

Date: Monday, April 24, 2006

Time: 9:00 a.m.

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



AGENDA

Orange County Transportation Authority Board Meeting
Monday, April 24, 2006, at 9:00 a.m.

ACTIONS

Location of Board Meeting

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

Teleconferencing Site

135*137 Ebury Street
London SW1W 9RA
United Kingdom

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.

Teleconference Notice

Pursuant to California Government Code Section 54953, Director Peter Buffa will participate in this meeting and vote via teleconferencing as a Member of the OCTA Board of Directors.

Invocation

Director Monahan

Pledge of Allegiance

Director Pringle

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. Those who wish to participate at the teleconference site may do so by notifying Director Buffa. 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.



AGENDA

ACTIONS

Special Matters

1. **Presentation of Resolutions of Appreciation for Employees of the Month for April 2006**

Present Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-20, 2006-21, 2006-22 to Sandra Fenstermacher, Coach Operator; Ken Dionne, Maintenance; and Annie Mendoza, Administration, as Employees of the Month for April 2006.

Consent Calendar (Items 2 through 21)

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

2. **Approval of Minutes**

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of April 10, 2006.

3. **Approval of Resolutions of Appreciation for Employees of the Month for April 2006**

Adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2006-20, 2006-21, and 2006-22 to Sandra Fenstermacher, Coach Operator, Ken Dionne, Maintenance, and Annie Mendoza, Administration, as Employees of the Month for April 2006.

4. **State Legislative Status Report**
Wendy Villa/Richard J. Bacigalupo

Overview

A request has been made to support an initiative for the November ballot to permanently protect Proposition 42. A support position is recommended for SB 1812 (Runner, R-Antelope Valley), a bill to further implement federal surface transportation legislation.



AGENDA

ACTIONS

4. (Continued)

Recommendations

- A. Approve a support position on an initiative being circulated by Californians to Improve Traffic Now securing full protection for Proposition 42.
- B. Adopt the following recommended position on legislation:
Support on SB 1812 (Runner, R-Antelope Valley).

5. **Annual Internal Audit Plan for Fiscal Year 2005-06 Update**

Richard J. Bacigalupo

Overview

The Orange County Transportation Authority Board of Directors adopted the Annual Internal Audit Plan for Fiscal Year 2005-06. This update is for the second and third quarter of the fiscal year.

Recommendation

Receive and file the Annual Internal Audit Plan for Fiscal Year 2005-06 Second and Third Quarter Update.

6. **Amendment to Agreement for Annual Financial Auditing Services**

Richard J. Bacigalupo

Overview

On March 24, 2003, the Board of Directors approved an agreement with Macias, Gini & Company, in the amount of \$789,438.00, to provide auditing services for the Orange County Transportation's annual financial audit. Macias, Gini & Company was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.



AGENDA

ACTIONS

6. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 4, in an amount not to exceed \$290,689, to Agreement C-2-1274 between the Orange County Transportation Authority and Macias, Gini & Company, to extend the term of agreement up to an additional 12 months by exercising the first option term for auditing services in relation to the annual financial audit of the Orange County Transportation Authority.

7. **Section 5310 Grant Program Recommendations for Fiscal Year 2006-2007**

Ric Teano/Richard J. Bacigalupo

Overview

The Federal Transit Administrations Section 5310 Grant Program provides an opportunity for local agencies and non-profit organizations to purchase and replace paratransit vehicles and related equipment to help meet the transportation needs of elderly persons and persons with disabilities. The Orange County Transportation Authority is responsible for assisting applicants, evaluating and ranking applications, and transmitting a prioritized list to the California Department of Transportation. The prioritized list is presented for Board approval.

Recommendations

- A. Approve the scores recommended by the Regional Evaluation Committee and authorize staff to include the recommendations for funding in the Fiscal Year 2006-2007 Regional Transportation Improvement Program.
- B. Authorize the Chief Executive Officer to submit the required Certification and Assurances to the California Department of Transportation.
- C. Adopt Resolution No. 2006-23 authorizing the Chief Executive Officer to transmit the Section 5310 Regional Priority List to the California Department of Transportation.



AGENDA

ACTIONS

8. 2006 Transportation Enhancement Activities Program Priority List of Projects

Jennifer Bergener/Paul C. Taylor

Overview

A report providing supplemental information regarding the 2006 Transportation Enhancement Activities Call for Projects is provided for consideration. The report provides additional background and detail information on the process used to develop the priority list.

Recommendations

- A. Approve the recommended project priority list for the Transportation Enhancement Activities program.
- B. Authorize staff to amend the Regional Transportation Improvement Plan and the State Transportation Improvement Program as necessary to include the proposed projects.

9. Monument Sign for Santa Ana Freeway (Interstate 5) Gateway Project

Charlie Larwood/Paul C. Taylor

Overview

The Orange County Transportation Authority is considering the installation of a gateway monument sign along the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line. The California Department of Transportation has a four-year demonstration program to permit such projects, and proposals are due by December 31, 2006.

Recommendation

Direct staff to prepare a preliminary gateway monument proposal for the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line and return for further direction by July 2006.



AGENDA

ACTIONS

10. First Quarter 2006 Debt and Investment Report
Kirk Avila/James S. Kenan

Overview

Under the California Government Code, the governing body of a local agency has the authorization to appoint, for a period of one year, a Treasurer to invest, reinvest, purchase, exchange, sell, or manage public funds. Additionally, the California Government Code requires that the Orange County Transportation Authority Treasurer submit a quarterly investment report detailing the investment activity for the period. This investment report covers the first quarter of 2006, January through March, and includes a discussion on the Orange County Transportation Authority's debt portfolio.

Recommendations

- A. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2006-07.
- B. Receive and file the Quarterly Investment Report prepared by the Treasurer as an information item.

11. Collective Bargaining Agreement Between Orange County Transportation Authority and Transportation Communications International Union
Marlene K. Heyser

Overview

The Orange County Transportation Authority has reached a Tentative Agreement with the Transportation Communications International Union for a new Collective Bargaining Agreement covering Facilities Technicians, Equipment Parts Clerks, Stock Room Clerks, Revenue Clerks, Senior Facility Technicians, Senior Revenue Clerks, and Facility Assistants.



AGENDA

ACTIONS

11. (Continued)

Recommendation

Approve the Collective Bargaining Agreement with the Transportation Communications International Union for the period of April 1, 2005 through March 31, 2008.

12. **Amendment to Agreement for Bus Book Printing**

Stella Lin/Ellen S. Burton

Overview

On September 13, 2004, the Board of Directors approved an agreement with Clearwater Graphics, in the amount of \$420,000 with two option years, to provide services for printing, packaging, and delivery of bus books. Clearwater Graphics was retained in accordance with the Orange County Transportation Authority's procurement procedures for a competitive bid.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0520 between the Orange County Transportation Authority and Clearwater Graphics, in an amount not to exceed \$400,000, for services for printing, packaging, and delivery of bus books.

13. **Amendment to Agreement for Graphic Design Services for Bus Public Information**

Stella Lin/Ellen S. Burton

Overview

On September 13, 2004, the Board of Directors approved an agreement with Interactive Publications and Graphics, in the amount of \$300,000 with three option years, to provide graphic design services for bus public information. Interactive Publications and Graphics was retained in accordance with the Orange County Transportation Authority's procurement procedures for a competitive bid.



AGENDA

ACTIONS

13. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0521 between the Orange County Transportation Authority and Interactive Publications and Graphics, in an amount not to exceed \$165,000, for graphic design services.

14. **Customer Relations Service Quality Report for Second Quarter Fiscal Year 2005-06**

Adam Raley/Ellen S. Burton

Overview

The Customer Relations Service Quality Report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides a statistical analysis of customer communications received during the quarter, as well as details proactive activities undertaken by staff to improve service to customers.

Recommendation

Receive information for discussion and possible action as deemed appropriate by the Board.

Orange County Transit District Consent Calendar Matters

15. **Agreement for Heating, Ventilation, and Air Conditioning Modifications at Garden Grove Base**

James J. Kramer/Stanley G. Phernambucq

Overview

As a part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved heating, ventilation, and air conditioning modifications at the Garden Grove Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board approval is requested to execute an agreement.



AGENDA

ACTIONS

15. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0090 between the Orange County Transportation Authority and RAN Enterprises, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$156,000, for heating, ventilation, and air conditioning modifications at the Garden Grove Base.

16. **Agreement for Roof Replacement at Irvine Base**

James J. Kramer/Stanley G. Phernambucq

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved roof replacement at the Irvine Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0093 between the Orange County Transportation Authority and Rey-Crest Roofing & Waterproof Co., the lowest responsive, responsible bidder, in an amount not to exceed \$162,048, for roof replacement at the Irvine Base.

17. **Agreement for Canopy Roofs at Anaheim, Garden Grove, and Santa Ana Bases**

James J. Kramer/Stanley G. Phernambucq

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved canopy roofs at Anaheim, Garden Grove, and Santa Ana bases. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures.



AGENDA

ACTIONS

17. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0089 between the Orange County Transportation Authority and Allied Industrial Systems, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$323,000, for canopy roofs at Anaheim, Garden Grove, and Santa Ana bases.

18. **Agreement for Heating, Ventilation, and Air Conditioning Repairs and Maintenance Services**

Al Pierce/John D. Byrd

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved the contracting of heating, ventilation, and air conditioning repairs and maintenance services for Orange County Transportation Authority facilities. Offers 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 C-5-3001 between the Orange County Transportation Authority and ACM Systems, Inc., in an amount not to exceed \$150,000, for heating, ventilation, and air conditioning repairs and maintenance services.

19. **Amendment to Agreement for Automotive Shop Supplies**

Al Pierce/John D. Byrd

Overview

On June 14, 2004, the Board of Directors approved an agreement with Industrial Specialty Products, in the amount of \$75,000, to provide automotive shop supplies used by the Maintenance Department for a one-year period with two one-year options. Industrial Specialty Products was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.



AGENDA

ACTIONS

19. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0281 between the Orange County Transportation Authority and Industrial Specialty Products, to exercise the second option year, in an amount not to exceed \$75,000, for the purchase of automotive shop supplies used by the Maintenance Department.

20. **Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 149**

Erin Rogers/John D. Byrd

Overview

On February 28, 2005, the Board of Directors approved an agreement with Riverside Transit Agency to jointly fund Route 149, an intercounty express service operating daily between Riverside County and Orange County. The current agreement expires on June 30, 2006. A new agreement is required to establish joint funding for one year.

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0283 between the Orange County Transportation Authority and the Riverside Transit Agency, in an amount not to exceed \$220,000, to jointly fund Route 149, an intercounty express service, from July 1, 2006, through June 30, 2007.

21. **Cooperative Agreement with Adult Day Services of Orange County**

Dana Wiemiller/John D. Byrd

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with Adult Day Services of Orange County. A cooperative agreement is required to establish roles, responsibilities, and process for a demonstration program to provide alternative transportation services to ACCESS riders attending the Adult Day Services of Orange County program.



AGENDA

ACTIONS

21. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0284 between the Orange County Transportation Authority and Adult Day Services of Orange County, in an amount not to exceed \$567,000, to share in the cost of providing adult day healthcare transportation through June 30, 2008.

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

22. **Orange County Business Council Assessment of Measure M**
Monte Ward

Overview

On January 9, 2006, the Board of Directors, at the request of Director Richard Dixon, authorized the Transportation 2020 Committee to work with the Orange County Business Council to conduct an independent assessment of the implementation and performance of the Measure M transportation program. The resulting report is presented by Orange County Business Council representative Stan Otfelie for review and consideration by the Committee and the Board of Directors.

Committee Recommendations

- A. Receive and file the Orange County Business Council Assessment of Measure M.
- B. Direct the Chief Executive Officer to develop specific proposals for consideration by the Board of Directors to address the findings of the Orange County Business Council Assessment relative to the current Measure M program as follows:
 - 1. Preparation of a Signal Synchronization Master Plan to guide remaining expenditures on signal coordination.



AGENDA

ACTIONS

22. (Continued)

2. Development of a standard Pavement Management System for use by local jurisdictions.
3. Development of performance goals for new Metrolink services.
4. Analysis and recommendations for potential re-bidding of custodial bank services.

23. **Renewed Measure M: Final Draft Transportation Investment Plan**

Monte Ward

Overview

On January 9, 2006, the Orange County Transportation Authority released a Draft Measure M Transportation Investment Plan and an extensive public outreach effort commenced to solicit feedback on the plan. This report summarizes results of the outreach including feedback, comments, and responses. A Final Draft Transportation Investment Plan is presented, highlighting the changes and refinements made to respond to public input, and seeking direction to submit it for approval of Orange County cities and the Board of Supervisors for purposes of placing it on the ballot for consideration by the voters.

Committee Recommendations

- A. Approve the Renewed Measure M Final Draft Transportation Investment Plan, incorporating the recommended changes resulting from public comment and input.
- B. Direct the Chief Executive Officer to transmit the Renewed Measure M Final Draft Transportation Investment Plan to Orange County cities and the Board of Supervisors with a request for them to approve this plan for purposes of placing it on the ballot for consideration by Orange County voters.
- C. Direct the Chief Executive Officer to submit the Final Draft Transportation Investment Plan for adoption by the Board of Directors in July 2006, subject to its approval by both a majority of Orange County cities representing a majority of the incorporated population and the Board of Supervisors.



AGENDA

ACTIONS

23. (Continued)

- D. Cancel previously approved, planned public education mailings regarding the renewal of Measure M and close out agreement No. C-5-2875 with Townsend Raimundo Besler & Usher.
- E. Post the 2004-05 Measure annual Report on-line; use advertisements in the major and ethnic newspapers to inform the public about its availability; and print sufficient copies to mail upon request.
- F. Add program-level environmental mitigation concepts to the freeway component of the Renewed Measure M Final Draft Transportation Investment Plan for review by the Transportation 2020 Committee at its meeting of April 17, 2006.
- G. Approve the final changes to the Renewed Measure M Final Draft Transportation Investment Plan with the following modifications and direct staff to incorporate them into the final document to be presented to the Board of Directors on April 24, 2006.
 - 1. On page 6, in the Innovative Environmental Mitigation section of the Freeway Projects Overview, add, "subject to a Master Agreement" to the first sentence and change "a" Master Plan to "the" Master Plan in the second sentence.
 - 2. On page 7, in the Innovative Environmental Mitigation section of the Freeway Projects Overview, add "sound reduction" to the second paragraph.
 - 3. On page 19, in the Local Fair Share Program section, change the term for the Capital Improvement Program from "five" to "six" years.
 - 4. On page 20, in the Transit Projects Overview, clarify that the 100-year old Santa Fe rail line is now known as the Los Angeles/San Diego (LOSSAN) rail corridor.



AGENDA

ACTIONS

23. (Continued)

- H. Direct staff to include the concepts, terms and provisions contained in "Conceptual Freeway Mitigation Programs" (Attachment B of Item 4 from the April 17, 2006 Transportation 2020 Committee meeting) and "Environmental and Community Group Memorandum" (Attachment C of Item 4 from the April 17, 2006 Transportation 2020 Committee meeting) in the implementing ordinance for the renewal of Measure M.

Other Matters

24. Chief Executive Officer's Report

25. Directors' Meeting Reports

26. Directors' Reports

27. 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.

28. Closed Session

Pursuant to Government Code Section 54956.9(b)(1).

29. Adjournment

The next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSAAV Board will be held at **9:00 a.m. on May 8, 2006**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.

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
April 10, 2006

Call to Order

The April 10, 2006, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order at 9:00 a.m. at the Orange County Transportation Authority Headquarters, Orange, California; Chairman Brown presided over the meeting.

Roll Call

Directors Present: Arthur C. Brown, Chairman
Carolyn Cavecche, Vice Chair
Peter Buffa
Bill Campbell
Lou Correa
Richard Dixon
Michael Duvall
Cathy Green
Curt Pringle
Miguel Pulido
Mark Rosen
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

Also Present: Arthur T. Leahy, 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: Gary Monahan
Chris Norby
Susan Ritschel
James W. Silva
Thomas W. Wilson

Invocation

Director Pringle gave the invocation.

Pledge of Allegiance

Director Correa led the Board and audience in the Pledge of Allegiance to the Flag of the United States of America.

Public Comments on Agenda Items

Chairman Brown 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

There were no Special Matter items.

Consent Calendar (Items 1 through 9)

Chairman Brown announced that all matters on the Consent Calendar were to be approved in one motion unless a Board Member or a member of the public requested separate action on a specific item.

Director Pringle pulled Item 4 for discussion.

Orange County Transportation Authority Consent Calendar Matters

1. Approval of Minutes

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' regular meeting of March 27, 2006.

2. State Legislative Status Report

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to adopt the following recommended position on legislation: Support on AB 2361 (Huff, R-Diamond Bar).

3. Resolution Adopting the National Incident Management System

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to approve the resolution adopting the National Incident Management System in accordance with federal emergency management guidelines.

4. Cooperative Agreement with the California Department of Transportation for the Imperial Highway Grade Separation Project

Director Pringle pulled this item for discussion and asked Caltrans Director Cindy Quon to explain how the property in Anaheim will be taken for this project. The property, he stated, is a Housing Urban Development (HUD) property that was built as continual affordable as opposed to Section 8 apartment; therefore, the entire project is available for very low-income families. Caltrans has previously stated they would look at options and Director Pringle asked what options had been examined.

Director Quon stated that Caltrans has continued to look at various options and work with tenants. She stated a status on this matter will be provided to Director Pringle later this week.

Director Pringle asked that property in the general area be looked at to provide for these families involved.

A motion was made by Director Pringle, seconded by Director Campbell, and declared passed by those present, to authorize the Chief Executive Officer to execute a cooperative agreement with the California Department of Transportation for the Imperial Highway Grade Separation project.

Chairman Brown asked that OCTA work with Caltrans on this issue.

5. High-Speed Rail and Magnetic Levitation Status Report

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to direct staff to take steps to continue to monitor, solicit information, evaluate, and probe these high-speed rail and magnetic levitation initiatives for possible future action by the Board of Directors.

6. Amendment to Agreement for Temporary Staffing Services Contracts

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 1 to on-call Agreement C-5-0938 with Corestaff Services, Agreement C-5-2439 with Focus On Temps, Inc., and Agreement C-5-2438 with PDQ Personnel Services, Inc., and the Orange County Transportation Authority, in an amount not to exceed \$400,000, to exercise the first option year for the period of July 1, 2006, to June 30, 2007, for all three agreements.

7. Request to Conduct a Workshop and Public Hearing on the Orange County Transportation Authority Fiscal Year 2006-07 Proposed Budget

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to authorize staff to schedule a two hour budget workshop for May 8, 2006, and conduct a public hearing on June 12, 2006, and proceed with all public noticing requirements.

Orange County Transit District Consent Calendar Matters

8. Amendment to Agreement for South County Senior Services

A motion was made by Director Buffa, seconded by Director Pulido, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 5 to Agreement C-2-0306 between the Orange County Transportation Authority and South County Senior Services, in an amount not to exceed \$231,839, for the provision of adult day healthcare transportation through June 30, 2007.

9. Amendment to Agreement for Provision of Senior Transportation to Congregate Meal Sites

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

- A. Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement C-4-0348 between the Orange County Transportation Authority and the Orange County Office on Aging for their share of the program expense for the provision of senior transportation to congregate meal sites, in an amount not to exceed \$440,000, through June 30, 2007.
- B. Authorize the Chief Executive Officer to execute amendments to agreements with eleven participating cities/centers for their share of the program expense through June 30, 2007, based on the Orange County Office on Aging allocation, for a total amount not to exceed \$120,000.

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

10. Garden Grove Freeway (State Route 22) Project Budget Amendment

Chief Executive Officer (CEO), Arthur T. Leahy, provided opening comments on this budget amendment and stated it was important to note that there is a reduction of Measure M money on this project and increases in real estate costs.

10. (Continued)

Mr. Leahy introduced Rick Grebner, State Route 22 Project Manager, who provided a verbal report and PowerPoint in explanation of this budget amendment.

Mr. Grebner informed the Board of updated seismic requirements, which have taken place, as well as significant increases in concrete and steel costs. He cited the placement of rubberized asphalt, roadway improvements on The City Drive and Metropolitan, bridge reconstruction, oversight staffing, ramp widening, and other project improvements as having increased the overall budget at this time.

Director Campbell expressed his unhappiness that these issues were not brought before the Board prior to this time, and requested the rationale for how the \$18 million increase was calculated.

Attorney, James Donich, representing General Counsel's office, stated that briefings were provided earlier regarding the contractor, Parsons' overhead, and a formula for how much certain cost increases per day/per month was calculated.

CEO, Arthur T. Leahy, offered that the Board could decide at this time whether to slip the current November 30 completion date, or remain with the existing schedule. He further stated that it has been decided to this point to keep the current schedule, and agreed it is regrettable coming to the Board at this time, although felt the costs would be greater if the schedule is delayed. He stated that this delay resulted from trying to "hit a moving target" during a construction period, we are into Notice to Proceed, design work is being done "on the fly". At the time the first costs were put into place, the seismic safety upgrades to 28 bridges were not known as well as the cost.

Vice Chair Cavecche stated she is pleased that the Combined Transportation Funding Programs funding has been added, but added that she has an issue with the betterments and asked that Mr. Grebner explain what the City of Orange is requesting under the betterments category.

Mr. Grebner offered that the City requested an additional right-turn lane be added at the Town and Country off-ramp and the same at the off-ramp at City Drive.

Vice Chair Cavecche stated that the City is requesting a "status quo" of the existing three lanes going off the freeway.

Mr. Grebner noted a correction to the staff report on page 7, section C. He stated that this section should read, "Placement of rubberized asphalt along Trask Avenue from Euclid to Magnolia Street."

10. (Continued)

Brief discussion followed with Mr. Grebner and Board Members regarding the rubberized asphalt and the depth of the material on the roadway. It was stated by several that this needs to be done well so that the maintenance is lower in the years to come.

Director Duvall voiced his concern with the cost for increased steel and cement for refurbishment of foundations and scaffolds for roadway signage. He asked if any signs have failed and Caltrans was requested to address this issue.

Director Quon stated that Caltrans is monitoring the situation regarding signs and is not aware of any one sign failing at this time. She further stated that Caltrans is working with Cal OSHA and this change was adopted as a mandatory safety standard.

Vice Chair Cavecche referenced the staff report, page 9, bullet 4, and asked if the Parsons Transportation Group neglected to include salary escalation in the contract. Mr. Grebner responded that this contract is reimbursable; a 4 percent escalation is allowed, and a 3 ½ percent is included at this time. He stated this was a "miss" on everyone's part.

Director Rosen expressed his concern for the delay in work planned for the area at Magnolia Avenue and that there may be severe bottleneck caused by the work being delayed for several months. Mr. Grebner stated that the reason for the delay is that the funding from the federal highway bill was approved late. The work at this area begins in early summer and will be open in March. Director Rosen requested that signage be put up at that location to advise the work is underway and the anticipated completion date.

Comment from a member of the public was heard at this time:

Janet Bennett, resident of Garden Grove, expressed her concern for gaps which might result at the end of the project between the areas of soundwalls and rubberized asphalt surfaced areas. The issue of noise mitigation is a concern and she asked that these "gaps" be addressed in the planning process.

Mr. Grebner responded that adjustments will be made as necessary to alleviate the noise concerns.

Directors Correa and Rosen requested that staff address, review, and report back on costs for any construction of soundwalls where gaps will exist between rubberized asphalt areas and soundwalls along the area on State Route 22.

10. (Continued)

Director Pulido requested a listing of "lessons learned" on the State Route 22 design-build project be compiled to document situations which have arisen and could be helpful in future for OCTA or other agencies.

Members confirmed with staff that no other claims are known at this time that would impact total project cost. CEO, Arthur T. Leahy, also confirmed that \$14 million exists in the contingency budget.

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

- A. Reduce the 1996 Freeway Strategic Plan State Route 22 Measure M funding budget from \$321.4 million down to \$244.46 million to reflect the reimbursement of \$123.7 million of Transportation Congestion Relief Program funding to the Measure M program, and allocate additional Measure M funds, in the amount of \$46.9 million, required to accommodate the proposed budget amendment.
- B. Approve the incorporation of additional project scope and improvements funded by the Orange County Transportation Authority, including updated seismic requirements, placement of rubberized asphalt on the freeway and along Trask Avenue, and roadway improvements on The City Drive and Metropolitan Avenue. The estimated cost is \$40.1 million. A full list of the added improvements is shown on Attachments A and B.
- C. Approve the incorporation of additional project improvements, paid with federal and local funds by the Cities of Garden Grove and Orange, including reconstruction of the Magnolia Street bridge, widening of Garden Grove Boulevard, and widening ramps at Tustin Avenue, The City Drive, and Town and Country Road. The estimated cost is \$7.1 million. A full list of the added improvements is shown on Attachments A and B.
- D. Approve \$1.8 million of additional budget to incorporate additional project oversight services required, which resulted from incorporation of the seismic and project improvements.
- E. Approve \$5,554,000 of additional budget to incorporate additional costs related to right-of-way acquisition for the Garden Grove Freeway (State Route 22) Improvement Project.

10. (Continued)

- F. Authorize the Chief Executive Officer to execute the following contract change orders, cooperative agreements and contract amendments, and make the necessary budget adjustments in order to incorporate updated seismic information, requested scope changes and right-of-way cost increases:
1. Amend the Garden Grove Freeway (State Route 22) Improvement Project budget from \$495 million to \$549,626,000; an increase of \$54,626,000, to incorporate additional costs related to updated seismic requirements, City of Garden Grove, City of Orange, and Board of Directors' requested improvements and right-of-way acquisitions.
 2. Contract Change Order No. 34 to Agreement C-3-0663 between the Orange County Transportation Authority and the contractor, Granite-Myers-Rados, in the not-to-exceed amount of \$22,745,851, to incorporate California Department of Transportation's updated seismic information.
 3. Cooperative Agreement C-6-0185 between the Orange County Transportation Authority and the City of Garden Grove, in the not-to-exceed amount of \$7,150,000, for reconstruction of the Magnolia Avenue bridge undercrossing and requested improvements to Garden Grove Boulevard. Authorize staff to process and execute the necessary funding applications to facilitate this action.
 4. Cooperative Agreement C-6-0269 between the Orange County Transportation Authority and the City of Garden Grove, in the not-to-exceed amount of \$1.2 million, for placement of rubberized asphalt along Trask Avenue from Brookhurst Street to Magnolia Street.
 5. Amendment No. 1 to Agreement C-4-0940 between the Orange County Transportation Authority and the City of Orange, in the not-to-exceed amount of \$426,000, for requested street betterments near The City Drive and Town and Country Road.
 6. Contract Change Order Nos. 10 through 17, 21 through 24, 28, 29, and 33 to Agreement C-3-0663 between the Orange County Transportation Authority and Granite-Myers-Rados for out-of-scope additions, in the individual not-to-exceed amounts as shown on Attachment A.

10. (Continued)

7. Amend the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, Expense Account 0010-9017, by \$32 million, and amend Revenue Account 0010-6062 by \$7,722,890.
8. Authorize the Chief Executive Officer to execute Amendment No. 10 to Agreement C-1-2069 between the Orange County Transportation Authority and Parsons Transportation Group, Inc., in the not-to-exceed amount of \$7,811,946, for continued project management services for the Garden Grove Freeway (State Route 22) Improvement Project. This amount reflects \$6 million previously budgeted and an additional \$1.8 million for seismic and oversight of the added work.

Orange County Transportation Authority Regular Calendar Matters

11. Riverside County - Orange County Major Investment Study Draft Action Plan

CEO, Arthur T. Leahy, provided opening comments on this work and turned the presentation over to Paul Taylor, Executive Director of Planning, Development, and Commuter Services.

Mr. Taylor stated that staff was directed to return with an action plan by March, after addressing this with the State Route 91 Advisory Committee, yet there has been great difficulty in setting a meeting with them. He provided background, the action plan overview, activities, schedule, and next steps.

Mr. Taylor stated that the implementation plan is being developed and will be brought back to the Board in the summer after it has gone to the Advisory Committee. He informed the Board that staff will be finalizing an agreement with other parties for addressing the Irvine-Corona connection, and defining the technical studies.

Mr. Taylor advised that the draft action plan would be presented to the Advisory Committee in June, then return to the Board in July 2006.

A motion was made by Director Campbell, seconded by Director Pringle, and declared by those present, to:

- A. Direct staff to forward the draft action plan to the State Route 91 Advisory Committee for review and comment.
- B. Provide direction to staff on potential options for policy input to the Board of Directors for each element of the action plan.

Director Campbell stated that the experience with the Major Investment Study seemed to work very well as a model.

Other Matters

12. Options for Policy Oversight Irvine-Corona Expressway

Paul C. Taylor, Executive Director, Planning, Development, and Commuter Services, presented this item for the Board and stated that OCTA has received an invitation to join the Riverside – Orange County Corridor Authority (ROCA), which is currently comprised of three water agencies.

Mr. Taylor stated that he would see three options available to proceed with the policy oversight on this particular linkage:

- √ One would be with the State Route 91 Advisory Committee itself;
- √ One would be to form a Joint Powers Authority (JPA) as three water agencies have done to date (the ROCA). They have elected officers and discussed a process for getting federal funds through Caltrans; however, they need either Riverside Commission Transportation Commission (RCTC) or OCTA to claim the federal funds and grant them to an authority. Also, the Metropolitan Water District, which is part of that group, says they are ready to start the geologic study and are discussing mounting a public relations campaign so that the public can understand what they are doing;
- √ Another option would be to not form a new agency, but rather to do some form of an agreement of cooperation to jointly exercise powers, create the ROCA as a committee of water and transportation agency representatives for oversight of the geologic study. Then, RCTC or OCTA could pass the federal funds to the Metropolitan Water District for the geologic study, which is the view that the water agencies have at this point.

Mr. Taylor informed the Board that this week and next, the Transportation Corridors Agencies (TCA) Board and RCTC Board will be having discussions similar to this conversation. OCTA, RCTC, and TCA are in concert in being interested in working with the water agencies in solving the challenges of moving both people and water between the two counties, and that collaboration would involve a number of suggestions that have been made for revisions to the agreement that was proffered by the water agencies.

Mr. Taylor stated that currently, the staffs of those transportation agencies, through our legal counsels, are developing a consensus document to bring to the Board for a decision on how to proceed. Staff is envisioning a meeting with the leadership of those three boards and the representatives of the water agencies to go over those suggested revisions.

Director Pringle asked if OCTA could prepare a JPA individually, rather than altering something else. Mr. Taylor responded that is an option. He also stated that no options are closed at this time.

12. (Continued)

Director Dixon stated that he is concerned that this agreement, if amended, requires unanimous agreement by the existing Board Members. Therefore, it may be better to form a new JPA altogether.

Mr. Taylor answered that he would ask for feedback today and return to the Regional Planning and Highways Committee on May 1 with a proposed agreement of some form that the Board could act upon and then if that Committee should report it out, it would come to the Board on May 8th.

Mr. Taylor stated that aspects to be addressed would be: question as to who pays for what, what happens to the federal money, the voting representation, potential veto power available under the current agreement, and disposition of remaining funds, should the group be disbanded.

Director Campbell asked how money would be put into this JPA. He indicated a match is needed, and perhaps voting capabilities ought to be tied to these funds. He expressed his concern for the language that Members would be reimbursed for their services and OCTA would be obligated to repay fees for consulting services charges after 2005, when the group began meeting. He further stated he was concerned that they have already selected an Executive Director and it would take three-quarters of the group to make a change to that. He stated he personally could not recommend the person currently in that position, as he has historically been very critical of transportation entities.

Director Dixon expressed his concern that OCTA is being invited to join an effort already underway. He would like to know if there is a way to stop the process and put all issues back on the table for discussion and decisions, and also. He also would like to know how it was determined which water agencies would be part of the group put into place.

Vice Chair Cavecche requested staff provide her with information as to how the three water agencies now part of ROCA were chosen.

Director Quon stated that Caltrans is the delegated authority for the funds and they will review applications received and ensure that the legislative intent is met.

Director Rosen requested that a copy of the legislation be provided to Members of the Board, which staff distributed prior to the adjournment of this meeting.

12. (Continued)

Following extensive discussion, a motion was made by Director Pringle and seconded by Director Dixon for OCTA to draft a Joint Powers Authority set of language in cooperation with RCTC, invite water district representation, as articulated in the Federal legislation. If a JPA is not required, basis something in writing from the Congressional Members, then a written agreement between the two bodies would suffice. This agreement should come back to this Board at its May 8th meeting.

Director Campbell proposed an amendment to this motion that this effort be in consultation with Foothill-Eastern (Transportation Corridor Agencies). Director Pringle agreed to this amendment. Motion passed as stated with amendment.

Director Pulido was not present for this vote.

13. Garden Grove Freeway High Occupancy Vehicle Lanes Status Report

Paul Taylor, Executive Director of Planning, Development, and Commuter Services, stated that this report is in response to a request that Caltrans consider changes in the way high occupancy vehicle (HOV) lanes are operated within the County with a demonstration project on State Route 22. The proposal is to study part-time operation and to try out continuous access on this freeway.

Mr. Taylor introduced James Pinheiro, Deputy Director, Caltrans, who provided a verbal report and PowerPoint presentation of this proposal.

Director Pringle asked Mr. Pinheiro if Caltrans is looking at anything unique on the Garden Grove Freeway with this pilot program.

Mr. Pinheiro stated that Caltrans would be looking at and studying continuous access and how that operates for a period of two years.

Director Pringle asked if this has been studied anywhere else in the state, and Mr. Pinheiro responded that this is a pilot in the sense that it is not in use in Southern California.

Mr. Pinheiro explained that the system in Southern California has been established with buffer controlled access. Because of this, drivers are used to that system, and the pilot program would study how they respond to continuous access.

Director Quon stated that this is an opportunity for Orange County to take a leadership role to gather data for Southern California.

13. (Continued)

Discussion followed regarding the changes that would occur, the timeframe of a two- or three-year program, accident investigation work, safety issues, buffer width, and exiting the HOV lanes at the end of the continuous access section.

Director Rosen inquired if an accident study has been done and would like to see that information. He would also like to see this project run for one year, then run as a mixed-flow lane.

Chairman Brown suggested staff may want to bring in an expert on accident investigations, such as the Major Accident Investigation Team (MAIT).

Director Campbell stated that the Board needs to understand the cost to OCTA of proposed buffers, outreach, etc.

Vice Chair Cavecche asked if the requirements for measuring ridership, monitoring accident rates, violation rates, public education, etc., are federal requirements, and Mr. Pinheiro responded that they are. Vice Chair Cavecche stated she feels that driving patterns are not that different between people, and feels Orange Countians can figure the changes out once they are implemented. She felt the drivers would appreciate being able the freer exit and entrance of the HOV lanes.

Vice Chair Cavecche stated that she had asked at Committee that two items be removed, one of which was the requirement that OCTA pay for overtime hours for Highway Patrol for increased enforcement. She inquired if that requirement was removed, and Mr. Pinheiro stated that it has.

Vice Chair Cavecche further inquired regarding how much OCTA is paying for the signage on the Garden Grove Freeway, in that there was originally to be a charge to OCTA for new signs, and asked if that is still required. Mr. Pinheiro stated that the proposal is still on the table for OCTA to re-establish a buffered system that would include the signs and striping that would go along with that system if needed.

Director Campbell stated that under OCTA obligations, whether or not to extend the State Route 22 construction time, he stated there needs to be an understanding how much is being asked of OCTA to fund the construction of a buffer-separated facility if warranted. He stated this is being done as a benefit to the rest of the region; therefore, that is an expense that could be handled by Caltrans. He would like an understanding of what the cost is, and also information on the public education and user survey and cost associated with those items.

Director Pringle stated he may like a broader, more complete study done on the limited access issue, and cost savings information in the case of physical barriers not being installed.

13. (Continued)

A motion was made by Director Winterbottom, seconded by Director Buffa, and declared passed by those present, to receive and file this as an information item. Director Dixon offered an amendment to the motion that inquiries be made of Caltrans with regard to the issues as raised by Vice Chair Cavecche and Director Pringle.

Director Pulido was not present for this vote.

14. Chief Executive Officer's Report

CEO, Arthur T. Leahy, reported that John Byrd has been selected as the OCTA's new Executive Director of Transit Operations and fills the position vacated by Bill Foster in March.

Mr. Leahy stated a meeting was held with Caltrans Director, Will Kempton, regarding working together on goods movement. The City of Placentia was in attendance, and efforts will continue to determine a program of projects that can be advanced.

15. Directors' Reports

Director Campbell requested that staff agendize the UC Berkeley study regarding HOV lanes for a future meeting.

He further reported that he met with Congressional staff last week regarding a delegation letter requesting appropriations. The letter will be submitted listing the projects with no dollar amounts assigned.

16. Public Comments

At this time, Chairman Brown 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 may be taken on off-agenda items unless authorized by law.

No public comments were offered.

17. Closed Session

A Closed Session was not conducted at this meeting.

18. Adjournment

The meeting was adjourned at 12:22 p.m. Chairman Brown announced that the next regularly scheduled meeting of the OCTA/OCTD/OCLTA/OCSAFE/OCSSAAV Board would be held at **9:00 a.m. on April 24, 2006**, at OCTA Headquarters at 600 South Main Street, First Floor - Room 154, Orange, California.

ATTEST

Wendy Knowles
Clerk of the Board

Arthur C. Brown
OCTA Chairman



ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

SANDRA FENSTERMACHER

WHEREAS, the Orange County Transportation Authority recognizes and commends Sandra Fenstermacher; and

WHEREAS, be it known that Sandra Fenstermacher has been a principal player at OCTA and has performed her responsibilities as a Coach Operator in a professional, safe, courteous and reliable manner; and

WHEREAS, Sandra Fenstermacher has demonstrated her integrity by maintaining an excellent attendance record and her dedication exemplifies the high standards set forth for Orange County Transportation Authority employees; and

WHEREAS, Sandra Fenstermacher has demonstrated that safety is paramount by achieving 25 years of safe driving; and

WHEREAS, Sandra Fenstermacher has proven that "Putting Customers First" is the only way to conduct yourself as a professional coach operator at OCTA and Sandra's attention to detail and concern for her customers have helped OCTA ridership grow.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Sandra Fenstermacher as the Orange County Transportation Authority Coach Operator Employee of the Month for April 2006; and

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

Dated: April 24, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

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





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

KEN DIONNE

WHEREAS, the Orange County Transportation Authority recognizes and commends Ken Dionne; and

WHEREAS, let it be known that Ken Dionne is a valued member of the Maintenance Department. Through his diligent, conscientious efforts in performing all tasks, Ken has consistently demonstrated a high level of achievement in meeting base mission goals by providing safe, clean, ready for service vehicles at the Santa Ana Base; and

WHEREAS, Ken's expertise on the maintenance service island is exceptional, his skills and superb "can-do" attitude in performing all facets of vehicle servicing have earned him the respect of all who work with him; 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 Ken Dionne as the Orange County Transportation Authority Maintenance Employee of the Month for April 2006; and

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

Dated: April 24, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

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

OCTA Resolution No. 2006-21





ORANGE COUNTY
TRANSPORTATION AUTHORITY

RESOLUTION

ANNIE MENDOZA

WHEREAS, the Orange County Transportation Authority recognizes and commends Annie Mendoza; and

WHEREAS, Annie has performed her duties as Senior Secretary in the Maintenance Department in an outstanding, professional manner, demonstrating the highest level of integrity and dedication to excellence in all her dealings with Authority staff and the public; and

WHEREAS, Annie's positive attitude coupled with her ability to manage several tracking and reporting programs for all maintenance bargaining unit employees contributes to the efficient management of critical support for the maintenance department; and

WHEREAS, Annie takes an enthusiastic approach to new challenges filling in for other secretaries and the Administrative Assistant to the General Manager of Transit Operations. She augments several day-to-day functions with backup support while completing her regular assigned duties, never wavering from the can-do-spirit; and

WHEREAS, Annie's commitment and eagerness to be the best permeates the department and enriches everyone that interfaces with her.

NOW, THEREFORE, BE IT RESOLVED that the Authority does hereby declare Annie Mendoza as the Orange County Transportation Authority Administrative Employee of the Month for April 2006; and

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

Dated: April 24, 2006

Arthur C. Brown, Chairman
Orange County Transportation Authority

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

OCTA Resolution No. 2006-22





April 24, 2006

To: Members of the Board of Directors
From: ^{ATLEJ} Arthur T. Leahy, Chief Executive Officer
Subject: State Legislative Status Report

Overview

A request has been made to support an initiative for the November ballot to permanently protect Proposition 42. A support position is recommended for SB 1812 (Runner, R-Antelope Valley), a bill to further implement federal surface transportation legislation.

Recommendations

- A. Approve a support position on an initiative being circulated by Californians to Improve Traffic Now securing full protection for Proposition 42.
- B. Adopt the following recommended position on legislation:

Support on SB 1812 (Runner, R-Antelope Valley).

Discussion

Proposition 42 Constitutional Protection

In 2002, California voters overwhelmingly passed Proposition 42 by nearly 70 percent, thereby dedicating the existing state sales tax on gasoline to transportation. However, in two out of the last three state budgets, these funds have been diverted to the state's general fund causing a statewide loss of nearly \$2.5 billion in transportation funding to date.

In the Governor's State of the State Address in January 2006, he called for the largest state investment in infrastructure since the Pat Brown era. Included in his multi-billion dollar investment plan and state budget proposal was a provision to permanently protect Proposition 42 from further state diversions

and to begin the repayment of previously borrowed funds. However, as the infrastructure bond negotiations dissolved, so did the proposal to protect Proposition 42.

Californians to Improve Traffic Now (Coalition), a coalition of taxpayers, as well as construction, business, and labor advocates, have been working to gather signatures to place a permanent Proposition 42 "fix" on the November 2006 ballot. As of March 16, 2006, over 560,000 signatures had been gathered. Nearly 600,000 valid signatures must be turned in by June 2, and the Coalition is on pace to gather one million signatures by early May.

As a Protect Proposition 42 Coalition member, the Orange County Transportation Authority (OCTA) has been asked by coalition partners, such as the California Alliance for Jobs and Transportation California, to support an initiative (Attachment A) that accomplishes the following:

1. Repeals provisions that allow loans to the State General Fund from the State Highway Account (SHA) or the Public Transportation Account (PTA). Loans from the SHA may still be made to local transportation agencies, cities, counties, or cities and counties under current provisions.
2. Does not allow any Proposition 42 diversions after fiscal year 2007-2008.
3. Requires repayment of previously borrowed Proposition 42 funds by July 1, 2017. Until it has been repaid, the amount of the repayment made each year must be no less than one-tenth of the amount due. The legislature can provide for the issuance of bonds for state or local agencies secured by the payments.

When Proposition 42 is suspended, more than \$680 million is lost to State Transportation Improvement Program (STIP) projects, \$680 million is diverted from cities and counties, and public transit loses \$340 million. This results in an annual loss of about \$30 million for Orange County STIP projects, \$54.8 million for Orange County streets and roads, and \$8.9 million for transit operations. Protecting these funds in the future helps to provide a stable base of funding for road and highway maintenance in Orange County. Staff recommends: SUPPORT.

Newly Analyzed Legislation

Section 6005 of the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) designates California as one of five states eligible to apply to participate in a multi-year

pilot program that delegates to the state the responsibilities of the Secretary of Transportation under the National Environmental Policy Act (NEPA) for one or more highway projects in the state.

The delegation of NEPA review authority is projected to speed delivery of transportation projects by at least three to six months. The delegation of the authority to approve the federal documents to the state removes a layer of bureaucracy without sacrificing environmental quality.

SAFETEA-LU requires that in order for a state to participate in the pilot program, they must be held accountable for those decisions before a federal court should the decisions be challenged. SB 1812 would authorize the state Department of Transportation (Caltrans) to consent to the jurisdiction of the federal courts with regard to the assumption of certain federal responsibilities under NEPA, and waives the state's Eleventh Amendment protection against lawsuits brought in federal court for as long as the state participates in the pilot program. Staff recommends: SUPPORT.

Summary

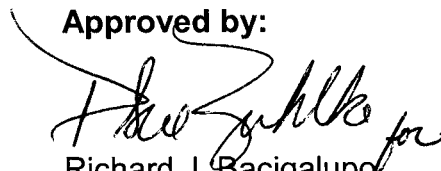
Discussions surrounding the permanent protection of Proposition 42 funds have fallen away. A support position is recommended for a specific initiative to protect these funds in the future. A support position is recommended for SB 1812 (Runner, R-Antelope Valley), a bill to further implement federal surface transportation legislation.

Attachments

- A. SA 2005RF0123 – Proposition 42 Initiative Constitutional Amendment
- B. Analysis of SB 1812 (Runner, R-Antelope Valley)
- C. Legislative Matrix

Prepared by:

Wendy Villa
Principal Government Relations
Representative
(714) 560-5595

Approved by:

Richard J. Bacigalupo
Deputy Chief Executive Officer
(714) 560-5901

SA2005RF0123

November 9, 2005

VIA PERSONAL DELIVERY

The Honorable Bill Lockyer
Attorney General
1300 I Street
Sacramento, CA 95814

Attn: Tricia Knight, Initiative Coordinator

RECEIVED
NOV 09 2005

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary- Initiative Constitutional Amendment

Dear Mr. Lockyer:

Pursuant to Article II, Section 10(d) of the California Constitution and Section 9002 of the Elections Code, I hereby request that a title and summary be prepared for the attached initiative constitutional amendment. Enclosed is a check for \$200.00. My residence address is attached.

All inquires or correspondence relative to this initiative should be directed to Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP, 1415 L Street, Suite 1200, Sacramento, CA 95814, (916) 446-6752, Attention: Richard D. Martland.

Thank you for your assistance.

Sincerely,

James Earp, Proponent

Enclosure: Proposed Initiative

SECTION 1. TITLE.

This act shall be known, and may be cited as, The Transportation Funding Protection Act of 2006.

SECTION 2. FINDINGS AND DECLARATIONS

The people find and declare as follows:

- (a) California's roads and highways are deteriorating at a rapid pace.
- (b) The cause of this deterioration is the annual diversion by the Legislature of state gasoline and diesel taxes for purposes other than transportation.
- (c) The purpose of this Act is to halt the diversions, preserve these revenues for the transportation purposes to which they are dedicated, and require repayment of transportation funds previously diverted for non-transportation purposes.
- (d) If a catastrophic natural disaster or other grave emergency causes serious damage to California's transportation system, sufficient funds will be immediately available to repair the damage and rebuild the transportation system.

SECTION 3. Section 6 of Article XIX is amended to read:

~~SECTION 6. The tax revenues designated under this article may be loaned to the General Fund only if one of the following conditions is imposed:~~

- ~~—(a) That any amount loaned is to be repaid in full to the fund from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.~~
- ~~—(b) That any amount loaned is to be repaid in full to the fund from which it was borrowed within three fiscal years from the date on which the loan was made and one of the following has occurred:~~
 - ~~—(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.~~
 - ~~—(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, adjusted for the change in the cost of living and the change in population, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year.~~

~~(e) Nothing in this section prohibits the Legislature from authorizing~~ The Legislature may, by statute, authorize loans to local transportation agencies, cities, counties, or cities and counties, from funds that are subject to this article, for the purposes authorized under this article. Any loan authorized as described by this ~~subdivision section~~ shall be repaid, with interest at the rate paid on money in the Pooled Money Investment Account, or any successor to that account, during the period of time that the money is loaned, to the fund from which it was borrowed, not later than four years after the date on which the loan was made.

SECTION 4. Section 1 of Article XIX A is repealed.

~~SECTION 1. The funds in the Public Transportation Account in the State Transportation Fund, or any successor to that account, may be loaned to the General Fund only if one of the following conditions is imposed:~~

~~—(a) That any amount loaned is to be repaid in full to the account during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.~~

~~—(b) That any amount loaned is to be repaid in full to the account within three fiscal years from the date on which the loan was made and one of the following has occurred:~~

~~—(1) The Governor has proclaimed a state of emergency and declares that the emergency will result in a significant negative fiscal impact to the General Fund.~~

~~—(2) The aggregate amount of General Fund revenues for the current fiscal year, as projected by the Governor in a report to the Legislature in May of the current fiscal year, is less than the aggregate amount of General Fund revenues for the previous fiscal year, as specified in the budget submitted by the Governor pursuant to Section 12 of Article IV in the current fiscal year.~~

SECTION 5. Section 1 of Article XIX B is amended to read:

SECTION 1. (a) For the 2003-04 fiscal year and each fiscal year thereafter, all moneys that are collected during the fiscal year from taxes under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), or any successor to that law, upon the sale, storage, use, or other consumption in this State of motor vehicle fuel, and that are deposited in the General Fund of the State pursuant to that law, shall be transferred to the Transportation Investment Fund, which is hereby created in the State Treasury.

(b) (1) For the 2003-04 to 2007-08 fiscal years, inclusive, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, in accordance with Section 7104 of the Revenue and Taxation Code as that section read on ~~the~~

~~operative date of this article~~ March 6, 2002.

(2) For the 2008-09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated solely for the following purposes:

(A) Public transit and mass transportation.

(B) Transportation capital improvement projects, subject to the laws governing the State Transportation Improvement Program, or any successor to that program.

(C) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by cities, including a city and county.

(D) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by counties, including a city and county.

(c) For the 2008-09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, as follows:

(A) Twenty percent of the moneys for the purposes set forth in subparagraph (A) of paragraph (2) of subdivision (b).

(B) Forty percent of the moneys for the purposes set forth in subparagraph (B) of paragraph (2) of subdivision (b).

(C) Twenty percent of the moneys for the purposes set forth in subparagraph (C) of paragraph (2) of subdivision (b).

(D) Twenty percent of the moneys for the purpose set forth in subparagraph (D) of paragraph (2) of subdivision (b).

(d) The transfer of revenues from the General Fund of the State to the Transportation Investment Fund pursuant to subdivision (a) may be suspended, in whole or in part, for a any fiscal year preceding the 2007-08 fiscal year if both of the following conditions are met:

(1) The Governor has issued a proclamation that declares that the transfer of revenues pursuant to subdivision (a) will result in a significant negative fiscal impact on the range of functions of government funded by the General Fund of the State.

(2) The Legislature enacts by statute, pursuant to a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, a suspension for that fiscal year of the transfer of revenues pursuant to subdivision (a), provided that the bill does not contain any other unrelated provision.

(e) (1) The total amount, as of July 1, 2007, of revenues that were not transferred from the General Fund of the State to the Transportation Investment Fund because of a suspension pursuant to subdivision (d) shall be repaid to the Transportation Fund no later than June 30, 2017. Until this total amount has been repaid, the amount of that repayment to be made in each fiscal year shall not be less than 1/10 of the total amount due.

(2) The Legislature may provide by statute for the issuance of bonds by the State or local agencies, as applicable, that are secured by the payments required by paragraph (1). Proceeds of the sale of the bonds shall be applied for purposes consistent with this article, and for costs associated with the issuance and sale of bonds.

~~(e)~~ (f) The Legislature may enact a statute that modifies the percentage shares set forth in subdivision (c) by a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, provided that the bill does not contain any other unrelated provision and that the moneys described in subdivision (a) are expended solely for the purposes set forth in paragraph (2) of subdivision (b).

SECTION 6. Article XIX C is added to the constitution to read:

SECTION 1. Tax revenues designated in Articles XIX and XIX B, and funds designated in Article XIX A may be loaned to the General Fund to meet the short term cash flow needs of the state only if the loan is to be repaid in full to the fund or account from which it was borrowed during the same fiscal year in which the loan was made, except that repayment may be delayed until a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year. In no event shall any loan authorized herein impede in any manner the transportation purpose for which the revenues are generated and exist.

