considered when developing improvements to address transportation needs between Orange and Los Angeles counties.

Related to the anticipated increase in trips across the OC/LA county line, a large increase in vehicle miles traveled (VMT) and vehicle hours traveled (VHT) is also forecast. Weekday VMT in the project study area is estimated to increase by 25% between 2000 and 2030. By comparison, weekday VHT in the project study area is forecast to increase by 47% over the same time period. The forecast increases for VHT in the study area are significantly higher than the forecast increases in VMT. This means that commuters traveling between Orange and Los Angeles counties are forecast to be making longer and more frequent trips, and spending a greater amount of time to complete these trips. The forecast Year 2030 PM peak period volume to capacity ratios illustrate these findings and show the substantial congestion forecast for the study area. Exhibit S-5 on the following page shows the forecast PM peak period volume to capacity ratios on freeways and arterial roadways in the study area.

S6 SYSTEM PERFORMANCE/MOBILITY PROBLEM

The performance of the existing and future transportation system within the project study area was analyzed to establish the purpose and need for transportation improvements across the OC/LA county line. The major findings of the system performance analysis are:

- In the year 2030, traffic operates at a poor level of service on a majority of study area freeway segments and on several major arterial roadways including: Katella Avenue, Imperial Highway, Whittier Boulevard, and Brea Canyon Road.
- The highest freeway daily traffic volume increases between 2007 and 2030 are forecast to occur on the SR-57 and I-5 freeways.
- The highest arterial daily traffic volume increases between 2007 and 2030 are forecast to occur on Imperial Highway, Rosecrans Avenue, Katella Avenue, and 7th Street.
- Demand for transit services (local bus, regional bus, and Metrolink) is forecast to increase in the Year 2030.



Defining the intercounty mobility problems is an essential part of establishing the purpose and need for transportation improvements near the county line. The following are the findings and conclusions regarding the mobility problem between Orange and Los Angeles counties:

- Traffic congestion is substantial in the existing condition, particularly on study area freeways, and congestion levels will continue to increase in the year 2030 Baseline condition.
- Vehicle hours traveled (VHT) and vehicle hours of delay (VHD) are forecast to increase at a faster rate than vehicle miles traveled (VMT) in the study area between the existing condition and Year 2030. Commuters and travelers in the study area will experience increased levels of congestion and delay compared to the existing condition.
- A majority of the freeway segments in the OC/LA study area are forecast to operate at an unacceptable level of service during the AM and PM peak periods in the Year 2030.
- Significant traffic congestion and poor levels of service are observed on several arterial roadways in the Year 2030. This situation severely constrains intercounty travel.
- Only a limited number of local and regional transit services provide connections across the OC/LA county line. Transit services that do cross the county line are not necessarily coordinated to connect with transit services operating in the neighboring county.
- Demand exists for regional transit services such as Metrolink commuter rail, bus rapid transit, and express bus services, but these services are limited in their timeframes and areas of service. This condition limits the regional transit options available to residents and commuters seeking to travel across the county line.
- Freight goods movement has an impact on traffic operations and rail capacity within the study area. Improvements to the transportation network must factor in the impacts associated with goods movement and address goods movement within the overall context of improving transportation between Orange and Los Angeles counties.
- The existing network of bikeways serving the study area is in need of better connections across the county line and more continuous corridors that link major activity centers. The presence of bikeway facilities varies on a city by city basis, creating gaps and reducing the ability of bicycle commuters to make longer regional trips. The Coyote Creek Bikeway is a good candidate for improvement to connect bikeways in the study area.

S7 STUDY PURPOSE AND NEED STATEMENT

Given the projected increase in travel demand in the study area, it is essential for OCTA, Metro, Caltrans, and local cities along the OC/LA county line to work together to improve planning and coordination efforts and to implement enhancements and improvements to the transportation system near the county line. The purpose and need for the OC/LA Intercounty Transportation Study is summarized below.

Interagency Coordination

The OC/LA Intercounty Transportation Study is the first significant joint planning effort undertaken by OCTA and Metro that specifically looks at transportation issues along the OC/LA county line. This study is an important first step for OCTA and Metro to work together to improve transportation infrastructure and services between Orange and Los Angeles counties. Increased coordination between agencies is essential for the successful implementation of transportation improvements. There are also significant opportunities for cities located along the county line to use this study effort to increase coordination and cooperation on local transportation issues. Issues such as traffic signal synchronization, roadway improvements, and bicycle and pedestrian facilities are typically handled at the city level.

Freeway Congestion

Traffic congestion is already a substantial constraint on mobility for all freeways in the OC/LA study area. Forecasted increases in traffic volumes, delay, and travel demand for the Year 2030 condition will only further exacerbate the pressure on the freeway network serving Los Angeles and Orange counties. In 2030, the majority of freeway segments in the OC/LA study area are forecast to operate at an unacceptable level of service (LOS E or F). A range of improvements for the freeway network needs to be explored to meet forecast travel demand. Improving the operating efficiency of the existing freeway infrastructure will be important in order to maximize traffic flow. However, operational improvements alone will not be able to serve forecasted Year 2030 traffic volumes. Additional freeway capacity is necessary to serve anticipated traffic volumes and to ensure the continued economic growth of Southern California.

Arterial Roadway Congestion

The Year 2030 traffic forecasts identify future traffic congestion on arterial roadways crossing the OC/LA county line. However, due to land use and geographic constraints, there is insufficient arterial roadway capacity available to meet travel demand in many portions of the study area. Limitations in arterial roadway capacity cause substantial impacts to the mobility of residents and commuters across the county line. The capacity limitations also contribute to higher levels of forecasted delay and traffic congestion.

Optimization of Existing Transportation Infrastructure

There is local support for improving traffic operations in existing corridors through the implementation of intelligent transportation measures. Cities located along the county line have expressed reservations about significant freeway and roadway widening that could have adverse impacts to their communities and adjacent land uses. Based on this input, improvements and capacity enhancements within existing public rights-of-way need to be explored during the development of conceptual alternatives.

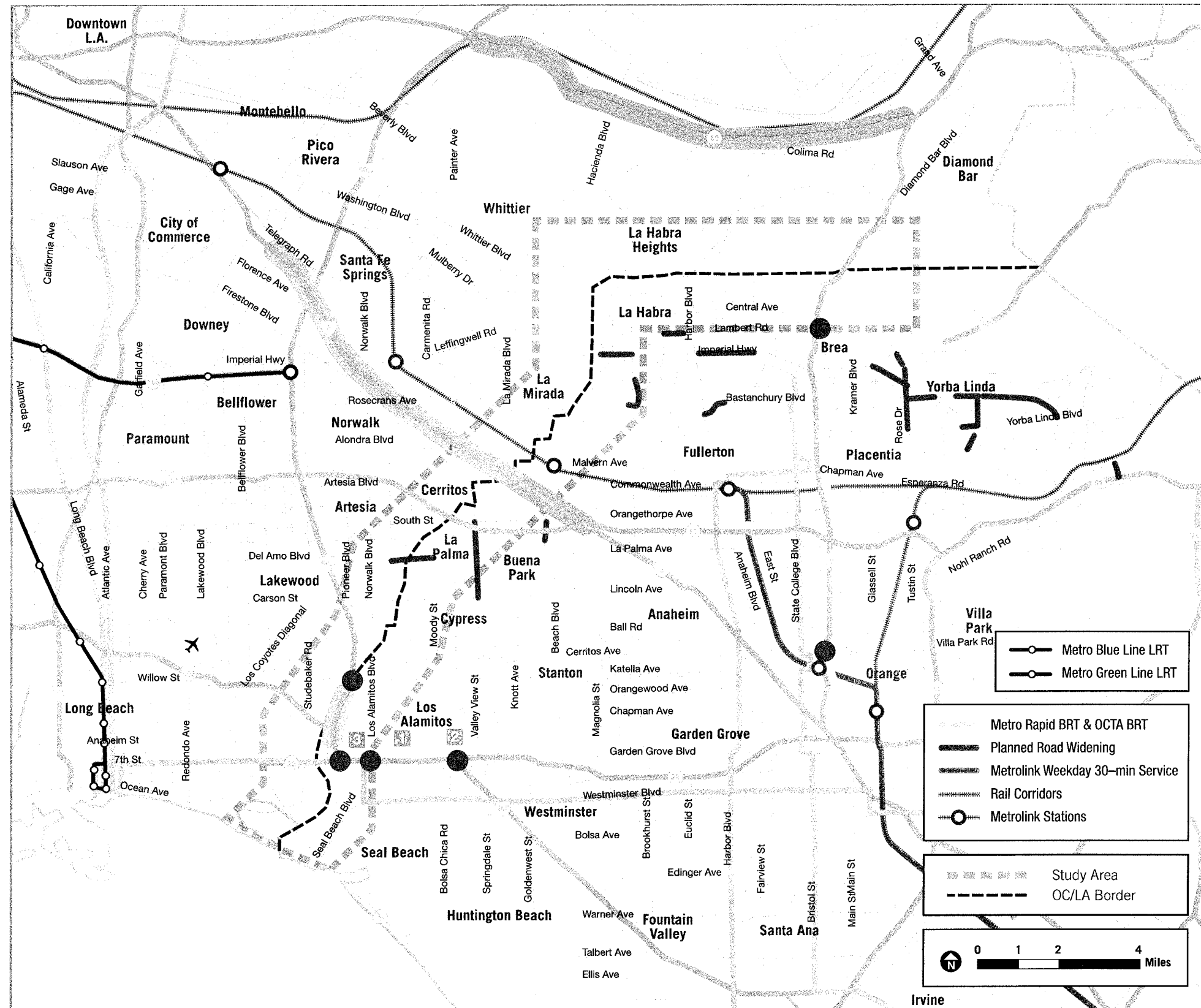
Traffic signal coordination and improved transit services are two strategies deserving additional consideration. The implementation of traffic signal coordination and synchronization across the county line should be explored to improve traffic flow on arterial roadways. Improving the frequency and volume of transit services within an existing freeway and arterial roadway network would increase the capacity of these facilities and optimize existing transportation corridors and infrastructure.

Transit Connectivity

Improvements to regional transit services between Orange and Los Angeles counties are necessary to meet existing and future travel demand. There are a limited number of transit services that cross the county line, and many of these services operate primarily or exclusively during peak hours and in peak directions only. This condition limits the potential to carry a significant amount of travelers across the county line. Additional regional transit services are needed to meet forecast demand for transit service, particularly in portions of the study area that are not well-served by the Metrolink commuter rail system.

Use of Pacific Electric Right-of-Way

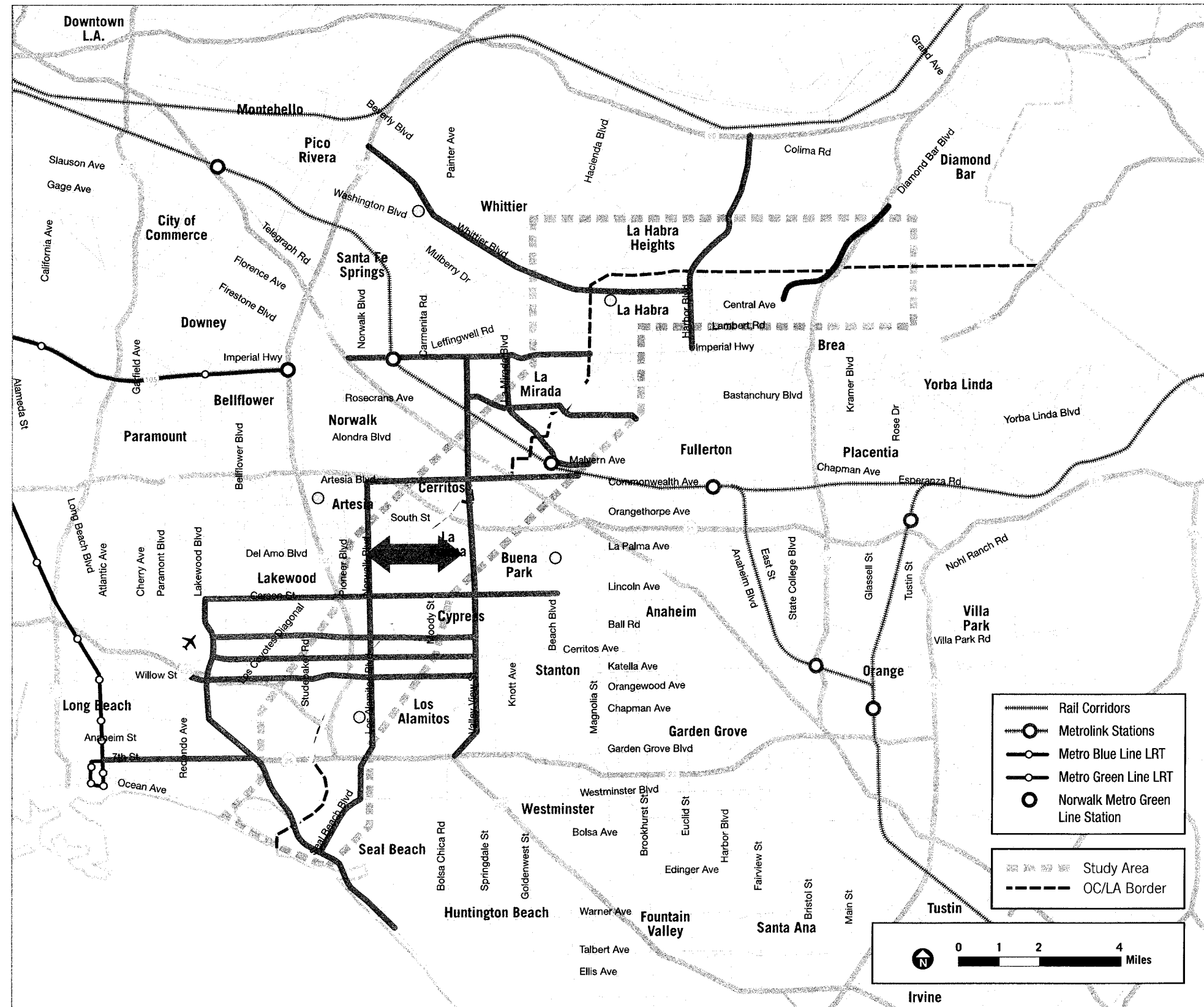
The Pacific Electric right-of-way (PE ROW) provides OCTA and Metro an opportunity to implement a regional transit service to connect Orange and Los Angeles counties. A project in this corridor would also increase the capacity of the transportation network within an area that has a limited number of parallel or alternative routes. The travel demand data for the Year 2030 shows a significant number of trips between Orange and Los Angeles counties from the cities that border the PE ROW. These travel forecasts suggest a healthy potential market for transit services in the Year 2030 in and near the PE ROW corridor. Therefore, transportation improvements should be explored to serve this travel market.



Transportation projects included in the Baseline Year 2030 concept have a **committed funding source** and are planned for completion prior to the Year 2030. The components of the Baseline Year 2030 concept include the following:

- Freeway enhancement projects as identified in the adopted OCTA and Metro Long Range Transportation Plans (LRTP) (Baseline and Constrained projects only);
- In Orange County, Renewed Measure M Early Action Plan freeway projects;
- Arterial Roadway improvements as identified in study area city Capital Improvement Programs (CIPs);
- Planned enhancements by OCTA and Metro to local bus transit routes in the study area;
- New OCTA bus rapid transit routes on Harbor Boulevard, Westminster Avenue, and State College Boulevard/Bristol Street in Orange County;
- New Metro Rapid routes on Atlantic Boulevard and Long Beach Boulevard in Los Angeles County;
- The implementation of 30-minute headways for Metrolink service between Fullerton and Laguna Niguel/Mission Viejo in Orange County.