SECTION 7. Conflicting Ballot Measures

In the event that this measure and another measure or measures relating to the disposition of transportation revenues shall appear on the same statewide election ballot, the provisions of the other measures shall be deemed to be in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measures shall be null and void.

BILL: SB 1812 (Runner, R-Antelope Valley)
Introduced February 24, 2006

SUBJECT: Implements a pilot program to delegate National Environmental Policy Act (NEPA) review authority to five states, including California, as outlined in the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

AMENDED: In Senate, March 28, 2006

STATUS: Passed Senate Transportation and Housing Committee 10-0 on April 4, 2006
Referred to Senate Judiciary Committee

SUMMARY AS OF APRIL 11, 2006:

Section 6005 of SAFETEA-LU designates the State of California as one of five states eligible to apply to participate in a multi-year pilot program that delegates to the state the responsibilities of the Secretary of Transportation under NEPA for one or more highway projects in the state.

The delegation of NEPA review authority is projected to speed delivery of transportation projects by at least three to six months. Current law requires the Department of Transportation's (Caltrans') approval of state environmental documents and Federal Highway Administration's (FHWA's) approval of NEPA documents, with Caltrans acting as the "middle man" on behalf of local agencies. The delegation of the authority to approve the federal documents removes a layer of bureaucracy without sacrificing environmental quality.

SAFETEA-LU requires that in order for a state to participate in the pilot program, they must be held accountable for those decisions before a federal court should the decisions be challenged. SB 1812 would authorize Caltrans to consent to the jurisdiction of the federal courts with regard to the assumption of certain federal responsibilities under NEPA, and waives the state's Eleventh Amendment protection against lawsuits brought in federal court for as long as the state participates in the pilot program.

FHWA has stated that this liability issue must be resolved before other negotiations can proceed. Thus, following the passage of this bill Caltrans would then begin negotiating with FHWA and the U.S. Department of Transportation on the scope of delegation responsibilities they are seeking. The range of options are described below.

Assume responsibility for:

1. Both state highway system and local assistance projects (broadest authority, greatest liability, greatest time savings)
2. State highway system projects only
3. Local assistance projects only
4. Preliminary environmental review only, rather than complete environmental impact assessments
5. Selected projects only
6. Projects in select geographic areas

EFFECTS ON ORANGE COUNTY:

With the renewal of Measure M currently being sought, the ability to quickly and efficiently deliver projects to the voters remains one of the most important priorities. The ability to deliver projects more quickly than the law currently allows would be an invaluable tool, both as a financial and time savings.

OCTA POSITION:

Staff recommends: SUPPORT.

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1812

Introduced by Senator Runner

February 24, 2006

An act to add Section 820.1 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1812, as amended, Runner. Department of Transportation: surface transportation project delivery pilot program.

Existing law gives the Department of Transportation full possession and control of state highways and associated property. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, as specified. The Secretary is authorized to permit up to 5 states, including California, to participate in the program and California has agreed to that participation.

This bill would authorize the Director of Transportation to consent to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities assumed pursuant to the surface transportation project delivery pilot program, and would make related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 820.1 is added to the Streets and
- 2 Highways Code, to read:

1 820.1. (a) The director is authorized to consent to the
2 jurisdiction of the federal courts with regard to the compliance,
3 discharge, or enforcement of the responsibilities assumed by the
4 department pursuant to *Section 326 of, and* subsection (a) of
5 Section 327 of, Title 23 of the United States Code.

6 (b) Consent to the jurisdiction of the federal courts pursuant to
7 subdivision (a) shall constitute a waiver of the state's Eleventh
8 Amendment protection against lawsuits brought in federal court.
9 *The waiver, as applied to Section 326 of Title 23 of the United*
10 *States Code, shall expire at the end of three years if the*
11 *assumption of responsibilities is not renewed, or if the*
12 *assumption of responsibilities is terminated under subsection (d)*
13 *of Section 326 of Title 23 of the United States Code.* The waiver,
14 *as applied to subsection (a) of Section 327 of Title 23 of the*
15 *United States Code,* shall expire upon termination of the
16 program, or of the state's participation in the program, under
17 subsection (i) of Section 327 of Title 23 of the United States
18 Code, except that the waiver shall remain in effect for any
19 responsibility carried out by the state prior to that termination.

Orange County Transportation Authority Legislative Matrix

(▶ Denotes changes from the last report)

OCTA Sponsor Legislation

AB 267	AUTHOR:	Daucher [R]
	TITLE:	Transportation Projects
	LAST AMEND:	08/15/2005
	LOCATION:	Senate Appropriations Committee
	STATUS:	
	08/25/2005	In SENATE Committee on APPROPRIATIONS: Not heard.
	NOTES:	LP Sec. III (a) Repayment of local funds
	COMMENTARY:	
		Sponsor bill clarifying Legislature's intent to fully reimburse, without time limits, local agencies that use local funds to advance projects in the STIP. Relevance to OCTA: Ensures reimbursement of local funds expended on STIP projects.
	Position:	Sponsor
▶ AB 2538	AUTHOR:	Wolk [D]
	TITLE:	Transportation Funds
	INTRODUCED:	02/23/2006
	LOCATION:	Assembly Transportation Committee
	HEARING:	04/24/06 1:30 p.m.
	STATUS:	
	03/13/2006	To ASSEMBLY Committee on TRANSPORTATION
	COMMENTARY:	
		Authorizes each transportation planning agency or county transportation commission to request and receive up to 5% of federal metropolitan planning funds for the purposes of project planning, programming, and monitoring. Establishes a minimum amount allocated for this purpose.
	Position:	Co-Sponsor

Bills with Official Positions

- AB 372 **AUTHOR:** Nation [D]
TITLE: Public Contracts: Transit Design-Build Contracts
LAST AMEND: 01/11/2006
LOCATION: Senate Transportation and Housing Committee
STATUS:
01/26/2006 To SENATE Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
Authorizes Transit Operators to enter into a design-build contracts.
Position: Support
- AB 1118 **AUTHOR:** Umberg [D]
TITLE: Nonhighway Vehicles: Disclosure
LAST AMEND: 04/19/2005
LOCATION: Senate Transportation and Housing Committee
STATUS:
06/02/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
Requires manufacturers of non-highway vehicles, including but not limited to pocketbikes, place a notice on the vehicles that they cannot be operated on highways.
Position: Watch
- ▶ AB 2361 **AUTHOR:** Huff [R]
TITLE: *Transportation: Federal Funds: Border Infrastructure*
LAST AMEND: 03/28/2006
LOCATION: Assembly Transportation Committee
HEARING: 04/17/2006 1:30 p.m.
STATUS:
03/02/2006 To ASSEMBLY Committee on TRANSPORTATION.
COMMENTARY:
Exempts federal funds derived from apportionments made to the state under the coordinated border infrastructure program from being subject to the funding distribution and fair share formulas. Requires these funds to be programmed by the Transportation Commission through a competitive grant program separate from the state transportation improvement program in a manner consistent with federal law.
Position: Support
- ACA 4 **AUTHOR:** Plescia [R]
TITLE: Transportation Investment Fund
LAST AMEND: 05/09/2005
LOCATION: Assembly Appropriations Committee
STATUS:
01/09/2006 From ASSEMBLY Committee on TRANSPORTATION: Be adopted to Committee on APPROPRIATIONS.
NOTES: LP Proposition 42
COMMENTARY:
Deletes Proposition 42 suspension provisions. Relevance to OCTA: Ensures that OCTA, Orange County, and cities receive their share of Proposition 42 annually allowing for better project planning and delivery.
Position: Support

ACA 11 **AUTHOR:** Oropeza [D]
TITLE: Transportation Funds: Loans
LOCATION: Assembly Appropriations Committee
STATUS:
01/09/2006 From ASSEMBLY Committee on TRANSPORTATION: Do
pass to Committee on APPROPRIATIONS.

COMMENTARY:
Deletes Proposition 42 suspension provisions. Permits up to 2 loans of Proposition
42 funds to the General Fund or to any other state fund or account in a 10 year
period provided the first loan is repaid in full prior to permitting a second loan.
Relevance to OCTA: Provides better protection of Proposition 42 allowing for
better project planning and delivery.
Position: Watch

SB 208 **AUTHOR:** Alquist [D]
TITLE: Transportation Projects: Electronic Fund Transfers
LAST AMEND: 05/31/2005
LOCATION: Assembly Transportation Committee
STATUS:
06/27/2005 In ASSEMBLY Committee on TRANSPORTATION: Not
heard.
NOTES: LP Sec. III (h) Removing funding barriers
COMMENTARY:
Requires Caltrans to implement a rapid electronic funds transfer system by June
30, 2006. Relevance to OCTA: Expedites the reimbursement of local funds
expended on STIP projects.
Position: Support

SCA 7 **AUTHOR:** Torlakson [D]
TITLE: Loans of Transportation Revenues and Funds
LAST AMEND: 01/12/2006
FILE: 21
LOCATION: Senate Third Reading File
STATUS:
01/31/2006 In SENATE. Read second time. To third reading
COMMENTARY:
Currently proposes non-substantive changes to the provision of the constitution
allowing the suspension of Proposition 42. This is a spot bill for potential
Proposition 42 reforms.
Position: Support

Bills being Monitored

- AB 713 **AUTHOR:** Torrico [D]
TITLE: High-Speed Passenger Train Bond Act
LOCATION: Senate Transportation and Housing Committee
STATUS:
06/09/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
Puts the \$9.95 billion High Speed Rail Bond Act on the Nov. 8, 2008 ballot.
Position: Monitor
- AB 948 **AUTHOR:** Oropeza [D]
TITLE: Design-Build and Transit Operators
LAST AMEND: 04/13/2005
FILE: A-17
LOCATION: Senate Inactive File
STATUS:
07/11/2005 In SENATE. To Inactive File.
COMMENTARY:
Metrolink sponsored bill that would lower the threshold for design build from \$50 million to \$25 million. Would also require a labor compliance program if there is no collective bargaining agreement.
Position: Monitor
- AB 1010 **AUTHOR:** Oropeza [D]
TITLE: Rail Transit
LAST AMEND: 04/06/2005
LOCATION: Senate Energy, Utilities and Communications Committee
STATUS:
06/09/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
COMMENTARY:
Transfers responsibility for rail grade crossing safety from PUC to Caltrans.
Position: Monitor
- AB 1157 **AUTHOR:** Frommer [D]
TITLE: Rail Safety and Traffic Mititgation Bond Act of 2006
LAST AMEND: 02/08/2006
LOCATION: Senate Transportation and Housing Committee
STATUS:
02/08/2006 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
02/08/2006 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
States the intent of the Legislature to enact legislation providing for a general obligation bond act to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities Commission, with funds to be allocated by the Transportation Commission.
Position: Monitor

AB 1699 **AUTHOR:** Frommer [D]
TITLE: Transportation: Highway Construction
LAST AMEND: 05/27/2005
LOCATION: Senate Transportation and Housing Committee
STATUS:
06/15/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
Authorizes Caltrans or self help counties to construct up to 8 toll road HOT lane projects using design build. Contains a labor compliance component.
Position: Monitor

AB 1783 **AUTHOR:** Nunez [D]
TITLE: Infrastructure Financing
INTRODUCED: 01/04/2006
LOCATION: ASSEMBLY
STATUS:
01/04/2006 INTRODUCED
COMMENTARY:
This bill would provide for the financing of state and local government infrastructure through various funding sources. This is Assembly Democrats Infrastructure Bond Proposal.
Position: Monitor

AB 1838 **AUTHOR:** Oropeza [D]
TITLE: Transportation Bond Acts of 2006, 2008, and 2012
INTRODUCED: 01/10/2006
LOCATION: ASSEMBLY
STATUS:
01/10/2006 INTRODUCED
COMMENTARY:
This bill would authorize general obligation bonds for various transportation purposes, pledges a percentage of existing fuel excise taxes and truck weight fees to offset the cost of the bond debt service, and authorizes transportation entities to use a design-build process for contracting on transportation projects. This is the Administrations Infrastructure Bond Proposal. Identical to SB 1165.
Position: Monitor

AB 1974 **AUTHOR:** Walters [R]
TITLE: High Occupancy Vehicle Lanes
INTRODUCED: 02/09/2006
LOCATION: Assembly Transportation Committee
STATUS:
02/16/2006 To ASSEMBLY Committee on TRANSPORTATION
COMMENTARY:
Authorizes any county board of supervisors to authorize the use of high occupancy vehicle lanes on the state highway system within the county by any highway vehicle, providing that this use is consistent with federal law.
Position: Monitor

- AB 1990 **AUTHOR:** Walters [R]
TITLE: Eminent Domain
LAST AMEND: 04/03/2006
LOCATION: Assembly Housing and Community Development Committee
HEARING: 04/26/2006 9:00 a.m.
STATUS:
04/03/2006 *From ASSEMBLY Committee on HOUSING AND
COMMUNITY DEVELOPMENT with author's amendments.
04/03/2006 In ASSEMBLY. Read second time and amended. Re-
referred to Committee on HOUSING AND COMMUNITY
DEVELOPMENT.*
- COMMENTARY:**
Prohibits a city, county, special district, school district, community redevelopment agency, or community development commission or joint powers agency from exercising the power of eminent domain to acquire any real property if ownership of the property will be transferred to a private party or private entity. *Provides exceptions.*
- Position:** Monitor
- AB 2028 **AUTHOR:** Huff [R]
TITLE: Transportation Funding
INTRODUCED: 02/14/2006
LOCATION: ASSEMBLY
STATUS:
02/14/2006 INTRODUCED
- COMMENTARY:**
States the intent of the Legislature to provide an appropriation in the Budget Act of 2007 or in related legislation during the 2007-08 fiscal year to repay fully all funds that would have been transferred to the Transportation Investment Fund in previous fiscal years, but for the enactment of statutes providing for the suspension of those transfers.
- Position:** Monitor
- AB 2128 **AUTHOR:** Torrico [D]
TITLE: Tax: Credits: Commuter Benefits
INTRODUCED: 02/21/2006
LOCATION: Assembly Revenue and Taxation Committee
HEARING: 03/27/2006 1:30 p.m.
STATUS:
02/27/2006 To ASSEMBLY Committee on REVENUE AND TAXATION
- COMMENTARY:**
Authorizes a credit against taxes for each taxable year for costs incurred by a qualified taxpayer to provide commuter benefits to its employees.
- Position:** Monitor
- AB 2210 **AUTHOR:** Goldberg [D]
TITLE: Tow Trucks: Regulating
INTRODUCED: 02/22/2006
LOCATION: Assembly Transportation Committee
STATUS:
03/13/2006 To ASSEMBLY Committee on TRANSPORTATION
- COMMENTARY:**
Allows local authorities to license and regulate tow truck service companies and their operators. Requires a towing company to provide a photo copy of the written authorization to a vehicle owner or an agent of that owner.
- Position:** Monitor

ACA X1 4 **AUTHOR:** Keene [R]
TITLE: State Finances
LAST AMEND: 04/11/2005
LOCATION: Assembly Budget Process Committee
STATUS:
04/11/2005 From ASSEMBLY Committee on BUDGET PROCESS with
author's amendments.
04/11/2005 In ASSEMBLY. Read second time and amended.
Re-referred to ASSEMBLY Committee on BUDGET
PROCESS.

COMMENTARY:
Administration's budget report proposal which includes Proposition 98 reform and
Proposition 42 protections.
Position: Monitor

ACA 5 **AUTHOR:** Richman [R]
TITLE: Public Retirement Systems
INTRODUCED: 12/06/2004
LOCATION: Assembly Public Employees, Retirement and Social Security
Committee
STATUS:
04/14/2005 To ASSEMBLY Committee on PUBLIC EMPLOYEES,
RETIREMENT, AND SOCIAL SECURITY

COMMENTARY:
Proposes a constitutional amendment that would prohibit new employees, hired
after July 1, 2007, from participating in a defined benefit plan. These employees
would be limited to a defined contribution plan or retirement system.
Position: Monitor

ACA 7 **AUTHOR:** Nation [D]
TITLE: Local Governmental Taxation
LOCATION: Assembly Appropriations Committee
STATUS:
05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard,
remains in Committee.

COMMENTARY:
Lowers voter threshold to 55% for special tax measures.
Position: Monitor

ACA 9 **AUTHOR:** Bogh [R]
TITLE: Motor Vehicle Fuel Sales Tax Revenue
LOCATION: Assembly Appropriations Committee
STATUS:
01/09/2006 From ASSEMBLY Committees on TRANSPORTATION: Be
adopted to the Committee on APPROPRIATIONS.

COMMENTARY:
Would amend Prop 42 to require 4/5ths of the legislature to suspend transfer
instead of the current 2/3rds.
Position: Monitor

SB 172 **AUTHOR:** Torlakson [D]
TITLE: Bay Area State-Owned Toll Bridge: Financing
LAST AMEND: 05/27/2005
LOCATION: Assembly Transportation Committee
STATUS:
06/13/2005 To ASSEMBLY Committee on TRANSPORTATION.
COMMENTARY:
Gives the Bay Area Toll Authority more control over Caltrans construction of toll bridge seismic retrofits in the Bay Area. Requires quarterly reports by Caltrans the projects.
Position: Monitor

SB 371 **AUTHOR:** Torlakson [D]
TITLE: Public Contracts: Design-Build: Transportation
LAST AMEND: 01/23/2006
LOCATION: ASSEMBLY
STATUS:
01/30/2006 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
COMMENTARY:
Design-build spot bill to be jointly authored by Senators Torlakson and Runner.
Position: Monitor

SB 427 **AUTHOR:** Hollingsworth [R]
TITLE: Environmental Quality Act: Scoping Meetings
LAST AMEND: 01/04/2006
LOCATION: Assembly Natural Resources Committee
STATUS:
02/16/2006 To ASSEMBLY Committee on NATURAL RESOURCES
COMMENTARY:
Requires at least one scoping meeting for a project and requires the lead agency to consult with transportation planning agencies that could be affected by a project. Requires notice of at least one scoping meeting be provided to those agencies required to be consulted concerning the project and to require, in the consultation, the project's effect on overpasses, on-ramps, and off-ramps.
Position: Monitor

SB 459 **AUTHOR:** Romero [D]
TITLE: Air Pollution: South Coast District: Locomotives
LAST AMEND: 04/12/2005
LOCATION: Assembly Transportation Committee
STATUS:
06/27/2005 In ASSEMBLY Committee on TRANSPORTATION: Heard, remains in Committee.
COMMENTARY:
Authorizes SCAQMD to collect a fee associated with locomotive air pollution and to expend it for specified mitigation purposes including railroad grade crossings.
Position: Monitor

SB 760 **AUTHOR:** Lowenthal [D]
TITLE: Ports: Congestion Relief: Security Enhancement
LAST AMEND: 05/27/2005
LOCATION: Assembly Appropriations Committee
STATUS:
06/27/2005 From ASSEMBLY Committee on NATURAL RESOURCES:
Do pass to Committee on APPROPRIATIONS.

COMMENTARY:
Authorizes the Ports of Los Angeles and Long Beach to impose a \$30 fee on each Twenty foot Equivalent Unit (TEU). The Port would retain \$10 for improvements and would forward \$10 to AQMD for air quality mitigation, and \$10 to the CTC to use on railroad improvement projects in Orange and other counties.
Position: Monitor

SB 832 **AUTHOR:** Perata [D]
TITLE: CEQA: Infill Development
LAST AMEND: 05/04/2005
LOCATION: Assembly Inactive File
STATUS:
03/02/2006 In ASSEMBLY. To Inactive File.

COMMENTARY:
Relates to infill development under the California Environmental Quality Act. Provides an alternative to infill criteria if the site is located in a city with a population of more than 200,000 persons, the site is not more than 10 acres, and the project does not have less than 200 or more than 300 residential units, as adopted by a resolution of the city council. Bill intended to be linked to SB 1024 Infrastructure Bond.
Position: Monitor

SB 1024 **AUTHOR:** Perata [D]
TITLE: Public Works and Improvements: Bond Measure
LAST AMEND: 01/26/2006
LOCATION: ASSEMBLY
STATUS:
01/30/2006 In SENATE. Read third time. Passed SENATE. *****To
ASSEMBLY.

COMMENTARY:
Enacts the Essential Facilities Seismic Retrofit Bond Act of 2005 to place a \$10.3 billion general obligation bond before voters to funds seismic retrofit of essential facilities, including the Bay Bridge, repay Proposition 42 loans, and to facilitate goods movement.
Position: Monitor

SB 1165 **AUTHOR:** Dutton [R]
TITLE: Transportation Bond Acts of 2006, 2008, and 2012
INTRODUCED: 01/10/2006
LOCATION: Senate Transportation and Housing Committee
STATUS:
01/19/2006 To SENATE Committees on TRANSPORTATION AND
HOUSING and ENVIRONMENTAL QUALITY.

COMMENTARY:
This bill would authorize general obligation bonds for various transportation purposes, pledges a percentage of existing fuel excise taxes and truck weight fees to offset the cost of the bond debt service, and authorizes transportation entities to use a design-build process for contracting on transportation projects. This is the Administrations Infrastructure Bond Proposal. Identical to AB 1838.
Position: Monitor

SB 1431 **AUTHOR:** Cox [R]
TITLE: Public Contracts: Design-Build Contracting: Cities
INTRODUCED: 02/22/2006
LOCATION: Senate Local Government Committee
HEARING: 04/05/2006 9:30 am
STATUS:
03/02/2006 To SENATE Committee on LOCAL GOVERNMENT
COMMENTARY:
Permits any city with the approval of the city council, to enter into specified design-build contracts in accordance with specified provisions. Requires the Legislative Analyst's Office to report to the Legislature regarding the effectiveness of the design-build program.
Position: Monitor

► SB 1593 **AUTHOR:** Runner G [R]
TITLE: Vehicles: Removal: Storage
LAST AMEND: 04/06/2006
LOCATION: Senate Transportation and Housing Committee
HEARING: 04/18/2006 1:30 pm
STATUS:
04/06/2006 *From SENATE Committees on TRANSPORTATION AND HOUSING with author's amendments.*
04/06/2006 *In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.*
COMMENTARY:
Revises provisions of existing law that requires as part of the conditions under which a vehicle may be removed from private property that a sign of specified dimensions and specified size for lettering conveying specified information be posted on the property. *Also requires a towing company to post a \$25,000 bond, to hold a valid motor carrier permit, and to provide copies of the bond and permit to the owner, owner's agent, or person in lawful possession of the private property. Provides for tow company liability.*
Position: Monitor

► SB 1726 **AUTHOR:** Lowenthal [D]
TITLE: Vehicles: Commercial and Common Carriers: Lamps
INTRODUCED: 02/24/2006
LOCATION: Senate Transportation and Housing Committee
HEARING: 04/25/2006 1:30 p.m.
STATUS:
03/09/2006 To SENATE Committee on TRANSPORTATION AND HOUSING.
COMMENTARY:
Spot bill regarding bus head signs.
Position: Monitor

SCA 15 **AUTHOR:** McClintock [R]
TITLE: Eminent Domain: Condemnation Proceedings
LAST AMEND: 08/23/2005
LOCATION: Senate Judiciary Committee
STATUS:
08/30/2005 In SENATE Committee on JUDICIARY: Failed passage.
08/30/2005 In SENATE Committee on JUDICIARY: Reconsideration granted.
COMMENTARY:
Amends existing eminent domain law to only allow for private property to be taken when it is for a stated public use.
Position: Monitor

► SCA 20

AUTHOR: McClintock [R]
TITLE: Eminent Domain: Condemnation Proceedings
INTRODUCED: 01/11/2006
LOCATION: Senate Judiciary Committee
HEARING: 04/18/2006 1:30 p.m.
STATUS:
01/19/2006 To SENATE Committees on JUDICIARY and ELECTIONS,
REAPPORTIONMENT AND CONSTITUTIONAL
AMENDMENTS.

COMMENTARY:

Amends existing eminent domain law to only allow for private property to be taken when it is for a stated public use.

Position: Monitor

SCA 21

AUTHOR: Runner G [R]
TITLE: State Budget
INTRODUCED: 01/11/2006
LOCATION: Senate Budget and Fiscal Review Committee
STATUS:
03/02/2006 In SENATE Committee on BUDGET AND FISCAL REVIEW:
Heard, remains in Committee

COMMENTARY:

Administration's General Fund GO Bond 6% Debt Cap Proposal

Position: Monitor



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Annual Internal Audit Plan for Fiscal Year 2005-06 Update

Finance and Administration Committee

April 12, 2006

Present: Directors Duvall, Campbell, Correa, Cavecche and Pringle
Absent: Director Wilson

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Receive and file the Annual Internal Audit Plan for Fiscal Year 2005-06 Second and Third Quarter Update.



April 12, 2006

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Annual Internal Audit Plan for Fiscal Year 2005-06 Update

Overview

The Orange County Transportation Authority Board of Directors adopted the Annual Internal Audit Plan for Fiscal Year 2005-06. This update is for the second and third quarter of the fiscal year.

Recommendation

Receive and file the Annual Internal Audit Plan for Fiscal Year 2005-06 Second and Third Quarter Update.

Background

The Internal Audit Department is an independent appraisal function whose purpose is to examine and evaluate the Orange County Transportation Authority's (OCTA) operations and activities as a tool for management and to assist management in the discharge of their duties and responsibilities.

Discussion

The Internal Audit Department performs a wide range of auditing services that includes overseeing the annual financial audit, operational reviews, contract compliance reviews, internal control assessments, investigations, pre-award Buy America award reviews, and pre-award price reviews. Internal Audit also monitors and provides guidance in computer software system implementation to help ensure that proper controls are built into systems prior to implementation. All audits initiated by entities outside of OCTA are coordinated through the Internal Audit Department.

The Annual Internal Audit Plan for Fiscal Year 2005-06 Second and Third Quarter Update (Attachment A) reflect the status of each of the projects.

During the second quarter seven audit reports (Attachment B) were completed. All seven reports have been presented to the Committee.

During the third quarter, 11 audit reports (Attachment C) were completed. Of these audit reports, eight have been presented to the Committee, and three reports are planned to be presented to Committee at a future date.

Summary

The Internal Audit Department will continue to implement the Annual Internal Audit Plan for Fiscal Year 2005-06, and report to the Board of Directors on a quarterly basis the status of the plan.

Attachments

- A. Annual Internal Audit Plan for Fiscal Year 2005-06 Second and Third Quarter Update
- B. Listing of Audit Reports Issued in Second Quarter
- C. Listing of Audit Reports Issued in Third Quarter

Prepared by:



Robert A. Duffy
Manager, Internal Audit
(714) 560-5669

Approved by:



Richard J. Bacigalupo
Deputy Chief Executive Officer
(714) 560-5901

<u>Audits</u>	<u>Description</u>	<u>Minimum Frequency</u>	<u>Reason</u>	<u>Quarter Work Starts</u>	<u>Status</u>	<u>Planned Hours</u>	<u>Hours To Date</u>	<u>Under (Over)</u>
OCTA								
Annual Financial Audit	Annual Financial Audit contracted to CPA firm with oversight and assistance provided by Internal Audit. Time allowed to coordinate audit activities with the Audit Committee of the Measure M Citizen's Oversight Committee	Annually	Mandatory	1st	Complete FY2005	620	736	(116)
COC	Compliance reviews of various contracts selected based on staff input during the year. Operational review to ensure procedures are in place and operating effectively and efficiently. Reviews to ensure recommendations as agreed to, are implemented.	Continually	Monitoring	All	In-process	80	62	19
Contract Audits - Unscheduled	Legally required annual audits of the recipients of LTF Funds, primarily Senior Mobility participating cities.	Annually	Compliance, Cost Recovery	2nd, 3rd & 4th	N/A	560		560
DMV Pull Notice Process Review	Unannounced payroll distributions to ensure the accuracy of the payroll files	As Needed	Operational Review (O/P)	1st	In-process	240	236	4
Follow-up Reviews	Projects started in FY04 to be completed in FY05	As Needed	Compliance	All	In-process	320	200	120
LTF City Audits (Article 3.5, 4.0, 4.5)	Cost and Price analysis as required per Board Policy	Annually	Mandatory	1st	Complete	760	727	33
Payroll Distributions	Projects started in FY04 to be completed in FY05	Random During the Year	Internal Control (I/C)	All	In-process	160	88	72
Price Reviews	Time allowed for requests from management	As Needed	Cost avoidance	All	In-process	1,300	901	399
Projects - Carryover		N/A		1st	In-process	440	608	(168)
Projects - Unallocated		Annually		All	N/A	120	122	(2)
Finance, Administration & Human Resources								
Cycle Counts	Unannounced inventory cycle counts to ensure the accuracy of the inventory balances	Once per Quarter	I/C	All	In-process	600	136	464
Fixed Asset Inventory Observation	Observation of the annual physical inventory of fixed assets to ensure assets are physically present, properly recorded and are in working condition.	Annually	I/C	4th	N/A	200		200
General Accounting	Review of internal controls and an evaluation of operational efficiencies.	Every Three Years	I/C and O/P	3rd	N/A	160		160
HRIS	Review of internal controls during the first year of implementation to ensure the proper procedures and practices are established and implemented.	During Implementation	I/C	2nd	Complete	240	38	202
Information Systems	Review of internal controls and an evaluation of operational efficiencies.	Every Three Years	I/C	4th	N/A	160		160
MINCOM	Participation during the implementation of the new inventory, maintenance and procurement system to help ensure proper internal controls are established prior to implementation.	During Implementation	Monitoring	All	In-process	160	10	150
Procurement	Compliance and operational review of the procurement process to ensure that Board adopted policies and procedures are being followed, and to identify opportunities to improve operational efficiencies.	Every Three Years	Compliance, O/P	3rd	Complete	240	208	32
Systems Development Reviews	Review of internal controls and an evaluation of operational efficiencies in regards to system development.	As Needed	I/C	2nd	Delayed to 4th Qtr.	80	132	(52)
Treasury Reviews - Quarterly	Financial and compliance reviews of the OCTA treasury function.	Minimum Quarterly	I/C	All	In-process	120	103	17

<u>Audits</u>	<u>Description</u>	<u>Minimum Frequency</u>	<u>Reason</u>	<u>Quarter Work Starts</u>	<u>Status</u>	<u>Planned Hours</u>	<u>Hours To Date</u>	<u>Under (Over)</u>
Bus Operations								
Bus Observations	Coach Operator observations to ensure compliance with the operating practices of OCTA.	As Needed	I/C	All	In-process	400	67	333
Buy America Pre-award Review	Pre-award review to ensure the vendor meets the 60% US cost content requirements. Random testing of the accuracy of the GFI fareboxes and analysis of data contained in the database.	As Needed	Mandatory	2nd	Complete	120	144	(24)
Farebox Testing/GFI Analysis	Contract compliance review of the ACCESS provider	Continually	I/C	All	In-process	280	2	278
Laidlaw Contract Closeout Audit	Operational review of the maintenance process to improve operational efficiencies.	End of Contract	Compliance, Cost Recovery	3rd	Delayed to 4th Qtr.	720		720
Maintenance	Operational review of bus operations to improve efficiencies and to ensure compliance with established practices.	Annually	O/P	2nd	In-process	240	30	210
Operations	Compliance and operational review to ensure policies and practices are being followed and to evaluate opportunities to make the process more efficient. This includes contract compliance and management of the process.	Annually	O/P	3rd	N/A	280		280
Transit Police Services Contract Audit		Every Three Years	Compliance, O/P	2nd	In-process	320	328	(8)
Planning, Development and Commuter Services								
Cofroute Contract Closeout	Compliance review of contracted operations, determine cost recovery opportunities and evaluate operational efficiencies.	Every Three Years	Compliance, Cost Recovery, O/P	3rd	In-process	240	165	75
Combined Transportation Funding Program (CTFP)	Review of project costs at time of closeout by the cities.	Annually	Compliance, Cost Recovery	3rd	In-process	1,320	85	1,235
SCRRA	Time to monitor and to assist SCRRA operations	Continually	Monitoring	All	In-process	60	2	58
SR91 Express Lanes	Coordinating with staff to ensure Internal Audit is informed about this project.	Continually	Monitoring	All	In-process	60	4	56
SR91 Express Lanes - New Contract	Compliance review of contracted operations, determine cost recovery opportunities and evaluate operational efficiencies.	Every Three Years	Compliance, Cost Recovery, O/P	4th	N/A	160		160
Construction and Engineering								
Project Controls	Compliance and operational review to ensure policies and practices are being followed and to evaluate opportunities make the process more efficient.	Every Three Years	Compliance, O/P	1st	Complete	320	348	(28)
Santa Ana Base Construction Contract	Compliance review of the contractors during construction.	During Construction	Compliance, Cost Recovery	1st	In-process	240	275	(35)
SR22	Coordinating with staff to ensure Internal Audit is informed about this project.	During Construction	Monitoring	All	Complete	120	4	116
SR22 Contract Audits	Compliance review of the consultants	During Construction	Compliance, Cost Recovery	4th	N/A	720	747	(27)

<u>Audits</u>	<u>Description</u>	<u>Minimum Frequency</u>	<u>Reason</u>	<u>Quarter Work Starts</u>	<u>Status</u>	<u>Planned Hours</u>	<u>Hours To Date</u>	<u>Under (Over)</u>
Labor Relations & Civil Rights								
Labor Relations & Civil Rights	Operational review of the labor relations and civil rights functions to determine that adequate policies and procedures are in place, effective and efficient, to ensure compliance with applicable laws and regulations.	As Needed	Compliance, I/C, O/P	4th	N/A	240		240
External Affairs								
Bus Advertising Contract	Compliance and operational review to ensure policies and practices are being followed and to evaluate opportunities make the process more efficient. This includes contract compliance, including the proper reporting of revenue, and management of the contract.	As Needed	Compliance, O/P	3rd	In-process	280	17	263
Total Audit Hours						12,680	6,525	6,156

**LISTING OF AUDIT REPORTS ISSUED
IN SECOND QUARTER**

<i>Issue Date</i>	<i>Report No.</i>	<i>Name of Report</i>	<i>Date to Finance and Administration Committee</i>
10/4/05	05-036	Financial and Compliance Audits of Combined Transportation Funding Programs	12/14/05
10/26/05	06-006	First Quarter Payroll Distribution Review	12/14/05
10/26/05	06-008	Review of Investment Activities for April through June 2005	12/14/05
12/5/05	06-025	Audit Report on Second Quarter Parts Inventory Count	1/11/06
12/6/05	05-037	Report on Audit of Agreement C-1-2069 with Parsons Transportation Group for the Garden Grove Freeway (State Route 22) Design-Build Project	1/11/06
12/6/05	05-038	Report on Audit of Agreement C-3-0633 with Granite-Myers-Rados for the Garden Grove Freeway (State Route 22) Design-Build Project	1/11/06
12/21/05	06-002	Internal Control Review and Operational Audit of Project Controls	1/25/06

LISTING OF AUDIT REPORTS ISSUED IN THIRD QUARTER

<i>Issue Date</i>	<i>Report No.</i>	<i>Name of Report</i>	<i>Date to Finance and Administration Committee</i>
12/31/05	06-003	Reports on the Annual Transportation Development Act Audits for Fiscal Year 2004-05	1/11/06
12/31/05	06-005	Fiscal Year 2004-05 Annual Financial Reports	1/25/06
1/23/06	06-004	Review of Procurement – Revisions to Procurement Policies and Procedures	2/22/06
1/25/06	06-027	Second Quarter Payroll Distribution Review	2/22/06
1/31/06	05-010	Review of Third-Party Administration of Employee Health Benefits	3/22/06
1/31/06	06-030	Buy America Review	2/22/06
1/31/06	06-031	Buy America Review	2/22/06
3/7/06	06-010	Review of Department of Motor Vehicles Pull Notice Program	TBD
3/7/06	06-026	Review of Investment Activities for July through September 2005	3/22/06
3/15/06	05-031	Santa Ana Bus Base Construction Audit	TBD
3/16/06	06-028	Audit Report on Third Quarter Parts Inventory Count	TBD



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject Amendment to Agreement for Annual Financial Auditing Services

Finance and Administration Committee

April 12, 2006

Present: Directors Duvall, Campbell, Correa, Cavecche and Pringle

Absent: Director Wilson

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 4, in an amount not to exceed \$290,689, to Agreement C-2-1274 between the Orange County Transportation Authority and Macias, Gini & Company, to extend the term of agreement up to an additional 12 months by exercising the first option term for auditing services in relation to the annual financial audit of the Orange County Transportation Authority.



April 12, 2006

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Annual Financial Auditing Services

Overview

On March 24, 2003, the Board of Directors approved an agreement with Macias, Gini & Company, in the amount of \$789,438.00, to provide auditing services for the Orange County Transportation's annual financial audit. Macias, Gini & Company was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 4, in an amount not to exceed \$290,689, to Agreement C-2-1274 between the Orange County Transportation Authority and Macias, Gini & Company, to extend the term of agreement up to an additional 12 months by exercising the first option term for auditing services in relation to the annual financial audit of the Orange County Transportation Authority.

Background

The Orange County Transportation Authority (OCTA) requires a public accounting firm to perform annual fiscal and conformance audits for OCTA and its affiliated agencies. The initial term of three consecutive years began with the audit for the fiscal year ending June 30, 2003, through the fiscal year ending June 30, 2005. There are two additional option years for fiscal years ending June 30, 2006, and 2007. The auditing firm will also perform the annual fiscal and compliance examinations and certifications required by the Single Audit Act of 1984 as amended, and Section 15 of the Federal Transit Administration Act of 1964 as amended.

Discussion

This procurement was originally handled in accordance with OCTA's procedures for professional services. The original agreement was awarded on a competitive basis. This amendment is being requested to exercise the first of two option years for this contract. The pricing for the option year remains as offered at the time of the original proposal.

Fiscal Impact

The additional work described in Amendment No. 4 to Agreement C-2-1274 was approved in the Authority's Fiscal Year 2007 Budget, CEO/Internal Audit, Account 1610-7512-A0001-F01, 0010-7512-A0001-F01, and 0036-7512-A0001-F01, and is funded through the general fund, the Orange County Local Transportation Authority fund and the State Route 91 Toll Road fund.

Summary

Based on the material provided, staff recommends approval of Amendment No. 4, in an amount not to exceed \$290,689, to Agreement C-2-1274 with Macias, Gini & Company to extend the term of agreement up to an additional 11 months by exercising the first option term for auditing services in relation to the annual financial audit of the Orange County Transportation Authority.

Attachment

- A. Macias, Gini & Company Agreement C-2-1274 Fact Sheet

Prepared by:



Robert A. Duffy
Manager, Internal Audit
(714) 560-5669

Approved by:



Richard J. Bacigalupo
Deputy Chief Executive Officer
(714) 560-5901

ATTACHMENT A

Macias, Gini & Company Agreement C-2-1274 Fact Sheet

1. March 24, 2003, Agreement C-2-1274 in the amount of \$789,438, approved by Board of Directors.
 - To audit the Orange County Transportation Authority's financial statements for fiscal years ending June 30, 2003, 2004 and 2005
2. June 30th, 2003, Amendment No. 1 to Agreement C-2-1274, at no cost to the Authority's maximum cumulative payment obligation amount, approved by Manager, CAMM.
 - Redefine payment provision
3. November 15, 2004, Amendment No. 2 to Agreement C-2-1274, at no cost to the Authority's maximum cumulative payment obligation amount, approved by Manager, CAMM.
 - Amend Scope of Work
 - Amend Price Summary Sheet
4. April 1, 2006, Amendment No. 3 to Agreement C-2-1274, at no cost to the Authority's maximum cumulative payment obligation amount, pending approval by Manager, CAMM.
 - Extend the initial year in full force and effect through April 30, 2006
5. April 24, 2006, Amendment No. 4 to Agreement C-2-1274, in the amount of \$290,689, pending approval by Board of Directors.
 - Extend term of agreement up to an additional 11 months by exercising first option term

Total committed to Macias, Gini & Company, Agreement C-2-1274: \$1,080,127.



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject: Section 5310 Grant Program Recommendations for Fiscal Year 2006-2007

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the scores recommended by the Regional Evaluation Committee and authorize staff to include the recommendations for funding in the Fiscal Year 2006-2007 Regional Transportation Improvement Program.
- B. Authorize the Chief Executive Officer to submit the required Certification and Assurances to the California Department of Transportation.
- C. Adopt Resolution No. 2006-23 authorizing the Chief Executive Officer to transmit the Section 5310 Regional Priority List to the California Department of Transportation.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Section 5310 Grant Program Recommendations for Fiscal Year 2006-2007

Overview

The Federal Transit Administrations Section 5310 Grant Program provides an opportunity for local agencies and non-profit organizations to purchase and replace paratransit vehicles and related equipment to help meet the transportation needs of elderly persons and persons with disabilities. The Orange County Transportation Authority is responsible for assisting applicants, evaluating and ranking applications, and transmitting a prioritized list to the California Department of Transportation. The prioritized list is presented for Board approval.

Recommendations

- A. Approve the scores recommended by the Regional Evaluation Committee and authorize staff to include the recommendations for funding in the Fiscal Year 2006-2007 Regional Transportation Improvement Program.
- B. Authorize the Chief Executive Officer to submit the required Certification and Assurances to the California Department of Transportation.
- C. Adopt Resolution No. 2006-23 authorizing the Chief Executive Officer to transmit the Section 5310 Regional Priority List to the California Department of Transportation.

Background

The Federal Transit Administration (FTA) Section 5310 Program is a capital grant program that facilitates the purchase and replacement of paratransit vehicles and related equipment to help local agencies and non-profits meet the

transportation needs of elderly and disabled persons. The program has been in existence since 1975.

Funds are allocated by FTA to all states based on their respective percentage of elderly persons and persons with disabilities. The funds are then distributed to private non-profit organizations and public agencies on a statewide competitive basis. As the Regional Transportation Planning Agency (RTPA), the Orange County Transportation Authority (OCTA) is responsible for assisting applicants and collecting, reviewing, and scoring applications from Orange County.

The California Transportation Commission provides RTPA's with prescriptive project-scoring criteria and successful applicants enter into agreements with California Department of Transportation (Caltrans). Caltrans is responsible for project management and ensuring that all applicants comply with federal regulations.

Discussion

On November 14, 2005, the OCTA Board of Directors directed staff to conduct a workshop for potential applicants and establish an evaluation committee to review, score, and rank proposals. On January 31, 2006, 14 representatives from ten agencies attended the OCTA workshop. Staff formed a Regional Evaluation Committee comprising of Ms. Mary Pat Daly-Hiller, Chair of the OCTA Special Needs in Transit Advisory Committee, Ms. Dana Wiemiller, OCTA Community Transportation Services, and Mr. Ric Teano, OCTA Grants Program.

Abrazar, City of Huntington Beach Senior Services, Golden Rain Foundation of Laguna Woods, Irvine Adult Day Health Services, South County Senior Services, St. Anselm's Cross-Cultural Community Center, St. Jude Hospital, and Vietnamese Community of Orange County submitted grant proposals to both OCTA and Caltrans by the March 3, 2006, deadline. The Regional Evaluation Committee scored the applications based on Caltrans' statewide scoring criteria and then met to review scores and discuss any variances. Collectively, eight grant applications were evaluated requesting over \$1.28 million for four buses, 18 vans, and related equipment. The Recommended Regional Priority List is presented in Attachment A.

Upon Board approval, the Regional Priority List will be transmitted to Caltrans for inclusion in the statewide ranking list. As part of the transmittal, OCTA is required to provide a Certification and Assurances document (Attachment B)

and a Resolution (Attachment C). Both documents are general attestations that OCTA will comply with general grant requirements.

It should be noted that the Regional Priority List is advisory in nature and may be changed by the state for a variety of reasons. The local process is intended to ensure applications are complete and to encourage a cooperative spirit. Ultimately, a statewide priority list is developed and successful applicants enter into grant agreements with Caltrans. The final recommendations for funding will be announced in October 2006.

Fiscal Impact

There is no fiscal impact associated with this action. Over \$11 million is available statewide for federal fiscal year 2006-2007. The federal share for projects under the Section 5310 Program may not exceed 88.53 percent of the total project cost. Applicants will be required to provide the 11.47 percent local, non-federal match contribution

Summary

The Orange County Transportation Authority reviewed eight applications proposing over \$1.28 million in projects for the Section 5310 Grant Program. A Regional Evaluation Committee reviewed, scored, and ranked the proposals, and a Regional Priority List, Certification and Assurances, and Resolution are presented for Board approval.


Attachments

- A. Orange County FTA Section 5310 Grant Program Recommended Regional Priority List, Fiscal Year 2006-2007
- B. MPO/RTPA Section 5310 Certification and Assurances
- C. Resolution of the Board of Directors of the Orange County Transportation Authority

Prepared by:


Ric Teano
Grant Specialist
(714) 560-5716

Approved by:


Richard J. Bacigalupo
Deputy Chief Executive Office
(714) 560-5901

Orange County
FTA Section 5310 Grant Program
Recommended Regional Priority List
Fiscal Year 2006-2007

Applicant	Project Description	Project Cost	Total Score
St. Jude Hospital	Minivan as replacement vehicle	\$43,000	83
St. Jude Hospital	Minivan as replacement vehicle	\$43,000	83
Golden Rain Foundation	Largest bus as replacement vehicle	\$186,000	77
Golden Rain Foundation	Largest bus as replacement vehicle	\$186,000	77
Abrazar, Inc.	Minivan for service expansion, radio	\$44,500	76
Abrazar, Inc.	Minivan for service expansion, radio	\$44,500	76
Abrazar, Inc.	Small bus for service expansion, radio	\$49,500	76
Abrazar, Inc.	Base station, communications	\$11,200	76
Abrazar, Inc.	Computer software	\$2,040	76
City of Huntington Beach Senior Services	Minivan for service expansion	\$43,000	70
City of Huntington Beach Senior Services	Minivan for service expansion	\$43,000	70
St. Jude Hospital	Minivan as replacement vehicle	\$43,000	69
Irvine Adult Day Health Service	Medium bus as replacement vehicle	\$56,000	65
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
South County Senior Services	Minivan as replacement vehicle, radio	\$44,500	60
St. Anselm's Cultural Community Center	Minivan for service expansion	\$43,000	58
St. Anselm's Cultural Community Center	Minivan for service expansion	\$43,000	58
Vietnamese Community of Orange County	Computer equipment	\$2,000	55
Vietnamese Community of Orange County	Minivan as replacement vehicle	\$43,000	49
Total		\$1,281,740	
Total Request per Applicant			
St. Jude Hospital		\$129,000	
Golden Rain Foundation		\$372,000	
Abrazar, Inc.		\$151,740	
City of Huntington Beach Senior Services		86,000	
Irvine Adult Day Health Services		56,000	
South County Senior Services		356,000	
St. Anselm's Cultural Community Center		86,000	
Vietnamese Community of Orange County		45,000	
Total		\$1,281,740	

**MPO/RTPA SECTION 5310
CERTIFICATION AND ASSURANCES**

The Orange County Transportation Authority certifies and assures that the requirements and conditions of 49 U.S.C. 5310 have been met by all applicants recommended for funding.

The Orange County Transportation Authority certifies and assures that the Section 5310 applications recommended for funding were included in the region's public participation process as required by Statewide and MPO Planning Regulations.

The Orange County Transportation Authority certifies by resolution, *attached*, that the projects recommended for funding are consistent with the local area's Regional Transportation Plan. The projects awarded funding will be included in the Regional Transportation Improvement Program (RTIP) at the next available opportunity.

Certifying Representative:

Name: Arthur T. Leahy

Signature: _____

Title: Chief Executive Officer

Date: _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY**

**FEDERAL TRANSIT ADMINISTRATION SECTION 5310
REGIONAL PRIORITY LIST**

WHEREAS, the Federal Transit Administration Section 5310 Program makes funding available to private nonprofit corporations and public agencies under certain circumstances, for capital expenditures to provide transportation services to meet the special needs of elderly persons and persons with disabilities, for whom mass transportation is otherwise unavailable, insufficient, or inappropriate;

WHEREAS, the Orange County Transportation Authority, at the designation of the California Department of Transportation, has assumed and carried out the responsibilities of the Regional Transportation Planning Agency for the Section 5310 Fiscal Year 2006-2007 Program in Orange County;

WHEREAS, all applications submitted for the Section 5310 Fiscal Year 2006-2007 Program were reviewed and scored by the Regional Evaluation Committee;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Orange County Transportation Authority;

1. That the Fiscal Year 2006-2007 Section 5310 Regional Priority List has been presented and approved by the Board of Directors.
2. That the Fiscal Year 2006-2007 Section 5310 Regional Priority List shall be forwarded from the Orange County Transportation Authority's Chief Executive Officer to the California Department of Transportation for inclusion in the Statewide Priority List.

ADOPTED, SIGNED AND APPROVED this 24 day of April 2006.

AYES:

NOES:

ABSENT:

ATTEST:

Wendy Knowles
Clerk of the Board

Art Brown, Chairman
Orange County Transportation Authority



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: 2006 Transportation Enhancement Activities Program Priority List of Projects

Regional Planning and Highways Committee

April 17, 2006

Present: Directors Correa, Cavecche, Dixon, Green, Norby, and Ritschel
Absent: Directors Rosen and Monahan

Committee Vote

This item was passed by Committee Members present.

Director Norby opposed this matter.

Committee Recommendations

- A. Approve the recommended project priority list for the Transportation Enhancement Activities program.
- B. Authorize staff to amend the Regional Transportation Improvement Plan and the State Transportation Improvement Program as necessary to include the proposed projects.



April 17, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: 2006 Transportation Enhancement Activities Program Priority List of Projects

Overview

A report providing supplemental information regarding the 2006 Transportation Enhancement Activities Call for Projects is provided for consideration. The report provides additional background and detail information on the process used to develop the priority list.

Recommendations

- A. Approve the recommended project priority list for the Transportation Enhancement Activities program.
- B. Authorize staff to amend the Regional Transportation Improvement Plan and the State Transportation Improvement Program as necessary to include the proposed projects.

Background

On April 3, 2006, staff presented the 2006 Transportation Enhancement Activities (TEA) Call for Projects Priority List of Projects to the Regional Planning and Highways Committee (Committee) for approval (Attachment A). The Committee requested additional information regarding the scoring criteria and individual project rankings. This report provides the requested supplemental information.

Discussion

The Committee requested to review the scoring criteria, as approved by the Orange County Transportation Authority (OCTA) Board of Directors (Board) in January 2006. The Board-approved item is included as Attachment B, with the scoring criteria specifically called out in Attachment C. The scoring criteria was

developed consistent with the California Department of Transportation (Caltrans) TEA program guidelines (Attachment D), and in consultation with OCTA's Technical Advisory Committee (representing all cities and the County of Orange) and the Caltrans TEA program coordinator.

The TEA funds are federal aid funds and cannot be distributed on any type of formula basis. Accordingly, the approved scoring criteria was designed to allow each project to stand on its own merit while maintaining the goals and guidelines of the TEA program.

Following the approval of the criteria, OCTA released the Call for Projects in January of 2006. In February of 2006, OCTA invited local agencies to attend a TEA workshop. The goal of the workshop was to help the local agencies better understand the TEA program, the application process, and the scoring and ranking criteria.

In February 2006, OCTA received 62 applications requesting approximately \$21.7 million in TEA funds. The applications were reviewed and prioritized by a local advisory panel. The composition of the panel was intended to reflect the different types of projects and areas of focus under the TEA program. The panel was comprised of representatives from the County of Orange, Caltrans, OCTA's Technical Advisory Committee and OCTA staff. The advisory panel's individual project scoring and ranking is included as Attachment E.

Summary

The TEA projects are programmed through a competitive Call for Projects process. OCTA received 62 applications for the 2006 TEA call for projects. The applications were evaluated and ranked by an advisory panel using Board-approved criteria. The recommended list of projects submitted for Board approval include \$3.8 million of funding for 10 landscaping projects and \$4.3 million for 17 bike and trail projects.