	Add 1 general purpose lane & 1 HOV lane in each direction; improve interchanges from Rosemead Blvd – Orange county Line
	Add 1 general purpose lane & 1 HOV lane in each direction from SR-91 to County Line Improve from SR-57 to SR-91
	Add 1 general purpose lane in each direction from Brookhurst – I-605 Auxiliary lanes between entrance ramps & downstream exit ramps at most locations
	Add 1 HOV lane in each direction from SR-22 to I-605
	Improve freeway access & arterial connection in communities of Los Alamitos & Cypress
	New freeway-to-freeway carpool ramps to I-405
	Add HOV lane from I-405 to Orange County Line (Part of West Orange County Connectors Project)
	Construct HOV connector to I-405
	New NB truck climbing lane from Lambert Rd – Tonner Canyon New NB lane from Orangewood Ave-Lambert Rd
	Reconfigure existing interchange & add SB lane off-ramp at Lambert Rd Construct HOV drop ramps to Cerritos Ave
	Add 1 WB lane from I-5 to SR-57
	Add 1 HOV lane in each direction from I-605 to Brea Canyon Road



The Transportation System Management (TSM) and Transportation Demand Management (TDM) Concept includes strategies to increase the efficiency of the transportation system and improve mobility across the OC/LA county line. The TSM/TDM concept focuses on increasing local bus coordination, implementing traffic signal coordination on streets near and across the county line to reduce congestion, and increased freeway traffic monitoring. This alternative also includes the construction of additional park-and-ride and transit center facilities. The TSM/TDM Concept is included in all of the following alternatives.

Note: Includes Year 2030 Baseline Improvements

Freeways/Roadways

- Goods Movement ITS Integration
- Upgrade freeway traffic surveillance on all study area freeways
- Upgrade freeway ramp metering at various locations
- Arterial roadway enhancements (Traffic Signal Coordination, bus turn-outs, and other improvements) on the following corridors:
 - Pacific Coast Hwy from Warner Ave to Lakewood Blvd
 - 7th St from SR-22 to Long Beach Blvd
 - Willow St/Katella Ave from Valley View St to Redondo Ave
 - Carson St/Lincoln Ave from Beach Blvd to Lakewood Blvd
 - Lakewood Blvd from Pacific Coast Hwy to Carson St
 - Artesia Blvd from Gilbert St to Norwalk Blvd
 - Rosecrans Ave from Gilbert St to Valley View St
 - La Mirada Blvd from Burlingame Ave to Imperial Hwy
 - Imperial Hwy from County line to Pioneer Blvd
 - Whittier Blvd from Harbor Blvd to I-605
 - Harbor Blvd from Imperial Hwy to SR-60
 - Cerritos Ave/Spring St from Valley View St to Lakewood Blvd
 - Ball Rd/Wardlow Rd from Valley View St to Lakewood Blvd
 - Seal Beach Blvd/Los Alamitos Blvd from Pacific Coast Hwy to Artesia Blvd

- Carpool/Vanpool incentives
- Interlink city TMCs and Caltrans District 7 and 12 TMCs
- Increase CCTV locations
- Real-time traffic information
- Alternative work hours
- Incident Management
- Safety and Operational Improvements consistent with Caltrans State Highway Operation and Protection Plan on Brea Canyon Road.

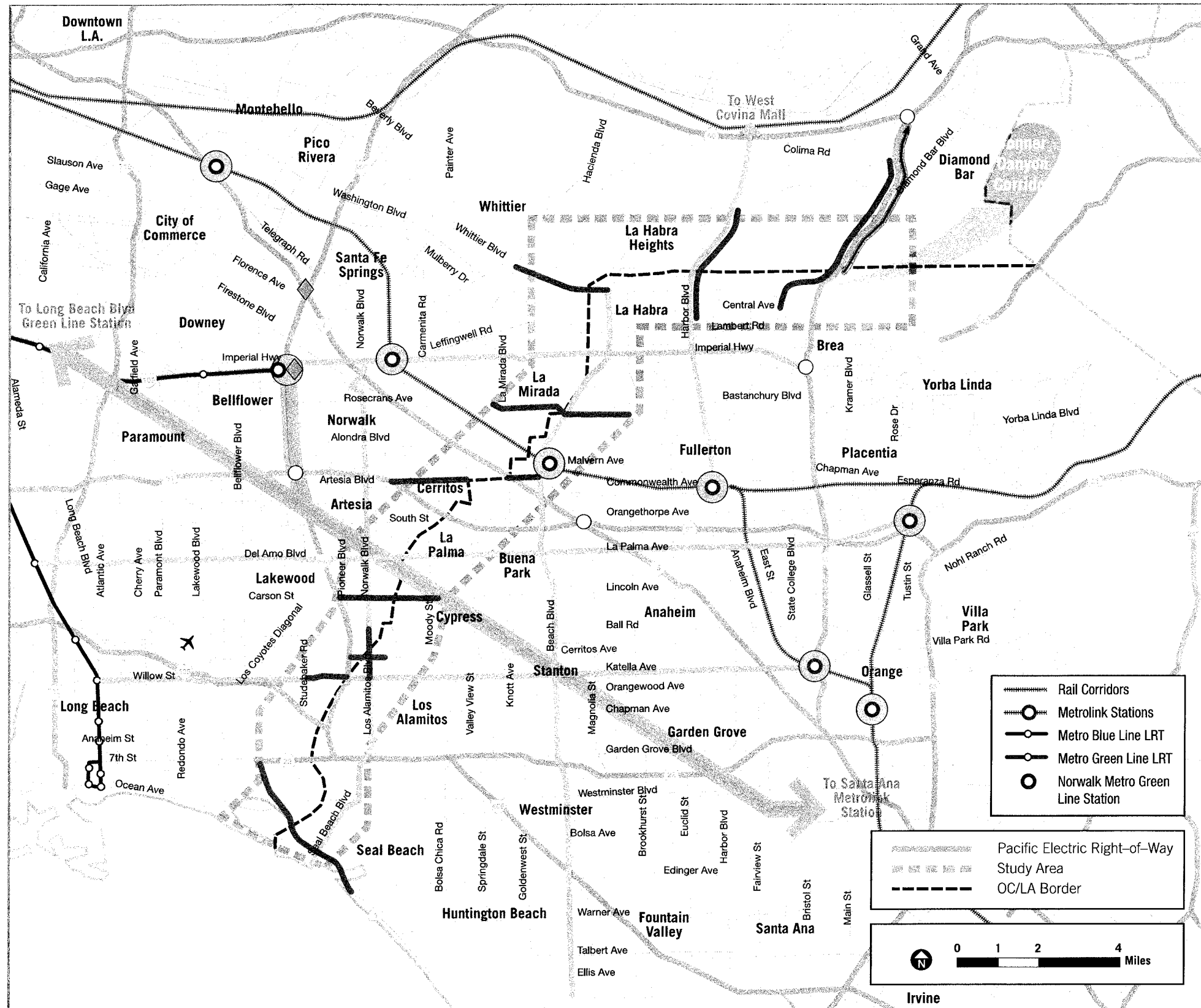
Transit

- Increase local bus coordination between counties
- Increase local bus service frequency and span of service
- Park and Ride Lots in cities of Artesia/Cerritos, Buena Park, La Habra, Seal Beach/Los Alamitos and Whittier
- New bicycle corridors over Coyote Creek and along rail lines
- Transit service improvements (i.e. kiosks at malls and transit centers)

Bike/Pedestrian

- Enhance Coyote Creek Bikeway

	Increase Local Bus Coordination
	Arterial Corridor Improvements
	Safety and Operational Improvements
	Bikeway Enhancement
	New Park-and-Ride Lot



The Arterial/Bus Rapid Concept is a multimodal concept that concentrates on increasing arterial roadway capacity, especially in the congested areas of the Coastal and Northern Sub Areas, and improving freeway interchanges. New Rapid Bus services near and across the OC/LA county line are proposed, along with a grade-separated Bus Rapid Transit service in the Pacific Electric ROW and improved bus shuttle services to Metrolink Stations. The Arterial/ Rapid Bus Concept is included in all of the following alternatives.

This concept includes Year 2030 Baseline and TSM/TDM improvements

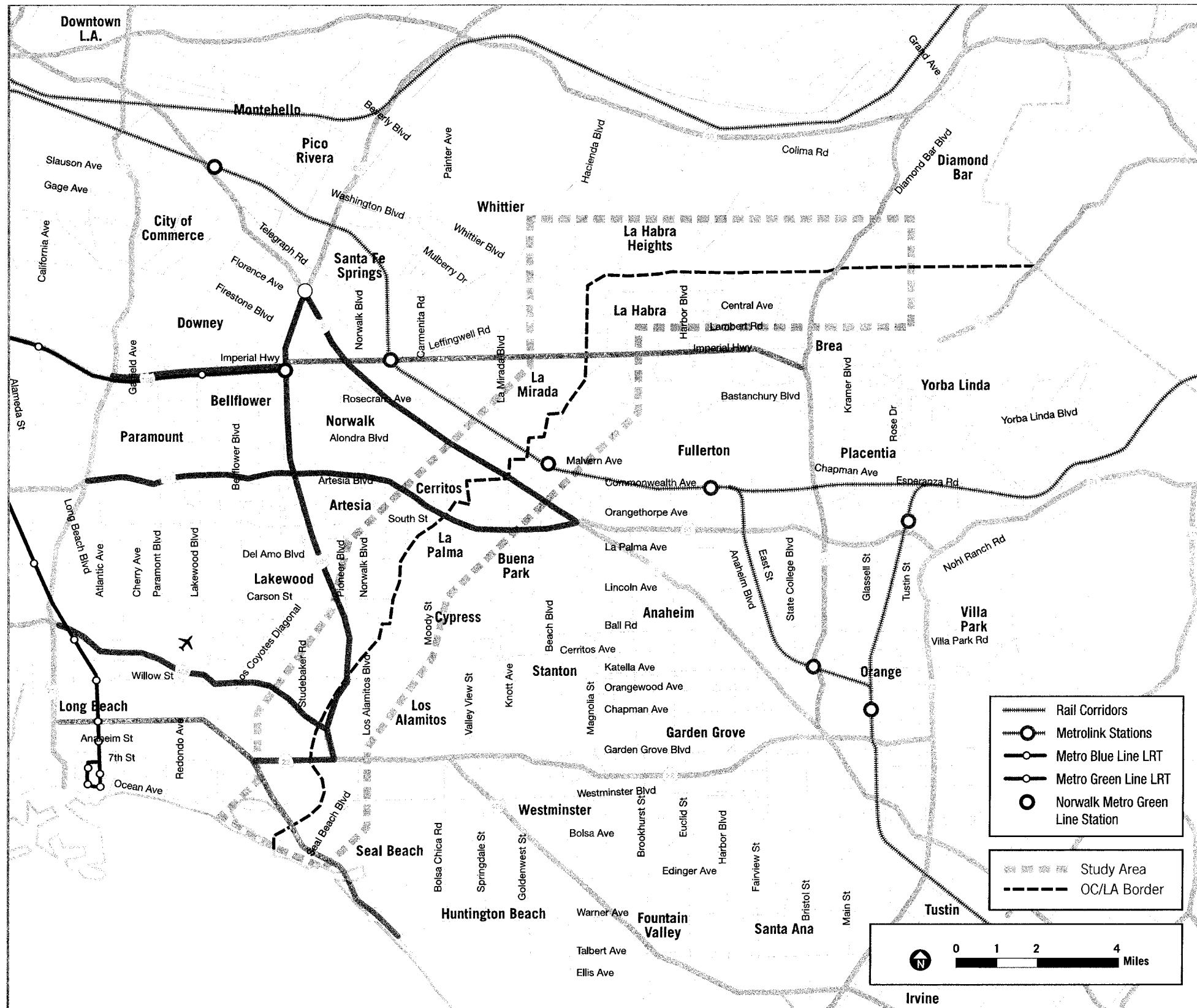
Freeway/Roadway

- Improve interchanges at the following locations: SR-57/SR-60, SR-57/Imperial Hwy, I-5/SR-91 and I-605/SR-91
- New HOV connector at I-5/I-605 and I-105/I-605 interchanges
- Extend truck climbing lane on northbound SR-57
- Add one general purpose lane in each direction on various streets, including:
 - Pacific Coast Hwy from Edinger Ave to 7th St
 - Willow St from the I-605 to Studebaker Rd
 - Carson St/Lincoln Ave from Moody St to Pioneer Blvd
 - Artesia Blvd from Beach Blvd to Knott Ave and Valley View St to SR-91
 - Rosecrans Ave from Gilbert St to La Mirada Blvd
 - Whittier Blvd from Euclid St to Colima Rd
 - Harbor Blvd from La Habra Blvd to Pathfinder Rd
 - Brea Canyon Road from Central Ave to Pathfinder Rd
- Extend Tonner Canyon Rd to Grand Ave
- Improve bridges on Cerritos Ave over Coyote Creek and on Los Alamitos Blvd between Los Alamitos and Long Beach

Transit

- Increase transit frequencies and coordination on local bus routes
- Shuttles/Feeders to Metrolink stations
- Implement grade-separated Bus Rapid Transit on the Pacific Electric Right-of-Way (PE ROW) with connection to Norwalk Green Line Station
- Implement Rapid Bus along:
 - Imperial Hwy from Brea Mall to the Green Line Station
 - Del Amo Blvd/La Palma Ave from the Anaheim Canyon Metrolink Station to Metro Blue Line Del Amo Blvd stop
 - Willow St/Katella St from Anaheim Metrolink Station to Metro Blue Line Willow St stop
 - Seal Beach Blvd/Norwalk Blvd from Pacific Coast Hwy to the Norwalk/Santa Fe Springs Metrolink Station
 - Beach Blvd from downtown Huntington Beach to Whittier Blvd
 - Harbor Blvd from Fullerton Metrolink Station to West Covina Mall

	Tonner Canyon Corridor Connection		HOV Connector
	Add One Lane in Each Direction		Extend Truck Climbing Lane
	Bus Rapid Transit & Pedestrian/Bike Path		Interchange Improvement
	Rapid Bus		New Bus Shuttle Services to Metrolink Stations