Attachments

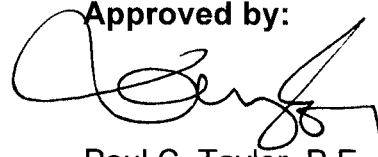
- A. April 3, 2006, Regional Planning and Highways Committee item
- B. January 2006, OCTA Board item on TEA Guidelines and Procedures and 2006 Call for Projects.
- C. Part Five: Evaluation Criteria (excerpt from the TEA application)
- D. Caltrans' Eligibility for Transportation Enhancement Activities Funding
- E. 2006 TEA Call for Projects, Advisory Panel – Scoring/Ranking

Prepared by:



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

Approved by:



Paul C. Taylor, P.E.
Executive Director, Planning,
Development and Commuter Services
(714) 560-5431



April 3, 2006

To: Regional Planning and Highways Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: 2006 Transportation Enhancement Activities Program Priority List of Projects

Overview

In February 2006, the Orange County Transportation Authority received 62 applications requesting approximately \$21.7 million from the Transportation Enhancement Activities program. The applications have been reviewed and prioritized by an advisory panel. A proposed priority list of projects totaling \$8.1 million is submitted for Board of Directors' approval.

Recommendations

- A. Approve the recommended project priority list for the Transportation Enhancement Activities program.
- B. Authorize staff to amend the Regional Transportation Improvement Plan and the State Transportation Improvement Program as necessary to include the proposed projects.

Background

The Transportation Enhancement Activities (TEA) program is a federally funded grant program administered by the Orange County Transportation Authority (OCTA). Specifically, OCTA is responsible for programming the funds to specific projects within the County. The goal of the TEA program is to improve the integration of transportation facilities into their surrounding communities.

In December 2005, the Board of Directors (Board) approved the revised guidelines and procedures for selection of TEA projects and directed staff to issue a call for projects for the TEA program. The available funding for this call is approximately \$8.2 million, including a 10 percent over-programming safety net. These funds were targeted to be split evenly between the bicycle/pedestrian and landscaping projects. Agencies were asked to target

their requests at \$500,000 and provide a minimum 25 percent non-federal match.

Discussion

TEA Call for Projects

In December 2005, OCTA received 62 applications requesting approximately \$21.7 million in TEA funds for fiscal years 2007-08 and 2008-09. Twenty-three applications were submitted in the category of bike/pedestrian facilities and thirty-nine in the landscaping category. These applications were scored based on Board-approved criteria including project readiness, community support, local match contribution, and other project specific areas.

Advisory Panel

The TEA applications were reviewed and prioritized by a local advisory panel. The composition of the panel was intended to reflect the different types of projects and areas of focus under the TEA program. The panel was comprised of representatives from the County of Orange, the California Department of Transportation (Caltrans), OCTA's Technical Advisory Committee, and OCTA staff. The advisory panel met to evaluate, score, and prioritize the proposed projects.

The prioritized list of recommended projects for the two categories (bicycle/pedestrian and landscaping) are shown in Attachment A. A summary of the recommended projects is as follows:

17	Bicycle/Pedestrian Facilities Projects	\$4.257 million
<u>10</u>	<u>Landscaping Projects</u>	<u>\$3.802 million</u>
27	Total Projects	<u>\$8.059 million</u>

TEA program funding is subject to the timely-use requirements of the State Transportation Improvement Program guidelines. These guidelines state that funds programmed in a given fiscal year must be used in that fiscal year, and only under justifiably unforeseen circumstances will extensions be granted. Otherwise, funding will be lost to the region and redirected for use elsewhere in the state. Review and approval of all extension requests is handled by the California Transportation Commission and is beyond OCTA's control. In an effort to ensure timely use of funds and minimize the risk of losing funds, staff is proposing to use the existing slate of projects of those not proposed to be funded

as a back-up in case other projects are unable to deliver. Specifically, staff proposes to return to the list to fund additional projects in the event that funding is made available through cancellations or delays. Only projects which scored 50 points or more would be considered, and projects would be selected in priority order.

Next Steps

The eligibility of TEA projects requires approval from Caltrans. The list of projects, once approved by the Board, will be forwarded to Caltrans for a final determination of eligibility.

Summary

OCTA received 62 applications for the TEA program. With Board approval, 17 bicycle/pedestrian and 10 landscaping projects, totaling \$8.1 million, will be forwarded to Caltrans for final approval and amended into both the Regional Transportation Improvement Program and the State Transportation Improvement Program.

Attachment

- A. Orange County Transportation Authority Transportation Enhancement Activities Program Priority List - 2006

Prepared by:

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

Approved by:

Paul C. Taylor, P.E.
Executive Director
Planning, Development and Commuter
Services
(714) 560-5431

**Orange County Transportation Authority Transportation Enhancement Activities
Program Priority List - 2006**

Landscaping Projects			
Agency	Project/Description	Request	TEA Allocation
Costa Mesa	Newport Blvd Streetscape, 17th - E. 18th	\$ 500,000	\$ 500,000
Laguna Hills	El Toro road Streetscape	\$ 500,000	\$ 500,000
Costa Mesa	Newport Blvd Streetscape, 19th to E. 18th	\$ 500,000	\$ 500,000
La Palma	La Palma Ave Landscaping & Monument (Moody to Denni)	\$ 237,000	\$ 237,000
Irvine	Jeffrey/I-405 Bike Bridge landscaping	\$ 354,109	\$ 354,109
Laguna Beach	S. Laguna Gateway/Streetscape	\$ 412,300	\$ 412,300
Villa Park	Taft Ave Landscape	\$ 150,000	\$ 150,000
Laguna Beach	Broadway Gateway Beautification	\$ 148,720	\$ 148,720
Westminster	Bolsa Ave, Magnolia to Newland	\$ 500,000	\$ 500,000
Westminster	Bolsa Ave, Newland to Beach	\$ 500,000	\$ 500,000
Aliso Viejo	Aliso Creek Rd Medians	\$ 500,000	
Laguna Beach	Coast Hwy Median	\$ 210,900	
Westminster	Westminster Blvd, Milan to Springdale	\$ 500,000	
Fullerton	City Entry Monument Replacement	\$ 465,750	
Santa Ana	MacArthur Blvd Bike Trail Landscaping	\$ 224,784	
Huntington Beach	Edinger Landscape	\$ 500,000	
Santa Ana	Main St. Archway	\$ 225,750	
Brea	Birch Street Median, Phase 2	\$ 500,000	
Huntington Beach	Adams Ave Median	\$ 400,000	
RSM	Antonio Pkwy Landscape	\$ 500,000	
Stanton	Chapman Ave Beautification	\$ 500,000	
Brea	Birch Street Median, Phase 1	\$ 358,668	
Newport Beach	Superior Ave Median	\$ 498,965	
Fountain Valley	Harbor/Talbert Landscaping	\$ 448,269	
Brea	Imperial Hwy Landscape	\$ 503,064	
Anaheim	Lincoln Ave Medians	\$ 487,549	
Laguna Woods	Moulton Pkwy Landscaping	\$ 500,000	
Buena Park	Beach Blvd Landscaping	\$ 402,975	
Tustin	Edinger Landscaping	\$ 500,000	
Stanton	Cerritos Ave Beautification	\$ 500,000	
Santa Ana	Depot Art Wall	\$ 500,000	
Huntington Beach	Main St. Median	\$ 150,000	
Santa Ana	Madison Park Bike Trail	\$ 87,280	
Costa Mesa	N/B Newport Blvd. Landscape	\$ 500,000	
Costa Mesa	S/B Newport Blvd Landscape	\$ 450,000	
Tustin	Newport Ave Bicycle trail	\$ 500,000	
Los Alamitos	Ball/Bloomfield Landscaping	\$ 370,000	
Los Alamitos	Los Alamitos (Cerritos to Ball)	\$ 370,000	
Los Alamitos	Los Alamitos (Katella to Cerritos)	\$ 370,000	
		TOTAL	\$ 15,826,083
			\$ 3,802,129

**Orange County Transportation Authority Transportation Enhancement Activities
Program Priority List - 2006**

Agency	Project/Description	Request	TEA Allocation
Bicycle & Pedestrian Facilities Projects			
Agency	Project/Description	Request	TEA Allocation
Dana Point	PCH Improvements	\$ 500,000	\$ 500,000
Laguna Beach	S. Laguna Sidewalk	\$ 498,000	\$ 498,000
Santa Ana	Santiago Creek Bike Trail	\$ 207,664	\$ 207,664
County of Orange	Buena Vista Sidewalk	\$ 57,465	\$ 57,465
County of Orange	Magnolia Ave Sidewalk	\$ 66,297	\$ 66,297
County of Orange	Orange Olive Rd. Sidewalk	\$ 56,891	\$ 56,891
Santa Ana	MacArthur Blvd Bike Trail	\$ 23,332	\$ 23,332
Orange	Bike Lockers at OTC	\$ 7,130	\$ 7,130
Irvine	IBC sidewalk phase 2	\$ 500,000	\$ 500,000
Fullerton	Puente St Bike Path	\$ 348,000	\$ 348,000
Orange	Taft Avenue Sidewalk, Batavia to Glassell	\$ 241,425	\$ 241,425
Orange	Main Street Sidewalk, Katella to Taft	\$ 196,100	\$ 196,100
Orange	Taft Avenue Sidewalk, Santa Ana River to Batavia	\$ 156,325	\$ 156,325
Orange	Main Street Sidewalk, Walnut to Collins	\$ 212,750	\$ 212,750
Aliso Viejo	Town Center Loop Pedestrian Enhancement	\$ 500,000	\$ 500,000
County of Orange	17th Street Sidewalk	\$ 500,000	\$ 500,000
County of Orange	Hewes Ave Sidewalk	\$ 185,241	\$ 185,241
Orange	Bond Ave Bike Trail	\$ 245,532	
San Clemente	El Camino Real Pedestrian	\$ 500,000	
County of Orange	Browning Ave Sidewalk	\$ 213,056	
County of Orange	Red Hill Ave Sidewalk	\$ 215,865	
Huntington Beach	Edinger Bicycle/Ped. Improvements	\$ 105,000	
County of Orange	Newport Blvd. Sidewalk	\$ 362,969	
		TOTAL \$ 5,899,042	\$ 4,256,620



BOARD COMMITTEE TRANSMITTAL

January 9, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject Transportation Enhancement Activities Projects 2006 Call for Projects

Regional Planning and Highways Committee

December 19, 2005

Present: Directors Norby, Cavecche, Rosen, Dixon, Brown, Green, Monahan, Pringle, and Ritschel
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Members Dixon and Pringle were not present to vote.

Committee Recommendations

- A. Approve the guidelines and procedures for selection of federal Transportation Enhancement Activities projects.
- B. Direct staff to issue a call for projects for Federal Transportation Enhancement Activities projects in January 2006.



December 19, 2005

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Transportation Enhancement Activities Projects 2006 Call for Projects

Overview

The Orange County Transportation Authority awards federal Transportation Enhancement Activities grants for transportation-related projects that enhance the quality of life in or around transportation facilities in Orange County. These grants are awarded through a competitive call for projects.

Recommendations

- A. Approve the guidelines and procedures for selection of federal Transportation Enhancement Activities projects.
- B. Direct staff to issue a call for projects for Federal Transportation Enhancement Activities projects in January 2006.

Background

Since 1998, the Orange County Transportation Authority (OCTA) Board of Directors (Board) has awarded over \$32.9 million in federal Transportation Enhancement Activities (TEA) program funds for 58 projects. These funds were apportioned to local agencies through a competitive call for projects process. The goal of the TEA program is to assist cities to better integrate transportation facilities into their surrounding communities and to provide an overall better quality of life. Examples of TEA projects include bicycle and pedestrian facilities; scenic and landscaping improvements; and supplemental urban runoff treatment.

Discussion

TEA funds are subject to the timely-use provisions of both the state law and the State Transportation Improvement Program (STIP). The STIP guidelines state

that once a project has entered its program year the project must be allocated in that year. In order to better manage these provisions, it has been OCTA's policy to over-program the TEA by approximately 10 percent. This over-programming provides a safety net in case any of the programmed projects are unable to be delivered or experience delays.

The TEA program was reauthorized under the new transportation act, Safe, Accountable, Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The estimated annual apportionment to Orange County is approximately \$3.7 million. The 2006 call for projects will program Orange Counties TEA funds for fiscal years 2007-08 and 2008-09 with a \$8.2 million funding target. This \$8.2 million target will be split 50/50 between the two funding categories, bicycle/pedestrian and landscaping/scenic beautification.

This call for projects will develop a new list of priority projects for fiscal years 2007-08 and 2008-09. In addition this list will serve as a "stand-by" to backfill, based on project readiness, if any of the currently approved list of priority projects for fiscal years 2005-06 and 2006-07 experience delay. Projects from the new list that are ready to be implemented, with completed environmental documentation, permits, and the California Department of Transportation (Caltrans) authorization to obligate funds will also be considered for advancement. Using this approach, it is possible that funds for a currently programmed project that has experienced significant delays may be transferred to a project that is eligible for advancement. OCTA will maintain the funding commitment to previously funded projects, provided these projects stay on their current schedules. These projects will be first in line for future TEA allocations. In this way, OCTA will ensure that no funding is lost due to delays and cancellations.

Current TEA application guidelines and procedures are provided in Attachment A. The guidelines include the following key provisions:

- Funding will be split 50 percent to bicycle/pedestrian and 50 percent to landscaping/scenic beautification projects.
- Applicants must provide a 25 percent local match.
- Funding is targeted at approximately \$500,000 per project.
- Funding awards are contingent on availability of federal TEA funds.
- Projects must award construction contracts prior to June 30, 2009.
- Once projects are awarded, applicants must follow Caltrans' Local Assistance procedures to receive payment of funds.

Next Steps

As in the past, staff plans on convening a TEA advisory panel to assist OCTA with the review and ranking of applications. The panel may include representatives from the Orange County Bicycle Coalition, Nature Conservancy, County Planning Commission, and OCTA's Technical Advisory Committee.

The call for projects (\$8.2 million for fiscal years 2007-08 and 2008-09) will be issued at the end of January 2006. OCTA staff will hold a workshop for potential applicants in January to review the procedures and answer questions about the TEA Program. Applications will be due to OCTA on February 15, 2006. OCTA staff and the TEA advisory panel will review and rank applications in February and March, and forward their recommendations to the Board for approval in April 2006.

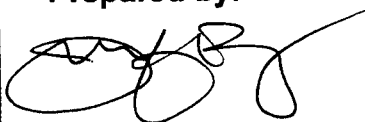
Summary

OCTA is responsible for programming the regional portion of the TEA Program. Staff is requesting authorization to issue a call for projects for fiscal years 2007-08 and 2008-09.

Attachment

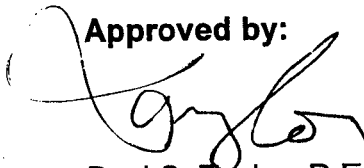
- A. Program Guidelines and Procedures

Prepared by:



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

Approved by:



Paul C. Taylor, P.E.
Executive Director
Planning, Development and Commuter
Services
(714) 560-5431



Transportation Enhancement Activities (TEA)

Call for Projects

Orange County Transportation Authority Application Guidelines and Procedures

PURPOSE AND AUTHORITY

The Transportation Enhancement Activities (TEA) Program is a federal grant program, first authorized under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequently reauthorized under the Transportation Equity Act for the 21st Century (TEA-21) in 1998 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU). The TEA program provides grants to local and state agencies within Orange County to be used for transportation related projects that enhance quality-of-life, in or around transportation facilities. The Orange County Transportation Authority (OCTA) is responsible for selecting regionally significant projects for Orange County and working with Caltrans in administering selected projects..

TEA projects may be stand-alone projects such as landscaped medians; gateway landscaping in a roundabout; bike lanes; and "mainstreet" sidewalks with street trees, benches, information kiosks and pedestrian lighting. TEA projects also may be add-ons to normal transportation projects, such as additional sidewalk and bike lanes on a bridge; enhanced pedestrian lighting; and median refuge islands for pedestrians.

ELIGIBLE APPLICANTS

Public agencies that are capable of executing grants with Caltrans are eligible for funding under current TEA guidelines. Eligible applicants include city and county agencies such as planning departments, public works agencies, recreational departments, etc. Applicants are not required to be transportation or highway related organizations. Two or more agencies may participate in a project. Nonprofit organizations may also nominate projects, through a public agency that is willing and able to take responsibility for carrying out and maintaining the project. Additionally, in order to be eligible for funding, applicant agencies must provide authorizing resolutions from their controlling bodies (sample resolution in TEA application form).

IMPLEMENTATION TIMELINE

Applications must be received by OCTA no later than 5:00 PM Wednesday, February 15, 2006. OCTA will be seeking applications for projects which can start construction no later than June 30, 2009.

After the applications are reviewed by OCTA, an advisory panel will review and rank projects. A recommended priority list of projects will be forwarded to the OCTA Board of Directors for approval in April 2006.

TEA GRANTS

There are no funding limitations for applications. However, the targeted amount per project for the federal share is \$500,000, and it is **strongly** encouraged to submit projects within this limit. The total estimated funding amount for this cycle is \$8.2 million, divided into two program areas which will receive \$4.1 million each.

LOCAL SHARE

A minimum local match of twenty-five (25) percent of the total project cost is required. Match may be local dollars, state dollars, non-transportation federal dollars, or private cash.

Overmatch. Administering agencies may “overmatch” enhancement projects; that is, additional match dollars may be used in the transportation enhancement activity beyond the match requirement. Applicants will receive additional points in the evaluation process for matching above the minimum requirement. Additionally, administering agencies must commit to cover any cost overruns if the project turns out to be under funded. Any work not eligible for federal TEA reimbursement must be funded by other means by the project applicant, and cannot count as match. These items should also not be included in the cost estimate breakdown in the application.

Right of Way Donations. Right of way donations may count towards the local funding share of a project. Donations may be from private ownership to public ownership, or may be a contribution of public land for project purposes. Should such donations be designated as much, all Caltrans and FHWA right-of-way procedures must be followed.

Reimbursements. Transportation Enhancement Activities are reimbursable projects through Caltrans. Applicants are expected to finance the project as it proceeds. Eligible expenditures — up to the ceiling of the federal funding share — will be reimbursed with each invoice.

Soft-match Provisions. “Soft-match” refers to instances where the value of activities accomplished away from the project are credited towards the nonfederal share (match) of the project, such as administrative costs. Soft-match generally is not eligible under current federal rules.

ELIGIBLE PROJECTS

Projects will receive funding from only one of two general program areas: 1) Bicycle and Pedestrian Facilities or 2) Landscaping and Scenic Beautification. If project eligibility in these categories is not clear, the applicant will provide reasoning for including it, and a determination will be made by OCTA, Caltrans, or the Federal Highway Administration.

A. Bicycle and Pedestrian Facilities may include:

- Provision of bicycles facilities. Examples: gap closures, bike lockers at travel stations, bikeways, and bike racks on transit systems.
- Provision of facilities for pedestrian traffic. Examples: walkways and multi-use recreational trails.

B. Landscaping and Scenic Beautification may include:

- Landscaping and other scenic beautification, including maintenance expenses for up to three years. Examples: median landscaping, “gateway” plantings to communities, retrofitting existing noise barriers (pre-1992) with landscaping; architectural lighting; and sculpture or other artwork at gateway entrance to communities.

MINIMUM REQUIREMENTS (Screening Criteria)

TEA applications will be screened before they are scored to determine project eligibility. (See Part 4 of the TEA Application.) Prospective applicants should consider the following in submitting their proposals:

- Direct Relationship to surface transportation.*** Projects must have at least one direct relationship to the surface transportation system. This relationship may be one of function, proximity, or impact. For example, a bikeway is a functional component of the intermodal transportation system (Bicycle and pedestrian projects cannot be purely recreational in nature.)
- Over and above normal projects.*** Enhancement activities must be over and above normal transportation projects. Typically, a normal transportation project may include mitigation, standard landscaping, other permit requirements and provisions negotiated as a condition of obtaining a permit for a normal (non-enhancement) transportation project.
- Conformity.*** The project must be consistent (or not inconsistent) with federal, state, regional or local land use and regional transportation plans, goals and other policies.
- Financial Viability.*** The administering agency must have the ability to meet financial processing requirements within a specific time frame for project completion, level of funding, and experience of project personnel. Additionally, the administering agency must follow the federal procurement and contract administration process.
- Project Readiness.*** Projects must be prepared to award construction contracts prior to June 30, 2009. This means that both NEPA and CEQA requirements as well as right-of-way certification must be completed before authorization for construction can be granted.
- Air Quality.*** Usually, transportation enhancement activities will not create air quality problems. Proposed activities located in air quality non-attainment areas and which will result in air quality impacts must be consistent with the regional project review requirements, that is, there can be no significant unmitigated negative impacts to the region’s air quality shown and, if possible, adequate transportation control measures must be included.

G. *Americans with Disabilities Act*. All proposed projects must meet applicable ADA requirements, including those incorporated into the California Building Code.

EVALUATION CRITERIA

Each TEA project nomination can receive a maximum of 100 points. (See summary of point distribution in the TEA application.)

MINIMUM INFORMATION FOR APPLICATION

The following information, including the TEA Application Form, is required by OCTA to evaluate and select projects. Applications submitted with incomplete information or lacking the required number of copies will not be evaluated.

- A. Table of Contents (page-numbered).
- B. An **unbound original and EIGHT COPIES** (total of nine) of the application form. Use separate sheets of paper if necessary. Supporting documentation must be included where requested.

Part 1: General Project Information

Part 2: Funding

Part 3: Agency Resolution

Part 4: Screening Criteria

Part 5: Evaluation Criteria (Where applicants submit an application under both TEA program areas, the TEA advisory panel will select an appropriate category.)

- C. If applicable, include agreements with other involved agencies.
- D. Letter(s) of support from surrounding community organizations and businesses.
- E. Environmental documentation

Exhibits:

- A. Project cost estimate.
- B. Proposed budget showing sources of funding by phase and year.
- C. Project site photos.
- D. Acquisition map.

- E. Precise maps to show proposed site(s) for the enhancement project or linkages/gap closures if a bicycle or pedestrian project.
- F. Project design or concept drawings.
- G. Project completion schedule.
- H. For all projects involving plantings, a conceptual description of the number of plantings, species, size, density, and locations is requested if available.
- I. For bicycle and pedestrian lane projects, the type and width of the proposed arterial lane should be illustrated in the application (i.e. cross-section).

Note: There is no maximum length for proposals. All pages must be numbered and printed on 8-1/2 x 11 sheets of white paper. Maps and drawings can be included on 11 x 17 inch sheets, folded into the proposal. **The original proposal should be left unbound for reproduction purposes.**

ELIGIBLE EXPENDITURES

Enhancements must be for capital improvement. **Maintenance and/or rehab work is not an eligible expenditure**, nor are projects with a life of less than 5 years, or one-time temporary improvements. However, applicants may submit requests that cover the costs of establishing new landscaping for a period of up to three years.

The administrative agency may use its own workforce to do preliminary engineering work. Costs must be specifically and only for the project. The agency may also retain consultants after satisfying federal and state requirements for selecting consultants. Eligible expenditures include:

- Detailed engineering (preparation of environmental and construction documents),
- Real property acquisition, and
- Construction costs associated with conducting an eligible activity (including three years of maintenance costs for new landscapes).

TEA funds are not to be used for planning; however, they may be used for bicycle and pedestrian safety and education activities.

Transportation enhancement activities are public funds. They are to be used for facilities that are in public ownership for public use. Improvements to private property and commercial facilities are not eligible, even though they may include properties for public use or owned by a public not-for-profit corporation.

ADDITIONAL INFORMATION

Completed applications and questions regarding these procedures and criteria should be directed to Jennifer Bergener of OCTA staff at:

Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584

Tel: (714) 560-5462

Fax: (714) 560-5794

PART FIVE: EVALUATION CRITERIA

Program Area 1: Bicycle and Pedestrian Facilities

Use a separate sheet of paper if necessary. Explain in detail the activity's primary affects.

General Merit Category (Maximum 40 Points)

1 Project Readiness (9 points total)

- a. Is environmental documentation completed? (3)

Application receives 1 point if CEQA has been started; 2 points if CEQA is completed; 3 points if CEQA is complete and NEPA has been started (PES form or other contact with Caltrans.) Documentation is required.

- b. Is ROW acquisition completed?(3)

- c. Is preliminary engineering completed?(3)

Application receives 1 point for concept plans/generalized sketches; 2 points for detailed concept plans; 3 points for engineered drawings of 30% or more.

2 Matching Funds (9 points)

- a. What is the percent match being provided?

Minimum match of 25% receives 0 points, 26 - 37% match receives 3 points, 38 - 49% match receives 6 points, 50% match or more receives 9 points.

3 Prior Commitment of Funds (7 points)

- a. Are other public or private entities (excluding the applicant) contributing funds to this project? List partnering entities and describe their degree of participation. Examples: GMA funds, developer contributions above fee programs. Do not include in-kind services.

4 Community Support (5 points)

- a. Does the proposed project conform to an existing development plan and/or recommendations from community organizations regarding this area? (Explain and provide supporting documentation.)

An application receives up to 2 points for conformity with plans; and up to 3 points for community support such as letters of support, workshop or council meeting minutes, petitions, etc. Documentation is required.

5 Project Merit Evaluation (10 points)

- a. *(Do not answer. Based on the project's direct and indirect benefits.)*

Activity Specific Enhancement Division (Maximum 60 Points)

1 Gap Closures (20 points)

- a. Does the project connect with existing trails or propose to link existing facilities? Explain and provide map showing the location of the linkages and/or gap being closed.

2 Coordination (10 points)

- a. Is this project on the Orange County Master Plan of Trails or similar regional or city plan for bicycle or pedestrian facilities? Explain. (examples: OCTA Commuter Bikeways Plan, Safe Route to School Plan)

3 Amenities and Other Incentives (10 points)

- a. Does this project include special amenities within the project area (i.e. bicycle racks, water fountains, showers, lockers, call-boxes, lighting, and other incentives)? Three points for each added feature for a maximum of 10 points.

4 Safety Enhancements (10 points)

a. Will this project enhance safety in any form? _____

5 Cost-benefit (10 points)

a. What percentage of overall funds are allocated to direct bicycle or pedestrian facilities? (At least 50% of project funds must be related to bicycle/pedestrian facilities (such as hardscape, lighting) and not indirect work such as traffic control, etc. (10 points)

PART FIVE: EVALUATION CRITERIA (continued)

Program Area 2: Landscaping and Other Scenic Enhancements

Use a separate sheet of paper if necessary. Explain in detail the activity's primary affects.

General Merit Category (Maximum 40 Points)

- 1 Project Readiness (9 points total)
 - a. Is environmental documentation completed? (3)
Application receives 1 point if CEQA has been started; 2 points if CEQA is completed; 3 points if CEQA is complete and NEPA has been started (PES form or other contact with Caltrans.) Documentation is required.
 - b. Is ROW acquisition completed?(3) _____
 - c. Is preliminary engineering completed?(3)
Application receives 1 point for concept plans/generalized sketches; 2 points for detailed concept plans and landscape palette; 3 points for engineered drawings of 30% or more.
- 2 Matching Funds (9 points)
 - a. What is the percent match being provided?
Minimum match of 25% receives 0 points; 26 - 37% match receives 3 points; 38 - 49% match receives 6 points; 50% match or more receives 9 points.
- 3 Prior Commitment of Funds (7 points)
 - a. Are other public or private entities (excluding the applicant) contributing funds to this project? List partnering entities and describe their degree of participation. Examples: GMA funds, developer contributions above fee programs. Do not include in-kind services.

- 4 Community Support (5 points)
 - a. Does the proposed project conform to an existing development plan and/or recommendations from community organizations regarding this area? (Explain and provide supporting documentation.)
An application receives up to 2 points for conformity with plans; and up to 3 points for community support such as letters of support, workshop or council meeting minutes, petitions, etc. Documentation required.

- 5 Project Merit Evaluation (10 points)
 - a. (Do not answer. Based on the project's direct and indirect benefits.)

Activity Specific Enhancement Division (Maximum 60 Points)

- 1 Project Significance (24 points)
 - a. What is the current degree of existing landscaping or aesthetic environment and need for improvement (12 points)?
New landscaping/construction receives higher points than upgrading an existing landscaped/aesthetically enhanced area.

 - b. Estimate the daily number of individuals or communities exposed to this project through the following: provide the ADT for the facility being improved; provide any additional exposure (transit, pedestrian, bicycle use, etc.)(12 points).

- 2 Environmental (16 points total)
 - a. Does this project improve irrigation efficiency and encourage the use of alternative methods like xeriscape, drought tolerant native plants, recycled water, and advanced irrigation technology to prevent pollution? Check and explain all that are appropriate. Provide plant palette if available and list additional features if applicable (solar, grease separators, etc.).

Drought Tolerant (4) _____
Native Plants (4) _____

Low Maintenance (4)

Water and Energy Efficiency (4)

3 Architectural Enhancements/Public Art (10 points total)

a. Does this project bring about architectural enhancements (5) or public art (5)?

4 Cost-benefit (10 points)

a. What percentage of overall funds are allocated to direct landscaping or aesthetic facilities? (At least 50% of project funds must be related to landscaping/aesthetics and not indirect work such as curb and gutter, traffic control, etc.(10 points)

Eligibility for Transportation Enhancement Activities Funding

Does the project fit the program? This question can be answered "yes" only after three questions are answered affirmatively. Transportation Enhancement Activities (TEA) must meet three basic criteria, based on instruction from the Federal Highway Administration:

"What is the direct relationship to the **surface** transportation system?"

Projects must have at least one direct relationship to the surface transportation system, which consists of all forms of **the intermodal transportation system, exclusive of aviation**. This relationship may be one of function, proximity, or impact. For example:

- A bikeway is a functional component of the surface transportation system.
- Removal of outdoor advertising in the viewshed of a highway is justified in light of its proximity. (Proximity can be confusing because any project appears eligible by virtue of being near a roadway; however, there will be no tenuous or contrived relationships. When the relationship is by proximity, how does the activity significantly enhance the transportation experience?)
- Water pollution control alongside an existing highway to protect or improve a drinking water supply would qualify based on the impact of the highway in terms of water pollution.

"Is this over and above a normal project?"

Enhancement activities are over and above normal transportation projects. Typically, a normal transportation project may include mitigation, standard landscaping, other permit requirements and provisions negotiated as a condition of obtaining a permit for a normal [non-enhancement] transportation project. If this proposal is an enhancement to a larger project, check the environmental document for these items – Is the proposed enhancement part of the project description? Is it listed as mitigation? If so, the activity is not "over and above" a normal project. Is it a permit requirement? Permitting agencies might include federal agencies such as U.S. Forest Service, Bureau of Land Management, or U.S. Corps of Engineers. State permitting agencies might include State Department of Fish and Game. Regional permitting agencies might include a

regional water quality control board. Maintenance activities are not eligible. Projects to retrofit existing sidewalks for compliance with Americans with Disabilities Act requirements are not eligible.

"Which category or categories encompass the transportation enhancement activities?"

Projects must be selected from one or more of the twelve activities categories. Only those activities listed in U.S. Code, **Title 23 Section 101(a)** are eligible to be accounted for as transportation enhancement activities. If project eligibility in these twelve categories is not clear, the applicant will provide reasoning for including it, and a determination will be made by Caltrans and the Federal Highway Administration. **The funded activities must be accessible to the general public or targeted to a broad segment of the general public.**

The twelve categories are:

1. Provision of facilities for pedestrians and bicycles.
2. Provision of safety and educational activities for pedestrians and bicyclists
3. Acquisition of scenic easements and scenic or historic sites
4. Scenic or historic highway programs (including the provision of tourist and welcome center facilities)
5. Landscaping and other scenic beautification
6. Historic preservation
7. Rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals)
8. Preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails).
9. Control and removal of outdoor advertising
10. Archaeological planning and research
11. Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
12. Establishment of transportation museums.

Eligibility of projects has been interpreted broadly by Caltrans and the Federal Highway Administration. The following discussion presents the thinking behind decisions to define eligibility of the twelve categories.

Twelve Eligible Transportation Enhancement Activities Categories

1. Provision of facilities for pedestrians and bicycles

This category provides an opportunity to create linkages in the existing transportation system by funding bicycle and pedestrian modes of travel. The bicycle and pedestrian modes connect people to activity centers, such as businesses, schools, shopping and recreation areas, and to other modes.

Projects accommodate bicyclists or pedestrians beyond or in addition to what is necessary for safe accommodation. This includes activities that enhance the transportation system through more aesthetic routing or design or improving other existing facilities to make them more usable for pedestrians and bicyclists, such as adding bicycle parking at a rail station. The purpose of the project must be for transportation but if a recreation experience is gained as a result of the transportation facility, this does not exclude the activity from consideration under this program.

Activities are not eligible where they are conducted as an incidental and routine part of new transportation projects in order to accommodate routine use by pedestrians and bicycles. Paved shoulders, wide curb lanes, sidewalks, and curb cuts are not eligible if incidental and routine to road construction or reconstruction; however, Class II bicycle lanes are eligible. Projects may not be for maintenance activities or other replacement facilities; for example, pavement overlays on the same alignment and same width are not eligible.

While all projects must meet the Americans with Disabilities Act (ADA) mandate of accessibility, projects to retrofit existing facilities solely for conformance to accessibility standards in the California Building Code do not qualify. Construction of neighborhood sidewalks is regarded as normal work.

Projects for parking lots for future bicycle or pedestrian facilities are not eligible. Projects for standard-type bus shelters are considered normal work. Bus shelters may be funded as a necessary and incidental part of a streetscape project, or when they are artist-designed.

Questions about standards for bikeway designs or for bicycle facilities such as lockers and parking facilities can be addressed by the Caltrans Bicycle Coordinator at (916) 653-0036. Bikeway Planning and Design (Section 1000 of the Highway Design Manual) is available from the Caltrans Publications Unit, 1900 Royal Oaks Drive, Sacramento, CA, 95815. An unofficial copy is available on the Caltrans website at www.dot.ca.gov/hq/oppd/hdm/hdmtoc.htm.

Example of Projects: Bicycle lockers at rail stations, bus depots, and recreation facilities. Bicycle lockers over and above standard policy at park and ride lots.

Bikeways: Class I (bike paths); Class II (bike lanes); Class III (bike routes). Bikeways or pedestrian paths which separate these modes of travel from the motorized transportation system. Bike racks on transit systems. Acquisition, development, and construction of separate pedestrian or bicycle facilities on or off road rights-of-way or in relation to transit facilities are examples of eligible activity, as are improvements to facilities that go beyond basic access and mobility.

2. Provision of safety and educational activities for pedestrians and bicyclists

This category includes non-construction safety-related activities and the reasonable costs to provide safety and educational activities such as bike/pedestrian safety training, cost of facilitators and classes. It may also include related training materials such as brochures, videotapes, other training aids, as well as rent for leased space and limited staff salaries. Long term salary participation is not eligible.

The funded activities must be accessible to the general public or targeted to a broad segment of the general public. The activities must show a relationship to the surface transportation system.

Project sponsors are encouraged to integrate safety messages and educational opportunities for bicyclists and pedestrians into enhancement projects through the development of campaigns, programs, educational materials including maps and brochures, and pedestrian and bicycle enforcement activities. Project sponsors are encouraged to coordinate these activities with the National Highway Traffic Safety Administration and other modal administrations. This category is not intended to replace or duplicate existing Section 402 funding opportunities currently available through the State and Community Traffic Safety Program.

Bicycle maps are an eligible activity, and are encouraged as part of bicycle facilities funded as Transportation Enhancement Activities.

School crossing guards, speed trailers and radar are not eligible activities.

3. Acquisition of scenic easements and scenic or historic sites

This category may be applied to purchase, donation, transfer, or trade of lands, which possess significant aesthetic, historic, natural, visual, or open space values, acquisition of which enhances the transportation experience as part of

the transportation system, or as a substantial contribution to the transportation viewshed.

Funds may be used for transaction costs including appraisals, surveys, legal costs, or purchase costs. Acquisition of scenic or historic sites includes expenditure of funds for the purchase or the use of funds to accept the donation, transfer, or trade of (a) less than fee interests, for example, easements, in land which possess significant scenic, historic, or cultural values and (b) fee title acquisition of such lands and any property listed in the California Register of Historic Resources or eligible for listing in the National Register of Historic Places.

Land acquired for its scenic qualities must be maintained for its scenic qualities. Mechanisms must be in place to enforce significant scenic or historic values, and the project sponsor must agree to enforce mechanisms to preserve them. The owner of any property acquired must be willing to participate in a preservation covenant attached to the deed of the property. Such a covenant ensures that future work on the property will respect the scenic or historic integrity of the property.

Lands acquired for scenic purposes may not be developed in a manner that degrades the scenic character and quality of the site. Public access is allowed.

The purpose of the project must be for scenic or historic acquisition, but if a wildlife habitat or corridor is gained as a result of the acquisition, this does not exclude the activity from consideration under this program.

Scenic acquisition of a degraded area may be eligible on condition that the agency restores the site to scenic status within this or a later project phase. (Restoration does not have to be done using federal enhancement funds.)

Where proposed projects appear to be primarily park improvements with incidental transportation enhancement activities incorporated into the park improvement project, the transportation enhancement will be eligible, but not the park improvement.

Example of Projects: Acquisition of Big Sur viewsheds. San Pedro Point Viewshed. Acquisition of a historic bridge, historic transportation terminal, land around a historic site adjacent to a scenic highway. Acquisition of historic properties which qualify for protection under the National Register or California Register or are designated in a local register.

4. Scenic or historic highway programs (including the provision of tourist and welcome center facilities)

This category covers protection and enhancement of designated state scenic highways or federally designated scenic byways and state or federally eligible or designated historic highways. Funds may be used only for activities that will protect and enhance the scenic and historic integrity and visitor appreciation of an existing highway and adjacent area.

Tourist or welcome centers do not have to be on a designated scenic or historic byway, but must have a clear link to scenic or historic sites. Activities eligible under the National Scenic Byways Program are generally eligible under this category. A historic site should have evidence of documented consultation and concurrence with the State Historic Preservation Officer or similar authority for determining the historicity of a particular site.

Funding may be used for the construction of a new facility or the restoration of an existing facility. This includes those related construction actions necessary to provide the facility, such as interior fixtures and parking areas. Funds can be used to purchase and install items, which support or interpret the scenic or historic highway program or site including brochure racks for interpretive materials or maps or kiosks. Funds cannot be used for statewide programs, marketing, or promotion not related to the scenic or historic highway program. Staffing, operation costs and maintenance are not eligible. Items such as racks for advertising or brochures for local or national businesses are not eligible.

The visitor or welcome centers are to be publicly owned and open to the public.

Example of Projects: Historic Pasadena Freeway, historic bridge signing, interpretive plaques or restoration of historic lighting standards, historic Old Highway 50, historic Feather River Highway and historic Euclid Avenue. Historic aesthetic treatment on retaining walls and guardrails. Visually sensitive bridge rails (guardrails on bridges) which meet Caltrans and FHWA safety requirements, for use on scenic highways and in areas of high visual sensitivity.

5. Landscaping and other scenic beautification

This category includes landscape planning, design and construction activities, which enhance the aesthetic or ecological resources along transportation corridors, points of access, and lands qualifying for other categories of transportation enhancement activities.

Architectural treatment, applied or integrated, of transportation structures, including bridges and highways beyond Caltrans' utilitarian design may be considered an enhancement activity, as long as it is beyond mitigation required

to comply with CEQA, NEPA, and other permitting agencies' requirements. The primary purpose must be to enhance the scenic view.

Projects which blend the transportation system into the surroundings, making the system less intrusive, or otherwise enhance the aesthetic resources or beauty of the transportation system may include planning, design and construction of scenic vistas and overlooks, restoration of historic landscapes, and public art and design enhancements. Projects which enhance the ecological balance along a transportation corridor include planning, testing and planting for restoration or reintroduction of native plant communities and appropriate adaptive species, and the provision of interpretive information about the federal and state agency programs through which ecological resources are preserved.

Projects on the National Highway System must be consistent with Caltrans' overall landscape program and policies, and will be approved by the Caltrans District Landscape Architect.

Projects may not be for temporary, routine, incidental or maintenance activities such as grass cutting, tree pruning or removal, erosion control, screen planting, construction of noise barriers, drainage improvement or post-construction finish work such as replanting and reseeding.

Plantings on the State Highway System may only be for that portion which is over and above Caltrans' policy no. 3.5.1, dated July 1990, for standard planting in warranted areas.

Projects mainly for museum facility or park development work are not eligible, although park development elements that are necessary for and incidental to the eligible transportation enhancement activity, such as interpretation elements, may be considered eligible.

Graffiti-resistant coatings do not qualify as scenic beautification because they do not change the appearance of the surface, they must be reapplied at least every three to five years (a maintenance activity) and they do not preclude the re-application of graffiti.

Example of Projects: 'Gateway' plantings to communities. Retrofitting existing noise barriers (built before May 22, 1992, when it became standard practice) with landscaping. Rockwork in existing landscaping. Replacement of a utilitarian bridge with one of appropriate architectural qualities in a setting which calls for more than a utilitarian design. Landscaping transplants to move trees outside of clear zones and into more attractive, safer locations. Sculpture or other artwork at gateway entrance to communities or in California "Main Street" projects. Roadside Ecological Viewing Areas. Design and installation of visually sensitive bridge rails (guardrails on bridges), which meet Caltrans and FHWA safety requirements.

6. Historic preservation

Historic, cultural properties, and archaeological resources determined eligible for or listed in the California Register of Historical Resources or a locally-designated resource, if the local designation is based on locally-adopted, written criteria, are eligible for transportation enhancement activity funding. Section 5024.1 of the California Public Resources Code defines the California Register as an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources. The California Register includes properties determined eligible for or listed on the National Register of Historic Places, most California State Historical Landmarks, and State Points of Historical Interest. In addition, the California Register may include locally designated historic and prehistoric resources as well as local survey inventories using the National Register standards.

This category includes acquisition, protection, rehabilitation, interpretation, restoration, and stabilization or any combination of the foregoing, of any prehistoric or historic district, site, building, structure, landscape, or object (and artifacts and records related to it) listed or eligible for inclusion in the California Register or the National Register of Historic Places.

All work must be done in compliance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, the Secretary of the Interior's Standards for Treatment of Historic Properties, or the State Historic Building Code and must be managed under the direction of professionals meeting the standards published in the Code of Federal Regulations, 36 CFR, Part 61. The qualifications define minimum education and experience required to perform eligible historic preservation activities. In some cases, additional areas or levels of expertise may be needed depending on the complexity of the task and the nature of the historic properties involved.

A substantial transportation linkage is required for a project to be considered eligible.

Projects should enhance the transportation system by improving the ability of the public to appreciate the historic significance of the project itself or the area to be served by the project.

In some circumstances, the cultural and sacred values of Native American or other ethnic community sites may require the inclusion of additional viewpoints. Proposals referring to such sites must be accompanied by evidence that appropriate Native American and ethnic community representatives have been consulted.

Incidental Americans with Disabilities Act (ADA) compliance elements are eligible only as required by the transportation enhancement project.

This category does not include reconstruction, i.e., building replicas of historic structures or buildings. It does not include the creation of museums, or of visitor centers; however, restoration of a building that will later be modified and used as a public museum is eligible. Maintenance activities are not eligible.

A preservation project arising from the deferring of maintenance – which was to have been done as a condition of a previous agreement for its preservation – will not be eligible.

Tenant improvements are not eligible costs.

Example of Projects: Stabilizing Chitactac Native American Village site and interpreting it to travelers and tourists.

Restoration and interpretation along the Baja/Alta California Mission Period Heritage Corridor. Rehabilitation of historic buildings that serve the transportation system as multi-modal centers. Interpretation of placer mining at Alpha Omega Rest Area on Highway 20 and at Gold Run Rest Area on Highway 80.

Restoration of historic maritime resources such as lighthouses. Restoration of a historic landscape on a highway. Rehabilitation of historic places, activities that encourage or facilitate historic interpretation for the public of sites associated with roads and other transportation facilities, heritage tourism, preservation or improvement of the appearance or quality of a historic property, district, or landscape, assistance in providing research and educational opportunities or related services on individual or related historical resources.

7. Rehabilitation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals)

Historic transportation buildings are buildings or related structures associated with the operation, passenger and freight use, construction or maintenance of any mode of transportation where such building is listed or eligible for listing in the California Register or the National Register of Historic Places.

Structures and facilities include tunnels, bridges, trestles, embankments, rails or other guideway, non-operational vehicles, canal viaducts, tow paths and locks, stations and other built transportation features integrally related to the operation, passenger and freight use, construction, or maintenance of any mode of transportation.

Rehabilitation means the process of returning the property to a state, which makes possible a contemporary use while preserving the significant historic

features of that property. Subsequent conversion costs or tenant improvements are not eligible.

Example of Projects: Santa Fe Depot in San Diego. Central Valley railroad depots and train stations on the San Francisco Peninsula commute. Restoration of historic ferry terminals. Interpretive displays as part of historic bridge replacement projects. Costs on historic bridges over and above normal mitigation.

8. Preservation of abandoned railway corridors (for conversion to pedestrian or bicycle trails)

This category includes the acquisition, rehabilitation and development of corridors for public bicycle or pedestrian use. In some cases it could allow preservation without capital improvements, although emphasis is placed on current enhancement value. This category permits the development and rehabilitation of privately owned rail corridors to bicycle or pedestrian facilities open to the general public without charge. This may not be used solely for rail preservation. A declaration of intent for future bike or pedestrian use is required. Failure to open the lands acquired for bicycle and pedestrian use within ten years from the start of the right of way phase means the administering agency will have to reimburse the Federal Highway Administration.

Example of Projects: Sacramento Northern Railway Bicycle Trail extension. Bizz Johnson Trail on old Southern Pacific right of way in Susanville. Southern Pacific Santa Paula Branch Line Acquisition. Northwest Pacific Railroad Bike Path in Larkspur. Tidewater Bikeway in Manteca.

9. Control and removal of outdoor advertising

This includes the control and removal of existing nonconforming outdoor advertising signs, billboards, displays, and devices, which are in addition to removal of illegal signs required to exercise effective control of outdoor advertising under Section 131 of Title 23. "Nonconforming" is defined in the California Administrative Code, Title 4 Chapter 6. In general, a nonconforming sign was placed lawfully, but does not conform to subsequent enacted laws. Priority shall be given to the removal of outdoor advertising signs, displays, and devices in conjunction with other enhancement activities, and nonconforming displays along scenic highways. This category may include compilation of an accurate inventory of nonconforming outdoor advertising displays.

If displays are conforming, the agency with jurisdiction must have effective controls in place, such as an ordinance or other mechanism, to preclude replacement displays in the same transportation corridor.

Example of Projects: Purchase and removal of nonconforming billboards on designated scenic highways. Purchase of scenic easements along transportation corridors or viewsheds to prevent visual degradation.

10. Archaeological planning and research

This includes, but is not limited to, research on sites qualified for transportation enhancement funds; experimental activities in archaeological site preservation and interpretation; planning to improve identification, evaluation and treatment of archaeological sites; problem-oriented synthesis using data derived from (though not limited to) transportation-related archaeological activities; local and regional research designs to guide future surveys, data recovery, and synthetic research; and activities having similar purposes carried out in partnership with other federal, state, local and tribal government agencies and non-governmental organizations.

This category includes rehabilitating archaeological dig records and curation of artifacts previously recovered along the transportation corridor to enhance significance and public appreciation for the site through interpretative signs, displays, and publications.

Projects primarily for data entry into geographic information systems to accommodate future normal transportation projects are not eligible.

All work must be done in compliance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation or Secretary of the Interior's Standards for Historic Preservation Projects and must be managed under the direction of professionals meeting the standards published in the Code of Federal Regulations, 36 CFR, Part 61. The qualifications define minimum education and experience required to perform eligible historic preservation activities. In some cases, additional areas or levels of expertise may be needed depending on the complexity of the task and the nature of the historic properties involved.

In some circumstances, the cultural and sacred values of Native American or other ethnic community sites may require the inclusion of additional viewpoints. Proposals referring to such sites must be accompanied by evidence that appropriate Native American and ethnic community representatives have been consulted.

This category is not for excavations.

Example of Projects: Regional or statewide research. Upgrade or expansion of regional curation facilities to meet federal and state guidelines, in order to

regionalize archaeological collections and facilitate regional archaeological research. Statewide or regional archaeological study for State Routes in archaeologically sensitive areas, developing an Archaeological Inventory similar to the existing Bridge Inventory. Rehabilitation of archaeological dig records and artifacts previously recovered along a highway to enhance significance and public appreciation for the site through interpretive signs and publications. Construction of traveling displays of artifacts for schools.

11. Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity

These projects are for facilities and programs reducing or eliminating pollution from storm water runoff from highway facilities in addition to current requirements and procedures for such mitigation. The pollution must be due to materials washing off of the roadway surface. Projects that demonstrate aesthetic and ecological methods for mitigation and enhance recharge are encouraged.

Projects may have groundwater recharge, multiple resource benefits, and aesthetic preservation components, but only when secondary to the purpose of mitigating water pollution due to highway runoff.

No activity that has been identified as a requirement of a stormwater permit is eligible for enhancement funding.

Acquisition of land in and of itself is not considered an eligible mitigation of water pollution unless the acquisition itself fulfills the mitigation objective. Projects to acquire degraded land to rehabilitate into mitigation for highway runoff must have absolute commitments of funds and completed plans for the mitigation work prior to application.

This category is not limited to threatened and endangered species, but includes any wildlife mortality directly caused by vehicles. Fish passage is not eligible.

Projects to reduce wildlife mortality on new highway construction are not eligible.

If non-motorized human use will be one result of the project to reduce wildlife mortality, this does not exclude the activity from consideration under this program.

Example of Projects: Water pollution control alongside an existing highway to protect or improve a drinking water supply. Storm drain stenciling projects. Santa Monica stormwater treatment facility enhancements. Wildlife underpasses or overpasses, measures at areas identified as crossings for wildlife, which include the necessary fencing and other markings and techniques associated with movement or wildlife across transportation corridors. Bridge extensions to

provide or improve wildlife passage and wildlife habitat connectivity. Monitoring and data collection on habitat fragmentation and vehicle-related wildlife mortality.

12. Establishment of transportation museums

Transportation museums must meet the following definition of a museum. The facility must:

- a) be a legally organized not-for profit institution or part of a not-for-profit institution or government entity;
- b) be essentially educational in nature;
- c) have a formally stated mission;
- d) have one full-time paid professional staff member who has museum knowledge and experience and is delegated authority and allocated financial resources sufficient to operate the museum effectively;
- e) present regularly scheduled programs and exhibits that use and interpret objects for the public according to accepted standards;
- f) have a formal and appropriate program of documentation, care, and use of collections and/or tangible objects; and
- g) have a formal and appropriate program of presentations and maintenance of exhibits.

Establishment of transportation museums means funding of capital improvements. Funds are not intended to reconstruct, refurbish, or rehabilitate existing museums, nor portions of museums, that are not for transportation purposes. It does not cover operations or maintenance of the facility. The museum must be related to surface transportation. Establishment of transportation museums includes the costs of the structure and the purchase of artifacts necessary for the creation and operation of the facility. Displays, segments of buildings, or objects not directly related to transportation are not eligible. Funds may be used to build a new facility, add on a transportation wing to an existing facility, or convert an existing building for use as a transportation museum.

The museum must be open to the public and run by a public, non-profit or not-for-profit organization meeting the definition of museums stated above in this section. If entrance fees are charged for the museum, a portion of the fee should be provided for the long- term maintenance and operation of the facility.

TEA funds may not be used to preserve aircraft or create an airport or air museum. Objects or structures related to aviation are not eligible.

All Categories/All Projects

In addition, the project must fit into the general federal requirements. These are listed in the "Screening Criteria".

Eligible Costs

The applicant must prepare an accurate cost estimate for proposed transportation enhancement activities. Agencies unfamiliar with the kinds of costs incurred on Title 23 federal-aid projects that are eligible for reimbursement should refer to the Local Assistance Procedures Manual and must confer with their Caltrans District prior to the application deadline.

Transportation enhancement activity funds are reimbursable federal-aid moneys, subject to all the requirements of Title 23, United States Code. They are for capital improvements. Feasibility study projects are ineligible, which of themselves provide no enhancement to the public. If a study shows the project to be feasible and a financial plan shows a credible source of operating funds, capital phases may be eligible for enhancement funds. These include preliminary engineering (including environmental studies), real property acquisition, and construction costs associated with conducting an eligible activity. These funds are not to be used for program planning; however, they may be used for bicycle and pedestrian safety activities and archaeological planning projects.

Improvements to private property and commercial facilities are not eligible, but may include properties for public use, owned by a public not-for-profit corporation.

Many projects are a mix of elements, some on the list of 12 categories and some not. Those project elements, which are on the list, may be counted as transportation enhancement activities. For example, a rest area might include an adjacent historic site purchased and developed as an interpretive site illustrating local history. The historic site purchase and development qualifies as a transportation enhancement activity.

Activities, which are not explicitly on the list, might qualify if they are an integral part of a larger qualifying activity. For example, if the rehabilitation of a historic railroad station required the construction of new drainage facilities, the entire project could be considered a transportation enhancement activity. Similarly, environmental analysis, project planning, design, land acquisition, and construction activities necessary for implementing qualifying transportation enhancement activities are eligible for funding. For example, costs for environmental mitigation required for the enhancement project itself are reimbursable.

Transportation enhancement activities may not in themselves be routine or customary elements of transportation projects or mitigation for project impacts in compliance with the requirements of environmental, or other federal, state, or

local laws, even if those aspects will otherwise constitute a specified transportation enhancement.

Project funding under the transportation enhancement program is not available for a non-applicant agency to perform its normal required review and permit functions.

Convict labor is not a reimbursable cost.

Costs involved in applying for funds are not eligible. Any costs incurred prior to written approval to proceed by Caltrans are not eligible.

2006 TEA Call for Projects
Advisory Panel - Scoring/Ranking

Agency	Project/Description	TEA Funding										Total Pts	Avg
Costa Mesa	Newport Blvd Streetscape, 17th - E. 18th	\$ 500,000	73	70	81	62	68	72	426	71			
Laguna Hills	El Toro road Streetscape	\$ 500,000	72	72	65	72	73	71	425	71			
Costa Mesa	Newport Blvd Streetscape, 19th to E. 18th	\$ 500,000	68	69	75	76	72	64	424	71			
La Palma	La Palma Ave Landscaping & Monument (Mood)	\$ 237,000	72	72	59	72	73	71	419	70			
Irvine	Jeffrey/I-405 Bike Bridge landscaping	\$ 354,109	70	75	72	66	67	67	417	70			
Laguna Beach	S. Laguna Gateway/Streetscape	\$ 412,300	68	68	67	71	68	68	410	68			
Villa Park	Taft Ave Landscape	\$ 150,000	75	64	66	68	65	72	410	68			
Laguna Beach	Broadway Gateway Beautification	\$ 148,720	67	77	70	70	68	53	405	68			
Westminster	Bolsa Ave, Magnolia to Newland	\$ 500,000	65	65	65	65	65	63	388	65			
Westminster	Bolsa Ave, Newland to Beach	\$ 500,000	65	65	65	64	64	61	384	64			
Aliso Viejo	Aliso Creek Rd Medians	\$ 500,000	66	65	60	56	60	65	372	62			
Laguna Beach	Coast Hwy Median	\$ 210,900	59	65	58	60	65	62	369	62			
Westminster	Westminster Blvd, Milan to Springdale	\$ 500,000	66	61	61	52	64	60	364	61			
Fullerton	City Entry Monument Replacement	\$ 465,750	58	59	60	62	67	57	363	61			
Santa Ana	MacArthur Blvd Bike Trail Landscaping	\$ 224,784	64	59	59	55	55	62	354	59			
Huntington Beach	Edinger Landscape	\$ 500,000	58	60	60	55	60	57	350	58			
Santa Ana	Main St. Archway	\$ 225,750	55	56	55	46	61	56	329	55			
Brea	Birch Street Median, Phase 2	\$ 500,000	55	54	51	53	54	56	323	54			
Huntington Beach	Adams Ave Median	\$ 400,000	57	56	50	53	53	51	320	53			
RSM	Antonio Pkwy Landscape	\$ 500,000	55	56	52	49	51	57	320	53			
Stanton	Chapman Ave Beautification	\$ 500,000	57	57	57	48	50	49	318	53			
Brea	Birch Street Median, Phase 1	\$ 358,668	52	52	52	50	50	55	311	52			
Newport Beach	Superior Ave Median	\$ 498,965	53	53	47	49	50	55	307	51			
Fountain Valley	Harbor/Talbert Landscaping	\$ 448,269	53	49	49	51	49	51	302	50			
Brea	Imperial Hwy Landscape	\$ 503,064	47	51	45	55	53	49	300	50			
Anaheim	Lincoln Ave Medians	\$ 487,549	48	49	52	47	50	52	298	50			
Laguna Woods	Moulton Pkwy Landscaping	\$ 500,000	47	48	50	46	53	52	296	49			
Buena Park	Beach Blvd Landscaping	\$ 402,975	49	47	48	47	52	47	290	48			
Tustin	Edinger Landscaping	\$ 500,000	47	49	45	44	42	54	281	47			
Stanton	Cerritos Ave Beautification	\$ 500,000	49	44	47	43	49	41	273	46			
Santa Ana	Depot Art Wall	\$ 500,000	49	50	35	43	42	50	269	45			

2006 TEA Call for Projects Advisory Panel - Scoring/Ranking

Agency	Project/Description	TEA Funding	43	43	44	50	45	34	Total Pts	Avg
Huntington Beach	Main St. Median	\$ 150,000	43	43	44	50	45	34	259	43
Santa Ana	Madison Park Bike Trail	\$ 87,280	45	44	41	35	38	34	237	40
Costa Mesa	N/B Newport Blvd. Landscape	\$ 500,000	35	31	33	39	36	34	208	35
Costa Mesa	S/B Newport Blvd Landscape	\$ 450,000	30	32	37	40	32	35	206	34
Tustin	Newport Ave Bicycle trail	\$ 500,000	32	36	33	27	33	27	188	31
Los Alamitos	Ball/Bloomfield Landscaping	\$ 370,000	33	35	29	12	32	35	176	29
Los Alamitos	Los Alamitos (Cerritos to Ball)	\$ 370,000	28	26	24	17	17	29	141	24
Los Alamitos	Los Alamitos (Katella to Cerritos)	\$ 370,000	24	26	19	9	21	25	124	21
Bike & Ped Projects										
Dana Point	PCH Improvements	\$ 500,000	78	70	71	74	70	82	445	74
Laguna Beach	S. Laguna Sidewalk	\$ 498,000	84	86	63	60	70	80	443	74
Santa Ana	Santiago Creek Bike Trail	\$ 207,664	71	69	71	80	72	74	437	73
County of Orange	Buena Vista Sidewalk	\$ 57,465	64	66	66	64	64	61	385	64
County of Orange	Magnolia Ave Sidewalk	\$ 66,297	64	66	66	64	64	61	385	64
County of Orange	Orange Olive Rd. Sidewalk	\$ 56,891	62	64	64	62	62	59	373	62
Santa Ana	MacArthur Blvd Bike Trail	\$ 23,332	61	58	57	70	58	69	373	62
Orange	Bike Lockers at OTC	\$ 7,130	65	64	60	53	60	64	366	61
Irvine	IBC sidewalk phase 2	\$ 500,000	65	60	61	54	66	53	359	60
Fullerton	Puente St Bike Path	\$ 348,000	55	61	61	57	53	65	352	59
Orange	Taft Avenue Sidewalk, Batavia to Glassell	\$ 241,425	59	57	56	57	55	63	347	58
Orange	Main Street Sidewalk, Katella to Taft	\$ 196,100	58	57	55	56	54	60	340	57
Orange	Taft Avenue Sidewalk, Santa Ana River to Batavia	\$ 156,325	57	55	54	54	54	61	335	56
Orange	Main Street Sidewalk, Walnut to Collins	\$ 212,750	57	53	53	56	54	60	333	56
Aliso Viejo	Town Center Loop Pedestrian Enhancement	\$ 500,000	53	55	52	55	54	51	320	53
County of Orange	17th Street Sidewalk	\$ 500,000	54	54	54	53	53	51	319	53
County of Orange	Hewes Ave Sidewalk	\$ 185,241	51	53	53	53	53	53	316	53
Orange	Bond Ave Bike Trail	\$ 245,532	50	50	59	55	43	43	300	50
San Clemente	El Camino Real Pedestrian	\$ 500,000	44	45	47	48	45	48	277	46
County of Orange	Browning Ave Sidewalk	\$ 213,056	49	49	44	46	46	41	275	46
County of Orange	Red Hill Ave Sidewalk	\$ 215,865	49	49	44	46	46	41	275	46
Huntington Beach	Edinger Bicycle/Ped. Improvements	\$ 105,000	47	44	49	50	45	31	266	44
County of Orange	Newport Blvd. Sidewalk	\$ 362,969	35	35	33	37	37	45	222	37



Item 9.

BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Monument Sign for Santa Ana Freeway (Interstate 5) Gateway Project

Regional Planning and Highways Committee

April 17, 2006

Present: Directors, Correa, Cavecche, Dixon, Green, Norby, and Ritschel
Absent: Directors Rosen and Monahan

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Direct staff to prepare a preliminary gateway monument proposal for the Santa Ana Freeway (Interstate 5) at the Orange–Los Angeles county line and return for further direction by July 2006.



April 17, 2006

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Monument Sign for Santa Ana Freeway (Interstate 5) Gateway Project

Overview

The Orange County Transportation Authority is considering the installation of a gateway monument sign along the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line. The California Department of Transportation has a four-year demonstration program to permit such projects, and proposals are due by December 31, 2006.

Recommendation

Direct staff to prepare a preliminary gateway monument proposal for the Santa Ana Freeway (Interstate 5) at the Orange-Los Angeles county line and return for further direction by July 2006.

Background

Orange County Transportation Authority (OCTA) has previously considered gateway projects at freeway entrances to Orange County. Initial concepts were developed for the State Route 57 corridor with the goal of expanding the program. The project, however, was dropped due to local concern with the particular design as well as implementation issues. Recently, at the February 20, 2006, Regional Planning and Highways Committee meeting, Santa Ana Freeway (Interstate 5) project aesthetics and gateway signage was discussed. At that time, staff was directed to review opportunities for gateway monuments within the state-controlled right-of-way.

The California Department of Transportation (Caltrans) has created a voluntary pilot program to consider gateway monument proposals submitted by local agencies that could be constructed within the state's right-of-way. A county, a city, or an agency like OCTA could place an approved freestanding structure or sign along a highway or freeway that serves as entrance to the community.

The Federal Highway Administration must also approve gateway monuments on the interstate system.

Discussion

A gateway monument is any freestanding structure or sign that will communicate the name of a city or county. It may include the officially adopted seal or slogan of the local jurisdiction. Caltrans has issued guidelines for the Gateway Monument Demonstration Program (Attachment A). The sponsoring agency is responsible for developing and submitting a gateway proposal to Caltrans. The agency has financial and maintenance responsibility for the life of the monument, including its removal if it is found to be unsafe, deteriorating, or inadequately maintained. Caltrans will work with the agency and oversee the monument proposal through a permit process.

The following are general steps to making a proposal:

1. Identify a location, develop a concept, and inform Caltrans.
2. Submit a preliminary proposal to the Caltrans district coordinator, who will evaluate the location for safety and other aspects of the proposal to determine its viability.
3. Develop and submit a formal proposal. Based on the comments from the district coordinator on the preliminary proposal, obtain local resolution of support and submit detailed plans for Caltrans review and approval.

The demonstration program runs for a four-year period from January 1, 2005, through December 31, 2008. However, proposals can only be submitted from January 1, 2005, to December 31, 2006. At the conclusion of the four-year period, Caltrans will evaluate the program to determine its success and decide whether it should continue. Any signs placed as part of this program would not necessarily have to be removed after December 31, 2008.

Next Steps

Given the opportunity presented by the demonstration program, staff is recommending that OCTA work with the City of Buena Park and Caltrans to develop a proposal for a gateway monument sign as part of the I-5 Gateway (freeway widening) Project. The proposal will include a preliminary design concept, location, and the estimated costs to construct and maintain the sign. Staff will present this information to the Board by July 2006 and seek further

direction on the project as well as a possible decision on pursuing gateway monument signs for other freeway entrance locations.

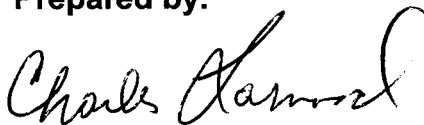
Summary

Caltrans has a voluntary pilot program to consider gateway monument proposals submitted by local agencies that could be constructed within the state's right-of-way. OCTA is considering a proposal for a gateway monument sign at I-5 Orange–Los Angeles county line. Staff intends to return with concepts and more information by July 2006 and seek further direction on the project.

Attachment

- A. Guidelines for Gateway Monument Demonstration Program

Prepared by:



Charles Larwood
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(714) 560-5683

Approved by:



Paul C. Taylor, P.E.
Executive Director,
Planning, Development and
Commuter Services
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Guidelines for Gateway Monument Demonstration Program

1/1/05

General

To further the Department's efforts to implement Director's Policy 22, Context Sensitive Solutions, and address the needs of a city, county, or township, hereinafter referred to as a "Local Entity," the Department has initiated a voluntary pilot program, hereinafter referred to as "demonstration program," to consider Gateway Monument proposals submitted by Local Entities, proposed to be constructed within the operational highway right-of-way.

Integration of the transportation system to reflect community values may be achieved through enhancements that include Gateway Monuments. This demonstration program provides a method for the Department to permit enhancement of existing or new transportation facilities by local entities.

Participation in this demonstration program shall be at the sole discretion of each District Director.

The District has the authority to require additional conditions above and beyond the established guidelines of this demonstration program.

The duration of this demonstration program will be for a period of four years, from January 1, 2005 to December 31, 2008. The Department may discontinue this demonstration program at any time prior to the termination date.

The Department will accept preliminary Gateway Monument proposals only during the first two years of the demonstration program, until December 31, 2006. **Proposals for the placement of Gateway Monuments will not be accepted after December 31, 2006.**

Each participating District shall submit a biannual status/summary report to the Headquarters, Landscape Architecture Program (LAP), to document the status of all District Gateway Monuments. The LAP shall compile and present an annual statewide summary/status report to Headquarters, Division of Design, beginning January 1, 2006.

A Gateway Monument is defined as any **freestanding** structure or sign, non-integral or non-required highway feature that will communicate the name of a city, county or township. A Gateway Monument may include the officially adopted seal or slogan of the Local Entity.

Gateway Monuments differ from Community Identification in that Community Identification is defined as images or text that conveys information about a region, community or Local Entity that may be integrated, painted or placed as an aesthetic treatment upon engineered highway facilities. Refer to the *Project Development Procedures Manual*, Chapter 29 – Landscape Architecture, Section 8 – "Community Identification" for specific information on Community Identification.

Gateway Monuments differ from Transportation Art in that Gateway Monuments may include text and must be a freestanding structure or sign, not integral to a required highway facility. Refer to the *Project Development Procedures Manual*, Chapter 29 – Landscape Architecture, Section 6 - “Transportation Art” for specific information on Transportation Art.

Refer to the *Encroachment Permits Manual* Section 501.3F (http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter_5.pdf) for additional information on Gateway Monuments.

Guidelines

Local Entities often desire new and existing transportation facilities to provide identification and a favorable image of the communities in which they are located. The Department encourages and promotes enrichment of the cultural and visual environment for transportation system users and local communities by facilitating and coordinating the integration of Gateway Monuments within the operational highway right-of-way, through the encroachment permit process.

Gateway Monuments are to be solely funded and maintained by a Local Entity. The Department will collaborate with the responsible Local Entity supporting the proposed Gateway Monument.

Only one Gateway Monument installation will be allowed per State Highway or Interstate approach (one in each direction) into a Local Entity contiguous to the highway. The Department retains sole discretion for determining the location, appropriate size, content, colors, and other elements of the Gateway Monument. The Department shall have responsibility for approval of all Gateway Monuments on the State highway system, and in addition, the FHWA must approve Gateway Monuments on the Interstate system.

The Local Entity shall first consider feasible alternatives in lieu of placement of a Gateway Monument within the operational highway right-of-way. The alternatives shall include but are not limited to the following:

1. Locate the proposed Gateway Monument outside of the operational highway right-of-way.
2. Community Identification on existing or proposed-engineered highway features.
3. Aesthetic treatment for an existing or proposed transportation facility.
4. Utilization of existing or natural topographic features in the placement of the Gateway Monument.

Gateway Monuments and Community Identification are discretionary features within the transportation corridor. To avoid motorist distraction and visual clutter, a maximum of only one Gateway Monument or Community Identifier visible from the traveled highway will be allowed per State Highway or Interstate approach (one in each direction) into a Local Entity. Existing Gateway Monument features located on private or public property and within 660 feet of the State right-of-way will be considered to be the allowed feature and no additional Gateway Monument will be approved. Gateway Monuments shall be located well beyond the clear recovery zone or otherwise placed such that there will be minimal likelihood of being struck by an errant vehicle.

Other improvements may be considered in conjunction with the Gateway Monument proposal. Any improvements over and above what the Department would otherwise fund, install, construct, maintain, etc., will be the responsibility of the Local Entity. The Department will collaborate with the Local Entity for appropriateness of the Gateway Monument proposal in context with existing, proposed, and future improvements.

Review/Approval Process

Gateway Monument submittals shall be reviewed for approval or denial with primary considerations to safety (location), appropriateness, aesthetics, access for maintenance purposes, and the message being communicated. Aesthetics in this context is for a proposed **freestanding** Gateway Monument, and shall not be confused with aesthetic treatments incorporated into engineered highway features (sound walls, retaining walls or other highway features).

The District Gateway Monument Coordinator shall be the single point of contact to qualify and process all submittals. The Local Entity shall submit a preliminary Gateway Monument proposal to the District Gateway Monument Coordinator. The District Gateway Monument Coordinator will evaluate the preliminary proposal to determine if the scope of work is appropriate for the corridor. Prior to circulation of the preliminary proposal, the District Gateway Monument Coordinator may advise the Local Entity of any obvious constraints or concerns, or may solicit additional documentation, exhibits, or request amendment of the proposed scope of work. Upon receipt of a qualified preliminary proposal the District Gateway Monument Coordinator will initiate a tracking document and circulate the proposal for review and comment to the Landscape Architecture Program District Coordinator and District Transportation Art Coordinator, Design, Traffic Operations, Environmental, Maintenance, Right of Way and other appropriate functional units within the District.

The Landscape Architecture Program District Coordinator will forward the preliminary proposal to the Headquarters Design Coordinator, and if work is proposed on an Interstate highway facility, to the Headquarters, Division of Design, Office of Encroachment Exceptions, for additional processing and FHWA review. The Headquarters Design Coordinator shall evaluate and concur with the proposed location of the Gateway Monument prior to any further consideration by the Department. The Landscape Architecture Program District Coordinator shall evaluate and concur with the content of the proposed Gateway Monument and will coordinate the review and comments from Headquarters.

The District Gateway Monument Coordinator will advise the Local Entity to incorporate comments and to re-submit the proposal.

The District Gateway Monument Coordinator shall be the single point of contact to process final Gateway Monument proposals from the Local Entity. The District Gateway Monument Coordinator will evaluate the final proposal to verify that previous comments have been incorporated into the submittal. The District Gateway Monument Coordinator will forward qualified final submittals to the District Director for approval. This approval by the District Director cannot be sub-delegated.

If approved by the District Director, the District Gateway Monument Coordinator will advise the Local Entity to present a final submittal to the District Permit Engineer. Final submittal for a Gateway Monument will be processed as an encroachment permit. The District Permit Engineer

shall notify the District Gateway Monument Coordinator and the HQ Landscape Architecture Program when the permit has been approved and when construction of the Gateway Monument is completed.

Gateway Monument proposals incorporated with transportation projects will be identified in the Cooperative Agreement and shall be subject to the review process detailed above and constructed under a separate permit. Gateway Monuments included as part of a capital improvement project, regardless of funding source, will be reviewed and approved through the Department's project development process and as directed within these guidelines.

Administrative Responsibilities

Headquarters

The Chief, Division of Design is responsible for the following:

- Managing the Gateway Monument program.
- Retaining the discretionary authority to condition or revoke the demonstration program.
- Resolving conflicts regarding the interpretation of these guidelines.

The Principal, Landscape Architecture Program (Division of Design), is responsible for the following:

- Maintaining and disseminating guidelines and procedures for Gateway Monuments.
- Formulating and managing a statewide inventory of Gateway Monument proposals.
- Monitoring District performance and providing quality assurance of program guidelines.

The Headquarters Landscape Architecture Program District Coordinator, is responsible for the following:

- Evaluating qualified preliminary Gateway Monument proposals and providing a determination regarding the content and presenting their finding to the District Gateway Monument Coordinator.
- Routing qualified preliminary Gateway Monument proposals to the Headquarters Design Coordinator and Headquarters Office of Encroachment Exception.
- Forwarding Headquarters Design Coordinator and Headquarters Office of Encroachment Exception determinations to the District Gateway Monument Coordinator.

The Headquarters Design Coordinator (Division of Design), is responsible for the following:

- Evaluating qualified preliminary Gateway Monument proposals within the operational highway right-of-way and providing a determination regarding the site-specific location and presenting their finding to the District Gateway Monument Coordinator.

The Chief, Office of Encroachment Exceptions (Division of Design) is responsible for the following:

- Evaluating the demonstration program and the impacts Gateway Monuments have to the highway system.

- Processing FHWA review of proposals located on an Interstate highway facility.

The Chief, Office of Signs, Markings, Encroachment Permits (Division of Traffic Operations) is responsible for the following:

- Development of encroachment permit and special provisions forms for this program.
- Maintaining and clarifying encroachment permit policy and encroachment permit procedural requirements.

Districts

The District Director of each participating district is responsible for the following:

- Administering the Gateway Monument demonstration program in accordance with these guidelines.
- Notifying the Principal, Landscape Architecture Program (Division of Design), of additional conditions by the District, added to the established guidelines of this demonstration program.
- Designating a District Gateway Monument Coordinator.
- Approving Gateway Monument proposals.
- Preparing biannual status and annual summary reports and submitting to the Principal, Landscape Architecture Program (Division of Design).

The District Gateway Monument Coordinator, is responsible for the following:

- Acting as the single focal point to qualify, process, and evaluate Gateway Monument submittals by Local Entities.

The District Permits Engineer, is responsible for the following:

- Ensuring a maintenance agreement is completed prior to issuance of the encroachment permit.
- Issuing the encroachment permit to the Local Entity.
- Inspecting the Gateway Monument construction.
- Notifying the District Gateway Monument Coordinator and HQ Landscape Architecture Program of Gateway Monument permit approval and construction completion.

Financial Responsibilities

All costs for proposed Gateway Monument design, construction, access for maintenance, maintenance, and if required, removal of the Gateway Monument shall be the responsibility of the Local Entity and stipulated in detail within the Preliminary and Final Gateway Monument submittals.

When the work is proposed by a Local Entity as part of a roadway project, the Department will allocate resources for the administrative costs associated with review and determination of appropriateness of proposed Gateway Monuments as part of the transportation corridor with existing and proposed engineered highway features. Necessary resources for design, implementation, construction or maintenance of Gateway Monuments will be the responsibility of

the Local Entity. A Cooperative Agreement between the Department and the Local Entity will document any such negotiated agreements.

The Encroachment Permit shall stipulate that the Local Entity shall hold harmless, indemnify and defend the State against any action associated with a Gateway Monument. The Department will assume the administrative costs associated with reviewing Gateway Monument proposals, and developing, issuing and monitoring the Encroachment Permit for approved Gateway Monument projects. All other costs, including labor, materials, supplies, and traffic control (if required) for design, engineering, testing, construction, installation, maintenance and removal of the Gateway Monument shall be the responsibility of the Local Entity.

The Department may require the Local Entity provide bonds or other means to ensure maintenance, rehabilitation, and removal of the Gateway Monument.

Maintenance

A Maintenance Agreement (as outlined in Appendix B of the Encroachment Permits Manual) for the care and upkeep of said Gateway Monument shall be established between the Local Entity and the Department. Maintenance access shall be as stipulated by the Department in the agreement and should be provided from outside the highway right-of-way, wherever possible.

Gateway Monuments shall be kept clean, free of graffiti, and in good repair. The Local Entity shall be required to provide for regularly scheduled maintenance, as described in the maintenance agreement, for its projected lifespan, including graffiti removal and restoration work to maintain the integrity of the approved Gateway Monument. Graffiti removal shall conform to current Department policies and guidelines, which require prompt removal of offensive messages and timely removal of all other graffiti. Maintenance practices shall protect air and water quality as required by law.

The Department may perform maintenance activities in the area of the Gateway Monument, such as litter pickup and other maintenance that is normally associated with the transportation facility or right-of-way. The Department will not provide maintenance of the Gateway Monument itself. Any other maintenance activities anticipated by the Local Entity that are over and above what the Department would normally provide will be documented by Encroachment Permit or Cooperative Agreement as a requirement of the Local Entity.

Removal

The Local Entity shall remove Gateway Monuments, which in the opinion of the Department create safety or operational concern due to deterioration or inadequate maintenance. The Department will notify the Local Entity when it has determined that the Gateway Monument requires special attention. In the event the Local Entity fails to maintain, repair, rehabilitate or remove the Gateway Monument in a timely manner, the Department may remove the Gateway Monument after sixty (60) days following notification to the Local Entity, and bill the Local Entity for all costs of removal and restoration of the area.

The Department reserves the right to remove the Gateway Monument due to construction, rehabilitation or other necessary activities affecting the transportation facilities without any

obligation, compensation to, or approval of the Local Entity. The Department should strive to notify the Local Entity of its intent to remove the Gateway Monument to allow for timely removal and salvage by the Local Entity (if possible).

The Department reserves the right to remove or alter any Gateway Monument that presents an immediate safety hazard to the public without delay or advanced notification to the Local Entity.

Guidelines for the Design and Placement of Gateway Monuments

Proposed Gateway Monuments shall:

1. Be freestanding.
2. Incorporate a community name, logo, graphic, seal, or slogan that has been associated historically with the community.
3. Include, if required by the Department, approved protective graffiti coatings.
4. Be developed to require low or no maintenance to minimize exposure of workers and others to potential risks.
5. Be appropriate to its proposed setting and community context.
6. Be in proper size and scale with its surroundings. The maximum size shall fit within 10 cubic meters (353 cubic feet). The width shall not exceed 6 meters (20 feet) and the height shall not exceed 6 meters (20 feet) above existing grade.
7. Be composed of materials that are durable for the projected life span of the project.
8. Be located well beyond the clear recovery zone, placed such that there will be minimal likelihood of being struck by an errant vehicle, or in a protected location, and have the site-specific concurrence of the Headquarters Design Coordinator.
9. Be located where maintenance can be safely performed, as specified in the Encroachment Permit, and in conformance with Department procedures.
10. Conform to provisions of the Outdoor Advertising Act.
11. Be subject to the review and approval of the Department in consideration of design, size, and scale for appropriate integration on urban or rural highway features.

Proposed Gateway Monuments shall not:

1. Be allowed within the median areas of controlled access highway right-of-way.
2. Contain religious, political, special interest, private, or commercial messages of any sort including but not limited to symbols, logos, business names, trade names, jingles, or slogans.
3. Contain any displays of any sort, advertising, decorative banners, flags, or flag poles.
4. Display telephone numbers, street addresses, or Internet addresses.
5. Interfere with airspace above the roadway.
6. Create a distraction to the motoring public, e.g., the proposed Gateway Monument shall be large enough to interpret at highway speed, but not be so large that it demands attention from the motorist.
7. Include reflective or glaring surface finishes.
8. Include illumination that impairs or distracts the vision of transportation system users. Other lighting may be permitted.
9. Display blinking or intermittent lights, including changeable message signs.
10. Include moving elements (kinetic art) or simulate movement.
11. Include images of flags.

12. Neither interfere with official traffic control devices nor interfere with the operational right-of-way above the roadway.
13. Be placed within State right-of-way upon trees, or painted or drawn upon rocks or other natural features.
14. Make use of or simulate colors or combinations of colors usually reserved for official traffic control devices described in the FHWA Manual on Uniform Traffic Control Devices (MUTCD).
15. Restrict sight distance.
16. Require the removal of trees or other vegetation for visibility, or harm trees during construction. Pruning of tree branches or roots, and removal of shrubs should be avoided, and will be allowed only with written approval of the District Landscape Architect.
17. Negatively impact existing highway features including existing signs, irrigation systems, necessary drainage patterns and facilities.
18. Protrude or span over travel lanes or roadbed.

Submittal of Gateway Monument Proposals

The proposed site for integration of any preliminary or final Gateway Monument shall be reviewed and approved by the Department for safety and environmental considerations prior to approval of an Encroachment Permit or Cooperative Agreement. Safety determinations affecting highway operation, maintenance or tort liability shall be documented in a Permit Engineering Evaluation Report (PEER), when not prepared in conjunction with a proposed or ongoing State and Federal Project through a Project Initiation Document (PID). All final proposals shall be in compliance with State environmental laws and regulations.

Submittal Requirements of Preliminary Gateway Monument Proposals

The Local Entity shall provide the Department professionally prepared plans depicting the following information:

1. Site-specific proposal (Index Sheet, with vicinity map).
2. Dimensions and offsets (R/W lines, Edge Of Pavement, Center Line, Clear Recovery Zone).
3. Location for placement of the proposed Gateway Monument (topography).
4. Preliminary sketches, elevation of proposed Gateway Monument.
5. Discussion of proposed materials, colors, text, etc.
6. Proposed message to be communicated.

Submittal Requirements for Final Gateway Monument Proposals

A final Gateway Monument proposal must be supported by the Local Entity that has jurisdiction in the area where the Gateway Monument will be incorporated with the transportation facility. The Local Entity shall issue an adopted resolution or other official document recommending approval of the proposed design of the Gateway Monument and requesting installation within the operational highway right-of-way.

The Local Entity shall provide the Department an adopted resolution or other official documentation that describes the Local Entity's:

1. Jurisdiction over the area of the project site.
2. Approval of the Gateway Monument content.
3. Funding responsibility.
4. Commitment to ensure maintenance of the Gateway Monument, including timely graffiti removal/repair, and removal (or restoration) of the Gateway Monument as needed.
5. Proposed schedule for commencing and completing project installation, if by separate permit.

A licensed Landscape Architect, Architect or Professional Engineer shall professionally prepare final submittals for a Gateway Monument Proposal. Exhibits, plans and details shall comply with the Encroachment Permit Manual, Section 501.3F and Table 5.1(a) and shall include, but are not limited to:

1. A full description of the proposed Gateway Monument, including location, construction and installation techniques, details necessary to convey construction methods, and proposed materials, including, but not limited to, paint and protective coatings.
2. Specifications for proposed materials, including Material Data Sheets.
3. A scaled drawing and/or model (the Department may furnish necessary site data).
4. Construction schedule.
5. Cost estimate.
6. Traffic control plans and provisions if required.
7. Maintenance plan and schedule.
8. Environmental documentation.
9. Location for placement of the proposed Gateway Monument.
10. Elevations and details clearly illustrating and dimensioning the proposal (the Gateway Monument must be aesthetically pleasing on all visible sides).
11. Proposed access for maintenance purposes.
12. Proposed maintenance plan schedule.
13. Proposed color scheme.
14. Proposed lighting.
15. Proposed message to be communicated.
16. Alternatives considered properly documented and included.

The Local Entity shall adhere to and maintain compliance of Departmental rules, regulations and any additional requirements the Department may apply to the project.

After review and approval by the Department, the Gateway Monument proposal and approval documents will be submitted by the Local Entity to the District Permit Engineer for processing.

If, at any time during the process, the Department recommends any changes or withholds concurrence on a project that has not yet received final approval, the proposal may be returned to the Local Entity for revision. Once the Department approves a Gateway Monument proposal, no changes shall be made to the Gateway Monument without prior written approval of the District Director.

The approval of a Gateway Monument proposal shall be made with due consideration to safety (location, potential for motorist distraction, accessibility for maintenance, etc.), aesthetics, community support, and maintainability.

Proposals for the placement of Gateway Monuments must comply with this demonstration program.



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: First Quarter 2006 Debt and Investment Report

Finance and Administration Committee

April 12, 2006

Present: Directors Duvall, Campbell, Correa, Cavecche and Pringle
Absent: Director Wilson

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2006-07.
- B. Receive and file the Quarterly Investment Report prepared by the Treasurer as an information item.



April 12, 2006

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: First Quarter 2006 Debt and Investment Report

Overview

Under the California Government Code, the governing body of a local agency has the authorization to appoint, for a period of one year, a Treasurer to invest, reinvest, purchase, exchange, sell, or manage public funds. Additionally, the California Government Code requires that the Orange County Transportation Authority Treasurer submit a quarterly investment report detailing the investment activity for the period. This investment report covers the first quarter of 2006, January through March, and includes a discussion on the Orange County Transportation Authority's debt portfolio.

Recommendations

- A. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2006-07.
- B. Receive and file the Quarterly Investment Report prepared by the Treasurer as an information item.

Background

To comply with the provisions of the California Government Code (Code) regarding Local Agency Investments, the Orange County Transportation Authority (Authority) annually requests that the Board of Directors renew the Treasurer's authority to invest Authority funds. The Code limits the delegation of investment functions by any local governing body to its Treasurer for a period of one year.

The Treasurer is currently managing the Authority's investment portfolio totaling \$999.8 million as of March 31, 2006. The portfolio is divided into two managed portfolios: the Liquid Portfolio for immediate cash needs, and the

Short-term Portfolio for future budgeted expenditures. In addition to these portfolios, the Authority has funds invested in debt service reserve funds for the various outstanding debt obligations.

The Authority's debt portfolio had an outstanding principal balance of \$599.8 million as of March 31, 2006. Approximately 63 percent of the outstanding balance is comprised of Measure M fixed rate debt, 5 percent is comprised of Measure M variable rate debt, 31 percent is associated with the 91 Express Lanes, and 1 percent was issued as fixed rate debt for the Orange County Transit District.

Discussion

Economic Summary: The Federal Reserve (Fed) began a new era under Chairman Ben S. Bernanke and raised the Fed Funds Rate to 4.75 percent during the second meeting of 2006. This is the highest level since 2001. The quarter point move was the second such increase during the quarter and the fifteenth increase in a row, making it the longest stretch of increases in more than 25 years. The rate increase marks the first attempt by Chairman Bernanke to shape Fed policy since succeeding Alan Greenspan, who was chairman for almost two decades. Minutes released from the most recent meeting suggested that further policy firming may be needed to maintain steady economic growth and avoid price instability.

While there is no indication that the Fed is finished increasing rates, it is very likely the worst is over from a tightening perspective. Longer-term concerns regarding inflation appear to have been addressed with earlier Fed action. There is already evidence of a slowdown in the national housing market. February sales of new homes dropped 10.5 percent, the most in nine years, and the average rate on a 30-year fixed mortgage is near a three-year high. The Fed expects the economy to grow by 3.5 percent in 2006 versus a rate of 3.1 percent in 2005.

Debt Portfolio Activity: On February 15, 2006, the Authority remitted a debt service payment to Measure M investors in the amount of \$76 million. Of this amount, \$63.7 million was used to retire Measure M principal. The Measure M program currently has \$ 409.7 million in outstanding debt.

On February 15, 2006, the Authority also remitted a debt service payment for the 91 Express Lanes. The Authority paid \$4.1 million in interest on the Tax-Exempt Refinancing Bonds. Currently, there remains \$187.6 million outstanding on the Bonds. In addition to the amounts due on the Bonds, the Authority has subordinated debt outstanding related to the acquisition of the

91 Express Lanes. The remaining outstanding principal balance (which will be repaid with 91 Express Lanes net revenues) totals approximately \$56.4 million. The outstanding balances for each of the Authority's debt securities are presented in Attachment A.

During the refinancing of the 91 Express Lanes Bonds, the Authority entered into an interest rate swap agreement with two counterparties to synthetically fix the variable portion of the outstanding bonds. The swap agreement outlines the monthly payments the Authority will receive from the counterparties to offset the variable portion of the Authority's debt. Through March 31, 2006, the Authority has received approximately \$79,520, more from the counterparties than the Authority has paid as part of the variable rate bonds. This is referred to as "positive basis." The Authority will accumulate these funds, whenever there is positive basis, in a trust account to offset those periods when there is negative basis.

Investment Portfolio Compliance: As of March 31, 2006, the Authority's portfolio is in compliance with its 2006 Investment Policy. The Authority continues its policy of reviewing the contents of the investment portfolio on a daily basis to ensure compliance. Attachment B provides a comparison of the portfolio holdings as of March 31, 2006, to the diversification guidelines of the Investment Policy.

During the implementation of a new overnight investment process by the Bank of the West, the collateral posted for the daily repurchase agreement sweep vehicle was collateralized at 100 percent during the previous quarter. The Authority restated to the bank the collateral requirements of 102 percent on repurchase agreements and the process was corrected to ensure proper collateralization on overnight investments.

Investment Portfolio Activity: The Authority periodically transfers funds from the Short-term Investment Portfolio to the Liquid Portfolio to meet increased cash flow demands related to the improvements along Garden Grove Freeway (State Route 22). Transfers for the quarter totaled \$40 million. The Treasury/Public Finance Department works closely with Construction and Engineering staff members to ensure adequate liquidity to meet the cash flow demands of the State Route 22 improvement project.

Investment Portfolio Performance Versus Selected Benchmarks: The Authority's investment managers provide the Authority and its financial advisor, Sperry Capital, with monthly performance reports. The investment managers' performance reports calculate monthly total rates of return based upon the market value of the portfolios they manage at the beginning of the month

versus the market value at the end of the month. The market value of the portfolio at the end of the month includes the actual value of the portfolio based upon prevailing market conditions as well as the interest income accrued during the month.

The Authority has calculated the returns for each of the investment managers for short-term operating moneys and compared the returns to specific benchmarks as shown in Attachment C.

The returns for the Authority's short-term operating monies are compared to the Merrill Lynch 1-3 year Treasury Index benchmark. The Merrill Lynch 1-3 year Treasury Index is one of the most commonly used short-term fixed income benchmarks. Each of the four managers invests in a combination of securities that all conform to the Authority's 2006 Annual Investment Policy. For the quarter ending March 31, 2006, the weighted average total return for the Authority's Short-term Portfolio was 0.50 percent, 11 basis points higher than the benchmark return of 0.39 percent. For the 12-month period ending March 2006, the portfolio's return totaled 2.59 percent, 27 basis points above the benchmark return of 2.32 percent for the same period.

Prices dropped as yields on treasury securities rose an average of 46 basis points across the maturity range from three months to five years. The investment managers moved to a duration-neutral strategy, which increased the duration of the portfolio to closer match the benchmark index. This move was implemented in anticipation of a slowdown in the Fed's tightening activity. Sector allocation became the primary focus for the managers as they purchased higher income producing securities in the form of Corporate Medium Term Notes and asset-backed securities. By purchasing higher yielding securities the portfolio is better positioned to earn income during the relatively flat yield curve structure.

Investment Portfolios: A summary of each investment manager's investment diversification, performance, and maturity schedule is provided in Attachment D. These summaries provide a tool for analyzing the different returns for each manager.

A complete listing of all securities is provided in Attachment E. Each portfolio contains a description of the security, maturity date, book value, market value and current yield provided by the custodial bank.

Cash Availability for the Next Six Months: The Authority has reviewed the cash requirements for the next six months. It has been determined that the Liquid and the Short-term Portfolios can fund all projected expenditures during the next six months.

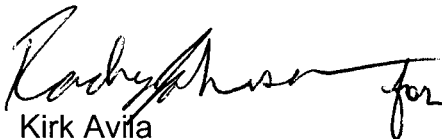
Summary

As required under the California Government Code, the Orange County Transportation Authority is submitting its quarterly investment report to the Board of Directors. The investment report summarizes the Orange County Transportation Authority's Treasury activities for the period January 2006 through March 2006. Further, the Orange County Transportation Authority requests approval by the Board of Directors, authorizing the Treasurer, for a period of one year, to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2006-07.

Attachments

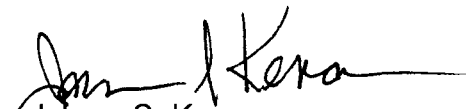
- A. Orange County Transportation Authority Outstanding Debt March 31, 2006.
- B. Orange County Transportation Authority Investment Policy Compliance March 31, 2006.
- C. Orange County Transportation Authority Short-term Portfolio Performance Review Quarter Ending March 31, 2006.
- D. Investment Manager Diversification and Maturity Schedules March 31, 2006.
- E. Orange County Transportation Authority Portfolio Listing as of March 31, 2006.

Prepared by:



Kirk Avifa
Treasurer
Treasury/Public Finance
(714) 560-5674

Approved by:



James S. Kenan
Executive Director, Finance,
Administration and Human Resources
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**Orange County Transportation Authority
Outstanding Debt
March 31, 2006**

Orange County Local Transportation Authority (OCLTA)

	<u>Issued</u>	<u>Outstanding</u>	<u>Final Maturity</u>
2001 Second Senior Sales Tax Revenue Bonds	\$ 48,430,000	\$ 48,430,000	2011
1998 Second Senior Sales Tax Revenue Bonds	213,985,000	105,050,000	2011
1997 Second Senior Sales Tax Revenue Refunding Bonds	57,730,000	57,400,000	2011
1995 Tax-Exempt Commercial Paper	74,200,000	34,500,000	2011
1994 Second Senior Sales Tax Revenue Bonds	200,000,000	28,490,000	2011
1992 Second Senior Sales Tax Revenue Bonds	190,000,000	12,185,000	2011
1992 First Senior Sales Tax Revenue Bonds	350,000,000	123,615,000	2011
Sub-total	\$ 1,134,345,000	\$ 409,670,000	

Orange County Transportation District (OCTD)

	<u>Issued</u>	<u>Outstanding</u>	<u>Final Maturity</u>
1993 Certificates of Participation	21,100,000	2,470,000	2007
Sub-total	\$ 21,100,000	\$ 2,470,000	

91 Express Lanes *

	<u>Issued</u>	<u>Outstanding</u>	<u>Final Maturity</u>
2003 Toll Road Revenue Refunding Bonds	\$ 195,265,000	\$ 187,625,000	2030

* Not reflected is the intra-agency borrowing (subordinated debt) for the purchase of the 91 Express Lanes in the amount of \$56,396,537.

TOTAL ISSUED TO DATE	\$ 1,350,710,000
TOTAL OUTSTANDING BALANCE	\$ 599,765,000

**ORANGE COUNTY TRANSPORTATION AUTHORITY
Investment Policy Compliance
March 31, 2006**

<u>Investment Instruments</u>	<u>Dollar Amount Invested</u>	<u>Percent Of Portfolio</u>	<u>Investment Policy Maximum Percentages</u>
U.S. Treasuries	\$401,960,063	40.2%	100%
Federal Agencies & U.S. Government Sponsored	158,738,125	15.9%	100%
State of California & Local Agencies *	0	0.0%	25%
Money Market Funds & Mutual Funds	104,595,067	10.5%	20%
Bankers Acceptances	0	0.0%	30%
Negotiable Certificates of Deposit	5,643,162	0.6%	30%
Commercial Paper	0	0.0%	25%
Medium Term Maturity Corporate Securities	90,190,611	9.0%	30%
Mortgage and Asset-backed Securities	122,825,219	12.3%	20%
Repurchase Agreements	6,806,773	0.7%	75%
Investment Agreements Pursuant To Indenture	0	0.0%	100%
Local Agency Investment Fund	24,808,234	2.5%	\$ 40 Million
Orange County Investment Pool	12,195,976	1.2%	Legal Mandate
CAMP	0	0.0%	10%
Variable & Floating Rate Securities	6,899,813	0.7%	30%
Debt Service Reserve Funds - Investment Agreements	65,171,153	6.5%	Not Applicable
Derivatives (hedging transactions only)	0	0.0%	5%
	<hr/>		<hr/>
TOTAL	<u>\$999,834,195</u>	100.0%	

* Balance does not include intra-agency borrowing for the purchase of the 91 Express Lanes in the amount of \$56,396,537.