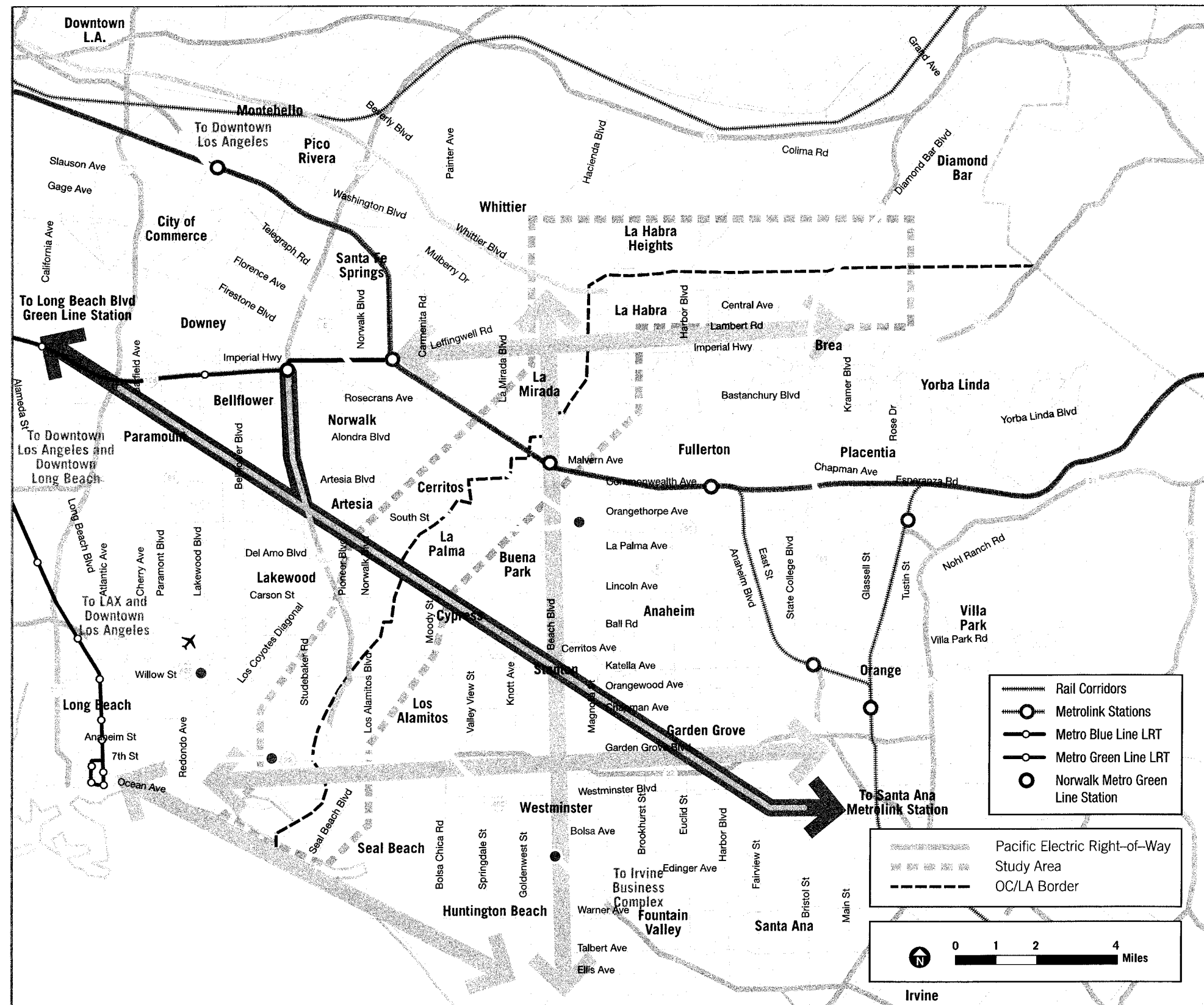


The Freeway Concept proposes improvements to freeways that increase capacity with the objective of improving traffic conditions in the year 2030. The concept includes adding capacity to all study area freeways through new general purpose lanes, High Occupancy Vehicle (HOV) lanes, or High Occupancy Toll (HOT) lanes.

This concept includes Year 2030 Baseline, TSM/TDM and Arterial/Rapid Bus improvements

Freeway/Roadway

- Add one general purpose lane in each direction on:
 - I-5 from SR-91 to I-605
 - I-405 from I-605 to I-710
 - I-605 from I-405 to I-5
 - SR-22 from I-405 to Pacific Coast Hwy
 - SR-91 from I-5 to I-710
 - I-105 from I-605 to I-710
- Add one southbound lane on SR-57 from Diamond Bar Boulevard to I-5
- Convert arterial roadways to Parkways (grade separated intersections, exclusive lanes, and other improvements) on the following corridors:
 - Pacific Coast Hwy from Warner Ave to I-710
 - Imperial Hwy from SR-57 to I-605



The Transit Concept looks exclusively at transit oriented alternatives to accommodate future travel demand. The objectives of this concept are to improve transit services for both short and long distance trips, improve the efficiency of local transit services, increase Metrolink service, enhance planned Rapid Bus routes, and provide connections between different modes of transportation.

This concept includes Year 2030 Baseline, TSM/TDM and Arterial/Rapid Bus improvements

Transit

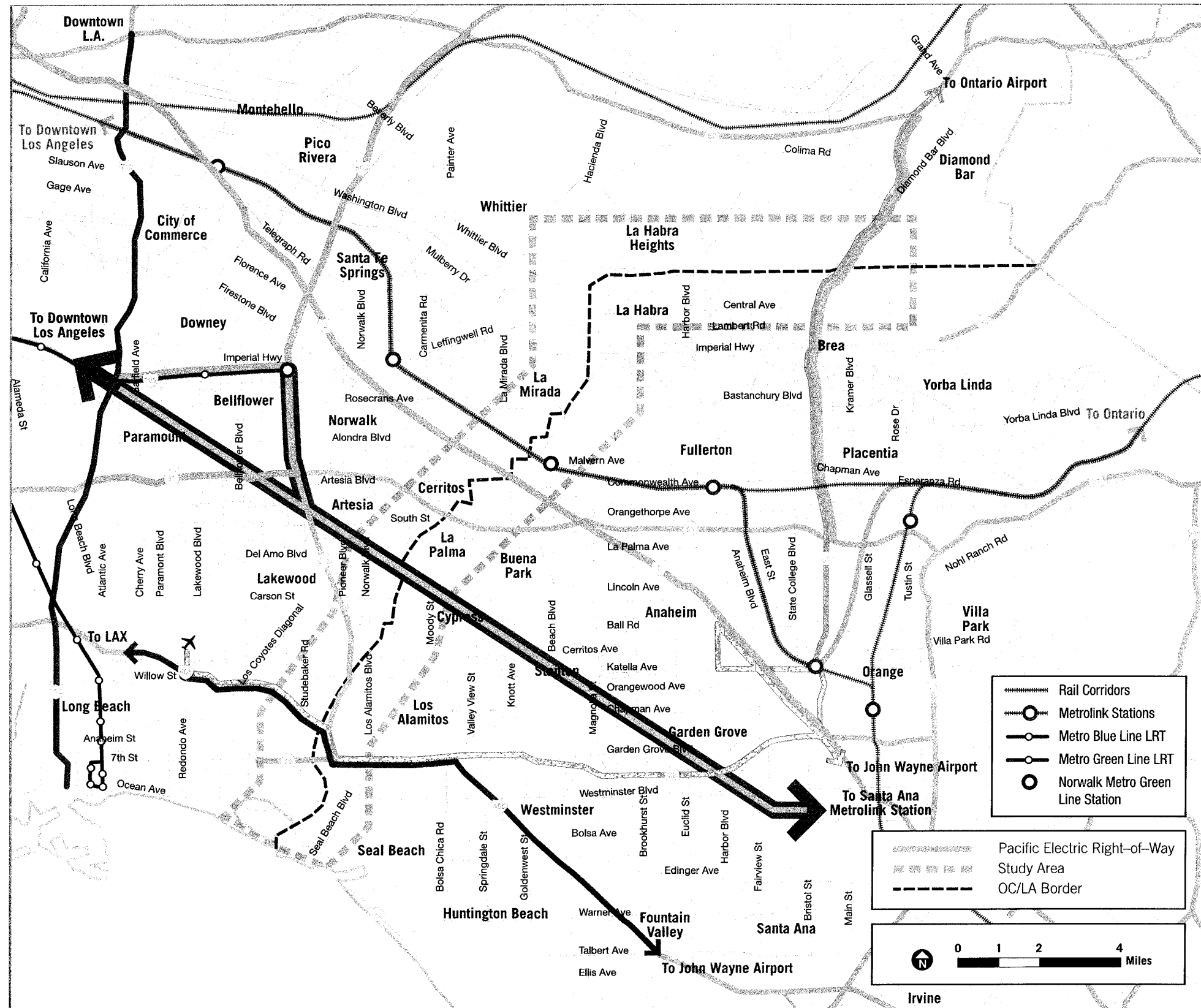
- Increase Metrolink Weekday frequency on the Orange County Line from Fullerton to Downtown Los Angeles and 91 Line from Corona to Downtown Los Angeles (Assumes 3rd main track and grade separations)
- Rapid Bus on Whittier Blvd from Beach Blvd to Downtown Los Angeles
- Extend Metro Green Line LRT to Norwalk/Santa Fe Springs Metrolink Station
- Express bus services along the following corridors:
 - Irvine Business Complex to Long Beach Transit Mall via I-405 and SR-22
 - Irvine Business Complex to Downtown Los Angeles via I-405 and I-110
 - Santa Ana Metrolink Station to Downtown Los Angeles via I-5
 - Anaheim Metrolink Station to Downtown Long Beach via SR-91 and I-710
 - Anaheim Metrolink Station to Diamond Bar via SR-57
- Replace the grade separated BRT service in the PE ROW with a fully elevated transit service (bus or rail). Maintain the proposed connection to the Metro Green Line and an at-grade pedestrian / bike path within the corridor.
- Enhance selected rapid bus lines proposed in the Arterial / Bus Rapid Concept to full Bus Rapid Transit service operating in exclusive rights-of-way (specific alignment to be determined) connecting:
 - Huntington Beach to Whittier
 - Brea to Norwalk
 - Long Beach to Anaheim/Santa Ana
 - Long Beach to Irvine

	Rail Corridors
	Metrolink Stations
	Metro Blue Line LRT
	Metro Green Line LRT
	Norwalk Metro Green Line Station

	Pacific Electric Right-of-Way Study Area
	OC/LA Border

	0 1 2 4 Miles
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	Bus Rapid Transit		Increase Metrolink Service
	Rapid Bus		Elevated Transit and Pedestrian/Bike Path
	Express Bus Service		Green Line LRT Extension to Norwalk/Santa Fe Springs Metrolink Station
	Express Bus Service Stop		



The Public Private Partnership Concept focuses on identifying privately financed improvements to freeways, streets, and transit that could supplement the improvements that are possible with public funds. Concepts include toll lanes and truck toll lanes on freeway corridors and high-speed transit service in the Pacific Electric ROW.

This concept includes Year 2030 Baseline, TSM/TDM and Arterial/Rapid Bus improvements

- Add truck toll lanes on I-710 from Ocean Ave to SR-60
- Add High Occupancy Toll (HOT) or Toll Lanes on:
 - I-5 from SR-22 to downtown Los Angeles
 - I-105 from I-605 to I-710
 - I-605 from SR-91 to SR-60
 - SR-91 from I-605 to I-710
- Add High Occupancy Toll (HOT) or Toll Lanes on I-5 from SR-22 to downtown Los Angeles
- Add High Occupancy Toll (HOT) or Toll Lanes on SR-57 from SR-91 to SR-60
- Bus Shuttle Service connection from John Wayne Airport to Anaheim and Long Beach Airport via I-405 and SR-22
- Bus Shuttle Service connection from John Wayne Airport to Long Beach Airport and Los Angeles International Airport via I-405
- Bus Shuttle Service connection from Anaheim to Ontario Airport via SR-57
- Elevated High Speed Transit system on the PE ROW with possible connection to Norwalk Green Line Station

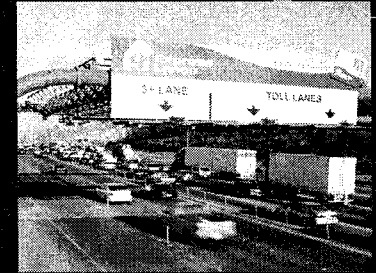
	Rail Corridors
	MetroLink Stations
	Metro Blue Line LRT
	Metro Green Line LRT
	Norwalk Metro Green Line Station

	Pacific Electric Right-of-Way Study Area
	OC/LA Border

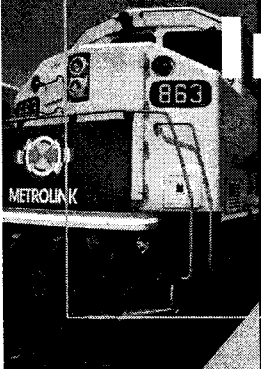
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	High Speed Transit
	High Speed Rail (Proposed by others. Alignment to be determined.)
	HOT or Toll Lanes
	Truck Toll Lanes
	John Wayne Airport - Anaheim - Long Beach Airport Bus Shuttle
	John Wayne Airport - Long Beach Airport - LAX Bus Shuttle
	Anaheim - Ontario Airport Bus Shuttle

**POWERPOINT
PRESENTATION**

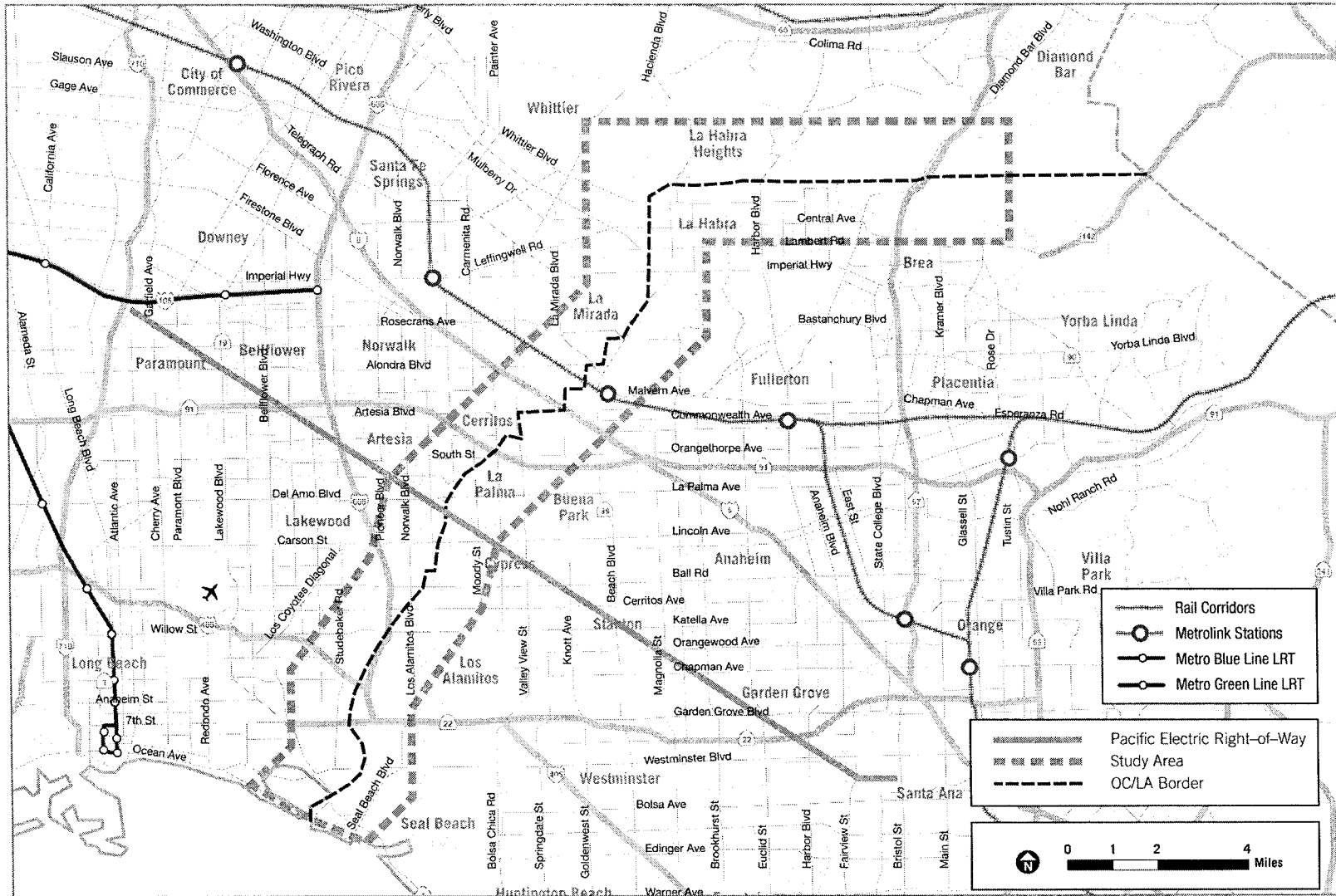


Orange and Los Angeles (OC/LA) Intercounty Transportation Study Update



Board of Directors Meeting
March 24, 2008

OC/LA Study Area



OC/LA Study Schedule

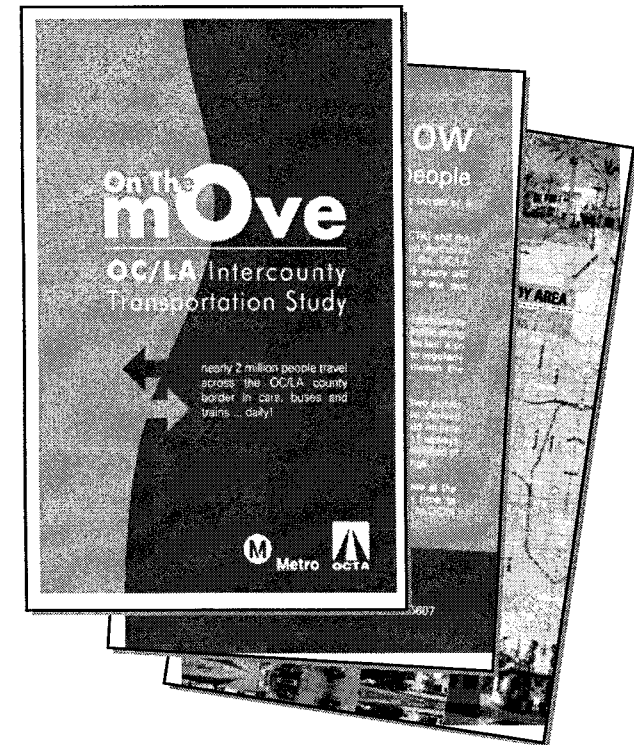
	2007			2008		
	July - Aug	Sept - Oct	Nov - Dec	Jan - Feb	Mar - Apr	May - June
Technical Work Effort	Study Initiation & Data Collection	Travel Demand Modeling & Identification of Key Issues	Prepare Purpose and Need	Develop High-Level Transportation Improvements	Refine Conceptual Alternative Strategies	Conceptual Alternatives Report and PE ROW* Analysis
Outreach Effort			Elected Officials Workshop		Elected Officials Workshop & Public Open Houses	