**Orange County Transportation Authority
Short-term Portfolio Performance Review*
Quarter Ending March 31, 2006**

Month Ending	Merrill Lynch Treasury 1-3 Year Index Benchmark		Bear Stearns		Payden & Rygel		Western Asset Mgmt		State Street Global Advisors	
	Monthly Return	Duration	Monthly Return	Duration	Monthly Return	Duration	Monthly Return	Duration	Monthly Return	Duration
1/31/2006	0.17%	1.71 years	0.22%	1.48 years	0.18%	1.72 years	0.23%	1.57 years	0.25%	1.66 years
2/28/2006	0.08%	1.75 years	0.15%	1.63 years	0.12%	1.68 years	0.19%	1.54 years	0.14%	1.61 years
3/31/2006	0.14%	1.72 years	0.14%	1.71 years	0.15%	1.75 years	0.06%	1.62 years	0.17%	1.69 years
Jan 06 - Mar 06 Total Return	0.39%		0.51%		0.45%		0.48%		0.56%	

HISTORICAL QUARTERLY RETURNS

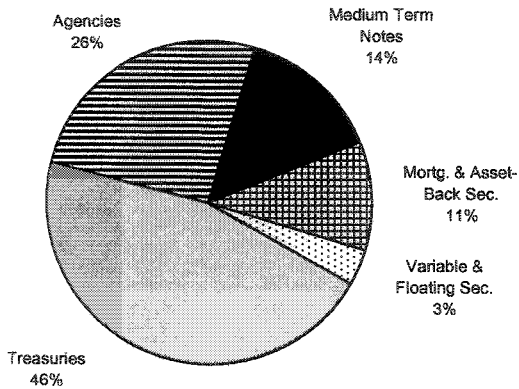
Apr 05 - Jun 05 Total Return	1.14%	1.22%	1.18%	1.16%	1.22%
Jul 05 - Sep 05 Total Return	0.09%	0.29%	0.13%	0.26%	0.10%
Oct 05 - Dec 05 Total Return	0.69%	0.66%	0.66%	0.70%	0.66%
Jan 06 - Mar 06 Total Return	0.39%	0.51%	0.45%	0.48%	0.56%
12-Month Total Return	2.33%	2.71%	2.44%	2.63%	2.57%

* - Month End Rates of Return are Gross of Fees

Bear Stearns

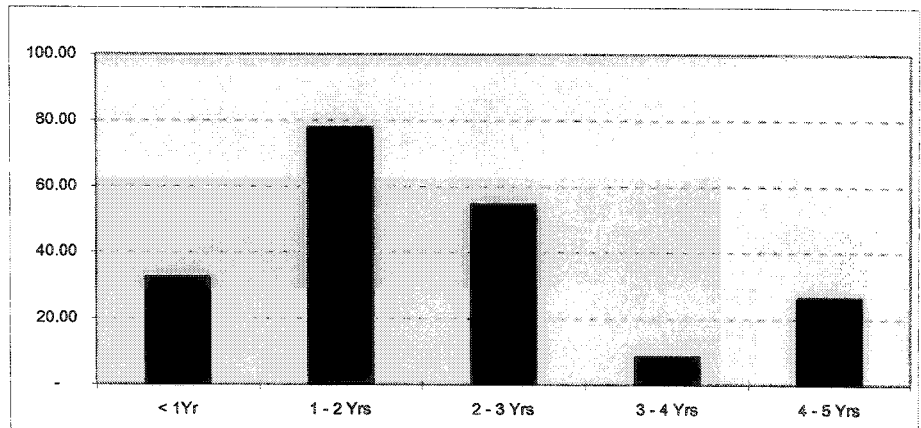
March 31, 2006

SHORT-TERM PORTFOLIO (\$199.5 M)



	<u>Book Value</u>	<u>Market Value</u>
Treasuries	\$90,854,844	\$89,343,693
Agencies	51,713,904	50,943,708
Medium Term Notes	28,130,163	26,970,447
Mortg. & Asset-Back Sec.	21,844,811	21,558,627
Variable & Floating Sec.	6,899,813	6,831,069
Money Market Funds	<u>64,498</u>	<u>64,498</u>
	<u>\$199,508,031</u>	<u>\$195,712,042</u>

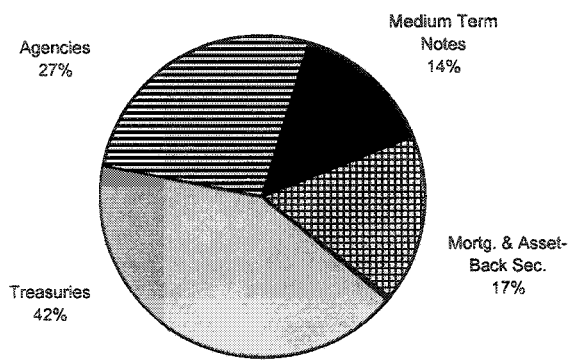
Wtd Avg Maturity	2.18 Yrs
Duration	1.71 Yrs
Quarter-end Yield	5.06%
Benchmark Comparison	4.85%
Quarter Return	0.51%
Benchmark Comparison	0.39%
12 Month Return	2.71%
Benchmark Comparison	2.32%



Payden & Rygel

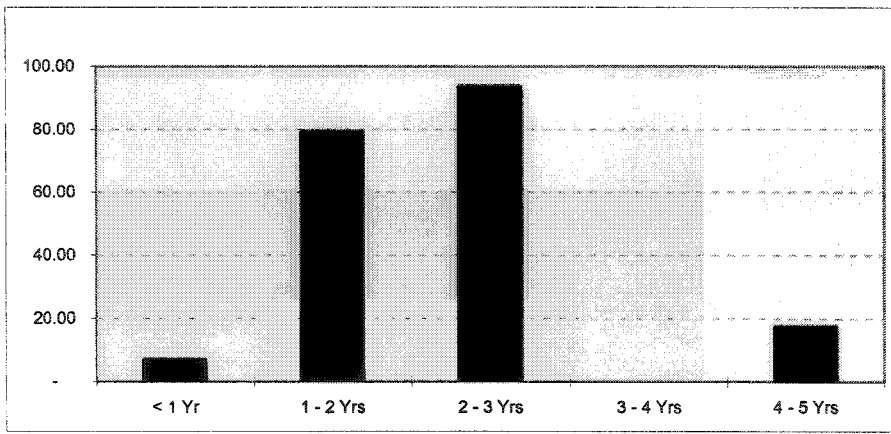
March 31, 2006

SHORT-TERM PORTFOLIO (\$197.9 M)



	<u>Book Value</u>	<u>Market Value</u>
Treasuries	\$82,750,431	\$81,844,558
Agencies	52,921,173	52,539,543
Medium Term Notes	28,280,553	27,939,853
Mortg. & Asset-Back Sec.	33,185,991	32,820,163
Money Market Funds	<u>731,027</u>	<u>731,027</u>
	<u>\$197,869,176</u>	<u>\$195,875,144</u>

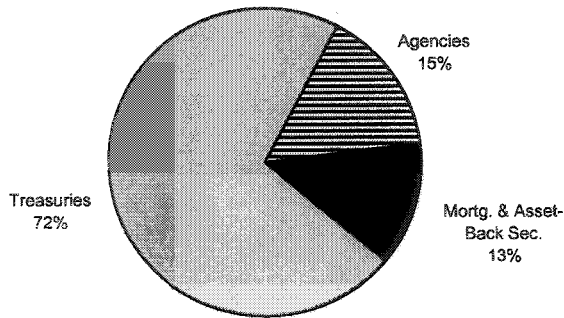
Wtd Avg Maturity	2.17 Yrs
Duration	1.75 Yrs
Quarter-end Yield	5.06%
Benchmark Comparison	4.85%
Quarter Return	0.45%
Benchmark Comparison	0.39%
12 Month Return	2.44%
Benchmark Comparison	2.32%



State Street

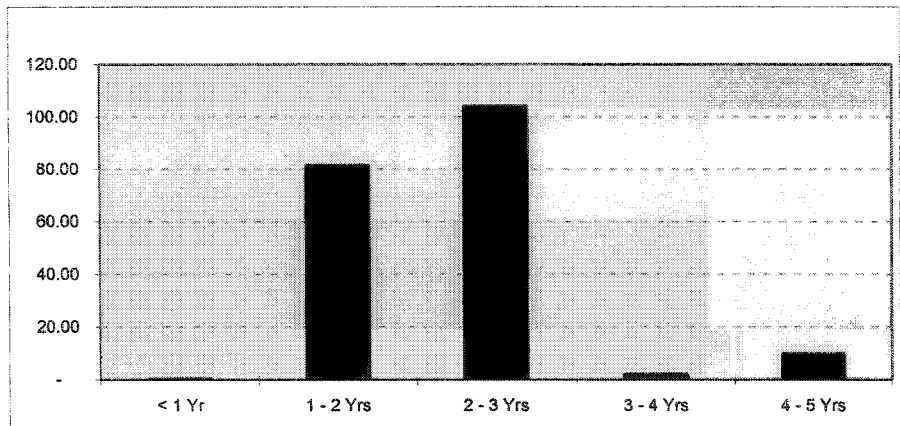
March 31, 2006

SHORT-TERM PORTFOLIO (\$197.4 M)



	<u>Book Value</u>	<u>Market Value</u>
Treasuries	\$141,644,961	\$140,867,798
Agencies	29,983,250	29,751,813
Mortg. & Asset-Back Sec.	25,387,069	25,036,250
Money Market Funds	<u>344,992</u>	<u>344,992</u>
	<u>\$197,360,272</u>	<u>\$196,000,853</u>

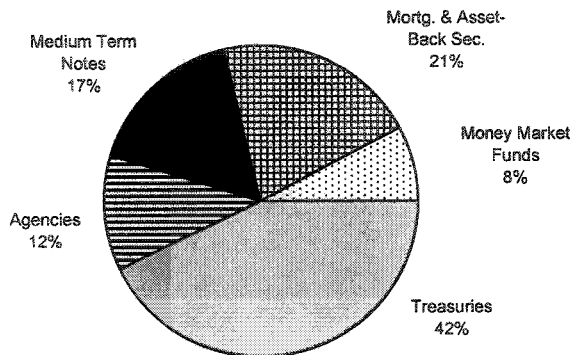
Wtd Avg Maturity	2.09 Yrs
Duration	1.69 Yrs
Quarter-end Yield	5.01%
Benchmark Comparison	4.85%
Quarter Return	0.56%
Benchmark Comparison	0.39%
12 Month Return	2.57%
Benchmark Comparison	2.32%



Western Asset Management*

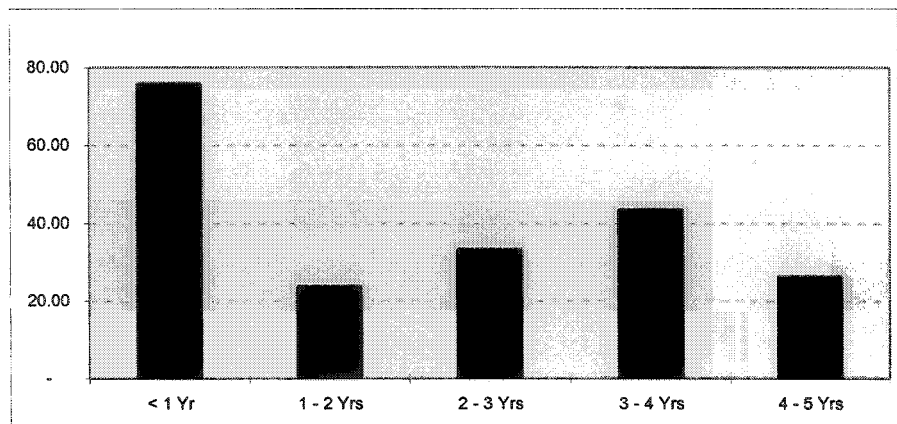
March 31, 2006

SHORT-TERM PORTFOLIO (\$202.8 M)



	<u>Book Value</u>	<u>Market Value</u>
Treasuries	\$86,709,827	\$85,927,673
Agencies	24,119,799	23,300,656
Medium Term Notes	33,779,896	32,541,521
Mortg. & Asset-Back Sec.	42,407,347	41,402,890
Money Market Funds	<u>15,787,099</u>	<u>15,787,099</u>
	<u>\$202,803,968</u>	<u>\$198,959,839</u>

Wtd Avg Maturity	2.04 Yrs
Duration	1.62 Yrs
Quarter-end Yield	5.10%
Benchmark Comparison	4.85%
Quarter Return	0.48%
Benchmark Comparison	0.39%
12 Month Return	2.63%
Benchmark Comparison	2.32%



* - Citigroup sold its portfolio management division to Western Asset Management, a division of Legg.Mason

**Orange County Transportation Authority
Portfolio Listing
As of March 31, 2006**

LIQUID PORTFOLIO

<u>Description</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Yield</u>
<u>Cash Equivalents</u>				
Repurchase Agreement	4/3/2006	6,806,773.11	6,806,773.11	4.25%
Fidelity Funds Treasury II	N/A	17,028,449.52	17,028,449.52	4.03%
First American Treasury Obligations	N/A	72,122.69	72,122.69	3.84%
Milestone Funds Treasury Obligations	N/A	51,392,233.20	51,392,233.20	3.99%
<i>Sub-total</i>		<u>75,299,578.52</u>	<u>75,299,578.52</u>	
<u>Local Agency Investment Fund (LAIF)</u>	N/A	24,808,234.16	24,808,234.16	3.63%
<u>Orange County Investment Pool (OCIP)</u>	N/A	12,195,975.89	12,195,975.89	3.96%
Liquid Portfolio - Total		<u>\$ 112,303,788.57</u>	<u>\$ 112,303,788.57</u>	

SHORT-TERM PORTFOLIO

<u>Description</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Yield</u>
<u>Cash Equivalents</u>				
Milestone Funds Treasury Obligations	N/A	16,927,616.08	16,927,616.08	3.99%
<i>Sub-total</i>		<u>16,927,616.08</u>	<u>16,927,616.08</u>	
<u>U.S. Government & Agency Obligations</u>				
FHLB	2/15/2007	10,336,026.00	9,975,000.00	4.88%
FHLB	9/14/2007	2,491,290.00	2,441,406.25	3.45%
FHLB	4/7/2008	9,988,500.00	9,878,125.00	4.48%
FHLB	5/15/2008	3,673,552.50	3,667,968.75	4.08%
FHLB	6/13/2008	4,250,000.00	4,166,328.13	4.18%
FHLB	10/3/2008	5,974,200.00	5,900,625.00	4.44%
FHLB	11/1/2010	7,454,850.00	7,413,281.25	5.18%
FHLMC	8/15/2006	5,804,222.50	5,703,281.25	2.77%
FHLMC	12/27/2007	9,996,000.00	9,969,000.00	5.01%
FHLMC	3/14/2008	6,235,187.50	6,236,687.50	5.11%
FHLMC	5/23/2008	5,508,580.00	5,409,030.00	4.32%
FHLMC	6/15/2008	11,753,955.40	11,606,218.75	3.97%
FHLMC	8/4/2008	4,492,395.00	4,443,930.00	4.55%
FHLMC	11/3/2008	5,984,100.00	5,946,300.00	4.94%
FHLMC	12/8/2008	4,987,200.00	4,980,850.00	5.06%
FNMA	11/28/2007	6,491,355.00	6,469,531.25	4.92%
FNMA	1/18/2008	5,000,000.00	4,976,562.50	5.14%
FNMA	5/15/2008	12,706,474.90	12,119,406.25	5.89%
FNMA	7/28/2008	4,998,750.00	4,928,125.00	4.46%
FNMA	8/25/2008	5,997,180.00	5,951,250.00	4.78%
FNMA	2/27/2009	5,992,800.00	5,985,000.00	5.29%
FNMA	8/15/2010	4,909,510.00	4,825,000.00	4.40%
FNMA	11/8/2010	7,208,182.50	7,186,562.50	5.24%
FNMA	11/15/2010	6,503,814.00	6,356,250.00	6.25%
US Treasury Note	9/30/2006	2,794,640.63	2,768,164.00	2.52%
US Treasury Note	10/31/2006	16,911,679.69	16,773,560.00	2.53%
US Treasury Note	12/31/2006	29,567,578.13	29,588,700.00	3.04%
US Treasury Note	3/17/2007	6,304,183.59	6,231,582.00	3.79%

Orange County Transportation Authority
Portfolio Listing
As of March 31, 2006

US Treasury Note	5/31/2007	77,388,521.67	76,753,467.50	3.55%
US Treasury Note	7/31/2007	6,655,246.08	6,614,910.00	3.92%
US Treasury Note	8/15/2007	22,012,719.73	21,652,859.25	2.82%
US Treasury Note	10/31/2007	15,968,528.00	15,853,760.00	4.28%
US Treasury Note	11/15/2007	15,714,593.76	15,565,563.25	3.08%
US Treasury Note	12/31/2007	33,715,799.10	33,530,656.25	4.41%
US Treasury Note	2/15/2008	2,305,390.63	2,224,790.00	3.10%
US Treasury Note	2/15/2008	16,174,511.71	16,070,670.00	3.46%
US Treasury Note	5/15/2008	40,339,716.58	40,018,532.44	3.83%
US Treasury Note	8/15/2008	21,306,080.13	21,044,695.00	4.18%
US Treasury Note	9/15/2008	3,913,906.25	3,844,080.00	3.25%
US Treasury Note	11/15/2008	39,387,433.61	39,148,312.50	4.42%
US Treasury Note	12/15/2008	25,736,523.43	24,813,472.50	3.50%
US Treasury Note	10/15/2009	6,292,812.50	6,196,060.00	3.54%
US Treasury Note	4/15/2010	8,253,702.31	8,048,759.00	4.12%
US Treasury STRIP	11/15/2007	2,997,810.00	3,006,757.81	3.00%
US Treasury STRIP	2/15/2008	8,218,685.00	8,234,370.00	3.35%
	<i>Sub-total</i>	<u>560,698,187.83</u>	<u>554,519,440.88</u>	

Variable Rate Bonds

FHLMC	11/17/2006	6,899,812.50	6,831,069.00	3.53%
	<i>Sub-total</i>	<u>6,899,812.50</u>	<u>6,831,069.00</u>	

Medium Term Notes

Allstate Life Global	7/30/2007	2,240,460.00	2,194,605.00	3.58%
Atlantic Richfield Company	4/15/2009	1,901,305.00	1,790,512.50	5.76%
Bank America Corp	2/1/2007	2,968,917.50	2,748,845.00	5.25%
Bank America Corp	2/17/2009	3,837,446.40	3,833,814.90	3.55%
Bank Boston NA	4/15/2008	2,202,315.00	2,091,320.31	6.24%
Bank One Corp	3/26/2007	2,220,015.00	2,101,869.00	5.49%
Banque Paribas	3/1/2009	1,718,104.50	1,635,046.88	6.62%
Berkshire Hathaway Financial Corp	10/15/2008	2,225,452.50	2,154,915.00	3.52%
Berkshire Hathaway Financial Corp	1/15/2010	1,999,400.00	1,912,680.00	4.31%
Citigroup Inc	2/1/2008	3,715,996.00	3,685,810.00	3.60%
Citigroup Inc	2/9/2009	2,020,958.00	2,018,193.90	3.78%
Eli Lilly & Company	7/15/2006	2,078,100.00	2,003,080.00	5.49%
First Boston Credit Suisse USA	1/15/2008	3,082,702.00	3,063,187.50	4.68%
First Union National Bank Newark	10/15/2006	2,255,987.50	2,017,980.00	7.06%
General Electric Capital Corp	3/15/2007	2,054,858.50	2,052,316.50	5.36%
General Electric Capital Corp	1/15/2008	3,136,425.10	3,079,012.30	4.32%
General Electric Capital Corp	9/1/2009	1,953,260.00	1,928,360.00	4.27%
Gillette Company	9/15/2009	1,937,000.00	1,912,960.00	3.97%
Goldman Sachs Group	10/27/2006	1,499,190.00	1,480,755.00	2.88%
Goldman Sachs Group	1/15/2008	3,547,857.00	3,529,224.00	4.20%
Home Depot Inc	9/15/2009	2,157,952.50	2,141,775.00	3.93%
JP Morgan Chase & Co	5/1/2008	1,739,502.90	1,710,705.00	3.75%
LASMO USA Inc	12/15/2007	2,096,482.50	2,073,559.50	6.59%
Merck & Co Inc	7/1/2006	2,305,752.50	2,124,787.50	5.25%
Merrill Lynch & Co Inc	10/27/2008	3,092,002.00	3,069,775.00	4.87%
Morgan Stanley Co	4/15/2006	2,472,885.00	2,250,675.00	6.09%
Protective Life	11/24/2008	3,790,585.00	3,697,617.00	3.85%
Sunamerica Inc.	10/1/2007	2,209,234.50	2,061,855.00	6.62%
Suntrust Bank Atlanta	5/25/2009	2,123,250.00	2,070,855.00	4.66%
US Bancorp	8/23/2007	4,499,309.50	4,247,625.75	4.02%
US Bank National Association	2/1/2007	2,121,538.75	2,081,628.75	2.92%
Wal Mart Stores	8/10/2009	2,137,505.78	2,023,484.38	6.55%

Orange County Transportation Authority
Portfolio Listing
As of March 31, 2006

Wells Fargo	4/4/2008	1,729,675.20	1,703,204.80	3.61%
Wells Fargo	8/15/2008	1,953,000.00	1,946,020.00	4.11%
Wells Fargo	8/9/2010	2,064,493.50	1,989,586.50	4.76%
World Savings Bank	3/10/2008	3,131,091.60	3,105,619.80	4.22%
World Savings Bank	12/15/2009	1,970,600.00	1,918,560.00	4.30%
<i>Sub-total</i>		90,190,611.23	87,451,821.77	

Mortgage And Asset-Back Securities

American Honda Auto Lease Trust	3/16/2009	10,436,764.07	10,392,946.99	2.84%
American Honda Auto Lease Trust	7/15/2009	2,999,540.10	2,974,355.10	4.64%
Americredit Auto Receivable Trust	10/6/2010	1,999,868.40	1,992,490.20	5.12%
ARG FDG Corporate Trust	4/20/2009	4,999,569.00	4,874,141.00	4.12%
ARMAX Auto Trust	11/15/2010	1,388,039.06	1,389,208.13	3.49%
Bank One Issuance Trust	5/17/2010	10,853,398.44	10,745,577.70	3.67%
Chase Issuance Trust	6/15/2010	5,956,847.27	5,874,538.98	3.31%
CIT Equipment Collateral Trust	4/20/2007	507,190.63	454,546.03	1.64%
CIT Equipment Collateral Trust	3/20/2008	995,221.46	962,697.78	2.23%
Citibank Credit Crd Issuance Trust	6/16/2008	3,635,898.44	3,504,435.55	5.64%
Citibank Credit Crd Issuance Trust	1/20/2009	10,504,654.50	10,336,513.61	2.60%
Citibank Credit Crd Issuance Trust	8/24/2009	1,998,860.00	1,944,820.40	3.29%
CNH Equipment Trust	8/16/2010	4,499,783.55	4,464,843.75	5.24%
DaimlerChrysler Auto Trust	12/8/2007	1,168,192.94	1,159,185.69	2.01%
FHLB Mortgage Pool	11/25/2009	4,257,698.86	4,161,810.16	4.01%
FHLB Mortgage Pool	10/25/2010	2,223,708.52	2,204,128.71	4.82%
FHLMC Mortgage Pool	9/1/2007	542,933.79	527,467.02	5.00%
FHLMC Mortgage Pool	11/15/2008	2,458,125.28	2,440,055.37	5.97%
FHLMC Mortgage Pool	2/1/2009	1,048,126.96	1,000,242.84	4.59%
FHLMC Mortgage Pool	3/1/2009	1,102,856.96	1,069,059.66	4.59%
FHLMC Mortgage Pool	4/1/2009	3,763,561.84	3,620,110.31	4.12%
FHLMC Mortgage Pool	12/1/2010	1,955,055.90	1,928,311.32	4.60%
FHLMC Mortgage Pool	12/1/2010	2,098,223.95	2,079,325.56	5.02%
Fifth Third Bank Cincinnati	8/10/2009	1,709,850.01	1,666,365.14	2.98%
FNMA Mortgage Pool	7/1/2006	51,039.88	49,457.25	5.99%
FNMA Mortgage Pool	11/25/2008	1,007,439.53	937,006.71	6.00%
FNMA Mortgage Pool	1/1/2009	100,922.87	96,558.82	5.51%
FNMA Mortgage Pool	1/1/2009	249,805.95	239,004.04	5.51%
FNMA Mortgage Pool	6/25/2009	2,920,225.90	2,839,887.00	5.97%
FNMA Mortgage Pool	1/25/2010	4,267,682.66	4,106,742.27	4.26%
FNMA Mortgage Pool	2/25/2010	4,713,477.64	4,667,128.57	4.17%
Franklin Auto Trust	3/16/2009	2,081,296.88	2,080,781.43	3.60%
GS Auto Loan Trust	5/17/2010	5,670,164.06	5,629,145.01	4.50%
Hertz Vehicle Financing LLC	5/25/2008	4,998,712.00	4,870,668.50	2.44%
MBNA Credit Card Master Trust	9/15/2010	4,941,796.88	4,908,427.00	4.27%
National City Auto Receivables Trust	7/15/2008	1,143,508.45	1,122,560.07	2.13%
USAA Auto Owner Trust	4/15/2008	1,000,527.22	990,447.72	2.13%
USAA Auto Owner Trust	2/17/2009	4,574,676.91	4,520,007.94	3.19%
World Omni Auto Trust	10/15/2010	1,999,972.00	1,992,931.00	5.02%
<i>Sub-total</i>		122,825,218.76	120,817,930.33	

Short-Term Portfolio - Total

\$ 797,541,446.40	\$ 786,547,878.06
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**Orange County Transportation Authority
Portfolio Listing
As of March 31, 2006**

DEBT SERVICE RESERVE FUNDS

<u>Description</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Required Amount</u>	<u>Yield</u>
<i>1993 Bus COPs -</i>	2007		\$ 2,082,096.00	
Milestone Funds Treasury Obligations	N/A	\$ 2,138,241.24		3.99%
<i>91 Express Lanes 2003 Refunding Bonds</i>	2030		18,634,792.30	
AIG GIC - Supplemental Reserve Fund	8/15/2015	6,000,000.00		4.51%
First American Treasury Obligations	N/A	925,137.77		3.84%
MBIA GIC - Debt Service Reserve Fund	12/15/2030	12,634,792.30		5.13%
<i>91 Express Lanes 2003 Refunding Bonds - Operating & Maintenance Reserves</i>			5,643,162.00	
Operating Reserve - Bank of the West CD		2,786,176.00		4.45%
Maintenance Reserve - Bank of the West CD		2,856,986.00		4.45%
<i>Measure M Second Senior Sales Tax Bonds</i>			56,910,357.63	
<i>1992 Sales Tax Bonds -</i>	2011			
AIG GIC	2/15/2011	5,466,511.66		5.75%
FSA GIC	2/15/2011	8,998,875.61		3.88%
Fidelity Funds Treasury II	N/A	889,952.78		4.03%
<i>1994 Sales Tax Bonds -</i>	2011			
CSFP Agmt - Various Treasury Securities		7,495,152.96		5.98%
Fidelity Funds Treasury II	N/A	5,229,936.93		4.03%
<i>1997 Sales Tax Bonds -</i>	2011			
AIG GIC	2/15/2011	759,054.88		5.75%
FSA GIC	2/15/2011	1,249,542.82		3.88%
Fidelity Funds Treasury II	N/A	678,787.25		4.03%
<i>1998 Sales Tax Bonds -</i>	2011			
AIG GIC	2/15/2011	22,567,222.63		5.79%
Fidelity Funds Treasury II		2,694,920.76		4.03%
<i>2001 Sales Tax Bonds -</i>	2011			
Fidelity Funds Treasury II	2/15/2011	6,617,668.37		4.03%
Debt Service Reserve Funds - Total		\$ 89,988,959.96		

	<u>Book Value</u>	<u>Market Value</u>
TOTAL PORTFOLIO	\$ 999,834,194.93	\$ 988,840,626.59

FFCB - Federal Farm Credit Banks
 FHLB - Federal Home Loan Banks
 FHLMC - Federal Home Loan Mortgage Corporation
 FNMA - Federal National Mortgage Association
 SLMA - Student Loan Marketing Association

**Collective Bargaining Agreement Between Orange County
Transportation Authority and Transportation
Communications International Union**

The supporting documentation will be provided to you under separate cover prior to the meeting.

The meeting on potential ratification of this agreement is scheduled for this week, and final information on the issue was not available at the time your agenda was mailed.

Thank you -



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Bus Book Printing

Legislative and Government Affairs/Public Communications
Committee

April 6, 2006

Present: Directors Silva, Campbell, Cavecche, Wilson, Correa, and Rosen
Absent: Directors Ritschel, and Buffa

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0520 between the Orange County Transportation Authority and Clearwater Graphics, in an amount not to exceed \$400,000, for services for printing, packaging, and delivery of bus books.



April 6, 2006

To: Legislative and Government Affairs/Public Communications Committee

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

Subject: Amendment to Agreement for Bus Book Printing

Overview

On September 13, 2004, the Board of Directors approved an agreement with Clearwater Graphics, in the amount of \$420,000 with two option years, to provide services for printing, packaging, and delivery of bus books. Clearwater Graphics was retained in accordance with the Orange County Transportation Authority's procurement procedures for a competitive bid.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0520 between the Orange County Transportation Authority and Clearwater Graphics, in an amount not to exceed \$400,000, for services for printing, packaging, and delivery of bus books.

Background

Orange County Transportation Authority (OCTA) operates 77 fixed bus routes and has approximately 6,500 countywide bus stops. Noted as one of the fastest growing bus systems in the country, weekday boardings exceed 230,000. One of the major bus service information materials is the bus book. The bus book contains all schedule and route information for OCTA's 77 bus routes, Metrolink, Amtrak and other counties' connecting services. Based on the current demand of bus books, a minimum of 800,000 copies are required to be produced and distributed yearly. OCTA contracts with graphic design and print shops to produce bus books and Clearwater Graphics provides the printing service.

Discussion

This procurement was originally handled in accordance with the OCTA procedures for professional and technical services. The original agreement was awarded on a competitive basis. It has become necessary to amend the agreement due to new fiscal year budget usage.

The original agreement awarded on September 13, 2004, was in the amount of \$420,000. This agreement has been amended previously (Attachment A). The total amount after approval of Amendment No. 2 will be \$1,220,000.

Fiscal Impact

Funding for work described in Amendment No. 2 to Agreement C-4-0520 is being requested within the OCTA Fiscal Year 2006-2007 Budget, External Affairs/Marketing, Account 1837-7661-A3311-1E2, and is funded through the Orange County Transit District Fund 30.

Summary

Based on the information provided, staff recommends approval of Amendment No. 2, in the amount of \$400,000, to Agreement C-4-0520 with Clearwater Graphics.

Attachment

- A. Clearwater Graphics Agreement C-4-0520 Fact Sheet

Prepared by:



Stella Lin
Marketing Manager
(714) 560-5342

Approved by:



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

ATTACHMENT A

**Clearwater Graphics
Agreement C-4-0520 Fact Sheet**

1. September 13, 2004, Agreement C-4-0520, \$420,000, was approved by the Board of Directors
 - To provide services for printing, packaging and delivery of the bus books.
2. April 25, 2005, Amendment No. 1 to Agreement C-4-0520, \$400,000, was approved by the Board of Directors
 - To provide services for printing, packaging and delivery of the bus books.

Total committed to Clearwater Graphics, Agreement C-4-0520: \$1,220,000.



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Graphic Design Services for Bus Public Information

Legislative and Government Affairs/Public Communications
Committee

April 6, 2006

Present: Directors Silva, Campbell, Cavecche, Wilson, Correa, Rosen
Absent: Directors Ritschel, Buffa

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0521 between the Orange County Transportation Authority and Interactive Publications and Graphics, in an amount not to exceed \$165,000, for graphic design services.



April 6, 2006

To: Legislative and Government Affairs/Public Communications Committee

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

Subject: Amendment to Agreement for Graphic Design Services for Bus Public Information

Overview

On September 13, 2004, the Board of Directors approved an agreement with Interactive Publications and Graphics, in the amount of \$300,000 with three option years, to provide graphic design services for bus public information. Interactive Publications and Graphics was retained in accordance with the Orange County Transportation Authority's procurement procedures for a competitive bid.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0521 between the Orange County Transportation Authority and Interactive Publications and Graphics, in an amount not to exceed \$165,000, for graphic design services.

Background

Orange County Transportation Authority (OCTA) operates 77 fixed bus routes and has approximately 6,500 countywide bus stops. Noted as one of the fastest growing bus systems in the country, weekday boardings exceed 230,000. A basic element of the OCTA marketing program is to provide current public information about the bus system. Examples include bus books, timetables, bus system maps, transportation signage, and information posted at bus stops. OCTA contracts with graphic design and print shops to produce bus public information materials and Interactive Publications and Graphics provides the graphic design service.

Discussion

This procurement was originally handled in accordance with the OCTA's procedures for professional and technical services. The original agreement was awarded on a competitive basis. It has become necessary to amend the agreement due to new fiscal year budget usage.

The original agreement awarded on September 13, 2004, was in the amount of \$300,000. This agreement has been amended previously (Attachment A). The total amount after approval of Amendment No. 2 will be \$615,000.

Fiscal Impact

Funding for work described in Amendment No. 2 to Agreement C-4-0521 is being requested within the OCTA Fiscal Year 2006-2007 Budget, External Affairs/Marketing, Account 1837-7629-A3311-1E2, and is funded through the Orange County Transit District Fund 30.

Summary

Based on the information provided, staff recommends approval of Amendment No. 2, in the amount of \$165,000, to Agreement C-4-0521 with Interactive Publications and Graphics.

Attachment

- A. Interactive Publications and Graphics Agreement C-4-0521 Fact Sheet

Prepared by:



Stella Lin
Marketing Manager
(714) 560-5342

Approved by:



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

**Interactive Publications and Graphics
Agreement C-4-0521 Fact Sheet**

1. September 13, 2004, Agreement C-4-0521, \$300,000, was approved by the Board of Directors
 - To provide graphic design services for bus public information.
2. April 25, 2005, Amendment No. 1 to Agreement C-4-0521, \$150,000, was approved by the Board of Directors
 - To provide graphic design services for bus public information.

Total committed to Interactive Publications and Graphics, Agreement C-4-0521: \$615,000.



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject: Customer Relations Service Quality Report for Second Quarter Fiscal Year 2005-06

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby

Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Receive information for discussion and possible action as deemed appropriate by the Board.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Customer Relations Service Quality Report for Second Quarter Fiscal Year 2005-06

Overview

The Customer Relations Service Quality Report is submitted to the Orange County Transportation Authority Board of Directors on a quarterly basis. The report provides a statistical analysis of customer communications received during the quarter, as well as details proactive activities undertaken by staff to improve service to customers.

Recommendation

Receive information for discussion and possible action as deemed appropriate by the Board.

Background

The Customer Relations Department is responsible for identifying and resolving service quality issues through the use of proactive and responsive methods. Customer Relations disseminates information to customers concerning Orange County Transportation Authority (OCTA) services and policies and serves as the channel through which customers' opinions about those services and policies are transmitted to OCTA.

Discussion

Responsibilities within the Customer Relations Department are varied. As its primary function, communications from customers are input into a database, and staff interacts closely with numerous departments to obtain resolution to customers' concerns. Customer Relations participates in monthly meetings with both Fixed Route Operations and Community Transportation Services (CTS), as well as with the contractor responsible for providing ACCESS service and Contracted Fixed Route service, to ensure customer concerns are heard and problems are resolved. Staff also interacts closely with Service Planning and Customer Advocacy to accommodate the needs of riders.

In addition to its primary function, the department oversees the Customer Information Center (CIC) which provides routing information to bus riders; the issuance of Reduced Fare Identification (RFID) cards to seniors and persons with disabilities; and the sale of bus passes and ACCESS coupons to the public via mail, phone, and online. Customer Relations is also responsible for addressing customer service issues at 91 Express Lanes meetings and resolving complaints from customers about toll violations received on the 91 Express Lanes; oversight of the OCTA Store; production of Riders' Alerts to notify customers of changes to bus routes and schedules; visiting new vendors selling OCTA fare media; oversight of the Special Needs in Transit Advisory Committee, and an ad hoc transit users committee. Below are highlights of Customer Relations activity during the period of October 1 through December 31, 2005.

- **Customer Roundtable**

During this quarter, Customer Relations organized and facilitated a roundtable discussion to obtain feedback from bus riders about the public information materials distributed by OCTA; primarily focusing on the Bus Book. Ten participants provided valuable opinions on the Bus Book, individual route timetables, Riders' Alerts, interior bus cards, etc. The participants also completed a survey on the importance to them of the various items produced for the public. The information from the roundtable will be used to determine the need for future marketing and informational pieces.

- **Wheelchair Boardings**

Customer Relations met with Operations to discuss changes to the current boarding policy for wheelchair customers. A Fixed Route Training Notice was issued advising coach operators that if the wheelchair stations in the bus are occupied by ambulatory individuals, the operator must ask these individuals to vacate the seats so that the wheelchair customer can be accommodated.

- **Public Information Customer Service (PICS) Replacement**

During the quarter, a business case was developed to replace the PICS system used by Customer Relations and Accounting to track the sales of fare media to individuals and vendors. The PICS system is built on 15-year old technology and has undergone numerous revisions to keep pace with user demands. Customer Relations began preparing a presentation regarding the proposed replacement for the Technical Review Committee.

- **Riders' Alerts**

Customer Relations met with staff from the Geographical Information Systems (GIS) Department to discuss simplifying the process for creating Riders' Alerts. Prior to implementation, Customer Relations and GIS staff will be meeting with Central Communications to discuss the feasibility of proceeding with a replacement program designed by GIS.

- **Special Needs in Transit Advisory Committee**

Members of this committee and other advocates for senior transportation who support the renewal of Measure M, met twice during the quarter to discuss the transportation needs of persons with disabilities and seniors, and to determine what input they would provide regarding the Draft Transportation Investment Plan.

- **Annunciator Messages**

At the request of Operations management, Customer Relations wrote messages regarding safety, Riders' Alerts, service changes and seating for seniors and/or persons with disabilities to be recorded for the bus annunciators. The messages will be recorded in both English and Spanish to notify passengers about various OCTA policies.

- **Night Owl Bus Service Meeting**

Customer Relations joined staff from Operations, Service Planning and Customer Advocacy, Transit Police Services, and coach operators to discuss the issue of homeless persons riding buses all night to stay off the streets. The group reviewed the policies and procedures for handling issues of health and safety for coach operators and passengers. Transit Police Services will play an active role in assisting coach operators and working with social service agencies to help homeless riders, especially those with mental health, alcoholism, illness, and drug addiction problems.

- **OCTA Store**

During this quarter, sales at the OCTA Store totaled \$177,342 versus the \$127,202 in sales during the previous quarter. Two-hundred-seventeen (217) new accounts for the 91 Express Lanes were established during the quarter, compared to 248 in the first quarter of this fiscal year.

- **Pass Sales**

There was a total of \$401,030 in passes sold within the Pass Sales Section, compared to the \$406,876 sold last quarter.

Communications from Customers

During the quarter, communications from customers were received in the form of telephone calls (8,938), emails (612), and letters (107), for a total of 9,657 communications on a variety of topics, versus the 11,238 communications received last quarter. Typically, fewer communications are received during the months of October through December.

Fixed Route Operations

During this quarter, there were 16,618,713 fixed route boardings. Based on the customer communications received, there were 4.64 complaints per 100,000 boardings, which is well within the Operations Division's goal of 6 complaints per 100,000 boardings.

Continuing key issues for fixed route service include:

1. **Pass-bys**

A total of 185 complaints were received from passengers who reported being passed by OCTA buses, compared to 179 complaints received last quarter.

2. **Driver Judgment (any questionable decision, action, or omission on the part of a coach operator)**

There were 118 complaints received about the judgment displayed by OCTA coach operators. This is two more than the 116 complaints received last quarter.

3. **Driving Techniques**

There were 99 complaints about the driving techniques displayed by coach operators, which is nine more than the 90 complaints received in the previous quarter.

Contracted Fixed Route Service and ACCESS Service

During the quarter, there were 563,421 contracted service boardings. Of these boardings, 288,855 were on ACCESS service, while 274,566 were on contracted fixed route. Based on communications received from customers, there were 10.42 complaints for every 10,000 boardings. These figures remain within performance standards established in the contract with the provider, Laidlaw Transit, Inc.

Continuing key issues for contracted service include:

1. Vehicles Not Arriving

Customer Relations received 151 complaints from riders about contracted vehicles not arriving to pick them up, compared to the 184 complaints reported in the previous quarter. Sixteen of the complaints were for contracted fixed routes, while 135 were from ACCESS riders.

2. Vehicles Running Behind Schedule

There were 99 complaints about contracted drivers running late, versus 98 in the previous quarter. Seventeen of these complaints were for Laidlaw-operated fixed route service while 82 were about ACCESS rides.

3. Driver Judgment (any questionable decision, action, or omission on the part of the contracted service driver)

Sixty complaints were received from riders about the judgment displayed by contracted drivers, compared to the 97 received last quarter. Nine of these complaints were reported by riders of Laidlaw-operated fixed route service while 51 were from ACCESS riders.

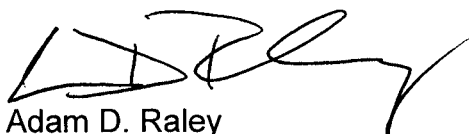
Summary

During the quarter, both OCTA and Laidlaw staff continued to address service quality issues by initiating various measures intended to improve customer service. Customer comments for the second quarter of the fiscal year, as well as a comparison with other quarters, are shown in the attachments following this report.

Attachments

- A. Fixed Route Operations Complaints
- B. Contracted Service Complaints
- C. Total Compliments, Complaints, and Comments
- D. OCTA Store Revenue 2004/2005
- E. Pass Sales Section Monthly Sales Totals/Pass-By-Mail, Telephone, On-Line Orders

Prepared by:



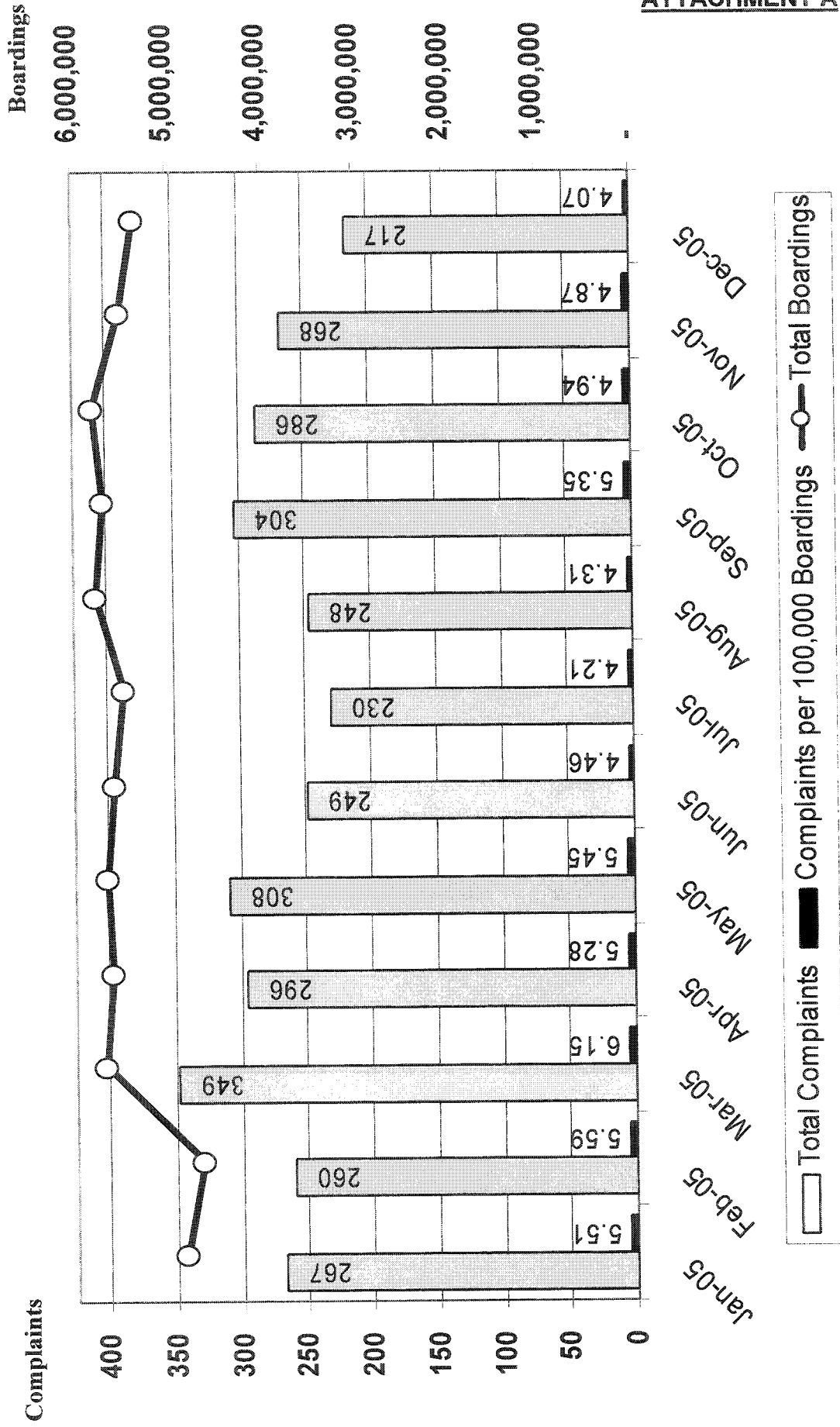
Adam D. Raley
Senior Customer Relations
Specialist
(714) 560-5510

Approved by:

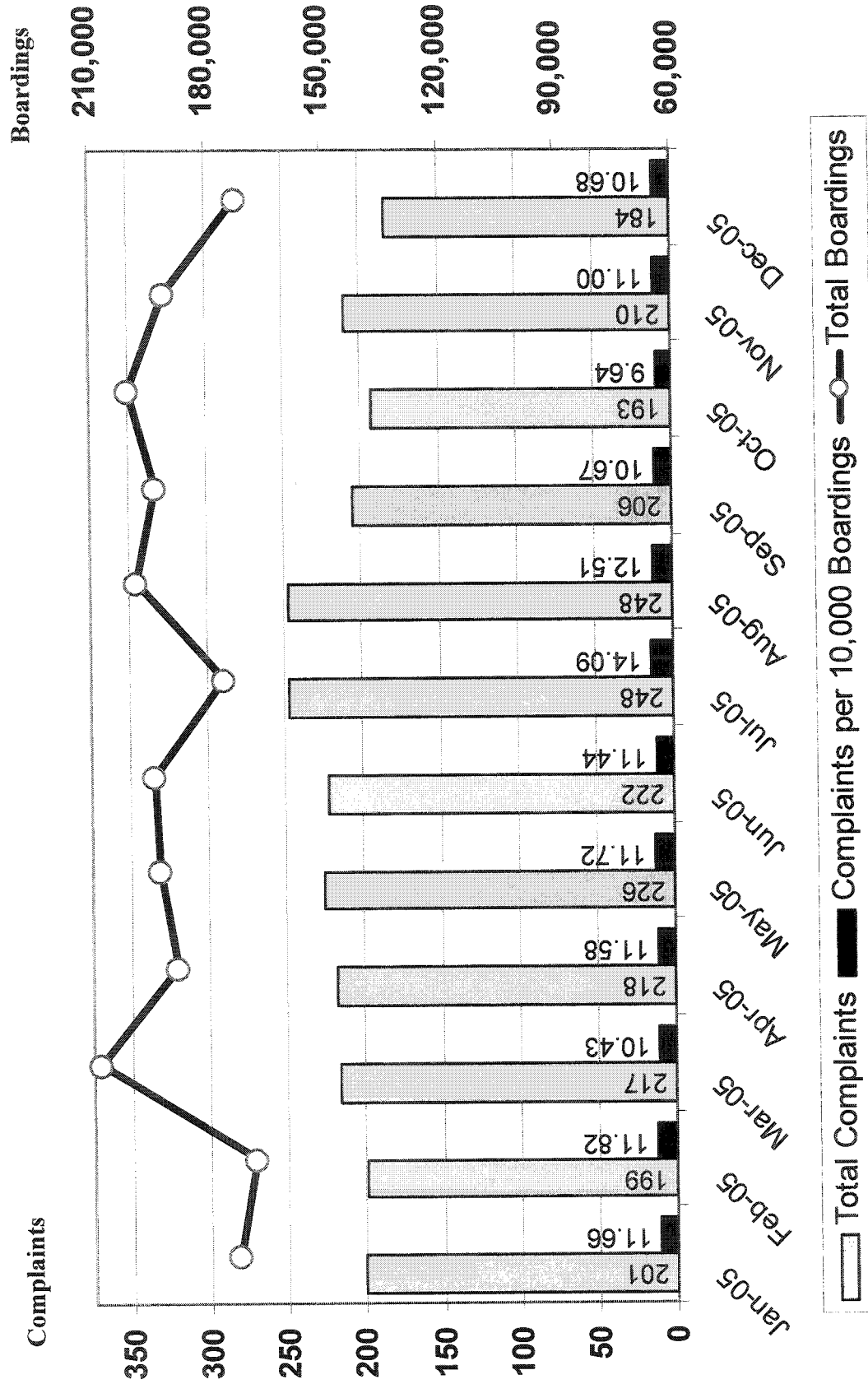


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Executive Director, External Affairs
(714) 560-5923

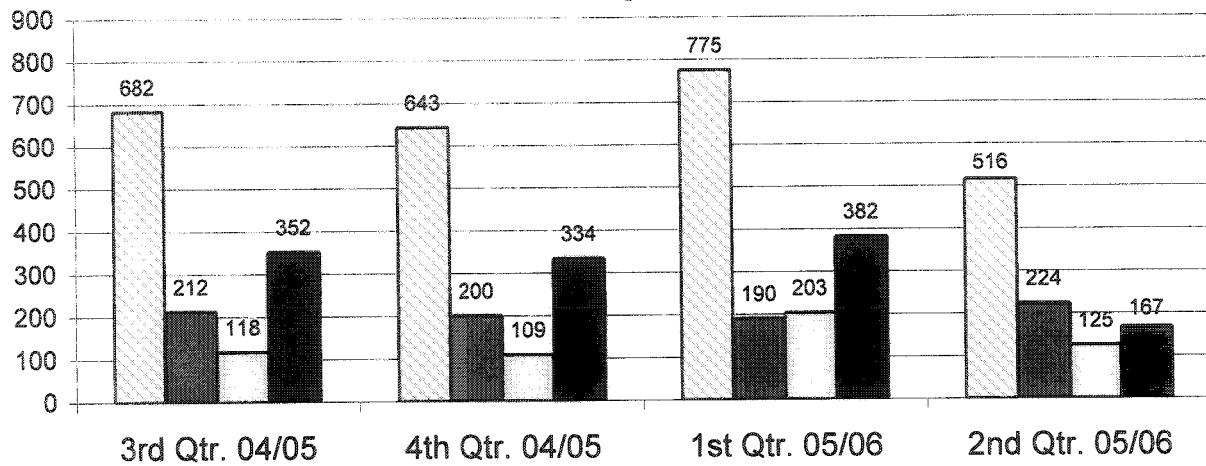
Fixed Route Operations Complaints



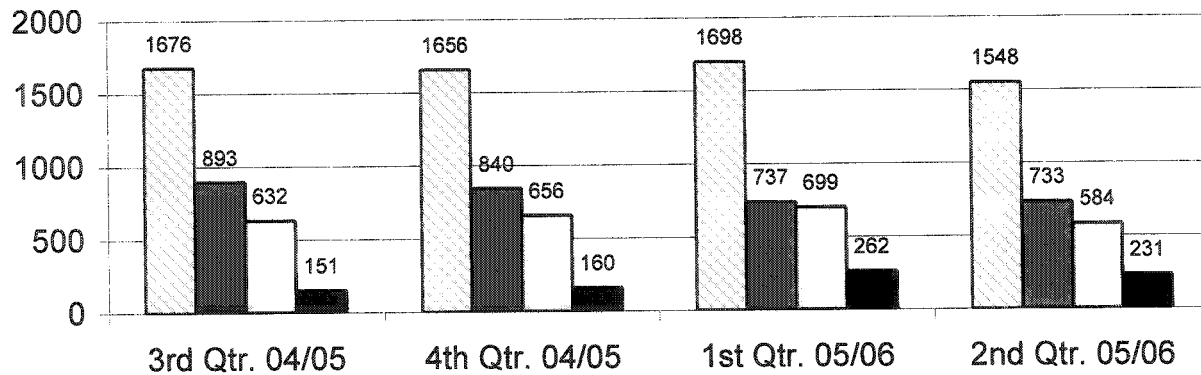
Contracted Service Complaints



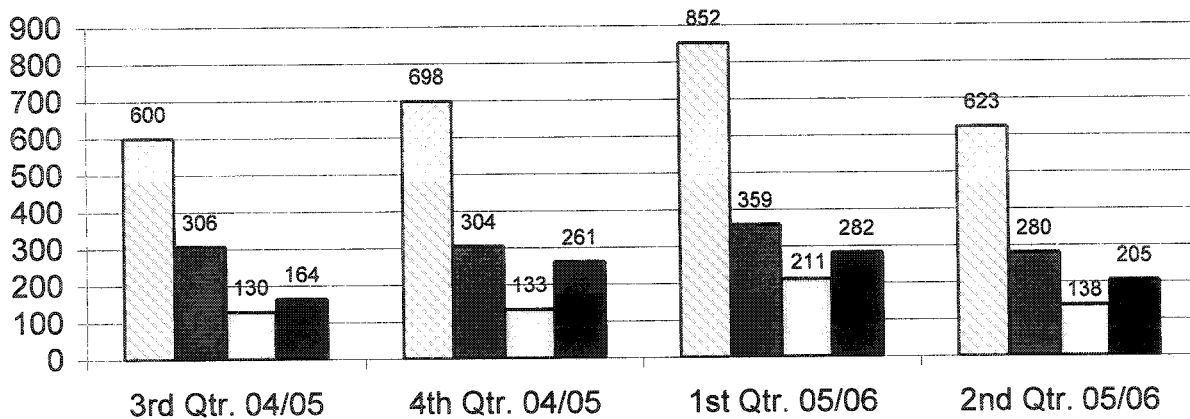
Total Compliments



Total Complaints

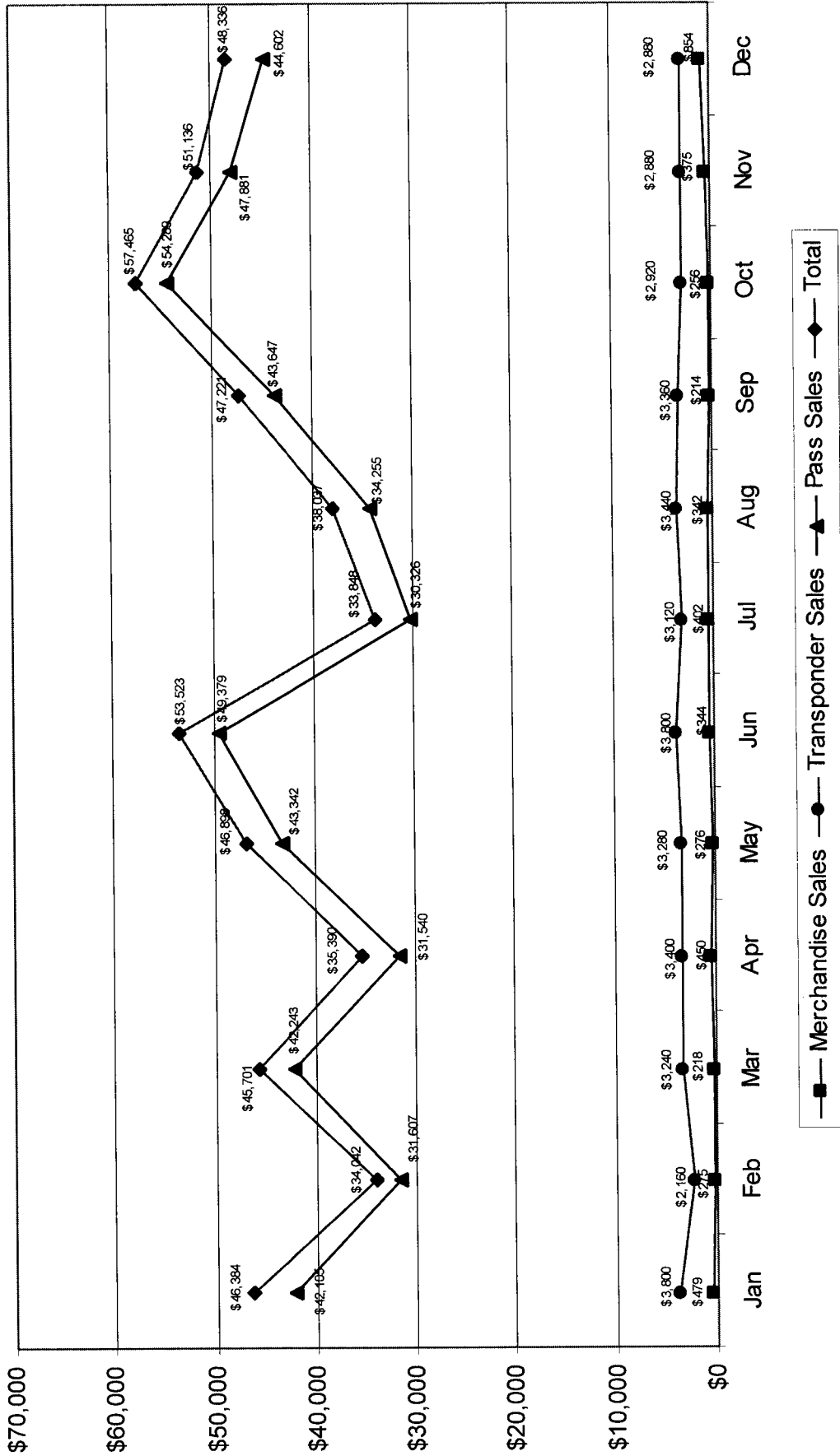


Total Comments



□ Total ■ Fixed Route Operations □ Contracted Service ■ Other

OCTA Store Revenue
2005



Pass Sales Section Monthly Sales Totals

Pass-By-Mail, Telephone, On-Line Orders

PASS TYPE	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05
	QUANTITY SOLD	QUANTITY SOLD	QUANTITY SOLD	QUANTITY SOLD	QUANTITY SOLD	QUANTITY SOLD
Senior/Disabled Pass	452	829	585	759	773	245
Regular Pass	490	596	501	536	586	454
Youth Pass	206	522	1,015	856	775	513
Summer Youth Pass	147	50	0	0	0	0
Regular PP Day Pass	5,650	5,663	6,190	5,530	6,570	5,690
Sr/Disabled PP Day Pass	930	840	880	720	1,760	690
7-Day pass	113	5	135	218	112	9
7-Day Sr/Dis pass	53	0	4	0	50	5
15-Day Pass	40	25	29	55	34	25
15-Day Pass	7	5	6	4	15	5
ACCESS Coupons	2,050	2,829	2,262	2,681	1,934	2,139
Door-to-Door Cpns	145	288	161	101	96	143
Express Pass	34	42	50	49	44	43
RFID Duplicates	20	55	15	72	132	220
Exchanges/Refunds	(\$506.30)	(\$431.70)	(\$383.25)	(\$247.00)	(\$343.00)	(\$503.75)
Number of Transactions	1,629	1,986	2,297	2,235	2,116	1,745
On-line Sales (Included in Sales Totals below)	\$20,069.50	\$53,306.00	\$68,271.50	\$32,897.50	\$28,232.00	\$23,575.50
Sales Totals	\$115,057.80	\$ 150,063.80	\$141,755.18	\$149,292.00	\$133,595.00	\$118,143.75
Prior Year Monthly Sales	Jul-04	Aug-04	Sep-04	Oct-04	Nov-04	Dec-04
Senior/Disabled Pass	203	839	682	284	552	820
Regular Pass	192	553	726	804	267	873
Youth Pass	18	259	599	512	251	472
Summer Youth Pass	94	0	0	0	0	0
Regular PP Day Pass	6,742	5,864	6,188	4,756	5,535	7,143
Sr/Disabled PP Day Pass	840	1,280	590	360	1,868	2,478
7-Day pass	4	24	15	9	8	77
7-Day Sr/Dis pass	5	8	7	5	0	61
15-Day Pass	36	28	28	17	14	57
15-Day Pass	6	6	9	677	3	212
ACCESS Coupons	2,961	3,140	2,987	2,948	2,267	2,627
Door-to-Door Cpns	288	269	209	169	84	155
Express Pass	34	0	37	34	20	88
RFID Duplicates	27	19	15	55	386	108
Exchanges/Refunds	N/A	N/A	N/A	N/A	N/A	N/A
Number of Transactions	1,580	721	2,019	1,911	1,213	1,613
On-line Sales (Included in Sales Totals below)	\$7,788.00	\$7,841.50	\$9,568.50	\$12,483.50	\$17,270.50	\$8,085.00
Sales Totals	\$98,999.32	\$111,468.50	\$122,210.50	\$117,148.55	\$78,405.25	\$122,210.50



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Agreement for Heating, Ventilation, and Air Conditioning Modifications at Garden Grove Base

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0090 between the Orange County Transportation Authority and RAN Enterprises, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$156,000, for heating, ventilation, and air conditioning modifications at the Garden Grove Base.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Heating, Ventilation, and Air Conditioning Modifications at Garden Grove Base

Overview

As a part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved heating, ventilation, and air conditioning modifications at the Garden Grove Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board approval is requested to execute an agreement.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0090 between the Orange County Transportation Authority and RAN Enterprises, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$156,000, for heating, ventilation, and air conditioning modifications at the Garden Grove Base.