*Pacific Electric right-of-way (PE) (ROW)

Public Outreach

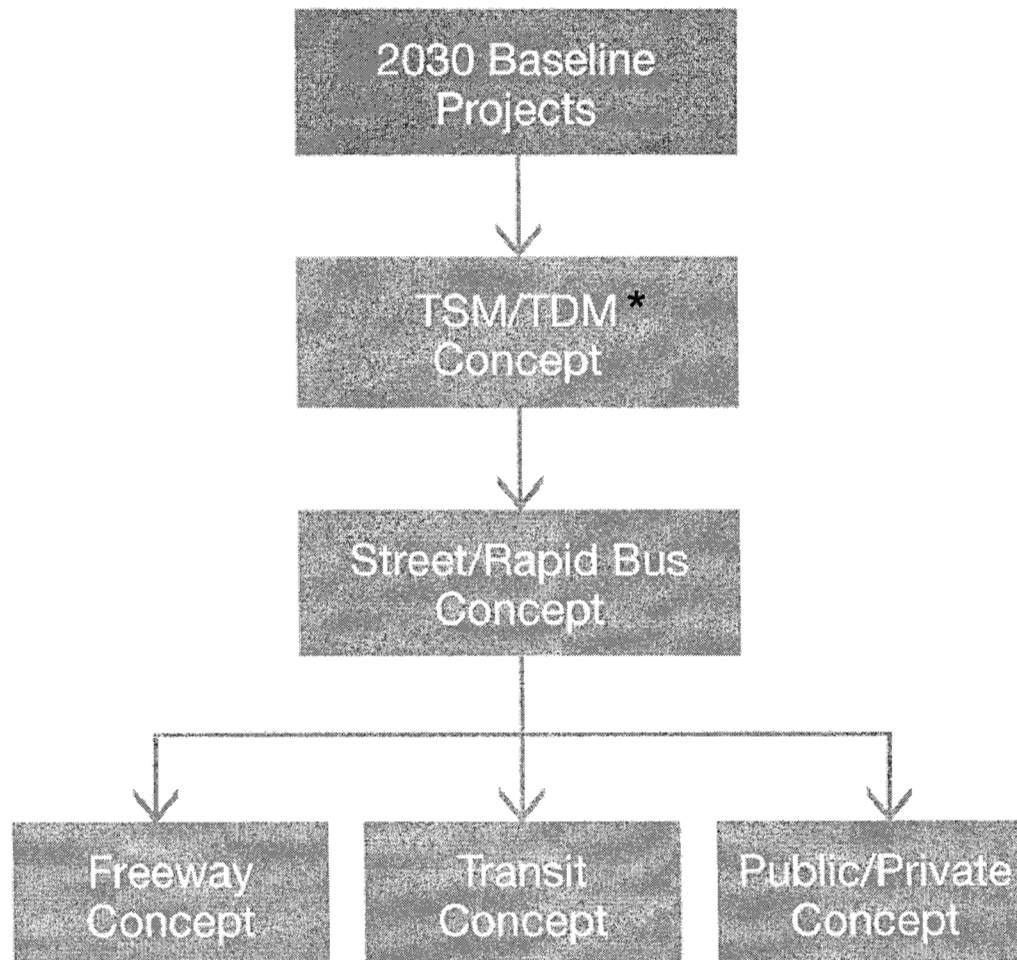
- Website www.octa.net/OC-LAstudy
- Elected and City Official Briefings
- Open Houses
- Online Survey
- Elected Officials Workshops
- Project Brochure



Purpose and Need - Key Issues

1. Interagency Coordination
2. Freeway Congestion
3. Arterial Roadway Congestion
4. Optimization of Existing Infrastructure
5. Transit Connectivity
6. Use of Pacific Electric Right-of-Way

Conceptual Alternatives



*Transportation Systems Management (TSM)/Transportation Demand Management (TDM)

Next Steps

March 24, 2008

- **OCTA Board of Directors**

June 2008

- **Revised Conceptual Alternative Strategies**
- **Pacific Electric ROW Analysis**



BOARD COMMITTEE TRANSMITTAL

March 24, 2008

To: Members of the Board of Directors

From: ^{WK} Wendy Knowles, Clerk of the Board

Subject: Proposition 1B Traffic Light Synchronization Program Proposed Program of Projects

Highways Committee Meeting of March 17, 2008

Present: Directors Amante, Cavecche, Dixon, Glaab, Green, Mansoor, Norby, Pringle, and Rosen

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Traffic Light Synchronization Program and commit local match funds as proposed.
- B. Authorize the Chief Executive Officer to execute cooperative agreements with the local agencies in which the proposed projects are located to administer the proposed projects.
- C. Authorize staff to make all necessary amendments to the Regional Transportation Improvement Program and State Transportation Improvement Program and execute any necessary agreements to facilitate the actions above.



March 17, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Proposition 1B Traffic Light Synchronization Program Proposed Program of Projects

Overview

On November 7, 2006, California voters passed Proposition 1B, a \$19.9 billion bond initiative for transportation improvements throughout the state. Included in Proposition 1B is the Traffic Light Synchronization Program, which makes available \$250 million for traffic light synchronization projects. A candidate list of projects is submitted for Board of Directors review and approval.

Recommendations

- A. Authorize the Chief Executive Officer to submit project nominations to the California Transportation Commission for the Traffic Light Synchronization Program and commit local match funds as proposed.
- B. Authorize the Chief Executive Officer to execute cooperative agreements with the local agencies in which the proposed projects are located to administer the proposed projects.
- C. Authorize staff to make all necessary amendments to the Regional Transportation Improvement Program and State Transportation Improvement Program and execute any necessary agreements to facilitate the actions above.

Background

In November 2006, California voters passed Proposition 1B, a \$19.9 billion transportation bond initiative. Proposition 1B established the Traffic Light Synchronization Program (TLSP), which specifies that \$250 million of the \$19.9 billion be used for traffic light synchronization and other technology-based improvements to improve safety, operations, and the effective capacity of local

streets and roads. SB 88 (Chapter 181, Statutes of 2007) specified that \$150 million of the \$250 million program be allocated to the City of Los Angeles for improvements within their jurisdiction. The remaining \$100 million of TLSP funds will be distributed through a competitive process by the California Transportation Commission (CTC).

The CTC adopted the TLSP guidelines in February 2008. The guidelines define eligibility, scoring criteria, and schedule. Project nominations are due March 28, 2008, and the program is anticipated to be adopted in May 2008. If approved, the Orange County Transportation Authority's (OCTA) program would result in an additional 158 miles of synchronization corridors in Orange County. In anticipation of the program, staff has been working with local agencies through the Technical Advisory Committee (TAC) to develop a candidate list of projects for the program.

Discussion

The TLSP is a competitive program statewide, and local and regional transportation agencies are eligible to submit project applications. Project nominations will be reviewed and scored based on transportation benefits, project readiness, air quality benefits, and local match contribution. To develop the most competitive project nominations possible, significant coordination with multiple local jurisdictions will be required. To that end, staff has been working with the local jurisdictions through the TAC to develop a slate of candidate projects for the TLSP. Local agencies have supported this effort and endorsed a candidate list of projects that will leverage Proposition 1B and TLSP funds with Measure M Signal Improvement Program (SIP) funds. These proposed projects represent high volume corridors consistent with the Renewed Measure M synchronization goals. The projects further represent a balance between north/south demand and east/west need.

The proposed projects include the following:

- Alicia Parkway (Santa Margarita Parkway to Crown Valley Parkway)
- Beach Boulevard (Whittier Boulevard to Pacific Coast Highway)
- Brookhurst Street (Orangethorpe Avenue to Pacific Coast Highway)
- Chapman Avenue (Hewes Street to Bolsa Chica Road)
- Irvine Center Drive (Costa Mesa Freeway to Del Prado Avenue)
- Katella Avenue (Santiago Boulevard to Orange County border)
- La Palma Avenue (Weir Canyon Road to Orange County border)
- Orangethorpe Avenue (Yorba Linda Boulevard to Orange County border)
- Valley View Street (Orange County border to Warner Avenue)
- Yorba Linda Boulevard (Oak Canyon Drive to State College Boulevard)

These 10 projects represent multi-agency signal synchronization along regionally significant corridors and implementation will primarily follow the same model as the recently completed Euclid Street project from La Habra to Fountain Valley. Corridors in the proposed program will be synchronized using time-based signal coordination combined with selected signal system upgrades including traffic controllers, cabinets, and other enhancements. It is anticipated that the recommended program will provide significant transportation benefits when implemented. Cooperative agreements will be developed with the local agencies in which these projects are located to implement the projects similar to recent demonstration projects on Euclid Street and Oso Parkway.

OCTA has previously approved \$4 million of SIP funds to pursue additional signal synchronization projects. These funds will match \$4 million of TLSP funds for a total program of \$8 million with a 50 percent local match. A map of these projects and additional project details are provided on Attachments A and B.

Staff is proposing to submit these 10 projects through a single comprehensive application. By submitting this comprehensive set of projects, OCTA can maximize the funds already directed towards synchronization efforts as the match for the TLSP funds. OCTA will be taking the lead agency responsibility for completing all recommended projects in the TLSP application. It should be noted that other Orange County agencies may independently apply for projects through this TLSP program. For example, the cities of Anaheim, Brea, Fullerton, and Orange are separately submitting a TLSP application for \$4.9 million of Proposition 1B funds for signal synchronization along State College Boulevard. OCTA will work with local agencies to ensure locally submitted projects are consistent with the Renewed Measure M Traffic Signal Synchronization Program goals.


Summary

Staff, in coordination with local jurisdictions, has developed a candidate list of projects and local match strategy for the Proposition 1B TLSP. The candidate list of projects proposes to leverage \$4 million of TLSP funds against Measure M SIP funds of a like amount. The proposed projects complement OCTA's current signal synchronization efforts and the TLSP program guidelines.

Attachments

- A. Traffic Light Synchronization Program
- B. Traffic Light Synchronization Program Project Details

Prepared by:



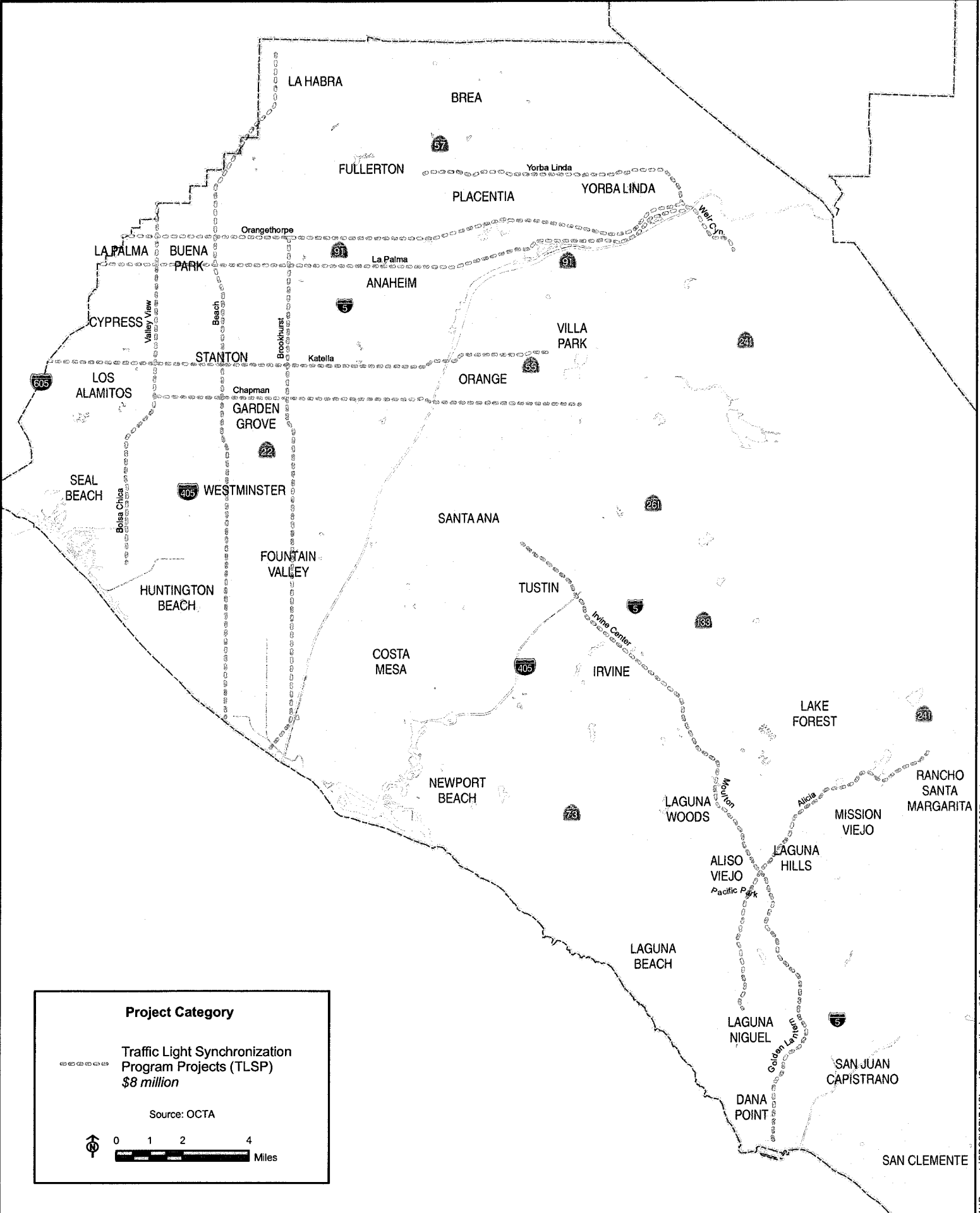
Jennifer Bergener
Manager, Capital & Local Programs
(714) 560-5462

Approved by:



Kia Mortazavi
Executive Director, Development
(714) 560-5741

Traffic Light Synchronization Program



Project Category

Traffic Light Synchronization Program Projects (TLSP)
\$8 million

Source: OCTA

0 1 2 4
Miles

Traffic Light Synchronization Program Project Details

Project Corridor	Cities Included	North/East Limits	South/West Limits	Miles
Alicia Parkway	5	Santa Margarita Parkway	Crown Valley Parkway	11
Beach Boulevard	7	Whittier Boulevard	Pacific Coast Highway	20
Brookhurst Street	6	Orangethorpe Avenue	Pacific Coast Highway	16
Chapman Avenue	3	Hewes Street	Bolsa Chica Road	13
Irvine Center Drive/Moulton Parkway/Golden Lantern Parkway	7	Costa Mesa Freeway (State Route 55)	Del Prado Avenue	23
Katella Avenue	6	Santiago Boulevard	Orange County Border	15
La Palma Avenue	3	Weir Canyon Road	Orange County Border	18
Orangethorpe Avenue	6	Yorba Linda Boulevard	Orange County Border	19
Valley View Street/Bolsa Chica Road	7	Orange County Border	Warner Avenue	11
Yorba Linda Boulevard/Weir Canyon Road	4	Oak Canyon Drive	State College Boulevard	12
Total				158