Background

The Orange County Transportation Authority (Authority), acting on behalf of the Orange County Transit District, completed construction of the Garden Grove Base in 1977. A facility audit completed in November 2004, identified the heating, ventilation, and air conditioning (HVAC) units on the maintenance building as beyond their useful life and requiring replacement. Many of the parts for the HVAC units are not readily available and the units are energy inefficient. On June 29, 2005, the Authority executed a Contract Task Order with ABS Consulting, Inc. to provide design and construction support services for maintenance building HVAC modifications at the Garden Grove Base. The new HVAC equipment will increase energy efficiency and provide a better working environment.

Discussion

This procurement was handled in accordance with the Authority's procedures for public works and construction projects, which conform to state requirements. Public works projects are handled as sealed bids and award is made to the lowest responsive, responsible bidder. On February 15, 2006, Invitation for Bids 6-0090 was released and posted on CAMMNET, and an electronic notification was sent to 499 firms. The project was advertised on February 17, and February 21, 2006, in a newspaper of general circulation. A pre-bid conference and job walk was held on February 23, 2006, and was attended by nine firms. Addendum No. 1 was issued on March 6, 2006, to address administrative issues, respond to questions, and provide clarifications to the plans and specifications. On March 15, 2006, two bids were received. The bids were reviewed by the staff from Construction & Engineering and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the two bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
RAN Enterprises, Inc. Huntington Beach, California	\$156,000
Allied Industrial, Inc. Anaheim, California	\$192,500

Fiscal Impact

This project was approved in the Authority's Fiscal Year 2005-06 Budget, Construction & Engineering, Account 1722-9022-D3122-9R2, and is funded through the Orange County Transit District.

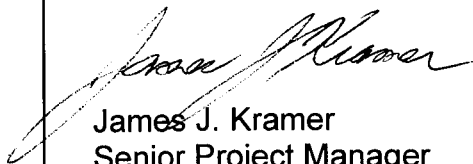
Summary

Staff has reviewed all bids received and recommends the approval of Agreement C-6-0090, in the amount of \$156,000, with RAN Enterprises, Inc., the lowest responsive, responsible bidder, for HVAC modifications at the Garden Grove Base.

Attachment

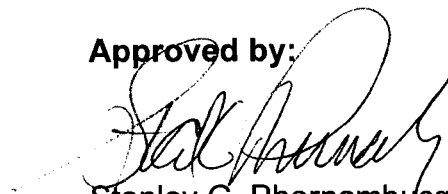
None.

Prepared by:



James J. Kramer
Senior Project Manager
(714) 560-5866

Approved by:



Stanley G. Phernambucg
Executive Director,
Construction & Engineering
(714) 560-5440



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Agreement for Roof Replacement at Irvine Base

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0093 between the Orange County Transportation Authority and Rey-Crest Roofing & Waterproof Co., the lowest responsive, responsible bidder, in an amount not to exceed \$162,048, for roof replacement at the Irvine Base.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, ^{KV} Chief Executive Officer
Subject: Agreement for Roof Replacement at Irvine Base

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved roof replacement at the Irvine Base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board approval is requested to execute the agreement.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0093 between the Orange County Transportation Authority and Rey-Crest Roofing & Waterproof Co., the lowest responsive, responsible bidder, in an amount not to exceed \$162,048, for roof replacement at the Irvine Base.

Background

The Orange County Transportation Authority (Authority), acting on behalf of the Orange County Transit District, completed construction of the Irvine Base maintenance building in 1976 and 1981, in two phases. A facility audit completed in November 2004, indicated that the phase 2 portion of the maintenance building roof has deteriorated and requires replacement. On July 13, 2005, the Authority executed Contract Task Order C-2-1079-3 with Miralles Associates to provide design and construction support services for reconstruction of maintenance building roof. The project will consist of removal of the existing roofing system and installation of a new 10-year built-up roof. The existing roof requires replacement to maintain a watertight environment in order to prevent damage to the building interior and building contents.

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 February 23, 2006, Invitation for Bids 6-0093 was released and posted on CAMMNET, and an electronic notification was sent to 500 firms. The project was advertised on February 27, and March 1, 2006, in a newspaper of general circulation. A pre-bid conference and job walk was held on March 2, 2006, and was attended by 13 firms. Addendum Nos. 1, 2, and 3 were issued on March 6, March 14, and March 16, 2006, respectively, to address administrative issues, respond to questions, and provide clarifications to the plans and specifications. On March 23, 2006, five bids were received. The bids were reviewed by staff from Construction & Engineering and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three low bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Rey-Crest Roofing & Waterproof Co. Los Angeles, California	\$162,048
J. Cab & Sons Roofing Inc. Commerce, California	\$171,800
Solar Integrated Technologies, Inc. Los Angeles, California	\$187,000

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2005-06 Budget, Construction & Engineering, Account 1722-9022-D3108-9QN, and is funded through the Orange County Transit District.

Summary

Staff has reviewed all bids received and recommends approval of Agreement C-6-0093, in the amount of \$162,048, with Rey-Crest Roofing & Waterproof Company, the lowest responsive, and responsible bidder for roof replacement at the Irvine Base.

Attachment

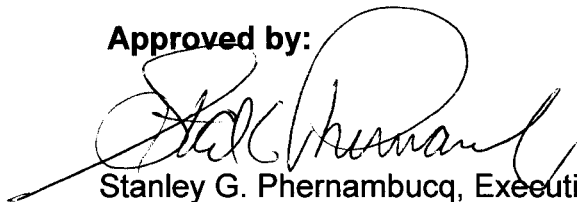
None.

Prepared by:



James J. Kramer
Senior Project Manager
(714) 560-5866

Approved by:



Stanley G. Phernambucq, Executive Director
Construction & Engineering
(714) 560-5440



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors

From: Wendy Knowles, Clerk of the Board

Subject: Agreement for Canopy Roofs at Anaheim, Garden Grove, and Santa Ana Bases

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby

Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C-6-0089 between the Orange County Transportation Authority and Allied Industrial Systems, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$323,000, for canopy roofs at Anaheim, Garden Grove, and Santa Ana bases.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Canopy Roofs at Anaheim, Garden Grove, and Santa Ana Bases

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved canopy roofs at Anaheim, Garden Grove, and Santa Ana bases. 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 C-6-0089 between the Orange County Transportation Authority and Allied Industrial Systems, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$323,000, for canopy roofs at Anaheim, Garden Grove, and Santa Ana bases.

Background

The Orange County Transportation Authority (Authority), acting on behalf of the Orange County Transit District, completed construction of the Anaheim, Garden Grove, and Santa Ana bases in 1983, 1977, and 2005, respectively. The Authority has determined that canopy roofs are necessary to protect service workers servicing fare boxes, and maintenance personnel working at liquefied natural gas control panels during inclement weather.

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 February 14, 2006, Invitation for Bids 6-0089 was released and posted on CAMMNET, and an electronic notification was sent to 565 firms. The project was advertised on February 16 and February 20, 2006,

in a newspaper of general circulation. A pre-bid conference and job walk was held on February 21, 2006, and was attended by four firms. Addendum No. 1 was issued on March 3, 2006, to address administrative issues, respond to questions, and provide clarifications to the drawings. On March 14, 2006, four bids were received. The bids were reviewed by staff from Construction & Engineering and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three low bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Allied Industrial Systems, Inc. Anaheim, California	\$323,000
Fleming Environmental, Inc. Buena Park, California	\$359,950
RND Works, Inc. Fontana, California	\$448,000

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2005-06 Budget, Construction & Engineering, Account 1722-9022-D3107-9RD, and is funded through the Orange County Transit District.

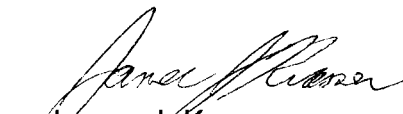
Summary

Staff has reviewed all bids received and recommends approval of Agreement C-6-0089, in the amount of \$323,000, with Allied Industrial Systems, Inc., the lowest responsive, and responsible bidder for canopy roofs at the Anaheim, Garden Grove, and Santa Ana bases.

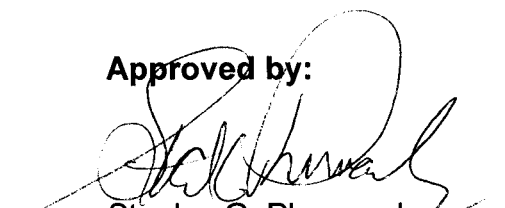
Attachment

None.

Prepared by:


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

Approved by:


Stanley G. Phernambueq
Executive Director,
Construction & Engineering
(714) 560-5440



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Agreement for Heating, Ventilation, and Air Conditioning Repairs and Maintenance Services

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-3001 between the Orange County Transportation Authority and ACM Systems, Inc., in an amount not to exceed \$150,000, for heating, ventilation, and air conditioning repairs and maintenance services.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Heating, Ventilation, and Air Conditioning Repairs and Maintenance Services

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2005-06 Budget, the Board approved the contracting of heating, ventilation, and air conditioning repairs and maintenance services for Orange County Transportation Authority facilities.

Recommendation

Authorize the Chief Executive Officer to execute Agreement C-5-3001 between the Orange County Transportation Authority and ACM Systems, Inc., in an amount not to exceed \$150,000, for heating, ventilation, and air conditioning repairs and maintenance services.

Background

The Orange County Transportation Authority (Authority) requires the services of a licensed heating, ventilation, and air conditioning (HVAC) contractor to perform comprehensive full service maintenance for Authority's HVAC systems. The repair of HVAC equipment is highly specialized and normally accomplished by journeyman level technicians. Under the full service maintenance agreement, the contractor provides all parts, labor, material, and equipment to perform scheduled and emergency maintenance services.

Discussion

This procurement was handled in accordance with the Authority's procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Therefore, the requirement was handled as a competitive negotiated procurement.

Agreement for Heating, Ventilation, and Air Conditioning Page 2
Repairs and Maintenance Services

The project was advertised on January 20, 2006, and January 23, 2006, in a newspaper of general circulation and on CAMMNET. A pre-proposal meeting was held on January 26, 2006, and was attended by five contractors.

On February 23, 2006, five offers were received. An evaluation committee composed of staff from Safety and Environmental Compliance, Facilities Maintenance, Contracts Administration and Materials Management, Construction Engineering, and Maintenance Operations was established to review all offers submitted. The offers were evaluated on the basis of qualifications of the firm, staffing and project organization, work plan, and cost effectiveness. Based on their findings, the evaluation committee recommends the following firm for consideration of an award:

Firm and Location

ACM Systems, Inc.
Brea, California

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2005-06 Budget, Operations Division, Maintenance Department, Account 7612, and is funded through Local Transportation Fund.

Summary

Staff recommends award of Agreement C-5-3001 to ACM Systems, Inc., in an amount not to exceed \$150,000, for heating, ventilation, and air conditioning repairs, and maintenance services.

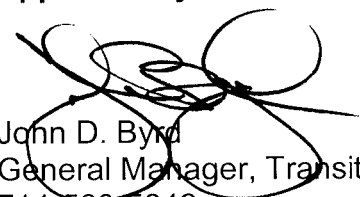
Attachment

None.

Prepared by:


Al Pierce
Manager, Maintenance
714-560-5975

Approved by:


John D. Byrd
General Manager, Transit Operations
714-560-5842



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Amendment to Agreement for Automotive Shop Supplies

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0281 between the Orange County Transportation Authority and Industrial Specialty Products, to exercise the second option year, in an amount not to exceed \$75,000, for the purchase of automotive shop supplies used by the Maintenance Department.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Amendment to Agreement for Automotive Shop Supplies

Overview

On June 14, 2004, the Board of Directors approved an agreement with Industrial Specialty Products, in the amount of \$75,000, to provide automotive shop supplies used by the Maintenance Department for a one-year period with two one-year options. Industrial Specialty Products was retained in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement C-4-0281 between the Orange County Transportation Authority and Industrial Specialty Products, to exercise the second option year, in an amount not to exceed \$75,000, for the purchase of automotive shop supplies used by the Maintenance Department.

Background

The Orange County Transportation Authority (Authority) maintenance staff requires various shop supplies used in the maintenance and repair of fixed route buses and support vehicles. Examples of materials used are gasket sealer, battery cleaner, fastener compounds, brake grease, graphite, silicone lubricants, anti-seize compounds, brake cleaner, and electrical contact cleaner.

Discussion

This procurement was originally handled in accordance with the Authority's procedures for professional and technical services. The original agreement was awarded on a competitive basis. It has become necessary to amend the agreement due to exercising the second option year.

The original agreement awarded on June 15, 2004, was in the amount of \$75,000. Amendment No. 2, in the amount of \$75,000, will increase the total agreement amount to \$225,000 (Attachment A).

Fiscal Impact

The work described in Amendment No. 2 to Agreement C-4-0281 was approved in the Authority's Fiscal Year 2005-2006 Budget, Operations Division Maintenance Department, Account 7799, and is funded through the Local Transportation Fund.

Summary

Staff recommends approval of Amendment No. 2, in the amount of \$75,000, to Agreement C-4-0281 with Industrial Specialty Products.

Attachment

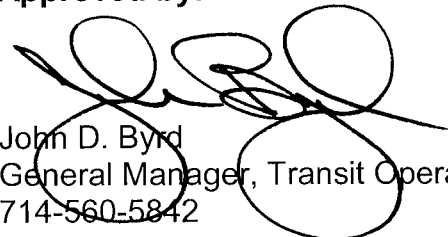
- A. Industrial Specialty Products, Agreement C-4-0281 Fact Sheet

Prepared by:



Al Pierce
Manager, Maintenance
714-560-5975

Approved by:



John D. Byrd
General Manager, Transit Operations
714-560-5842

**Industrial Specialty Products
Agreement C-4-0281 Fact Sheet**

1. June 14, 2004, Agreement C-4-0281, \$75,000, approved by Board of Directors.
 - Purchase of shop supplies used by the Maintenance Department.
2. April 11, 2005, Amendment No. 1 to Agreement C-4-0281, \$75,000, approved by Board of Directors.
 - First option year for the period of June 15, 2005, through June 14, 2006.
3. May 22, 2006, Amendment No. 2 to Agreement C-4-0281, \$75,000, pending approval by Board of Directors.
 - Second option year for the period June 15, 2006 through June 14, 2007.

Total committed to Industrial Specialty Products, Agreement C-4-0281: \$225,000.



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 149

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0283 between the Orange County Transportation Authority and the Riverside Transit Agency, in an amount not to exceed \$220,000, to jointly fund Route 149, an intercounty express service, from July 1, 2006, through June 30, 2007.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, ^{AL} Chief Executive Officer
Subject: Cooperative Agreement with Riverside Transit Agency to Jointly Fund Intercounty Route 149

Overview

On February 28, 2005, the Board of Directors approved an cooperative agreement with Riverside Transit Agency to jointly fund Route 149, an intercounty express service operating daily between Riverside County and Orange County. The current agreement expires on June 30, 2006. A new agreement is required to establish joint funding for one year.

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0283 between the Orange County Transportation Authority and the Riverside Transit Agency, in an amount not to exceed \$220,000, to jointly fund Route 149, an intercounty express service, from July 1, 2006, through June 30, 2007.

Background

Since 1990, the Orange County Transportation Authority (Authority) has partnered with the Riverside Transit Agency (RTA) to jointly fund the operation of Route 149, a daily intercounty express service for bus riders traveling between Riverside and Orange counties. Under the current agreement, the Authority provides approximately 30 percent of the operating funds for Route 149, or \$168,000 of the \$557,700 cost. The Authority's contribution is based on the portion of revenue hours operated on Route 149 within Orange County, from the Riverside County line to The Village at Orange, allowing riders to complete regional trips (Attachment B).

Discussion

RTA has indicated that the total number of service hours will remain unchanged in fiscal year 2006-07, a total of 7,440 hours. RTA recently signed a new labor agreement and changed the operation of this line from contract operated to directly operated service which has increased the cost from \$75 per hour to \$98.50 per hour. This agreement is required to provide the express bus service through June 30, 2007.

Fiscal Impact

The work described in Agreement C-6-0283 will be included in the Authority's proposed Fiscal Year 2006-2007 Budget, Operations Division, Community Transportation Services Department, Account 2131-7831-D4804-AJ5, and will be funded though Local Transportation Funds.

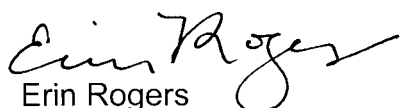
Summary

Staff is requesting approval of Cooperative Agreement C-6-0283, in the amount of \$220,000, with the Riverside Transit Agency to allow joint funding of Route 149 through June 30, 2007.

Attachments

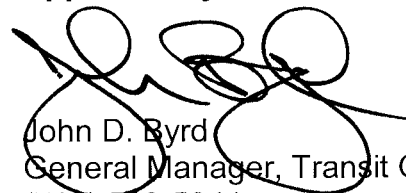
- A. Riverside Transit Agency, Agreement C-4-0601 Fact Sheet
- B. Route Map 149 Downtown Terminal to Village at Orange

Prepared by:



Erin Rogers
Department Manager,
Community Transportation Services
(714) 560-5367

Approved by:



John D. Byrd
General Manager, Transit Operations
(714) 560-5341

**Riverside Transit Agency
Agreement C-4-0601 Fact Sheet**

1. April 24, 2006, Agreement C-6-0283, \$220,000, pending approval by Board of Directors.
 - Cooperative agreement to jointly fund Route 149, an intercounty express service operating daily between Riverside County and Orange County.
 - Increase in cost based on increased labor costs as well as going from contract operated to directly operated. No increase in service hours.

Maximum obligation of \$220,000.

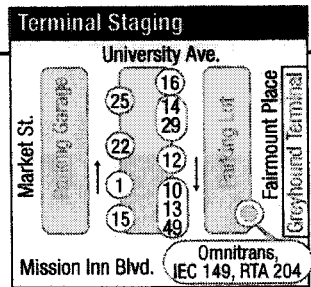
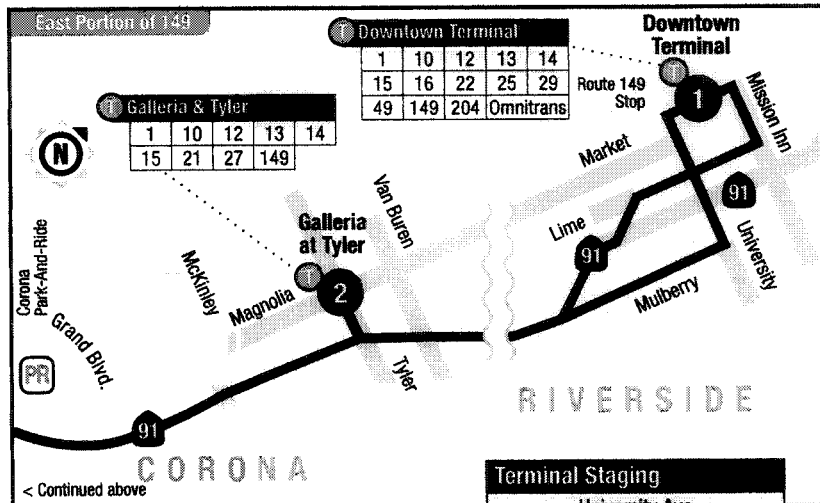
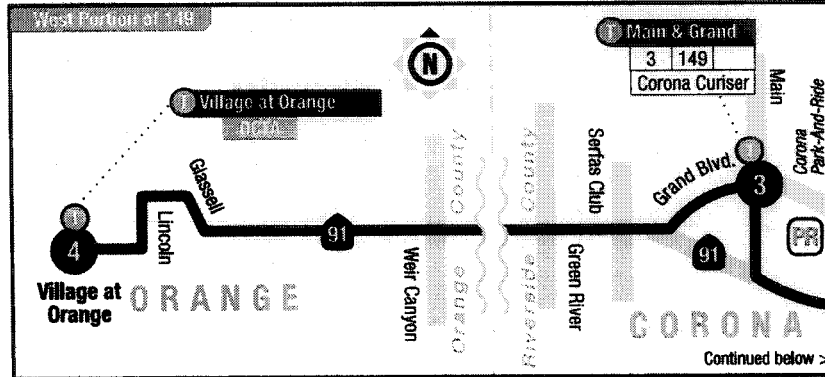
149

Downtown Terminal to Village at Orange

Route 149 Operator
 T-300-304-7825
 Web site:
www.riverside Transit.com

Routing and timetables subject to change.

Also serving: Riverside, The Galleria at Tyler, Corona, and Village at Orange, Orange County. **No service on the following holidays:** Thanksgiving Day or Christmas Day. **Sunday service on the following holidays:** New Year's Day, Memorial Day, Independence Day, and Labor Day.



Legend | Map not to scale

- Time and/or Transfer Point
- Transfer Point and Information
- Inset Map
- Park-And-Ride

149 Weekdays | Westbound to Orange County and Eastbound to Riverside

A.M. times are in PLAIN, P.M. times are in BOLD | Times are approximate

Riverside D.T. Terminal	Galleria at Tyler	Grand & Main	Village at Orange	Village at Orange	Grand & Main	Galleria at Tyler	Riverside D.T. Terminal
1	2	3	4	4	3	2	1
4:40	4:58	5:20	6:00	6:15	6:53	7:13	7:35
5:40	5:58	6:20	7:00	7:15	7:53	8:13	8:35
7:45	8:03	8:25	9:05	9:20	9:58	10:18	10:40
1:35	1:53	2:15	2:55	3:10	3:48	4:08	4:30
2:45	3:03	3:25	4:05	4:30	4:58	5:18	5:40
3:45	4:03	4:25	5:05	5:20	5:58	6:18	6:40
4:40	4:58	5:20	6:00	6:15	6:53	7:13	7:35

149 Saturdays | Westbound to Orange County and Eastbound to Riverside

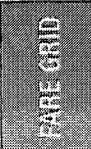
A.M. times are in PLAIN, P.M. times are in BOLD | Times are approximate

Riverside D.T. Terminal	Galleria at Tyler	Grand & Main	Village at Orange	Village at Orange	Grand & Main	Galleria at Tyler	Riverside D.T. Terminal
1	2	3	4	4	3	2	1
8:10	8:28	8:50	9:30	9:45	10:23	10:43	11:05
11:15	11:33	11:55	12:35	12:50	1:28	1:48	2:10
3:25	3:43	4:05	4:45	5:00	5:38	5:58	6:20
6:30	6:48	7:10	7:50	8:05	8:43	9:03	9:25

149 Sundays | Westbound to Orange County and Eastbound to Riverside

A.M. times are in PLAIN, P.M. times are in BOLD | Times are approximate

Riverside D.T. Terminal	Galleria at Tyler	Grand & Main	Village at Orange	Village at Orange	Grand & Main	Galleria at Tyler	Riverside D.T. Terminal
1	2	3	4	4	3	2	1
8:35	8:53	9:15	9:55	10:10	10:48	11:08	11:30
11:40	11:58	12:20	1:00	1:15	1:53	2:13	2:35
3:25	3:43	4:05	4:45	5:00	5:38	5:58	6:20
6:30	6:48	7:10	7:50	8:05	8:43	9:03	9:25

	From	To	Regular	Youth	Senior/Disabled
	Any point in Riverside County	Any point in Riverside County		\$1.25	\$1.25
Any point in Riverside County	Any point in Orange County		\$2.90	\$2.90	85¢

RTA accepts valid RTA and OCTA Day Passes and RTA 31-Day Pass for base fare in Orange County. Only RTA Day Passes and RTA 31-Day Passes accepted in Riverside County. For trips between Riverside and Orange Counties, you must pay an additional \$1.65 for General and Youth fare and 25¢ for Senior or Disabled fare. RTA 31-Day Passes and Day Passes accepted for full fare for travel within Riverside County only.

Riverside Transit Agency: 1-800-800-7821 or (951) 565-5002

OCTA: 1-800-636-7433



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Cooperative Agreement with Adult Day Services of Orange County

Transit Planning and Operations Committee

April 13, 2006

Present: Directors Winterbottom, Brown, Pulido, Duvall, Green, and Norby
Absent: Director Silva

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0284 between the Orange County Transportation Authority and Adult Day Services of Orange County, in an amount not to exceed \$567,000, to share in the cost of providing adult day healthcare transportation through June 30, 2008.



April 13, 2006

To: Transit Planning and Operations Committee
From: Arthur T. Leahy, ^MChief Executive Officer
Subject: Cooperative Agreement with Adult Day Services of Orange County

Overview

The Orange County Transportation Authority proposes to enter into a cooperative agreement with Adult Day Services of Orange County. A cooperative agreement is required to establish roles, responsibilities, and process for a demonstration program to provide alternative transportation services to ACCESS riders attending the Adult Day Services of Orange County program.

Recommendation

Authorize the Chief Executive Officer to execute Cooperative Agreement C-6-0284 between the Orange County Transportation Authority and Adult Day Services of Orange County, in an amount not to exceed \$567,000, to share in the cost of providing adult day healthcare transportation through June 30, 2008.

Background

Currently, nearly 1,100 adult day healthcare (ADHC) participants in Orange County utilize ACCESS service for transportation to and from their day care programs. Many of these individuals require specialized service, beyond the minimum requirements of ACCESS, due to significant physical and/or cognitive disabilities. In addition, paratransit growth management efforts are resulting in service policy changes that impact the ADHC community. In recognition of this, the Orange County Transportation Authority (Authority) conducted a study in 2005 to explore alternative transportation services for ADHC riders. One of the study recommendations was to develop cost sharing agreements between the Authority and ADHC facilities to move ACCESS riders to an alternative transportation provider at a lower cost per trip. This partnership is advantageous to both parties and also supports the paratransit growth

management strategy to coordinate with other agencies to develop alternative transportation resources.

Discussion

Under this cooperative agreement (Attachment A), the Authority would contribute an operating subsidy of \$12.60 per trip for trips to Adult Day Services of Orange County (ADSOC), located in Huntington Beach, that have been moved from ACCESS to Western Transit Systems. Western Transit Systems currently provides limited transportation service for ADSOC. Under this agreement, approximately 45 ADSOC clients would be moved from ACCESS to Western Transit Systems.

The Authority's participation in this demonstration program will decrease the overall cost of these trips using the average ACCESS cost per trip of \$26.55 compared to the \$12.60 subsidy that would be provided to ADSOC. This could defer approximately \$438,750 in total expenses to the Authority during the term of the agreement (Attachment B). Moving ADSOC clients from ACCESS to Western Transit Systems would also free ACCESS vehicle capacity during peak service hours.

Fiscal Impact

Funds for this agreement are included in the Authority's Fiscal Year 2005-06 Budget, Operations Division, Account 2131-7831-1208-33M, and is funded through the Local Transportation Fund.

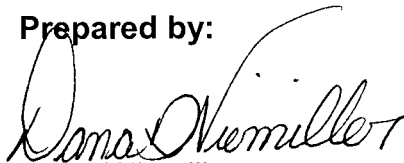
Summary

Staff recommends the Board of Directors approval for the Chief Executive Officer to execute Cooperative Agreement C-6-0284, in the amount of \$567,000, with Adult Day Services of Orange County.

Attachments

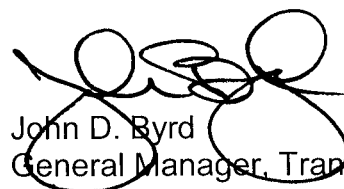
- A. Adult Day Services of Orange County Agreement C-6-0284 Fact Sheet
- B. Operating Subsidy for Agreement C-6-0284 with Adult Day Services of Orange County

Prepared by:



Dana Wiemiller
Community Transportation Coordinator
(714) 560-5718

Approved by:



John D. Byrd
General Manager, Transit Operations
(714) 560-5341

**Adult Day Services of Orange County
Agreement C-6-0284 Fact Sheet**

1. April 24, 2006, Agreement C-6-0284, \$567,000, pending approval by Board of Directors.
 - Authority provides an operating subsidy of \$12.60 per trip for ACCESS eligible customers traveling to/from Adult Day Services of Orange County using transportation services provided by Western Transit Service.
 - Term of agreement May 1, 2006 through June 30, 2008.

Operating Subsidy for Agreement C-6-0284
with Adult Day Services of Orange County

		FY06/07	FY07/08	Totals
Annual Trips (one-way)*		22,500	22,500	45,000
OCTA subsidy @ 75%	\$ 12.60	\$ 283,500	\$ 283,500	\$ 567,000
Adult Day Services subsidy @ 25%	\$ 4.20	\$ 94,500	\$ 94,500	\$ 189,000
Total cost per trip	\$ 16.80	\$ 378,000	\$ 378,000	\$ 756,000
Estimated cost to ACCESS @ \$26.55/trip		\$ 597,375	\$ 597,375	\$ 1,194,750
Savings to ACCESS		\$ 219,375	\$ 219,375	\$ 438,750

*One-way trips going to/from Adult Day Services of Orange County = 90/day x 250 days



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Orange County Business Council Assessment of Measure M

Transportation 2020 Committee

April 17, 2006

Present: Directors Brown, Buffa, Campbell, Cavecche, Correa, Dixon, and Winterbottom

Absent: Directors Pringle and Green

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Receive and file the Orange County Business Council Assessment of Measure M.
- B. Direct the Chief Executive Officer to develop specific proposals for consideration by the Board of Directors to address the findings of the Orange County Business Council Assessment relative to the current Measure M program as follows:
 - 1. Preparation of a Signal Synchronization Master Plan to guide remaining expenditures on signal coordination.
 - 2. Development of a standard Pavement Management System for use by local jurisdictions.
 - 3. Development of performance goals for new Metrolink services.
 - 4. Analysis and recommendations for potential re-bidding of custodial bank services.



April 17, 2006

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Orange County Business Council Assessment of Measure M

Overview

On January 9, 2006, the Board of Directors, at the request of Director Richard Dixon, authorized the Transportation 2020 Committee to work with the Orange County Business Council to conduct an independent assessment of the implementation and performance of the Measure M transportation program. The resulting report is presented by Orange County Business Council representative Stan Oftele for review and consideration by the Committee and the Board of Directors.

Recommendation

Receive and file the Orange County Business Council Assessment of Measure M

Background

At the December 12, 2005, meeting of the Transportation 2020 Committee, Director Richard Dixon proposed that an independent assessment of Measure M be conducted to examine its impacts on Orange County and the "lessons learned" that might apply to a Measure M renewal. At the January 9, 2006, meeting of the Board of Directors, this proposal was referred to the Transportation 2020 Committee to seek an opportunity for such a study to be conducted.

Subsequently, in a process led by Director Dixon, the Orange County Business Council (OCBC) agreed to conduct an independent assessment based on the work plan and schedule shown in Attachment A. The Transportation 2020 Committee at its meeting of February 14, 2006 directed staff to provide data and cooperation to enable OCBC to complete this work.

Schedule slippage of approximately two weeks was experienced due to unanticipated difficulties in locating and confirming some of the Orange County Transportation Authority's data and illness suffered by the principal OCBC writer and analyst.

Discussion

Overall, based on a wide range of measures, the report (Attachment B) finds that, "Measure M generally has met or exceeded promises made to voters in 1990." It also documents that the improvements provided by Measure M have helped Orange County accommodate robust population and job growth while enhancing the quality of life, contributing to improvements in air quality, and relieving traffic congestion.

The report and its findings also document some "lessons learned" from 15 years of Measure M implementation, and highlights some elements that have not performed as well as expected or which, in hindsight, would have benefited from better development and definition.

Following is a short summary of these elements and steps already taken to address them or to make improvements in the proposed Measure M renewal. In a few instances, suggestions are offered for further actions the Board of Directors may want to consider.

Signal synchronization -- The report finds a need for better definition and stronger incentives to have a fully successful regional signal synchronization system across jurisdictional boundaries. This was the finding of a 2005 study commissioned by the Authority and led to the development of a much stronger regional signal synchronization proposal for the Measure M renewal, built upon the concept of a countywide master plan. The Board may wish to consider directing the preparation of a signal synchronization master plan to guide the expenditure of funds through the five remaining years of Measure M.

Pavement maintenance -- A 2005 study done for the Authority showed that while maintenance of regional roads has generally kept pace with a thirty percent growth in use, residential and collector streets are showing more wear. The Measure M renewal proposal allocates increased funding for street maintenance, provides matching incentives and establishes requirements for benchmarking and regular progress reporting using common standards. The Board may wish to consider adopting a standard pavement management system for use by local jurisdictions for the remaining period of Measure M.

Timely delivery of roads projects -- The report notes that delivery of streets and roads projects has not matched that of the freeway component. Recent actions by the Authority have created more accountability and less tolerance for project delays and provided resources to local jurisdictions to help close out projects on a timely basis. The Measure M renewal proposal has added to this much

stronger annual progress reporting requirements and restricted options for extending deadlines.

New Metrolink service performance -- The Measure M plan provided some fundamental performance targets for commuter rail service, all of which have been met or exceeded. However, with the recent reallocation of the CenterLine light rail funds to Metrolink improvements, these targets are no longer relevant. The Board may wish to ensure that performance goals for further service expansion are clearly identified prior to implementation.

Funding caps -- Two programs within Measure M – fare stabilization and Growth Management Area funding – have funding caps and do not increase with the growth in sales tax revenues. Over time, this distorts the relative funding levels for these program elements. The proposed Measure M renewal eliminates any fund caps, so all programs share sales tax growth proportionally.

Custodial banking services -- Custodial bank services have been provided to the Authority for the Measure M funds under a contract last competitively bid in 1995, although with bank mergers and consolidations there have been three ownership and/or name changes in that time. The Board may want to request an analysis regarding the costs and benefits of rebidding these services.

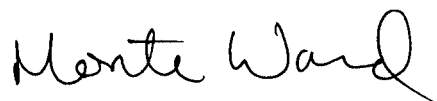
Summary

The Orange County Business Council has prepared a comprehensive assessment of fifteen years of Measure M. Overall it demonstrates that on a wide range of measures the promises made to the voters have been met or exceeded. The findings also highlight some areas that have under-performed or which, in hindsight, would have benefited from better definition. Corrective actions already taken, suggestions for possible further actions related to current Measure M, and improvements that have been incorporated into the proposal for a renewed Measure M are noted.

Attachments

- A. Work Plan: Independent Assessment of Measure M
- B. Orange County Business Council Assessment of Measure M

Prepared by:



Monte Ward
Director, Special Projects
(714) 560-5582

**INDEPENDENT ASSESSMENT
OF
MEASURE M**

CONCEPT:

Orange County taxpayers voted to impose a ½ cent sales tax to finance major transportation improvements over a 20-year period beginning in 1991. The physical outcome of the Measure M program is visually evident—improved streets, additional freeway lanes, improved interchanges and intersections and enhanced delivery of transportation services in the community.

Orange County Transportation Authority (OCTA) Board member Richard Dixon has proposed that an independent assessment of the outcome of the investment program should be conducted, focusing on whether commitments made to the voters have been fulfilled.

Director Dixon asked the Orange County Business Council (OCBC) to consider how such an independent assessment might be done. OCBC, in consultation with Director Dixon and OCTA staff, has developed a focused and efficient approach to examining the programmatic success of the Measure M in terms of fulfilling the promises of the ballot measure.

APPROACH:

Orange County voters will likely be asked to extend their support of transportation investments with a ballot measure to extend the ½ cent sales tax increment beyond the current expiration of Measure M in 2011. Director Dixon wants to be able to factually inform these voters if their sales tax dollars have been spent as promised and whether any improvements in implementation and oversight should be considered if Measure M is renewed. OCBC believes a low cost, focused approach using available information can accomplish these objectives quickly and effectively.

OCBC recommends an approach that utilizes the extensive Measure M audit and oversight processes that have been the bedrock of the Measure M program. First, the Council wants to understand if the commitments made to the voters have been fulfilled. The Measure promised specific transportation improvements and fiduciary oversight of the investment program. OCBC wants to be able to inform the Orange County community whether the promises were kept, whether the oversight approach was effective and whether the created mechanisms are sufficient to protect and guide a proposed extension of the investment program over the next several decades. Even if the commitments were appropriately addressed over the past 15 years, OCBC believes that further enhancements may be desirable and should be considered in the architecture of the proposed sales tax renewal. Therefore, the assessment should not only be a “pass/fail” review, but also a means of identifying improvements that could be

implemented to further protect and enhance a transportation investment program that might be presented to the voters.

The focal point for analysis would be the eleven “bullet point” priorities promised to the voters in the Measure M ballot statement (Attachment A). A key oversight protection established within the Measure M ballot measure was the creation of a Citizens Oversight Committee. This independent Committee reviews and reports on all aspects of the Measure M program. OCBC proposes to utilize the considerable inventory of audits, analyses, reports, hearings and data commissioned and reviewed by the Oversight Committee as the basis of assessing how the program was conducted and whether the promised elements in the ballot measure were accomplished.

OCBC would work with OCTA to inventory and obtain the various documents and then utilize Council resources to review the content. Beyond providing a yes/no answer to whether commitments were fulfilled, OCBC, using a juried, peer review approach, will also be looking for improvement opportunities that might be incorporated in the future. A report will be issued that documents the findings of the peer review and provides specific recommendations for improvements that should be considered if Measure M is to be renewed. The Council is confident that this approach will provide independent insight and understanding regarding claims that Measure M promises have been kept and will help strengthen critical oversight and accountability provisions if it is to be extended.

TIMETABLE:

Decision to proceed	February 14, 2006
Data gathering and initial analysis	February 14 – March 6, 2006
Peer review analysis	March 7 – 15, 2006
Report drafting	March 15 – 22, 2006
Review of draft report	March 22 – 31, 2006
Presentation of report to 2020 Committee	April 10, 2006
Presentation of report to OCTA Board	April 24, 2006

COST:

No direct charge to OCTA. OCBC requires that OCTA provide necessary data for analysis.



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ATTACHMENT B

April 17, 2006

Art Brown
Chairman
Orange County Transportation Authority
515 S. Main Street
Orange, Ca. 92863-1584

DRAFT

Dear Chairman Brown,

On February 14, 2006 the Orange County Transportation Authority (OCTA) Board of Directors, at the request of Director Richard Dixon of Lake Forest, asked the Orange County Business Council (OCBC) to take a look at the first fifteen years of Measure M, Orange County's voter-approved, one-half per cent transportation sales tax and to make a clear-eyed assessment of the Measure M transportation program's performance. This report is the OCBC Assessment of the Measure M program.

Overall, this OCBC assessment finds that Measure M generally has met or exceeded promises made to voters in 1990. Although there are five years of activity left in the Original Measure M, most major milestones have been met. And the prudent management of Measure M resources has allowed the OCTA Board to go beyond the promises made in 1990 and add another major freeway project – the \$495 million reconstruction of the Garden Grove freeway – to the voter-approved list of promised projects listed on the Official Ballot or detailed in the Official Voter's Pamphlet. Building more projects than promised is an important symbol of Measure M's success

The Measure M program has helped Orange County deal with enormous population and job growth, helped sustain Orange County's treasured quality of life, helped improve air quality and helped relieve traffic congestion countywide. However, despite its success, the Measure M program has been far from perfect.

If William Shakespeare was correct when he wrote that what is past is prologue for the future, then this review of the past of the Measure M program should provide you with some valuable information on how a Renewed Measure M Program could be improved and how the Renewed Measure M should be constructed. Clearly, the Original Measure M program is filled with success stories – freeway projects built on-time and under-budget; a robust, regional commuter rail program; and a major investment in streets and roads. But there are other lessons that should be learned from Measure M – some programs have under-performed, some were not well-conceived, some would have benefited from a clearer definition of what success should look like. Those programs and projects are also discussed in this report.

Over the next few weeks, we will be making this report available to city councils, to the Orange County Board of Supervisors, to the business community and to transportation professionals. We hope it will stimulate debate and discussion and we hope it meets – and exceeds – your expectations of a Measure M assessment.

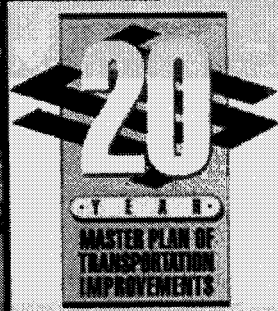
Sincerely,

Lucy Dunn
President and CEO

Stan Ofelie
Past President



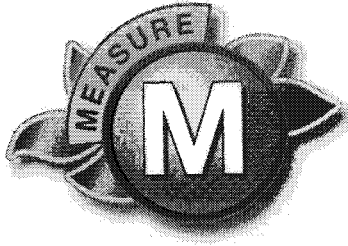
Measure M Assessment 1990 — 2005



**ORANGE COUNTY
BUSINESS COUNCIL**

Orange County Growth

	1990	2005	Actual Growth	Percentage Increase
Population	2,410,544	3,020,648	610,104	20.2%
Jobs	1,306,200	1,544,300	238,100	15.4%
Vehicles	1,613,758	2,030,334	426,576	21.0%
Vehicle Miles Traveled	51.5 million miles/day	67.0 million miles/day	15.5 million	30.0%
Measure M Revenue	3.1 billion	4.2 billion	1.1 billion	X%
Traffic at El Toro Y	248,000 vehicles/day	368,000 vehicles/day	120,000	48%
Traffic on I-5 at Harbor	182,000 vehicles/day	268,000 vehicles/day	86,000	47%
Traffic on SR 91, SR 55 to Riverside Countyline	224,000 vehicles/day	348,000 vehicles/day	128,000	58.2%



Section 1 — Overview

Measure M Assessment 1990 – 2005
Orange County Business Council

1. Overview

On November 6, 1990, Orange County voters approved Measure M, a one-half percent, countywide transportation sales tax designed to finance a series of specific transportation programs and projects. The \$3.1 billion, 20-year investment plan was detailed in the Revised Orange County Traffic Improvement and Growth Management Plan, explained in 22 pages of project descriptions included in the Official Voter's Pamphlet and summarized in a 290-word question included on the Official Ballot. Additionally, the Orange County Local Transportation Authority (OCLTA), the government agency which requested the transportation sales tax measure be placed on the ballot, adopted a 32-page ordinance that included 45 specific actions designed to govern the spending of the voter-approved tax dollars.

The 1990 Measure M countywide ballot proposition sparked a contentious political debate over the pace of development in Orange County, the need for additional tax dollars for transportation, and the types of transportation projects needed in Orange County. The OCLTA proposed what it called a balanced transportation plan that invested in freeways (43% of all anticipated sales tax revenues), streets and roads (32 % of all revenues) and transit (25%). A coalition opposing the measure argued against using any local taxes on transportation projects, objecting generally to the county's lack of long-range transportation planning and specifically to rail projects which might increase population density and any freeway widening that included a carpool lane. Attachment A is the Impartial Analysis of Measure M by the Orange County Council, as well as the Arguments For and Against Measure M and the rebuttals to those arguments.

Besides basic questions about the county's growth, the need for a local transportation funding source, and the ability of local officials to manage transportation

dollars wisely and well, the 1990 public debate included concerns that voters had rejected a nearly identical one-half per cent local transportation funding measure in 1989. The Measure M opponents also argued that Orange County voters rejected a full one-per cent transportation sales tax measure in 1984 and a one-per cent sales tax devoted solely for public transit was rejected by Orange County voters in 1974. Before Measure M passed in 1990, no local, countywide tax measure had been successful in Orange County since the Eisenhower administration.

Local supporters of what was billed as Revised Measure M of 1990 overcame Orange County's long anti-tax history by arguing that self-reliant local voters had to solve the transportation problem themselves and that state and federal officials could not be counted on to deal with Orange County's traffic problems. Measure M supporters argued that because state and federal officials had not provided Orange County with a fair share of transportation dollars that Orange County voters had to take their traffic destiny into their own hands. The argument, coupled with the specific list of transportation projects detailed in the Twenty Year Master Plan of Traffic Improvements and summarized on the 1990 ballot card, resonated with voters. Measure M of 1990 was successful by a 54.9% to 46.1% vote (the election was certified as 353,074 for the Measure, 291,182 opposed).

The day after voters approved the measure, OCLTA Chairman Dana Reed declared, "When push came to shove, 54% of the voters want us to pay for the projects and are willing to pay for the projects themselves. More and more people realized that if they didn't step up to the tax plate and fix the problem, it wouldn't be fixed." Orange County Register November 7, 1990

There were vocal, dissenting voices to the Measure M approach. San Juan Capistrano rancher Tom Rogers, who led the opposition to Measure M, said,



“I think (voters) firmly believe that they were promised certain things (to relieve traffic). What Orange County is destined to have now is greatly accelerated urbanization at taxpayer’s expense. We’re going to get the worst of both worlds — no congestion management and an acceleration of growth and destruction of environmental assets of the county.”
Orange County Register, November 7, 1990

The Orange County Register, which strongly opposed Measure M, editorialized in a December 30, 1990 end-of-the year summary of events that:

The local story with the biggest long-term impact may have been the passage of Measure M, the half-cent transportation sales tax that will make life more expensive for every Orange County resident for the next 20 years. A challenge in court by opponents seems unlikely to prevail, although much can be said for the reasoning that a two-thirds vote should have been necessary. Whether the money will buy real transportation improvement or merely expensive new toys for local transit bureaucrats is a question about which skepticism is warranted.

The court challenge by William Ward, et. al. slowed the initial Measure M start up. However, after more than a year of legal proceedings, the California Supreme Court upheld Measure M. About fifteen years after Measure M passed, on February 14, 2005, Richard Dixon, a member of the Lake Forest City Council, requested that the Orange County Business Council (OCBC) take an independent look at the promises made in Measure M of 1990 as part of the Orange County Transportation Authority’s exploration of renewing Measure M for an additional 30-years. In essence, Director Dixon asked if the money authorized by voters bought real transportation improvements or merely expensive new toys for local transit bureaucracies. Based on Director Dixon’s request (which was approved unanimously by the OCLTA Board of Directors), the OCBC agreed to

perform a limited scope, limited time period review of Measure M, that:

- Takes a thoughtful look at the projects and programs specified on the 1990 Official Ballot card and review the OCLTA’s performance in delivering those projects and programs (Attachment B);
- Examines the elements of the Revised Orange County Traffic Improvement and Growth Management Plan that were included in the Official Voter’s Pamphlet and makes specific recommendations and observations on the plan’s implementation (Attachment C);
- Reviews OCLTA Ordinance 2 that defines some elements of the plan and details safeguards protecting taxpayer dollars (Attachment D).
- Summarizes the Assessment findings based on the OCBC’s examination of the Original Measure M’s foundation documents.

Because of time constraints, the OCBC review and assessment focuses on projects and programs listed on the November 6, 1990 Official Ballot. More than 640,000 voters who cast ballots in 1990 saw this list of promises, projects and programs listed on the official ballot card. The Revised Orange County Traffic Improvement and Growth Management Plan, which was distributed to voters in the Official Ballot Pamphlet, will also be examined, as will the enabling ordinance, mentioned on the Official Ballot but mainly reviewed and discussed by transportation agencies, cities, the county, Caltrans and their respective policy-making Board of Directors. Ordinance Number 2 of the Orange County Local Transportation Authority, which has been amended seven times in 15 years, will be reviewed for general compliance in a checklist approach.



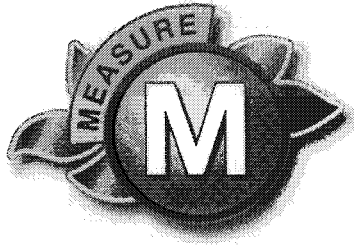
Any fair comparison of 1990 promises to 2005 results is complicated by normal changes that routinely occur over time. In 1988, Chapman College economists estimated that Measure M would generate \$3.1 billion in revenue with a one-half cent sales tax. The 20-year Master Plan of Transportation Improvements was sized with that estimate in mind. However, Orange County's strong economy generated higher than anticipated sales tax revenues and Chapman now estimates that Measure M will yield \$4.2 billion — 35 per cent more money than what was originally programmed. The additional sales tax revenue has been apportioned by the basic categorical formula (43% for freeways, 25% for transit, 32% for the two street and road categories), but within those categories some line items were capped by OCLTA Ordinance Number 2. The capped items — which did not share in inflationary growth of sales tax revenues — initially were Growth Management Area (GMA) funds the Master Plan of Arterial Highways Program (MPAH), and bus fare subsidies for seniors and disabled.

Inflation and the purchasing power of dollars have also changed over time, making it appear some projects have exceeded the original estimated costs. However, if these costs are converted to 1988 dollar values (a difficult comparison well beyond the limited scope of this assessment) and if fund transfer between projects were traced, a different picture may emerge.

Similarly, some traffic estimates used in the Ballot Pamphlet were projections developed by OCLTA consultants in the late 1980s and do not always correspond precisely to actual traffic or passenger counts. Generally, these forecasted numbers used in the 1990 plans were more conservative than actuals proved to be. For comparison purposes, this assessment uses traffic counts reported by CalTrans in 1988 and in 2004.

Also, one of the expressed goals of Measure M was to attract a greater share of state and federal transportation dollars to Orange County. Over time, the OCLTA, using the amendment process spelled out in OCLTA Ordinance Number 2 and always with the blessing of the Citizens Oversight Committee, Measure M dollars have occasionally been moved between individual line items. The changes in the funding mix on certain projects were made with the goal of maximizing federal and state transportation dollars invested in Orange County projects. A preliminary look at these fund switches indicate they were made prudently and were a part of a larger funding strategy (particularly when changes were made to enhance efforts to secure additional freeway funding), but a more detailed forensic accounting of transportation dollars from all sources would be necessary to validate the claim that Measure M has been a magnet for new transportation dollars.

For the purpose of this assessment, Measure M dollar amounts have been taken from the December 31, 2005 Statement of Revenues, Expenditures, and Changes in Fund Balance prepared by the Orange County Transportation Authority's Finance and Administration Division. When additional state and federal dollars are included in overall project costs, the amount of additional dollars comes from the OCTA's Planning and Programming department, except where noted.



Section 2 — Official Ballot Language

Measure M Assessment 1990 – 2005
Orange County Business Council



2. Official Ballot Language

On the official Ballot Card for the November 6, 1990 Election, after the ballot title, THE REVISED TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT ACT, was listed, the Official Ballot said “The purpose of this measure is to improve the quality of life, relieve traffic congestion, and improve air quality by:” then listed 11 specific transportation improvements or safeguards plus a four-element action that would be undertaken if voters approved the original Measure M.

In terms of the three broad areas of anticipated improvement — quality of life, traffic congestion relief, and improved air quality — the Original Measure M transportation programs and traffic congestion projects are only one factor in a complex mix of elements that influence the perceptions and reality of Orange County’s high-quality lifestyle and robust economic growth. Traffic congestion relief is an important factor in quality of life and air quality improvement, but not the sole definer of success or failure. Similarly, Measure M is an important part of Orange County’s transportation overall funding program, but it is not the only piece of the county’s overall transportation funding puzzle.

However, during the first 15 years the Original Measure M has been in place, surveys indicate that Orange County residents believe their quality of life has improved and traffic congestion is no longer the dominant public policy issue facing the county. Over time, as independent survey results were recording a steady increase in positive attitudes toward quality of life and an improved transportation system, Orange County grew by more than 600,000 people — about the population of San Francisco. Almost a quarter-of-a-million new jobs were created. In the same period, about 600,000 additional Orange County registered vehicles were added to the county’s streets, roads and freeways. Because Orange County is geographically-compact, this population growth translates into

greater population density. According to the U.S. Census, Orange County now is among the 20 most densely populated areas in America. According to the Orange County 2006 Community Indicators Project, Orange County’s overall population density is greater than Los Angeles, Atlanta or Seattle, with the greatest population density clustered in the central county cities of Santa Ana (12,883 per square mile), Stanton (12,520), and Garden Grove (9,611). Santa Ana’s population density now exceeds Boston and Philadelphia. (See chart #1)

Chart #1:

Population Density Ranking Selected Counties 2000		
Rank	County, State (County Seat)	Population per Square Mile of Land Area
1	New York County, Ny (Manhattan)	66,940
2	Kings County, NY (Brooklyn)	34,917
3	Bronx County, NY	31,709
4	Queens County, NY	20,409
5	San Francisco County, CA	16,634
6	Hudson County, NJ (Jersey City)	13,044
7	Suffolk County, MA (Boston)	11,788
8	Philadelphia County, PA	11,234
9	Richmond County, NY (Staten Island)	7,588
10	Arlington County, VA	7,323
11	Orange County, CA (Santa Ana)	3,606
31	Los Angeles County, CA	2,344
57	Fulton County, GA (Atlanta)	1,544
115	Travis County, TX (Austin)	821
116	King County, WA (Seattle)	817
123	Wake County, NC (Raleigh)	755
138	San Diego County, CA	670
419	Riverside County, CA	214
897	San Bernadino County, CA	85

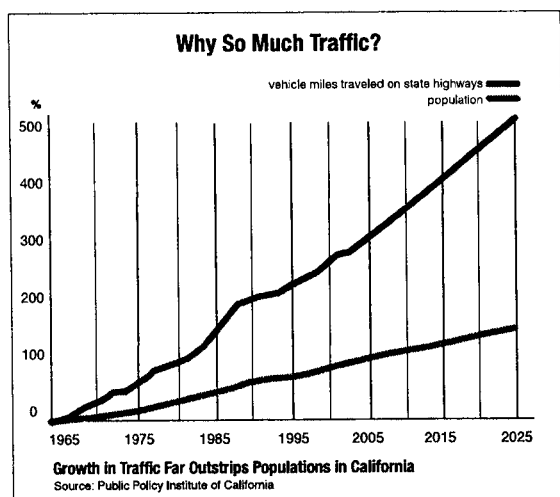
Source: U.S. Census Bureau

The only thing growing faster than population is traffic. While Orange County’s population has grown by 20 percent during the Measure M period, traffic passing through the El Toro Y has increased by 48%. In some areas, traffic on the Santa Ana freeway (I-5) in north Orange County has increased by 47%. Traffic on the Riverside Freeway (SR 91) in the Santa Ana Canyon, between the Costa Mesa



Freeway (SR 55) and the Riverside county line, daily traffic has increased by 58%. By increasing freeway capacity in key corridors with Measure M investments, traffic has been diverted from parallel streets and roads that would have been overwhelmed if the regional improvements had not been made. And, in the future, more people will be taking more trips every day, burdening the overall system even more. (See chart #2)

Chart #2:



However, this growth in traffic and increase in population density has not negatively impacted internal attitudes towards Orange County's quality of life. In fact, public perception of Orange County's quality of life has improved during the 15 years Measure M has been in effect. In the UC Irvine Annual Survey of 1989 and 1990 and the Public Policy Institute of California (PPIC)'s 2004 Orange County Special Survey, pollster Mark Baldassare probed Orange County residents' attitudes towards quality of life and traffic and transportation congestion using very similar questions and very similar methodologies. These are Dr. Baldassare's findings on the perceptions of Orange County residents. (See chart #3)

While overall perceptions of quality of life were improving, other survey work that Dr. Baldassare

Chart #3:

How do you rate your quality of life?			
	1989	1990	2004
Very Well	29	22	36
Somewhat Well	48	53	54
Somewhat Badly	18	19	8
Very Badly	5	6	2

Chart #4:

Most important issue facing Orange County			
	1989	1990	2004
Traffic/Transportation	41	40	13
Population Growth	17	17	17
Housing Costs	14	15	18
Crime/Gangs	11	12	4
Immigration	9	9	8
Education/Schools	5	6	4

conducted indicates that concerns about transportation and traffic congestion no longer dominate public policy concerns in Orange County. When asked, What is the most important issue facing Orange County? Dr. Baldassare found shifting priorities during the first 15-year years of the Measure M traffic relief program. (See chart #4)

In addition to the public's perceptions of public policy priorities, there are some outside, independent examinations of Orange County's quality of life and traffic congestion relief efforts. Many almanacs and books rate "quality of life" and "Best Places to Live in the United States." The best-known of these publications, Places Rated Almanac chose Orange County as the Number One Place in America to live, work and raise a family in 1997. In 2000, Orange County's overall rating had dropped to 16th, still a more than respectable ranking out of more than 350 metropolitan areas rated. Orange County has rated in the top 10% of all communities reviewed for quality of life in each of the Places Rated Almanac reports, except in 1985, when traffic congestion, bad air quality and a local economy ravaged by aerospace layoffs rated the county as the 48th best place to live in the United States. Since the 1985 ranking, Orange

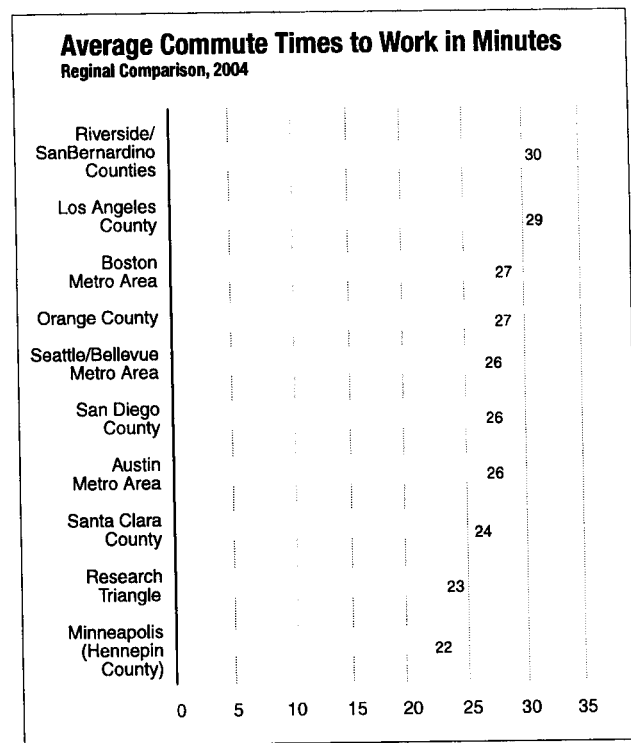


County traffic congestion has improved, air quality is better, and job creation in Orange County has become a major economic engine that drives California's prosperity.

Despite these improvements, Orange County does not fare as well in Sperling's Cities Ranked and Rated 2004, a compilation that relies heavily on census data and other statistical measures. Out of 403 communities examined in the United States and Canada, Cities Ranked and Rated chose Orange County as the 65th best place in America to live, citing the county's high cost of living, overall poor air quality and traffic congestion as drawbacks. Sperling balances these negatives by acknowledging Orange County's excellent Mediterranean climate, booming economy, low unemployment rate and the county's entertainment and cultural advantages. Cities Ranked and Rated places Orange County in the top 20% of all communities rated. Sperling said Charlottesville, Virginia, was the best place to live in America.

In terms of traffic congestion, the U.S. Census measures Average Commute Times to Work on a national basis. In 1990, the average commute time to work in Orange County was 24.4 minutes. In 2004, the average commute time to work increased to 27 minutes. Orange County's rate of increase compares favorably to other Southern California counties. During the Measure M era, the amount of time all Southern Californians spend commuting has grown longer and longer. In the 1990 to 2004 time period, according to a PPIC analysis, the average morning home-to-work commute in Riverside lengthened by 4.2 minutes, while a similar commute in San Diego and Los Angeles counties increased by 4.1 minutes. Over the same time period, while Orange County's population grew by more than 600,000 people, the Orange County commute increased by only 2.6 minutes — by far, the best record in Southern California. (See chart #5)

Chart #5:



During the same 15-year period, air quality in Orange County and Southern California has shown steady improvement, but remains one of the most unhealthful air quality regions in America. A recent study by the United States Environmental Protection Agency says Orange County has some of the dirtiest air in America and is in the top 20 urban areas in the United States in terms of poor air quality. However, many factors contribute to overall air quality, including climate, ocean breezes, regulations put in place by the South Coast Air Quality Management District, and Measure M transportation projects designed to keep traffic moving. In some instances, the federal government supercedes local rules designed to improve air quality standards. Still, there has been significant improvement in Orange County's air quality in recent years. In 1990, Orange County had 48 days where the county failed to meet federal standards for ozone, carbon monoxide (CO), and small particulate matters made up of dust and diesel soot (PM-10, and PM 2-5). In 2005, there was only one day when Orange County failed to meet federal air

quality standards in each of these areas. Overall, the greatest improvement for Orange County air quality was in transportation-related air quality measure of ozone, where Orange County suffered 39 days of bad air in 1990 and only one such day in 2005. Chart #6 compares Orange County air quality to the rest of the South Coast Air Quality Management District.

Chart #6:

		1990	1995	2000	2004	2005
Number of Days Exceeding the Federal Standards						
Orange County Compared to the Basin						
Ozone, 8-hr	Orange County	39	9	12	12	1
	South Coast Air Basin	163	127	106	90	84
Co. 8-hr	Orange County	7	0	0	0	0
	South Coast Air Basin	45	16	3	0	0
PM10, 24-hr	Orange County	2	2	0	0	0
	South Coast Air basin	7	6	0	0	0
PM2.5, 24-hr	Orange County	-	-	3	0	0
	South Coast Air Basin	-	-	23	7	9

Finding: Measure M has helped enhance Orange County's quality of life, helped reduce traffic congestion and has contributed to improved air quality.

After the brief preamble listing the goals of traffic relief, better air quality and improved quality of life, the Official Ballot listed 11 specific line items that were explained in 15 projects descriptions included in the Official Voter's Pamphlet. This is a listing of those 11 specific line items presented to Voters on November 6, 1990, the corresponding descriptions of the projects and programs from the Voter's Pamphlet, a 2005 Status Report on those projects and programs, and, where relevant, specific findings and recommendations. The 11 specific line items:

1. Expanding the present Los Angeles to San Diego commuter rail service throughout Orange County

In the Voter's pamphlet, this commuter rail service is described as three separate projects, LOSSAN Corridor Intercity Rail Service, LOSSAN Corridor Commuter Rail Service and Riverside Commuter rail Service.

First, the voter pamphlet materials on LOSSAN Corridor Intercity Rail Service

Description: The LOSSAN Corridor extends for 128 miles between the downtown areas of Los Angeles and San Diego, and is second only to the Northeast Corridor in ridership on the Amtrak rail passenger service. This rail line (Santa Fe) links communities in the counties of Los Angeles, Orange and San Diego. At this time, over six million people reside within five miles of this rail line. There are currently nine stations with five of them in Orange County. Amtrak's present service in the LOSSAN corridor includes eight daily trains in each direction. The future proposal calls for two additional trains to be added.

Location: The project uses the Santa Fe/Amtrak line from the San Diego downtown to the Los Angeles Central Business District (CBD), a distance of 128 miles with 47 miles in Orange County.

Technology: The technology currently used for this service is diesel electric locomotives pulling up to six passenger cars. The cars are approximately 85 feet long and can operate at high or low platforms. Based on current usage and the implementation of two new roundtrips, the ridership is forecasted to be 8,000 trips a day.

Costs: A capital development program that includes funding by all three counties, Amtrak, the State of California and Santa Fe Railroad has been developed that will allow for expansion of service to ten trains per day in each direction. Orange County's share of this program is approximately \$20 million. Any required operating assistance would be paid by the state and Amtrak. These services are very close to having full farebox recovery on operating and maintenance costs and is therefore priced for intercity type service and not priced to encourage daily commuter use.



Implementation: If the funding can be put in place, service could begin as early as 1993.

2005 Status of the LOSSAN Corridor Intercity Rail Service:

Actions: Measure M supported LOSSAN Corridor Intercity Rail Service began on October 25, 1992, slightly ahead of schedule. Today there are 24 weekday and 26 weekend intercity trains operating in the LOSSAN Corridor, an increase well beyond the 1990 plan that anticipated that the 16 trains then in place and would be expanded to 20 trains a day. Actual Measure M expenditures: Over the 15 year period, the OCLTA has spent \$14.02 million on capital and operating costs of the Intercity Rail Service. A \$20 million 20 year budget was anticipated.

Comments: The 8,000 trips-a-day estimate was developed using a 1987 estimate of LOSSAN Corridor Intercity Rail Service by Wilbur Smith and Associates. By using the same methodology as the Smith report, today's 2.54 million LOSSAN Intercity Rail service annual passenger trips translates into 8,401 passengers, better than the anticipated ridership.

Second, the Voter Pamphlet materials on LOSSAN Corridor Commuter Rail Service

Description: The proposed commuter rail service in the LOSSAN Corridor specifically will be directed at the needs of persons commuting on a daily basis. Train schedules, station locations, and fare policy will be set to accommodate the needs of these commuters. The initial service calls for two peak hour trains inbound from San Clemente to Los Angeles on weekday mornings and two peak period trains outbound from Los Angeles to San Clemente on weekday evenings. The service calls for nine stations in Orange County and four in Los Angeles County. The additional stations in Orange County include Mission Viejo, North Irvine, and Buena Park. The Irvine station (Spectrum area) is included in the nine stations. The commuter trains would supplement the intercity trains that are proposed and currently run by Amtrak.

Location: The project uses the Santa Fe/Amtrak line from San Clemente/Oceanside area to the Los Angeles central business district

Estimates: The technology to be used for this service would be similar to the current Amtrak service. It is estimated that the initial service would attract 2,000 riders per day in peak periods. Ridership will increase over time as additional commuter service is scheduled.

Costs: A capital development program has been proposed that would include purchase of the Santa Fe ROW, provision of equipment to provide the service, and the development of three new stations at Mission Viejo, North Irvine, and Buena Park. The service would require operating assistance as the fare box is estimated to fund 40-50 percent of annual costs. The capital cost estimate is \$108 million and for operating subsidy is \$22 million for the balance of the 20-Year Plan.

Implementation: The service could begin as early as 1993, if funding is in place.

Issues/Comments: The implementation of this project and the ROW as the backbone rail transit corridor is dependent on the successful negotiation and purchase of the Santa Fe ROW south of Fullerton. This project as well, needs the full cooperation of all three counties (Los Angeles, Orange and San Diego)

2005 status of the LOSSAN Corridor Commuter Rail Service

Actions: In August of 1991, the Southern California Regional Rail Authority (SCRRA) was formed to operate Metrolink, a five-county regional commuter rail program. Orange County, along with Los Angeles, Riverside, San Bernardino and Ventura Counties pooled resources to operate the commuter rail system. Many of the operational issues facing Southern California commuter rail service were resolved in the

development of the SCRRRA legal structure. Today, Orange County has two members on the 11-member SCRRRA Board of Directors with OCLTA Chairman Arthur C. Brown also serving as the 2006 Chairman of the SCRRRA Board of Directors.

In March of 1993, as part of a \$500 million regional program to buy 340 miles of railroad rights-of-way, trackage rights and other properties in Southern California, the OCLTA agreed to purchase 42 miles of rail right-of-way between San Clemente and Fullerton, as well as a five-mile stretch of railroad right-of-way on the Olive subdivision, roughly between Yorba Linda and Orange. Orange County's share of the \$500 million regional purchase price was \$113 million, with about \$40 million coming from state bond funds and \$73.1 million coming from Measure M funds. Additionally, track usage rights between Buena Park and downtown Los Angeles were acquired as part of this regional agreement.

When Orange County commuter rail service began in the LOSSAN Corridor on March 28, 1994, slightly behind schedule, OCTA had succeeded in pooling its commuter rail resources with other Metrolink member agencies. OCTA contributes 26% of the annual Metrolink costs to provide service in Orange County and to support the regional system. Metrolink now operates 39 locomotives and 155 passenger cars in Southern California, with 19 trains-a-day operating on the central Orange County corridor, well in excess of the four trains a day promised in Measure M. Wilbur Smith's daily average passenger boardings forecast of 2,000 passengers-a-day usage that was anticipated in Measure M was surpassed and is estimated at 6,250 passengers a day in 2005.

Stations: Over time, there have been changes in new stations anticipated in Measure M. The Mission Viejo-area station was built in Laguna Niguel, in 2002. The North Irvine station was built in Tustin in 2001. The historic station in Orange re-opened in 1993 and the San Clemente station opened in 1994. The northern-

most commuter rail station in Orange County, Buena Park, is currently under construction and is expected to open in 2007.

Actual expenditures: \$186.2 million in Measure M dollars have been spent in 15 years on the LOSSAN Corridor Commuter Rail System. The 1990 Voter Pamphlet originally anticipated spending \$130 million for commuter rail services, but a series of actions in the aftermath of the Orange County bankruptcy and a legislative transfer of transit operating funds to the County of Orange triggered a change in the commuter rail funding and operating approach. A May 13, 1996 amendment to the 20-Year Traffic Improvement and Growth Management Plan, which impact all commuter rail operating and capital costs, re-aligned some of the actual commuter rail expenditures.

Third, the Voter Pamphlet materials on the Riverside Commuter Rail Service

Description: This proposed project operating on Santa Fe trackage would be a cooperative and jointly funded program with the Riverside County Transportation Commission (RCTC). The proposed commuter rail service would begin in downtown Riverside and terminate at the Irvine Station (Spectrum). Four trains per day in each direction are proposed. Of the four daily trains, two would be routed directly to Irvine, while the other two would serve destinations in Placentia, Fullerton and Anaheim before rejoining the other route at the Chapman Station in Orange. Seven new station/stops are proposed in Orange County.

The initial directional service is proposed to begin during the morning peak period and operate four southbound trains on 20-minute headways. A similar return set of trips would be operated during the peak evening service. The route going to Irvine would be approximately 50 miles long and the route through Fullerton and Anaheim would be 56 miles long.



Location: The project would use Santa Fe ROW between Riverside and Irvine.

Technology and Ridership Estimates: The technology to be used for this service would be the same type as the current Amtrak service on the LOSSAN corridor. It is estimated that the proposed service would attract 6,400 riders per day in the peak periods.

Costs: The Feasibility Assessment study estimated Orange County's share of the capital costs at \$65 million and the operating costs at \$25 million (through the end of the 20-year plan period). The Riverside County share will be funded through their one-half per cent sales tax that passed in November, 1988.

Implementation: This service will be initiated during the second ten years of the plan.

Issues/Comments: The key issues to be addressed by the two agencies (OCTC and RCTC) are the financial arrangements, priority of expenditures, and the funding splits.

2005 status of the Riverside Commuter Rail Service

Actions: The Inland Empire-Orange County Metrolink Service began in 1995 and was expanded in 2004 when the "91-line" service was added. The initial suburb-to-suburb service was initiated years in advance of its original target. Consistent with 1990 planning, the "91-line" service was put in place during the second ten years of the plan. The initial Orange County-Riverside lines began service in the first five years of plan.

Like similar commuter rail service in the LOSSAN Corridor, the 1990 ridership estimate of 6,400 rides a day was a consultant's forecast. Today, ridership on

these lines is slightly better than the 1990 forecasts, but the amount of train service available far exceeds the original consultant estimates.

When current service on the Inland Empire to Orange County service and the 91-line are combined, the two lines carry 6,662 passengers on 25 trains a day — significantly more than the 16 trains a day than originally anticipated in the 1990 plan, but very similar in terms of passenger counts.

Today, the two Riverside lines provide service to seven Orange County stations: Anaheim Canyon, Orange, Tustin, and Irvine on all trains. Some trains also go to Laguna Niguel, San Juan Capistrano, and San Clemente. Yorba Linda rejected a Metrolink station in its community in 2004 and potential of a stop in Placentia is under discussion.

Actual Measure M expenditures: For operating and capital, the OCLTA has spent \$58.266 million, compared to estimated \$90 million in the 1990 plan. Some of the Riverside Commuter Rail dollars were involved in 1995 Orange County bankruptcy related actions taken by the Citizens Oversight Committee and the OCLTA.

Comments: The Riverside Transportation Commission has purchased the right to operate commuter rail in Orange County on the railroad right-of-way between the Riverside County line and the Fullerton Station.

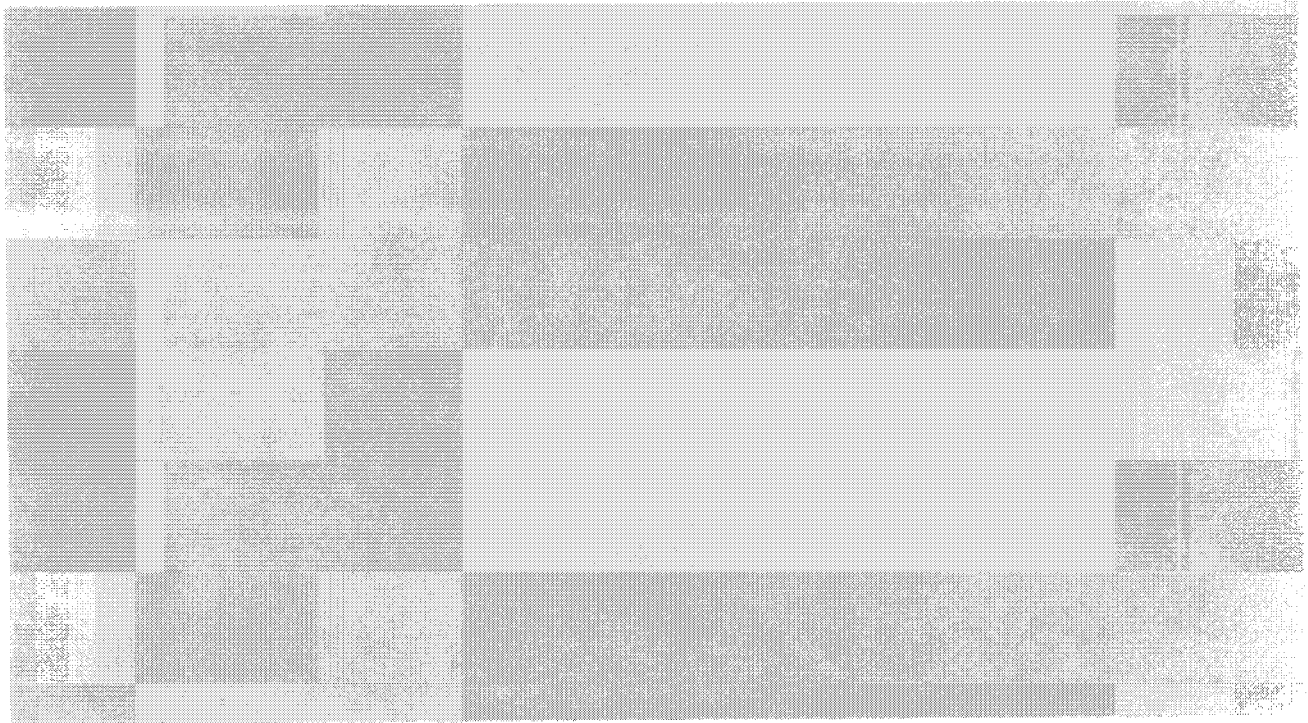
Summary: All three commuter rail programs were implemented ahead of schedule. In early 2006, daily ridership was estimated at 13,000 passengers a day, growing at an annual rate approaching 10%.

With an increased number of trains available, rail ridership in Orange County has been growing steadily and the ridership numbers listed in the Measure M

program have been met on a countywide basis. But because no metrics to determine ridership success were defined as part of the original Measure M program (and because future growth of the commuter rail system is not driven by ridership growth), no finding can be made on the ridership success of the program.

Finding: The Measure M commuter rail program exceeds anticipated commuter rail service and meets ridership projections. However, ridership metrics to define success and guide future growth of the system are not in place.

2. On I-5, the Santa Ana Freeway, adding up to three lanes in each direction from the Los Angeles County line to San Clemente



This project was split into two parts, (1) the I-5 (Santa Ana Freeway) improvement for I-405 (San Diego Freeway) to the Los Angeles County line and (2) the I-5 between I-5/I-405 interchange and San Clemente.

First, the Voter Pamphlet materials on the Santa Ana Freeway Improvements from the San Diego Freeway (I-405) to the Los Angeles County Line

Description: Rebuilding the Santa Ana Freeway is critical to the county's continued mobility. This project forms the centerpiece of the 20-year Master Plan of Transportation Improvements. Fifty per cent of all Orange County residents live within three miles of this facility and two-thirds of all jobs lie in this transportation corridor. The staged improvements call for the addition of up to three lanes in each direction, rebuilding the freeway-to-freeway interchanges, and providing sound walls and environmental mitigation. The project begins where the I-5 separates from the I-405 and continues north to the Los Angeles County line. Two of the new travel lanes will be dedicated to carpools.

Within the length of this freeway are the I-5/SR 57/ SR 22 interchange. This is the nation's seventh busiest interchange. This interchange and all other intermediate interchanges will be improved as part of this project. Traffic on the I-5 north was 160,000



vehicles a day in 1988 and in the future the vehicular demand is expected to increase to over 260,000 daily.

Cost: The overall cost of the I-5 project is estimated to be \$1.6 billion. Existing state and federal resources are expected to fund \$1.1 billion with the sales tax revenue providing the additional \$550 million to complete the project.

Implementation: Construction will start immediately. Sales tax revenue would be used to augment funding, alleviate cash flow constraints, and accelerate project delivery by 10 years.

2005 Status for the Santa Ana Freeway Improvement for the San Diego freeway (I-405) to the Los Angeles County Line.

Action: Construction on the I-5 from the El Toro Y began in February, 1991 and, after 13 separate construction contracts were awarded, the bulk of the project was completed through Anaheim and part of Buena Park. This is the most expensive freeway project in Orange County history, costing \$2.11 billion. Construction dollars came from a number of sources, including Measure M, state and federal sources and the Orange County Unified Transportation Trust (OCUTT), a special Orange County fund that helped build carpool lanes and Transitways. The final phase of the program, the two-mile, \$314 million I-5 north project, which completes the I-5 project to the Los Angeles County line, is scheduled to begin construction in May, 2006 and be completed in 2010.

Actual Cost: \$641.7 million in Measure M funds were used on the I-5, plus \$1.34 billion in other funds. The final portion of the I-5 north is budgeted to receive \$178.9 million in Measure M funds and \$135.9 million from other sources.

1988 traffic count: 182,000 vehicles a day

2004 traffic count: 268,000 vehicles a day (a 47% increase in traffic)

Amount remaining in project account:

Comments: In many places, the six-lane Santa Ana freeway was expanded to 12 lanes in central and north Orange County. This essentially required building a new freeway in an urban setting and involved hundreds of individual property takes outside of existing rights-of-way.

Second, the Voter Pamphlet materials on the San Diego Freeway (I-5) from I-5/I-405 Confluence to San Clemente

Description: Current plans for I-5 south of the confluence call for adding one carpool lane in each direction, building sound walls and other environmental amenities. This project includes the segment of the I-5 from the I-405 confluence to San Clemente near the San Diego County line, a distance of approximately 12 miles. In 1988, the freeway carried approximately 170,000 vehicles a day and forecasts show demand to increase to over 230,000 daily.

Cost: The estimated capital cost for this section of the I-5 improvement is about \$80 million.

Implementation: Project construction is scheduled to begin during the first 10-year period of the plan

2005 Status of the San Diego Freeway (I-5) from the I-5/I-405 Confluence to San Clemente

Action: Construction of the I-5 south began basic design in November, 1991 and, after five separate construction phases, the project was completed in January of 1997.

Actual cost: \$57.5 million in Measure M dollars, plus another \$10.4 million from state and federal sources.

Total cost of project: \$67.9 million.

Amount remaining in project account: project closed

1988 traffic count: 248,000 vehicles a day

2004 traffic count: 368,000 vehicles a day
(a 48% increase in traffic)

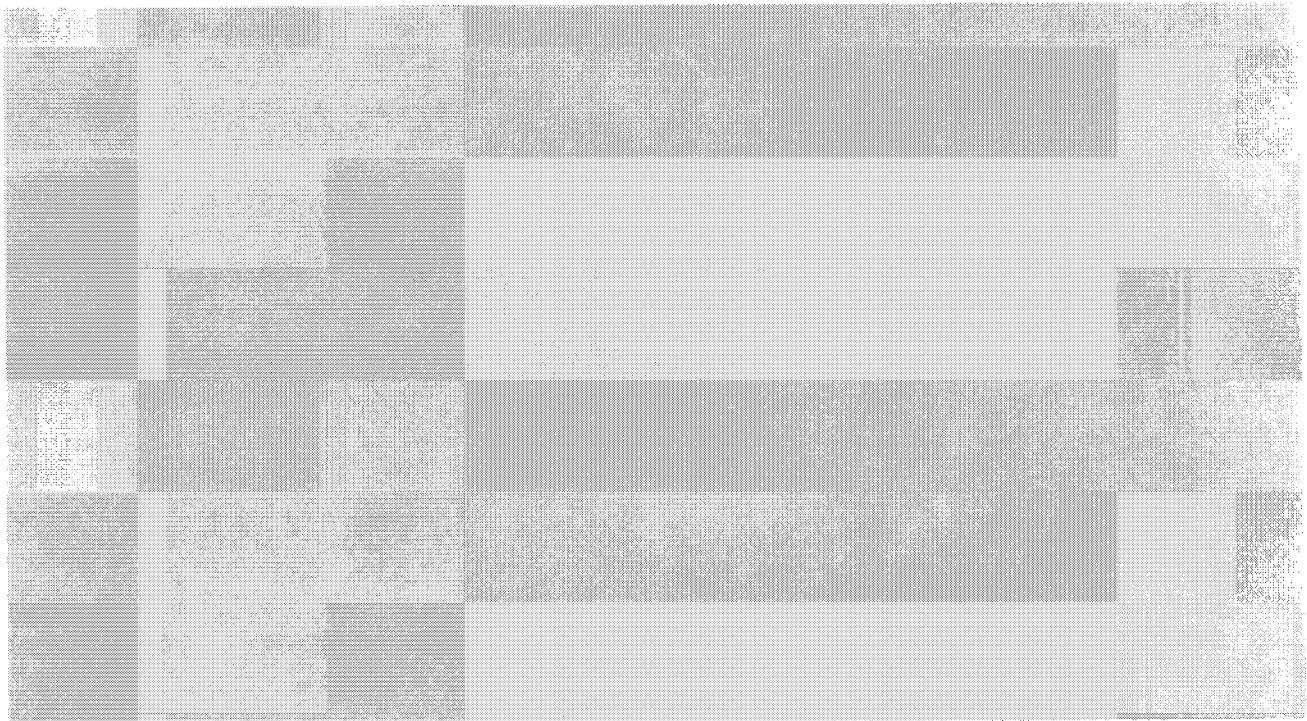
carpool lanes) on the I-5 and carpool lanes to the San Diego Freeway.

Estimated Cost: The capital cost in 1988 dollars is estimated at \$55 million.

Implementation: Project construction is scheduled to begin during the first 10-year period of the plan.

3. Rebuilding the I-5/I-405 El Toro Y interchange

2005 Status of Rebuilding the I-5/I-405



Description: The need for improving one of the county's busiest interchanges has been identified in numerous studies. In 1988, over 260,000 vehicles a day traveled through this interchange and the forecasts show this demand will grow to over 350,000 vehicles daily. This project calls for the construction of bypass and feeder lanes along I-5 for the "El Toro Y" interchange. This will greatly improve traffic movement between the Santa Ana Freeway and the San Diego Freeway, as these facilities are widened to add three new lanes in each direction (including

El Toro Y interchange

Actions: The basic design phase for the El Toro Y began in August of 1990 and construction was completed in March of 1997. It was designed and construction completed ahead of schedule.

Actual Cost: Measure M: \$73.1 million, with an additional \$32.4 million in state and federal funds added, the total project cost is \$105.5 million.



Amount Remaining in project account: Project closed.

1988 Traffic Count: 285,000 vehicles a day

2004 Traffic Count: 374,000 vehicles a day
(a 31% increase in use).

Comments: Private contractors, led by RBF Consulting, did much of the innovative design work on the El Toro Y project. The project was named California's top transportation project by the California Transportation Foundation in 1998.

4. On State Route 91, adding an additional lane in each direction and improving major interchanges from Los Angeles to Riverside

freeway. The second phase extends from Route 57 to the Los Angeles County line. In addition to the carpool lanes, plans for the freeway include rebuilding freeway-to-freeway interchanges and providing soundwalls and other environmental mitigation features. About 210,000 vehicles used this freeway in 1988 and forecasts show demand to increase in the future. Both Los Angeles and Riverside Counties have plans to improve SR 91 within their jurisdictions.

Estimated Cost: The capital cost for these improvements is \$400 million

Implementation: Construction of Phase I improvements is scheduled for the first 10 years of the plan and Phase II improvements will occur during the second ten years.



Description: Long-range plans call for the addition of one carpool lane in each direction on the Route 91 from Riverside County line to the Los Angeles County line. The first phase of this project extends from the Riverside County line and terminates at the Orange

2005 Actions on the SR 91 improvements

Actions: Construction began in September, 1989 and was completed in October, 2000.



Actual Cost: \$105.2 million in Measure M dollars, \$52.5 million from other sources. Total transportation investment: \$157.7 million.

Amount remaining in project account: project closed.

1990 traffic count: 224,000 vehicles a day

2005 traffic count: 348,000 vehicles a day, including toll lanes (a 58.2% increase in overall traffic)

Additional Comments: The Measure M project does not include the segment between SR 55 (the Costa Mesa freeway) and the Riverside county line, where private toll lanes were built under the provisions of a state franchise agreement authorized by AB 680 of 1989. The state franchise agreement allowed the private developer to build toll lanes in the center of the 91 freeway, with construction taking place in the Santa Ana Canyon area.

In 2002, AB 1010 (Correa) allowed Caltrans, if requested, to let the Orange County Transportation Authority purchase the toll lanes from the original private builder, the California Private Transportation Company (CPTC), if certain conditions were met and agreements prepared. On January 3, 2003, the OCTA purchased the toll lanes by taking over \$153 million of CPTC debt and paying the private company \$72.5 million in cash. Overall, this \$225.5 million toll lane project displaced the planned freeway widening between SR 55 and the Riverside County line. No Measure M funds were used to purchase the 91 Toll Lanes.

In 1988, traffic volumes for the SR 91 in the Santa Ana Canyon segment between the Costa Mesa freeway and the Riverside County line were estimated at 220,00 vehicles a day. On those same lanes, traffic has increased 20% to 256,000 vehicles a day. When traffic volumes for the toll lanes are included, the eastern section of the 91 freeway carries up to 348,000 vehicles a day, a 58.2% increase in traffic.

5. On State Route 55, the Costa Mesa freeway, adding a new lane in each direction between the Riverside and Santa Ana Freeways

Description: The 20-year Master Plan of Transportation improvements calls for the addition of two general purpose lanes to the Costa Mesa freeway for a distance of approximately six miles. In 1998, Route 55 carried about 180,000 vehicles per day and forecasts show demand to exceed 190,000 in the future. Auxiliary lanes are also planned, in addition to providing soundwalls and other environmental mitigation measures.

Estimated Cost: The current estimated capital cost (1988) is approximately \$200 million.

Implementation: Construction is scheduled for the second 10-year period of the plan

2005 Actions on State Route 55, the Costa Mesa freeway

Actions: The five construction phases of the SR 55 project began in November of 1992 and were completed in December of 2002.

Actual Cost: \$49.0 million in Measure M dollars, with \$113.7 million coming from other sources. Total transportation investment for the five-phase project is \$162.8 million.

Amount remaining in Project Account:

1988 Traffic Count: 197,000 vehicles a day

2004 Traffic Count: 270,000 vehicles a day (a 37% increase in traffic)

Comments: Project complete.

Finding: Freeway projects anticipated on the Official Ballot Card, with one exception, have been completed ahead of schedule and, as a group, significantly under budget. The one unfinished exception, the two-mile,



\$314 million I-5 north gateway project, is expected to go to construction in 2006.

Finding: Cooperation between Caltrans, OCLTA staff, private consultants and private contractors has been a key to completing difficult, complex, and occasionally award-winning freeway projects on-time and under-budget.

6. Synchronizing traffic signals on major streets throughout Orange County

The Voter's Pamphlet described a program for signal coordination throughout Orange County in the Regional Streets and Roads component.

Description: With 29 cities in Orange County, the number of jurisdictions can complicate the coordination of traffic signals between city boundaries. This element of the 20 Year Master Plan of Transportation Improvements calls for financial assistance to cities and the County of Orange in timing traffic signals where streets cross city boundaries.

Cost: \$50 million over a 20-year period is targeted for these improvements

2005 Status on Signal Coordination

Actions: On a competitive basis, signal coordination projects have been included in the Combined Transportation Funding Program and, in 15 years, about \$27.6 million in Measure M dollars have been spent on 163 Signal Coordination projects, representing about 41.3% of the dollars available in this program. 154 other projects are in the pipeline and are being implemented by cities and the county.

Because of growth in sales tax revenues, this is expected grow into a \$66.6 million program by Measure M's 2011 sunset. The Technical Advisory

Committee of city and county public works officials oversees progress on this program, in consultation with OCLTA staff.

Comments: The ambitious traffic signal synchronization program has not made significant progress in coordinating traffic lights across city boundaries.

In March, 2005 the OCTA hired Albert Grover & Associates to review traffic signal coordination in Orange County. The 42-page Grover study details practices of all 34 Orange County cities, the County of Orange, and Caltrans District 12, inventories the 3,250 traffic signals in Orange County, discusses signal coordination challenges, various types of systems in place, status of traffic management centers, and staff-level interest in improving traffic flow through a countywide (or regional) joint powers agreements designed to coordinate traffic signals across city boundaries. Among the major findings of the report:

- Even though the majority of Orange County cities are providing varying degrees of signal coordination, there is a general perception that coordination does not exist;
- Attempts to provide coordination have not resulted in noticeable improvements because of a lack of staff to maintain up-to-date timing, agency boundary conflicts (including freeway ramps) "that essentially cancel potential coordination of traffic signals due to differing agency objectives," physical design issues, and traffic growth that has outstripped some existing coordination systems.
- Existing traffic signal systems are sometimes antiquated and inefficient;
- While many corridors currently have successful multi-jurisdictional traffic signal coordination, for some others the coordination stops at or in the immediate vicinity of agency boundaries or at

freeway interchanges, and at arterial bottleneck locations.

- There is no countywide Master Plan to identify area-wide appropriate cycle lengths, resulting in a multitude of sub-systems, which cause unnecessary stops.
- As part of their examination, the Grover team also explored the potential of a countywide joint powers agreement to improve traffic signal coordination among agencies by questioning each agency on their receptiveness to a joint powers agreement or another legal structure to allow broader traffic signal coordination.
- At the staff level, 17 agencies expressed interest in investigating the potential of a regional traffic signal coordination agreement, 11 staff representatives opposed sharing any control of their traffic signal with a regional body, two were undecided about the idea and the others did not respond. Among the larger agencies in the county, Anaheim, Santa Ana, Huntington Beach, Fullerton, Irvine and Garden Grove expressed staff-level interest in sharing control of traffic signals with a joint powers agreement. Caltrans was undecided. The County of Orange, Newport Beach, Westminster and a number of south county cities said they had no interest in the concept.

Comment: City officials and OCTA staff continue to explore voluntary measures designed to coordinate traffic lights with cities and across city boundaries.

Finding: The Measure M traffic signal synchronization program is under-funded and not well-defined. No Master Plan for traffic signal synchronization has been developed, partially because of mixed feelings and ambivalent management of the program.

7. Improving maintenance and rehabilitation of streets and roads

The Voter's Pamphlet includes a \$450 million Street Maintenance and Local Roads Projects.

Description: This program element offers cities funds for street maintenance and local traffic improvements. The program is designed to supplement city and county expenditures on road projects and will require continuation of local investment in the street and road system. Specifically, to receive these funds cities must:

- Adopt a Growth Management Plan as called for in the 20-year Master Plan;
- Adopt a local Pavement Management System that will eliminate the need for costly road reconstruction and adequately fund such a system;
- Adopt a local Transportation System Management Plan to make better use of the road network;
- Agree to complete improvements within three years or return the funds;
- Adopt a local traffic circulation plan that is consistent with the countywide Master Plan of Arterial Highways.

This is a countywide program to maintain and improve over 5,000 miles of local streets and roads and will extend over the entire 20-year program.

Costs: Previous studies have indicated that an initial investment of \$200 million is needed to bring all deficient streets into good repair and an annual allocation of \$36 million for routine maintenance. It is proposed to allocate \$450 million towards needs such as that, when combined with local resources, will provide substantial funding for Orange County streets and roads.



2005 Status on improving maintenance and rehabilitation of streets and roads

Actions: This is generally called the “city turnback” funds because the priority-setting and expenditure of funds for transportation purposes is determined at the municipal level. The County of Orange also receives these transportation turnback dollars, but Caltrans does not. Dollars in the program are distributed to cities and county government on a formula basis. Chart #7 lists how \$393.9 million in city turnback dollars have been distributed among Orange County government agencies during the first 15 years of Measure M.

Since Measure M was approved in 1990, five new cities — Aliso Viejo, Laguna Hills, Laguna Woods, Lake Forest and Rancho Santa Margarita — have been formed in Orange County. All of these new cities have met the Measure M eligibility requirements.

Conditions for receipt of funds: All cities and the County of Orange have complied with the Measure M specified conditions for receiving funds. The Citizens Oversight Committee has certified that each Orange County city and the County of Orange has adopted a Growth Management Plan, a Pavement Management System, a Transportation System Management Plan and a local traffic circulation plan that is consistent with the Master Plan of Arterial Highways. The Citizens Oversight Committee has made no finding to the adequacy or completeness of these plans.

Pavement Management Program: In 2005 the OCTA hired Nichols Consulting Engineers of Huntington Beach to do a countywide assessment of existing and future pavement needs in Orange County. In reviewing the status of Orange County streets since 1998 (the first year a countywide review of pavement conditions was made), Nichols found a measurable deterioration in the quality of pavement in Orange County. Using a 100-point Pavement Condition Index,

Chart #7:

Agency	Total Apportionments as of 1/31/06
Aliso Viejo	1,847,977.58
Anaheim	43,191,393.79
Brea	7,065,395.74
Costa Mesa	18,687,232.90
Cypress	6,915,620.40
Dana Point	4,453,185.51
Fountain Valley	8,595,593.64
Fullerton	17,101,141.76
Garden Grove	19,379,493.47
Huntington Beach	25,556,255.34
Irvine	26,783,513.27
Laguna Beach	3,303,446.56
Laguna Hills	4,637,820.92
Laguna Niguel	8,290,728.76
Laguna Woods	1,017,483.65
La Habra	6,565,841.23
Lake Forest	8,290,244.67
La Palma	2,171,872.75
Los Alamitos	2,172,872.75
Mission Viejo	12,219,637.86
Newport Beach	11,875,458.90
Orange	20,416,806.59
Placentia	6,126,328.68
Rancho Santa margarita	2,543,358.86
San Clemente	5,986,375.85
San Juan Capistrano	4,820,741.96
Santa Ana	39,1108,311.29
Seal Beach	3,108,219.41
Stanton	3,887,407.52
Tustin	10,687,169.20
Villa Park	715,571.28
Westminister	11,694,608.59
Yorba Linda	7,268,786.06
County Unincorporated	26,141,715.99
Total	393,892,808.26

with 100 points being optimum, Orange County’s overall pavement condition dropped by 7.4%, from a PCI of 81 in 1998 to a PCI of 75 in 2005.

“The deterioration is more pronounced for residential/local streets than for arterials/collectors, indicating there is more investment in arterials/collectors,”

Nichols reported. Overall, the report said that 31.5% of the pavement rated “poor” or “very poor.” In 1998, 25.8% of the pavement in the county was rated “poor” or “very poor” a 22% per cent increase in the inventory of bad pavement in seven years. (See chart #8). Neither the Nichols study nor an earlier 1998 effort to study the status of Orange County pavement has reported on the progress to repair the deficient streets referenced in the 1990 Voter’s Pamphlet. Although some baseline work was done prior to the Original Measure M, no countywide examination of streets and roads maintenance or rehabilitation was made between 1990 and 1998, so there is no data available to make a full, fair 15-year comparison.

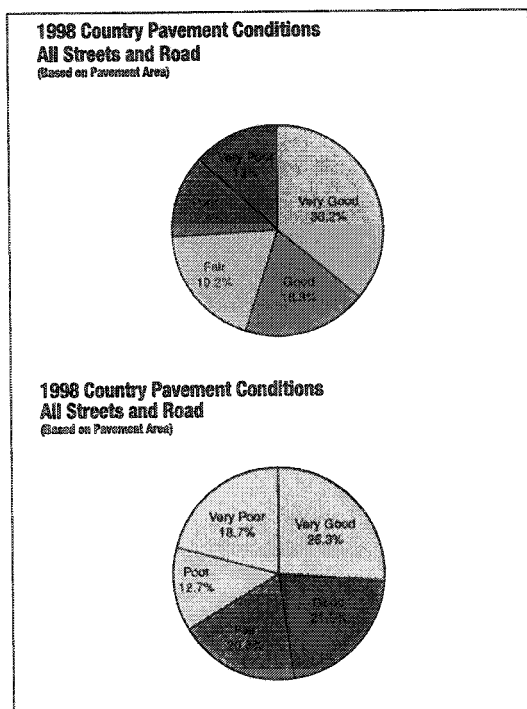
Use-it-or-lose it provisions: Cities frequently use “turnback” dollars as a match for Measure M competitive programs. In many cases, cities have been able to secure projects in competitive programs by using turnback funds to “overmatch” requirements in a competitive program (For example, if a project has a 50% match requirement, cities will pledge to

pay 60% of project to get a competitive advantage in a competitive program). However, the enthusiasm to win projects has not always been matched with an enthusiasm to build projects in a timely manner. Between 1992 and 2004, out of 1,148 competitive projects awarded and usually matched with turnback funds, cities requested 314 delays on 274 projects. Twenty-four (24) percent of all competitive project awards were delayed beyond the three-year “lose-it-or-lose it” deadline.

In most cases, the delays involved projects which were not completed in the allotted three year period and were granted extra time to complete work.

“Certainly some of the delays were beyond the control of (city and county) project managers, such as delayed regulatory approvals, terminated escrows, and other events that are not uncommon in public projects,” according to an October, 2004 report from LMS Consulting. However, public works directors and city engineers attributed most of the delays to manpower shortages or priority decisions involving deployment of city or county staff. (See chart #9).

Chart #8:



In the fall of 2004, at the urging of OCTA Director Chris Norby, a member of the Orange County Board of Supervisors, the “use-it-or-lose it” process was revised and a new step was added to the request-for-delay approval process: City Councils or the Board of Supervisors must be informed of any request for a delay. This reform was designed to “shine a light” on delay requests and to push cities into getting Measure M street and roads projects built in a timely fashion.

Additionally, a process was put in place to help cities clear up old, outstanding paperwork on completed projects where cities had not notified the OCTA of the completion and had not claimed the final 10% retention on competitively awarded projects. The 2004 changes have increased accountability and streamlined the process for closing out completed projects.



Chart #9:

Reasons Cited	Percent
Environmental Issues <i>(regulatory approvals, utilities relocation, etc.)</i>	2%
Funding Issues <i>(bids coming in too high, federal and state funding issues, etc.)</i>	13%
No Reason Recorded*	21%
Management Issues <i>(scheduling, staffing, competing priorities)</i>	38%
Other Agencies' as Cause <i>(Caltrans, other cities, OCTA)</i>	13%
Right-of-way (ROW) Problems <i>(scheduling, eminent domain, acquisition issues, unanticipated real estate cost)</i>	13%

*complete electronic records were not available for projects prior to 2000

However, in 15 years, no project has been lost because it failed to meet the “use-it-or-lose” criteria.

Actual Measure M expenditures: \$392 million has been distributed to Orange County agencies, representing 62.4% of a program that was established at \$450 million in 1990 and will grow to \$617 million by the time Measure M sunsets in 2011.

Finding: All cities and the County of Orange have consistently complied with the baseline requirements of the Measure M program.

Finding: Over time, it appears that overall pavement quality in Orange County has not improved but actually deteriorated. Countywide, residential and collector streets have shown the greatest deterioration since 1998, the first year roughly countywide pavement quality data is available.

Finding: There are no countywide standards for pavement management, there is minimal regional accountability for local pavement management efforts and there is no standardized reporting of pavement quality improvement or deterioration.

Finding: Recent procedural changes have been put in place to ensure that Measure M street and roads

projects are built in a timely fashion, but the long term-impact of these changes is not yet known.

8. Requiring each city and the County to adopt a growth management plan to require a balance between land development and traffic impacts

The Measure M ballot card carried the title, “The Revised Traffic Improvement and Growth Management Act,” and the Voter’s Pamphlet included a section called Growth Management Plan. Additionally, in the Local Streets and Roads category, a line item for Growth Management Area improvements programs was included with a provision that GMA “funds will be used to complete traffic improvements crossing city/county boundaries.” The GMA issues are part of the Local Streets and Roads portion of Section 3.

Growth Management Plan Description: The Revised Traffic Improvement and Growth Management Plan requires each city and the county to adopt a Growth Management Element of its General Plan to be eligible to receive new transportation revenue, if new revenue is approved by voters.

Under this plan each local agency is required to:

- Outline each agency’s plans and efforts to develop multijurisdictional traffic solutions through a well-defined, cooperative planning process
- Specify traffic levels of service
- Promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation System Management (TSM) and Transportation Demand Management (TDM)
- Require a traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by new development



- Foster a better balance of jobs and housing and reduce commuter trips through careful planning
- Encourage local jurisdictions, where applicable, to establish performance standards for fire, police, library, parks, open space, flood control, and other infrastructure based on local criteria
- Pursue additional revenue to upgrade recreational areas and to acquire additional open space

The Countywide Revised Traffic Improvement and Growth Management Plan emphasizes good planning, improved cooperation between neighboring cities, and requires that development pay its fair share toward dealing with traffic generated by that new development. With this approach, new transportation revenue, in the form of a one-half cent sales tax measure, would be focused on curing existing transportation and traffic problems while a new traffic mitigation fee will help pay a fair share of the cost of infrastructure required by new residential, commercial, and industrial growth.

Implementation: Orange County Local Transportation Ordinance Number 2 includes a Policy Resolution that provides specifics of how Growth Management Areas must operate and includes a requirement that all municipal and county growth management programs be made consistent with recently-enacted state laws (Attachment E). The policy resolution, as amended, says:

- In order to minimize duplication, the Growth Management Program shall be reconciled with the state mandated Congestion Management Plan (CMP) through a cooperative process involving local jurisdictions, the Coordination Committee, and the local agency charged with implementing the CMP.
- No reconciliation of the Growth Management Program and the CMP shall prevent a local jurisdiction for establishing, for the purposes of the

jurisdiction's own growth management plan, a level of service standard which is stricter than the levels mandated by the CMP.

2005 Status of Growth Management Plan

Actions: The Orange County Local Transportation Authority's Citizens Oversight Committee (COC), after a period of trial-and-error in defining its role, took responsibility for reviewing the elements of each jurisdiction Growth Management Program, including the development mitigation, monitoring, and phasing programs and the multi-year capital improvement program. The committee's review is completed using an eight-point checklist. (Attachment F).

In June of 1991, a Countywide Growth Management Plan Implementation Manual developed by the Orange County Division of the California League of Cities, working as the Regional Advisory and Planning Committee (RAPC), was developed. The manual was reviewed and generally accepted by the Citizens Oversight Committee as the guidebook for dealing with the growth management and congestion management plans.

The manual helped reconcile definition and deadline differences between the Measure M Growth management process and the state-mandated Congestion Management Program (which, for example, had a seven-year capital planning horizon, compared to the five-year capital improvement in the Measure M Growth Management Plan.) It also provided a more detailed set of planning definitions. A special COC committee reviewed the RAPC plan and developed a process to standardize the COC process for reviewing city and county growth management plans and for granting eligibility for Measure M funding to cities and the county.

As early as 1992, when the Citizens Oversight Committee was first finding its footing, some



Committee members expressed a desire to go beyond the checklist approach and comment on the quality and adequacy of materials submitted by some cities and the County of Orange. In September of 1992, one COC member questioned the quality and completeness of some city reports, calling them slipshod and incomplete. Other members disagreed strongly, saying the Committee's oversight role was limited to a compliance finding and did not extend into judgments on adequacy of plans submitted by the cities and the county. By late 1993, legal opinions were requested to determine if the Citizens Oversight Committee could determine the adequacy of a jurisdiction's development mitigation program. Both the OCTA General Counsel and the Orange County Counsel determined that, based on Ordinance Number 2 and 20-Year Traffic Improvement and Growth Management Plan, that the role of the Citizens Oversight Committee did not include the latitude to determine the adequacy of a jurisdiction's adopted program, only to certify if a jurisdiction adopted such a program. With this issue resolved, the role of the Committee was clarified and eligibility process was standardized.

Even with this legal clarification, the Citizens Oversight Committee has, on occasion, sent plans back to cities, asking for additional information or clarification to ensure the plans fall within what the COC calls the "spirit of what the voters intended." The Opinions of the OCTA General Counsel and the County Counsel are Attachments G and II.

Comments: No jurisdiction ever has been found out of compliance with the Measure M Growth Management Plan. No Measure M funds have ever been withheld from a city or the County of Orange for non-compliance.

9. Increasing transit service and providing discount fares for senior citizens and the disabled

The Voter's Pamphlet materials described a program for Senior Citizen/Disabled Persons Reduced fares in the transit component of the plan.

Description: This project would stabilize fares for senior citizens and persons with disabilities on all forms of public transit including OCTD bus and dial-a-ride programs, City of Laguna Beach system, the Consolidated Transportation Service Agency (CTSA) and any rail service that is implemented.

The OCTD fare for seniors on the local fixed routes is 40 cents in the peak period (weekdays only) and 10 cents in the off-peak; the Handicapped fare is 85 cents in the peak and 40 cents in the off-peak; and on the demand responsive system the fare is 80 cents at all times. OCTD service accommodates approximately 80 per cent of current users.

Location: This would apply to all of Orange County.

Technology and Ridership Estimates: Based on today's usage of the public transit system, there are about 10,000 daily transit rides.

Costs: It is estimated that a fare stabilization program would cost about \$1 million per year, or \$20 million over 20 years.

Implementation: This could be implemented immediately if an additional funding source is available.



2005 status of the program to increase transit service and provide discount fares for senior citizens and the disabled

Action: After the consolidation of the OCTD, CTSA, the OCLTA and other government agencies into the Orange County Transportation Authority in 1991, a comprehensive fare stabilization program was approved in 1993. In fiscal year 1994-95, the first Measure M dollars were used to support the operations of the curb-to-curb ACCESS program for the frail elderly and disabled. Based on a fare restructuring approved for big bus services by the OCTA Board of Directors in July 1999, Measure M dollars also began subsidizing fares for seniors and persons with disabilities on the fixed route system. In the 2004-2005 fiscal year, the estimated cost for subsidized rides for seniors and persons with disabilities was \$1.735 million. (See chart #10). OCTA staff estimates that 30,000 seniors — three times as many as anticipated in 1990 — use the senior fare program annually.

Comments: Laguna Beach Municipal Transit Lines has never claimed Measure M fare stabilization funds for

senior citizens or persons with disabilities. The city relies on the OCTA Access services rather than run a parallel program.

Findings: Of all Measure M program and project line items, only the discount fare for senior citizens and the disabled and GMA's are capped at a set dollar amount and do not grow with sales tax revenue growth.

10. Empowering the independent Citizens Oversight Committee with a chairman elected by all Orange County voters to guarantee that all funds generated by the Measure shall be used only for transportation purposes

Description: The Voter's Pamphlet does not address the role of Citizens Oversight Committee. However, Orange County Local Transportation Ordinance Number 2 includes Policy Resolution No. 1 (Attachment I) that explicitly details the purpose, organization, appointment process, length of term, requirements, responsibilities and duties of the Citizens Oversight Committee. The Duties and Responsibilities specified in Section V, include:

Chart #10:

ORANGE COUNTY TRANSPORTATION AUTHORITY Fare Subsidies in 1989 and 2005						
Fare Type	1989			2005		
	Posted Fare	Fare Subsidy	Paid Fare	Posted Fare	Fare Subsidy	Paid Fare
Fixed Route:						
Local Fare	\$0.85	\$ -	\$0.85	\$1.25	\$ -	\$1.25
Weekday Peak -Seniors	\$0.85	\$ -	\$0.40	\$1.25	\$0.75	\$0.50
Weekday Off-peak-Seniors	\$0.40	\$ -	\$0.10	\$0.60	\$.10	\$0.50
Weekday Peak-Disabled	\$0.85	\$ -	\$0.85	\$1.25	\$0.75	\$0.50
Weekday Off-peak-Disabled	\$0.40	\$ -	\$0.40	\$0.60	\$0.10	\$0.50
Day pass-Regular						
Day Pass-Seniors	NA	NA	NA	\$30.00	\$ -	\$3.00
Day Pass-Seniors	NA	NA	NA	\$1.50	\$0.50	\$1.00
Day Pass-Disabled	NA	NA	NA	\$1.50	\$0.50	\$1.00
Demand Response:						
Dial-a-Ride (now ACCESS)	\$0.85	\$ -	\$0.85	\$2.50	\$0.25	\$2.25
Door Premium	NA	NA	NA	\$2.00	\$ -	\$2.00

In 1989 the fare subsidy was paid by the STAF.
In 2005 all fare subsidies for local fares and day passes are being paid by Measure M.



A. The Citizens Committee shall approve, by a 2/3 vote, any material amendments to the Expenditure Plan or any portions of the Plan proposed by the Authority which change the funding categories, programs, or projects identified on Page 18 of the Plan.

B. The Citizens Committee shall review the growth management plan for each jurisdiction solely to determine if the plan prepared and certified by each includes the elements specified in the countywide Growth Management Plan.

Independence: To insure independence, a detailed Committee Membership Selection Process, conducted by the Orange County Grand Jurors Association, is specified in Section III of Policy Resolution Number 1. Additionally, Section V allows the committee to contract for independent analysis or examination of issues within the Citizens Committee's purview, including a performance audit of the authority.

The Chairman elected by all Orange County Voters: Orange County's elected Auditor-Controller serves as Co-Chairman of the Citizens Oversight Committee.

2005 Actions Citizens Oversight Committee

Since its first meeting in 1991, 55 members have served on the Citizens Oversight Committee. Two elected county auditor-controllers, first Steven E. Lewis (through 1998) and then David Sundstrom, have served as Chairmen of the Committee. The Committee has elected nine individuals to serve as COC co-chairs. Chart #11 lists the COC Co-Chairs. Over time, the COC has approved five amendments to the Twenty-Year Traffic Improvement and Growth Management Plan and two other amendments to OCLTA Ordinance No. 2, on issues ranging from the simple (re-naming the Super Streets funding category as Smart Streets) to the complex (fund transfers designed to capture more state and federal transportation funding). The COC has concurred in

Chart #11:

CO-CHAIRS:		
1. Leo Komonchak	3rd District	1/91-6/91
2. Kirk Watilo	3rd District	7/91-12/91
3. Gwendolyn McClellan	4th District	1/92-6/92
4. Trent Harris	2nd District	7/92-6/93
5. Don Lawrenz, Jr.	5th District	93/94
6. Patricia Callahan	5th District	94/95
7. Patricia Callahan	5th District	95/96
8. Chuck Hicks	2nd District	96/97
9. Michael Haack	3rd District	97/98
10. David Jankowski	3rd District	98/99
11. Allen Goody	5th District	99/00
12. Steve Johsz	2nd District	00/01
13. Micky Scholte	3rd District	01/02
14. Linda Heald-Funderburk	5th District	02/03
15. Doug Stewart	1st District	03/04
16. Jeff Haspell	1st District	04/05
17. Jeff Haspell	1st District	05/06

significant fund transfers that allowed construction of a new project, the improvement of SR 22, with saved funds within the Measure M Freeway Component.

The COC has never asked to contract for any other audits or for a performance review of the OCLTA, but participates in the annual audit of the OCLTA conducted by OCTA internal audit manager Robert Duffy. In 2003, after discussing the advantages and disadvantages of conducting their own audit outside of the work done by the OCTA internal auditor, the COC requested that the annual audit of OCLTA funds have an expanded scope of work, with a separate opinion audit of OCLTA funds. This was approved, providing the COC with more information and a broad understanding of how Measure M dollars are spent.

Finding: In a carefully-defined role, the Citizens Oversight Committee has safeguarded Measure M dollars, championed strict fidelity to the voter-approved, 20-Year Traffic Improvement and Growth



Management Plan, and carefully-reviewed the growth management plans of Orange County cities and the County of Orange.

11. Requiring that any proposed change in the amount of funds for rail transit, freeway, regional and local street improvements, be brought back to the voters for their approval

Description: The Ballot Pamphlet does not address the question of changes in any funding category. However, Section 13, Section A of Local Transportation Ordinance Number 2 includes these provisions:

- (3) No amendments to the plan which change the funding categories, programs or projects identified on page 18 of the plan shall be made unless they are first approved by a 2/3 vote of the Citizens' Committee.
- (4) In addition to Section 13A3 above, any proposed changes in expenditures among the four major funding categories of freeway projects, regional streets and road projects, local street and roads projects and transit projects identified on page 18 of the Plan shall be ratified by the electors before going into effect. The Authority shall call for a special election to place the matters before electors.
- (5) Amendments to the Plan must be passed by a roll call vote of the Authority members, must be entered into the minutes of the Authority, and must have a majority of the members concurring with the proposed amendments.

2005 Actions on proposed changes in the amount of funds for rail transit, freeway, regional and local street improvements being returned to voters

No proposed changes have been submitted to Orange County voters. The percentages of dollars allocated to the four funding categories have not been changed in the first 15 years of Measure M.

Since 1991, the Citizens Oversight Committee has been asked to approve five amendments to the voter-approved plan. All were approved. None of the amendments triggered a request for a special election.

The four element action items listed in the Official 1990 Ballot - Shall the Orange County Local Transportation Authority be authorized to:

1. Establish by Ordinance a one-half (1/2) of one (1) percent retail transaction and use tax for a period of twenty (20) years

Orange County Local Transportation Authority Ordinance Number 2 was signed by Dana Reed, Chairman of the OCLTA Board of August 8, 1990, and authorized by voters November 6, 1990. The LTA Ordinance Number 2 and is discussed in Section Three of this Assessment. Section 3 of OCLTA Ordinance No. 2 established the 1/2 of one percent retail transaction and use tax for a period of 20 years.

2. With an appropriation limit of \$500 million dollars

Consistent with the formula for adjusting the Gann appropriation limit, the OCLTA has annually updated its limit to reflect per capita personal income change and Orange County population change. On June 27, 2005, the OCLTA Board of Directors established a Gann Appropriations limit of \$1,071,231,874 for the 2005-2006 fiscal year. Net measure M expenditures paid by the Measure M sales taxes were budgeted at \$261.4 million in the 2005-2006 fiscal year. (See chart #12)



Chart #12:

Orange County Transportation Authority Schedule of Gann limitation Expenditures FY 1990-91 through FY 2010-11		
Fiscal year	Sales Tax Revenue	Gann Appropriations Limitation Amount
2010/2011	249,055,254	1,394,646,737
2009/2010	316,017,060	1,322,964,130
2008/2009	300,633,167	1,254,965,895
2007/2008	285,991,935	1,190,462,660
2006/2007	272,666,822	1,129,274,788
2005/2006	261,365,278	1,071,231,874
2004/2005	249,409,000	1,006,329,290
2003/2004	236,406,000	960,696,200
2002/2003	218,348,000	923,763,109
2001/2002	212,034,000	916,795,464
2000/2001	220,620,000	833,465,848
1999/2000	200,118,000	782,220,797
1998/1999	181,707,000	735,316,598
1997/1998	172,723,000	694,284,390
1996/1997	158,737,000	659,285,462
1995/1996	148,245,000	620,489,222
1994/1995	138,261,000	582,509,596
1993/1994	131,502,000	569,079,324
1992/1993	127,867,000	542,341,870
1991/1992	116,529,873	532,700,000
1990/1991	10,355,092	500,000,000
	4,208,591,481	18,222,832,253

3. With the proceeds placed in a trust fund to be used solely for traffic improvement and growth management

Beginning in 1991, proceeds from the 1/2 cent retail transaction and use tax were deposited in the county treasury. As part of the agreement to use the county treasury as to hold OCLTA revenues, specific written directions were given to the Orange County Treasurer to hold the Measure M dollars in a special trust fund.

As part of the forensic accounting done in the aftermath of the County of Orange's December 6, 1994 bankruptcy, it was determined that the County Treasurer had co-mingled Measure M funds with other funds held in the treasury and did not hold the Measure M dollars in a clearly-defined trust fund. On December 12, 1994, the OCLTA Board of Directors directed that all funds, including all Measure M funds, stop flowing to the County Treasury and be sent instead to the State Street Bank and Trust Company

in Los Angeles as the new custodian of all Orange County Transportation Authority cash and securities, including Measure M funds.

In August of 1995, after a competitive bidding process, First Interstate Bank became the successor trustee and custodian. After a number of bank consolidations, the Bank of New York now serves as the Measure M trustee and custodian.

Within the OCTA administrative framework, the OCTA Treasurer is responsible for investing, accounting for revenues and expenditures in a trust fund-like setting, and insuring that Measure M dollars are devoted only to traffic improvement and growth management. Additionally, the Chairman of the Citizens Oversight Committee, in his role as Orange County's elected Auditor-Controller, issues a compliance memo attesting that all LTA funds are used solely for traffic improvement and growth management purposes. In 2005, the language of this compliance memo was strengthened and made more explicit.

4. And issue bonds payable solely from the proceeds of such retail and transaction and use tax?

Since 1992, the OCLTA has issued \$1.134 billion in debt, backed by the local sales tax revenues. At the end of 2005, \$473 million in debt was outstanding, with final maturity of the debt keyed to the end of the Original Measure M in 2011. (See chart #13)

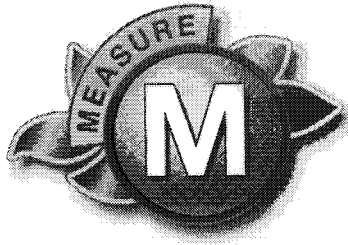
Finding: By prudently advancing projects through bond financing, the OCLTA has been able to build more major freeway projects faster than by using "pay-as-you-go" financing.

Finding: For more than a decade, custodial banking services have not been bid.



Chart #13:

Measure M Debt (As Of 12/31/05)			
	Issued	Outstanding	Final Maturity
1992 First Senior Sales Tax Revenue Bonds	350,000,000	144,645,000	2011
1992 Second Senior Sales Tax Revenue Bonds	190,000,000	23,755,000	2011
1994 Second Senior Sales Tax Revenue Bonds	200,000,000	41,690,000	2011
1995 Tax-Exempt Commercial Paper	74,200,000	34,500,000	2011
1997 Second Senior Sales Tax Refunding Bonds	57,730,000	57,415,000	2011
1998 Second Senior Sales Tax Revenue Bonds	213,985,000	122,955,000	2011
2001 Second Senior Sales Tax Refunding Bonds	48,430,000	48,430,000	2011
Sub-total	\$1,134,345,000	\$473,390,000	



**Section 3 — Official Voter's pamphlet:
The 20-Year Master plan
of Transportation Improvements**

Measure M Assessment 1990 -- 2005
Orange County Business Council



3. Official Voter's pamphlet: The 20-Year Master Plan of Transportation Improvements

In addition to the programs and projects listed on the Official ballot card, ten other line items listing specific transportation projects or programs were included in the Official Voter's pamphlet as part of the 20-Year Master Plan of Transportation Improvements. Along with the programs and projects on the Official ballot card, these additional programs and projects are separated into four distinct categories, with dollar amounts (and percentage of expenditures) assigned to each general category:

- Freeway Projects \$1.325 billion 42%
- Regional Street & Road Projects 350 million 12%
- Local Street & Road Projects 650 million 21%
- Transit Projects 775 million 25%

By spending category, these are the ten additional line items projects and programs included in the 20-Year Master Plan but not mentioned on the Official Ballot Card:

Freeway Projects:

(Overall expenditures: \$1.325 billion. Projects listed on the Official ballot: \$1.285 billion, additional projects included in the Official Voter's pamphlet: \$40 million.) Additional Freeway project:

State Route 57

Description: One carpool lane in each direction for its entire 12-mile length. Scheduled for the second ten years of the plan, with a \$40 million budget.

2005 Status of SR 57 (Orange Freeway) project

Actual: \$22.75 million in Measure M dollars and \$8.9 million in other funds built this project in two phases,

with planning and design beginning in September, 1988 and with the final phase of construction completed in August, 1997.

The SR 57 project was completed four years ahead of its scheduled start date and came in significantly under budget. The 1988 traffic count on SR 57 was 236,000 a day; the count has increased by 33% to 315,000 a day in 2004.

Freeway Overview

Because freeway projects were front-loaded in the Measure M program, by December 31, 2005, 51% of all Measure M dollars have been devoted to freeway projects. By the time Measure M sunsets in 2011, it is anticipated that 42% of all Measure M dollars will be spent on freeway projects.

By using bond financing to frontload the Measure M freeway program, the Orange County Local Transportation Authority was able to build major freeway projects early in the 20-year program, while simultaneously buying building materials and acquiring right-of-way at 1990 rates for other freeway projects. Using private consultants and private contractors to augment Caltrans staff, freeway projects were able to move forward on parallel tracks, rather than being placed in a more time-consuming project queue. The results translated into significant project savings. After 15 years of the planned 20-year program, all freeway projects promised in the original Measure M, except for a two-mile segment of the I-5 North, have been completed.

Additionally, in September of 2004, the OCLTA, with agreement from the Citizens Oversight Committee, approved a major fund transfer in the Measure M freeway component, shifting \$327 million from freeway line items to a new project, the improvement of State Route 22 (the Garden Grove freeway.) In requesting the major change, a September 13, 2004 staff report to the OCLTA Board of Directors said



that that adding another major freeway project to the Measure M portfolio was possible, “due to other Measure M freeway line items being completed at less than the original Measure M 1988 estimates.” The COC and the OCLTA Board of Directors approved the major plan amendment and the Garden Grove freeway improvement project is currently under construction.

The OCLTA also made an early commitment to building freeway programs as quickly as possible, reasoning that construction costs and right-of-way costs would go up. Chart #14 lists the California Department of Transportation’s California Construction Price Index, which shows that construction costs have more than doubled in the past 15 years. In many cases, right-of-way costs have grown at an even faster pace. By moving quickly to build major freeway programs, the OCLTA has generally been able to use its freeway dollars wisely and well.

Finding: Because the entire freeway program was completed under-budget and ahead-of-schedule, \$327 million in Measure M dollars were transferred to Garden Grove freeway (SR 22) improvements. Managing local freeway dollars prudently allowed another major project to be added to the Measure M freeway portfolio.

Regional Streets and Roads:

(Overall: \$350 million. Projects listed on the official ballot: Traffic Signal coordination (\$50 million). Additional projects described in the Official Voter’s pamphlet: \$300 million. Four Regional Street and Road programs not listed on the Official Ballot card are listed in chart #15.

Regional Streets and Roads Overview

In addition to the dollars expended by the OCLTA, hundreds of other projects have been approved by

Chart #14:

Price Index For Selected California Construction Items 1987 = 100			
YEAR	QUARTERLY	LAST 12 MONTHS	ANNUAL
1972			30.0
1793			31.2
1974			45.6
1975			46.7
1976			47.7
1977			53.7
1978			62.1
1979			80.1
1980			82.1
1981			90.6
1982			81.3
1983			81.9
1984			93.3
1985			92.7
1986			95.0
1987			100.0
1988			104.4
1989			111.3
1990			113.5
1991			108.2
1992			106.8
1993			113.1
1994			119.0
1995			115.0
1996			119.2
1997			124.8
1998			128.6
1999 (1st quarter)	129.4	133.5	
1999 (2nd quarter)	140.3	136.4	
1999 (3rd quarter)	174.5	136.6	
1999 (4th quarter)	115.2		
1999 Year			139.2
2000 (1st quarter)	162.7	148.1	
2000 (2nd quarter)	167.6	156.5	
2000 (3rd quarter)	132.3	144.7	
2000 (4th quarter)	152.0		
2000 Year			146.2
2001 (1st quarter)	140.1	137.0	
2001 (2nd quarter)	141.6	134.8	
2001 (3rd quarter)	167.5	141.6	
2001 (4th quarter)	183.3		
2001 Year			154.1
2002 (1st quarter)	145.1	157.5	
2002 (2nd quarter)	129.5	148.4	
2002 (3rd quarter)	175.5	149.7	
2002 (4th quarter)	153.7		
2002 Year			142.2
2003 (1st quarter)	188.2	143.2	
2003 (2nd quarter)	158.1	155.6	
2003 (3rd quarter)	190.7	158.3	
2003 (4th quarter)	138.2		
2003 Year			148.6
2004 (1st quarter)	278.9	155.0	
2004 (2nd quarter)	213.1	165.7	
2004 (3rd quarter)	224.8	167.1	
2004 (4th quarter)	228.9		
2004 Year			216.2
2005 (1st quarter)	230.2	214.7	
2005 (2nd quarter)	266.8	230.0	
2005 (3rd quarter)	289.3	240.7	
2005 (4th quarter)	308.1		
2005 Year			268.3

the OCLTA and awarded to cities and the county. Some of these projects have been slowed because of the issues detailed in Charts #9, others have been awarded recently and cities have not yet requested full reimbursements. Overall, 11% of all Measure M funds are allocated to Regional Streets and Roads



and, as of December 31, 2005, 9.6% of all Measure M expenditures in this category have been spent.

Local Streets and Roads

(Overall, \$650 million. Programs listed on the Official Ballot Card: Streets and Roads Maintenance and Road Improvements (\$450 million). Additional programs listed in the Official Ballot pamphlet: \$200 million. The two programs included in the Local Streets and Roads section of the Official Voter's Pamphlet are listed in chart #15.

With 15 years of a 20 year program complete, actual dollars expended demonstrates how much Measure M money has flowed to cities and the county on a reimbursement basis. Actual reimbursements is only one of many measures of a program's success. In addition to actual expenditures, significantly more Measure M dollars have been programmed or awarded to cities or the county on a competitive basis, but cities and the county have not yet received reimbursement for these projects. Overall, cities and

the county have spent \$490.4 million of the Local Streets and Roads program, about 19.8 per cent of all Measure M expenditure overall.

On March 4, 2005, in a review of project delivery involving local and regional streets and roads projects, LMS Consulting reported, "OCTA has done an excellent job of delivering projects, directly and through grantees (and) has utilized its existing project management and organizational structure. This approach is very effective on a project basis, but is less effective in coordinating multitudes of projects on a programmatic basis and on a programmatic level. Because Measure M is a countywide initiative and its focus is often regional, broader programmatic emphasis is particularly important. Another complicating factor is that hundreds of millions of Measure M projects are awarded and managed by cities and the county with only peripheral OCTA involvement. OCTA's project management structure is better suited to OCTA controlled projects."

Chart #15:

Items not Listed on the Official Ballot Card				
	<i>*adjusted for 2001 sunset</i>			
	Measure M	Projected Dollars	2005 Actual Dollars	Percent Expended*
Regional Street and Road Programs:				
Super Streets (re-named Smart Streets)	\$120 million	\$157.3 million	\$114.1 million	72.5%
Regionally Significant Interchanges	70 million	93.3 million	39.2 million	42.1%
Intersection Improvement Programs	100 million	133.3 million	49.6 million	37.2%
Transportation Systems Management and Demand Management	10 million	6.2 million	13.3 million	46.6%
Local Streets and Roads:				
Master Plan of Arterial Highways	100 million	174.1 million	53.6 million	30.8%
Growth Management Areas	100 million	100 million	51.8 million	51.8%
Transit Projects:				
Pacific Electric Right-of-Way	50 million	13.76 million	13.66 million	91%
High Tech Advanced Rail	340 million	464.6 million	27 million	6%
Transitways	125 million	122.7 million	121.4 million	82.9%



In addition to project delivery, another measure of success is reducing traffic congestion. In conformance with the 1991 state-mandated congestion management program the OCTA reviewed actions taken by all 34 cities and the County of Orange in 2005 to meet agreed-upon level of service standards at key intersections, to implement transportation demand management strategies, and their efforts to balance transportation and land use plans. Except for some intersections which were statutorily excluded from the Congestion Management Program (CMP), the OCTA found all cities and the county in compliance with the CMP and added that, countywide, “approximately 62 per cent of the CMP intersections show improvement during the PM peak hours when compared with base year (1991) figures, with 55 per cent improving over the AM peak period. The average level of service for Orange County improved over the base year by nearly 10 per cent during morning peak and by more than 12 per cent during the evening peak.” Although the overall street and road system performance demonstrated overall improvement and no cities or the county were required to develop deficiency plans to correct major difficulties, some intersections were singled out as trouble spots or chokepoints needing careful monitoring in the future.

Finding: The delivery of street and road projects has not matched the project delivery achievements of the Measure M freeway component, where the OCLTA exercises a stronger oversight and administrative role

Transit Projects

(Overall: 775 million) Projects listed on the Official Ballot: \$260 million for commuter rail programs. Three additional projects described in the Ballot Pamphlet are listed in chart #15.

Two of the three line items included in the Official Ballot Pamphlet are essentially completed. Originally budgeted as a \$50 million project, the Pacific Electric right-of-way through central Orange County was purchased for less than \$13.1 million in 1992. The

remaining transit dollars have been re-allocated to other rail programs.

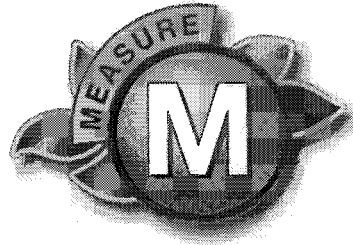
Three transitway projects also have been completed. The \$31.3 million freeway-to-freeway transitway on SR 57 to SR 91 was substantially paid for with Measure M dollars, while two projects totaling \$88.8 million in Measure M transitway dollars helped finance the direct connectors linking the SR 55 (the Costa Mesa Freeway) and I-405 (the San Diego freeway).

For most of the Measure M period, preliminary work on a High Tech Advanced Rail Transit program was done under the title of Centerline, a planned light rail system. In 2005, after spending about \$27 million, the OCLTA Board abandoned the Centerline concept and moved to a new approach designed around the existing Metrolink and Amtrak rail lines. Because of growth in the Measure M program and relatively modest expenditures in this line item, the High Tech Advanced Rail Transit line item will grow to \$464.6 million by the scheduled sunset of the original Measure M.

The new, entrepreneurial approach to high-tech transit envisions existing rail transit stations as major transportation hubs and encourages cities to develop their own localized rail transit visions centered on the identified transportation hubs. In late 2005, a comprehensive rail strategy and overall policy direction was approved to unwind Centerline financing by re-directing a number of funding sources away from Centerline to a new set of projects and priorities. A November 21, 2005 staff report, in discussing the use of Measure M funds for the new approach, said “...no Measure M plan changes or amendments are necessary to reallocate these funds.” With unanimous agreement from the OCLTA Board of Directors, this new approach for High Tech Advanced Rail Transit is being discussed with Orange County cities in individual cities and in OCLTA-sponsored workshops.



Finding: The OCLTA Board of Directors has abandoned the Centerline light rail program and is now developing a new approach for the High Technology Advanced Rail line item. The new approach focuses on existing railroad rights-of-way, existing rail transportation stations, and the transit visions of Orange County communities.



Section 4 — Orange County Local Transportation Ordinance Number 2

Measure M Assessment 1990 – 2005
Orange County Business Council



4. Orange County Local Transportation Ordinance Number 2

In 1988, in accordance with the state public utilities code, the Orange County Board of Supervisors designated the Orange County Transportation Commission to serve as the county Local Transportation Authority (LTA) and to prepare and adopt transportation plans that could be funded by a voter-approved retail and transaction use tax. In 1989 voters rejected LTA Ordinance Number One. LTA Ordinance Number Two (2) was approved by Orange County voters in 1990. The most current version of LTA Ordinance Number 2 (It has been amended seven times since it was adopted in August of 1990, two of the changes were administrative, five involved changes to the 20-Year Plan) is Attachment C.

When the OCLTA ordinance was initially adopted, opponents raised a number of issues involving the OCLTA's intent to actually build the projects listed in the plan. As a formal statement of the Board's intent in adopting the 20-Year Plan of Transportation Investments, OCLTA director Thomas F. Riley, a member of the Orange County Board of Supervisors, suggested additional language as a preamble to LTA Ordinance No. 1 to clarify and explicitly address key issues involving the transportation plan. Director Riley's statement of intent was also appended to Ordinance No. 2. The Statement of Board intent is Attachment J.

In general, Ordinance Number 2 sets rules for collecting, administering, and spending revenues raised by the 1/2 cent sales tax. It formalizes policies, establishes a detailed amendment process and explains detailed taxpayer safeguards designed to make sure sales tax proceeds are spent only for designated transportation purposes.

In 1991, new state legislation authored by State Senator Marian Bergeson of Newport Beach required a common Board of Directors for the OCLTA, the OCTC, the OCTD, the CTSA and three other government agencies with significant transportation responsibilities. The legislation essentially consolidated most transportation policymaking in one agency, the Orange County Transportation Authority. Since the consolidation, all Measure M-related business has been conducted by the OCTA serving as the OCLTA.

The seven amendments to OCLTA Ordinance Number 2 have been made for a variety of issues, many of them time specific. Briefly stated:

September 23, 1991

Ordinance Number 2 is amended to conform to the State Congestion Management Program in terms of lengths of certain reporting periods for capital improvement programs, project titles and job-housing balance requirements. This Ordinance Amendment was essentially a clarification did not impact the 20-Year Traffic Improvement and Growth Management Plan.

November 25, 1991

Freeway projects in six corridors are changed to reflect cost changes and to better utilize state and federal transportation dollars. No project scope changes are approved and a contemporary staff report says the recommended changes are "technical in nature and will not change the underlying intent" of the Measure M freeway program.

May 23, 1994

Freeway project re-allocations include shifting dollars from SR 91 and SR 55 to the I-5, along with a Board of Directors policy statement saying projects on SR 91 and SR 55 will become top priorities for State and Federal transportation dollars. In the same actions,



Super Streets are re-named Smart Streets and cities were allowed to invest Measure M funds in city run, co-mingled investment pools rather than requiring Measure M dollars to be invested in stand alone programs.

May 13, 1996

As part of the bankruptcy recovery strategy, some Measure M transit cost savings are shifted into operating commuter rail systems. This action relieves some stress on the funding the Orange County bus system, which, because of legislative action in Sacramento, loses \$38 million-a-year in operating funds. Overall, \$35 million in savings on the purchase of the Pacific Electric Right-of-Way and \$50 million from the Riverside Commuter rail system are transferred into commuter rail operations. The amendment anticipates that state rail bond funds will backfill the loss of some Measure M funds in the Riverside Commuter Rail corridor.

June 9, 1997

At the request of Technical Advisory Committee, a \$100 million cap is removed from the MPAII program, the cap on the programs is clarified, and references to outmoded technical manuals are removed. When this amendment is completed, the only remaining capped program in Measure M is reduced fares for senior citizens and the disabled. All other projects and programs grow with the growth of sales tax revenue. This is essentially a clarification of Local ordinance Number 2 and does not impact the 20-Year Traffic Improvement and Growth Management Plan.

December 10, 2001

The Garden Grove Freeway (SR 22) is added to Measure M and \$203 million in savings from other freeway projects are transferred to the new project.

October 14, 2004

An additional \$123.7 in Measure M dollars are transferred to the Garden Grove freeway account.

Finding: The infrequent amendments to OCLTA Ordinance Number 2 have been consistent with the voter-approved intent of the Measure M. Major amendments have added a significant new project, the widening of the Garden Grove freeway, and re-allocated cost savings within four broad transportation funding categories.

Overall, OCLTA Ordinance Number 2 includes 45 specific areas which govern or regulate the spending of Measure M dollars. In March of 2005, LMS Consulting conducted a compliance review of these 45 separate areas for Manager of Internal Audit Robert Duffy. The LMS report details Ordinance Requirements, Compliance Status, and, in nine areas, recommendations needed to fully comply with Ordinance requirements. This table summarizes the LMS compliance findings:



Ordinance Requirement	Compliance Status	Recommendation
1. Contract with State Board of Equalization for administration	Yes	
2. Use revenues/interest solely for transportation items per plan	Yes: Macias (independent CPA) audits primarily cover "turn backs"; need additional steps in audit program to better address competitive projects.	2A. OCTA Internal Auditor will clarify and expand audit scope from regarding potential additional scope in future audits.
3. Tax revenues must supplement existing local revenues	Yes: Planning Department has reviewed funding agreements in the past.	2B. OCTA should update funding agreement reviews as part of current audits and reviews of cities' submissions.
4. Maintain minimum level of streets/roads expenditures per MOE requirements	Yes	
5. Independent audit may verify MOE compliance by local jurisdictions	Yes	
6. Annual expenditures for staff at OCTA shall not exceed 1% of revenues from Measure	Yes	2C. OCTA should update its costing models and practices to assure that all charges/ costs are appropriately charged to Measure M. Currently, charges for Measure M are allocated using a formula rather than directly charged. Direct charging could lead to more specific charging between Measure M project and administrative tasks.
7. Costs of project-related work shall be paid from the tax revenues allocated to the appropriate purposes	Yes	See recommendation 2C
8. Annual audit to ensure revenues are expended per ordinance are necessary and reasonable	Yes: see comment for #2 above	See recommendation 2C above. Requires agreement by Internal Auditor and Independent Auditors on reasonable approach. Findings should be specifically reviewed by Citizens' Oversight Committee's Audit Subcommittee.
9. Transportation trust fund shall be established by County Auditor-Controller to maintain all retail tax revenues	Yes: trust fund established under OCTA control per agreement with County as part of County bankruptcy	
10. Interest on revenues must be deposited into trust fund	Yes	



<p>11. Auditor-Controller shall annually certify if funds are spent per plan</p>	<p>Yes: See item #9 above. OCTA officials have not certified expenditures: COC approves annual expenditure plans with County Auditor-Controller acting as chair.</p>	<p>2D. The language referencing the Ordinance requirement should be specifically incorporated into all future annual certification memos so this process can satisfy the certification requirement.</p>
<p>12. Timelines shall be established by OCTA for each major project in plan</p>	<p>Yes: Timelines established within annually issued Comprehensive Business Plan.</p>	
<p>13. OCTA shall issue quarterly reports on meeting the timelines and present at public meetings</p>	<p>Yes</p>	
<p>14. Contract for planning services and transportation model shall not cost more than 5% of revenues</p>	<p>Yes</p>	
<p>15. Any jurisdiction violating "exclusive transportation" use of funds shall be ineligible for 5 years</p>	<p>Yes</p>	
<p>16. OCTA may annually review and propose amendments to the Plan</p>	<p>Yes</p>	
<p>17. OCTA shall establish a process to propose and hear amendments</p>	<p>Yes</p>	
<p>18. All amendments which change categories, programs or projects in plan must be approved by 2/3 vote of the COC</p>	<p>Yes</p>	
<p>19. Any proposed changes among the four funding categories must be approved by electorate</p>	<p>Not applicable: No changes requested as of 12/31/04</p>	
<p>20. Amendments to plan must be approved by OCTA roll call vote and then County/Cities notified</p>	<p>Yes</p>	
<p>21. OCTA shall contract with Grand Jurors Association for formation of committee membership recommendation panel</p>	<p>Yes</p>	
<p>22. Initial COC member shall adopt rules and regulations</p>	<p>Yes</p>	



23. COC shall approve any material amendments to plan by 2/3 vote	Yes	
24. COC shall review the growth management plan for each jurisdiction to determine inclusion of County-wide Growth Management Program elements	Yes: COC reviews every 5 years	
25. COC shall hold annual public hearing whether OCTA is proceeding in accordance with Plan	Yes	
26. COC shall ensure that all expenditures proposed in 7 year capital improvement programs conform with Policy Resolution #3	Yes	
27. Local jurisdictions shall adopt administrative requirements to implement GMP in their jurisdiction	Yes: included as part of COC process listed as #24	
28. Local jurisdictions shall also approve GMAs for multijurisdictional projects	Yes	
29. Each GMA shall examine regional improvements	Yes	
30. GMAs shall recommend to OCTA a list of projects to assure traffic impacts from new developments are mitigated	Yes	
31. GMP shall be reconciled with the Congestion Management Plan	Yes: last done in 1991	2E. OCTA should consider updating this reconciliation.
32. Each new development project shall be required to comply with CGCS 66000 re: payment of project's fair share of traffic mitigation projects caused by project	Yes	



<p>33. OCTA shall make every effort to maximize state and federal funding as follows:</p>	<p>Overall, this is an impossible statement to totally verify. OCTA invests in representatives who lobby for OCTA's interests at the Federal and State levels and OCTA staff work diligently to obtain funding. Staff and Management invest substantial effort in identifying and seeking available funding. OCTA should likewise require agencies to which it provides Measure M funds to adhere to the same requirement.</p>	<p>2F. OCTA Legal Counsel has opined that the intent of the underlying State Law was to require that Measure M funds be supplemental and not replace other available funding to support programs. OCTA should assure that all agreements executed with local agencies state this requirement and audits of Measure M supported projects verify that the Measure M funds were not utilized in lieu of other available funding.</p>
<ul style="list-style-type: none"> • No retail tax revenues shall be allocated in any year from any State Highway project unless OCTA finds County is receiving its fair share from other Federal/State sources 	<p>See #33 above. OCTA complies with the intent of the Law and the Measure in terms of not substituting Measure M dollars for other available funding. A determination of "fair share" is not finite and therefore cannot be ascertained since the term is not defined in the legislation.</p>	<p>2G. In addition to the recommendation included in 2F above, OCTA may wish to refer this matter to the Citizens Oversight Committee for their consideration.</p>
<ul style="list-style-type: none"> • OCTA shall annually report on progress in obtaining Federal transportation funds 	<p>Yes: part of annual report and Comprehensive Business Plan.</p>	
<ul style="list-style-type: none"> • All project matters must be approved by Caltrans, OCTA and project sponsors 	<p>Yes: part of planning/project policies and procedures.</p>	
<ul style="list-style-type: none"> • OCTA shall obtain written assurance that State will assume maintenance and operating responsibilities for any State Highway project in Plan 	<p>Yes</p>	
<p>34. OCTA must find jurisdictions eligible re: GMP, LTDMP, MPAH and Traffic Circulation plans</p>	<p>Yes: part of processes above</p>	
<p>35. Jurisdictions must agree to expend all net tax revenues received within 3 years — extension may be granted up to 5 years from date of initial funding application</p>	<p>Yes</p>	

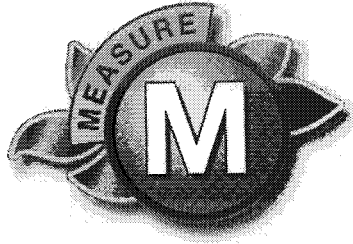


36. OCTA shall adopt a county-wide competitive procedure to award funds for Regional Street and Roads projects	Yes	
37. OCTA shall disburse revenues within 60 days of invoicing by jurisdictions	Yes	
38. Each agency receiving funds must maintain separate accounting of the funds. Any interest earned shall be used only for the project or returned to OCTA	Yes	
39. OCTA shall have right to audit jurisdictions' accounts	Yes	
40. OCTA shall adopt ordinances, rules, etc. needed to implement the Plan and Ordinance	Yes	
41. OCTA will annually reviews local jurisdictions' 7 year capital improvement programs	Yes	
42. OCTA shall conduct an administrative review and distribute funds based on certification of compliance with GMP and TIP	Yes	
43. OCTA shall review GMP/TIP statements every 5 years and make findings	Yes	
44. Officials from GMAs must convene annually discuss developments with multijurisdictional impacts	Yes	



45. Each jurisdiction must adopt a Growth Management Element in General Plan to be applied in development review process which must include:	Yes	
• Traffic level of service (LOS)	Yes	
• Planning standards	Yes	
• Development mitigation program to ensure new growth pays its fair share	Yes	
• Development phasing and annual monitoring program	Yes	
• Interjurisdictional planning	Yes	
• A 7 year capital improvement plan to meet/maintain standards	Yes	
• Address housing options and job opportunities as related to transportation demand	Yes	
• A TDM ordinance to reduce occupancy automobile travel	Yes	

On March 16 2006, Internal Auditor Duffy prepared an updated response to the nine areas of concern, indicating he had increased the number of audits done on competitive streets and roads projects, that the audit oversight role of the Citizens Oversight Committee Chairman had been strengthened and reconciled, and that a re-thinking of cost allocation models was underway. His response is Attachment K.



Section 5 — Summary of Findings

Measure M Assessment 1990 – 2005
Orange County Business Council

5. Summary of Findings

Seventeen findings are included in the text of this assessment. This is a summary of those findings:

1. Measure M has helped enhance Orange County's quality of life, helped reduce traffic congestion and has contributed to improved air quality.
2. The Measure M commuter rail program exceeds anticipated commuter rail service and meets ridership projections. However, ridership metrics to define success and guide future growth of the system are not in place.
3. Freeway projects anticipated on the Official Ballot Card, with one exception, have been completed ahead of schedule and, as a group, significantly under budget. The one unfinished exception, the two-mile, \$314 million I-5 north gateway project, is expected to go to construction in 2006.
4. Cooperation between Caltrans, OCLTA staff, private consultants and private contractors has been a key to completing difficult, complex, and occasionally award-winning freeway projects on-time and under-budget.
5. The Measure M traffic signal synchronization program is under-funded and not well-defined. No Master Plan for traffic signal synchronization has been developed, partially because of mixed feelings and ambivalent management of the program.
6. All cities and the County of Orange have consistently complied with the baseline requirements of the Measure M program.
7. Over time, it appears that overall pavement quality in Orange County has not improved but actually deteriorated. Residential and collector streets, countywide, have shown the greatest deterioration since 1998, the first year countywide data is available.
8. There are no countywide standards for pavement maintenance, there is minimal regional accountability for local pavement management efforts, and there is no standardized reporting of overall pavement quality improvement or deterioration.
9. Recent procedural changes have been put in place to ensure that Measure M Street and road projects are built in a timely fashion, but the long-term impact of these changes on street and road project delivery is not yet known.
10. Of all Measure M programs and projects line items, only the discount fares for senior citizens and the disabled and GMA's are capped at a set dollar amount and do not grow with sales tax revenue growth.
11. In a carefully-defined role, the Citizens Oversight Committee has safeguarded Measure M dollars, championed strict fidelity to the voter-approved 20-Year Traffic Improvement and Growth Management Plan, and carefully-reviewed the growth management plans of Orange County cities and the County of Orange.
12. By prudently advancing projects through bond financing, the OCLTA has been able to build more major freeway projects faster than by using "pay-as-you-go" financing.
13. For more than a decade, custodial banking services have not been bid
14. Because the entire freeway program was completed under-budget and ahead-of-schedule, \$327 million in Measure M dollars were transferred to the Garden Grove freeway (SR-22) improvements. Managing local freeway dollars prudently allowed another major project to be added to the Measure M freeway portfolio.
15. The delivery of street and roads projects has not matched the project delivery achievements of the Measure M freeway component, where the OCLTA exercises a stronger oversight and administrative role.



16. The OCLTA Board of Directors has abandoned the Centerline light rail program and is now developing a new approach for the High Technology Advanced Rail line item. The new approach focuses on existing rail rights-of-way, existing rail transportation stations, and the transit visions of Orange County communities.

17. Infrequent amendments to OCLTA Ordinance No. 2 have been consistent with the voter-approved intent of Measure M. Major amendments have added a significant new project, the widening of the Garden Gove freeway, and reallocated cost savings within four broad transportation categories.

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MEASURE M

Measure M is being submitted to the voters of Orange County according to the requirements of the Local Transportation Authority and Improvement Act enacted by the Legislature in 1987. Measure M is a proposal to supplement existing local revenues for public transportation purposes. The revenues proposed to be raised by this measure will be allocated by the Orange County Local Transportation Authority for the construction and improvement of State highways, the construction, maintenance, improvement and operation of local streets, roads and highways, and the construction, improvement and operation of public transit systems (including bus, light rail, rapid transit and commuter rail services and facilities), all within the County of Orange, described in the Revised Traffic Improvement and Growth Management Plan.

Currently Orange County residents are paying a 6 1/4% retail transactions and use tax for purchases subject to such tax throughout Orange County. Those taxes are allocated in the amount of 5 1/4% to the State of California and 1% to the County of Orange and the cities within Orange County. (The amount of 1/4% to the State of California is authorized from December 31, 1989, to December 31, 1990, for earthquake relief.)

Measure M would provide that there would be, for a period of 20 years, a 1/2 of 1% retail transactions and use tax above the existing 6 1/4% tax. Measure M would provide that the proceeds of such 1/2 of 1% tax would be placed in a trust fund to be used solely for the transportation projects and programs detailed in the Revised Traffic Improvement and Growth Management Plan. The Plan was adopted by the Local Transportation Authority after receiving approval by the Orange County Board of Supervisors and the city councils of a majority of the cities in the County as required by law. Measure M would authorize the Local Transportation Authority to issue bonds payable solely from the proceeds of the tax, with the proceeds of such bonds being used to finance capital outlay expenditures for those transportation projects.

This measure required an affirmative vote of a majority of the electors voting on the measure.

The above statement is an impartial analysis of Measure M. If you desire a copy of the measure, please call the Registrar of Voters office at (714) 567-7600 and a copy will be mailed at no cost to you.

ARGUMENT IN FAVOR OF MEASURE M

VOTE YES ON REVISED MEASURE M...WE HEARD YOU.

We heard you. The new, Revised Measure M, Orange County Traffic and Growth Management Program, incorporates not only a balanced traffic improvement plan but includes increased safeguards and legal guarantees to insure that when you vote for Revised Measure M, you will receive its benefits.

Any change in the overall expenditure plan regarding the types of projects NOW legally requires a new vote of the people.

The funds are safeguarded in a legally designated trust fund for use only on the specific programs required by Revised Measure M.

An independent auditor-controller must annually certify that the Revised Measure M funds have been used only for Revised Measure M projects.

Revised Measure M guarantees:

- a new commuter rail system;
- up to three new lanes in each direction of the Santa Ana Freeway (I-5) from Los Angeles to San Clemente;
- a new El Toro "Y" interchange at the junction of I-5/I-405;
- a new lane in each direction, and major interchange improvements on the Riverside Freeway (State Route 91);
- a new lane in each direction on the Costa Mesa Freeway (State Route 55) between the Riverside and Santa Ana freeways;
- synchronized traffic signals on all major streets throughout the county;
- improved streets and roads;
- a growth management program that requires new development generating any new traffic to pay for additional streets and roads as development occurs;
- expanded transit service;
- discount fares for senior citizens and the disabled.

An independent Citizens Oversight Committee, chosen through an independent Grand Jury type selection process, is empowered to oversee the expenditure of all funds generated by this measure.

VOTE "YES" ON REVISED MEASURE M, A NO NONSENSE APPROACH THAT GUARANTEES TRAFFIC RELIEF NOW!!!!

- s/ John Kumbera
President, Brea Chapter, American Association of Retired Persons
- s/ Reed Royalty
President, Orange County Taxpayers Association
- s/ Clarice Blamer
Chairwoman, 20-Year Master Plan Citizens Committee
- s/ A. E. Shaffer
Captain (ret.), California Highway Patrol
- s/ Leland Oliver
Chairman, Orange County Chamber of Commerce

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE M

DON'T BE FOOLED!

Tax M is the identical plan that voters defeated last year.

Its supporters are still trying to use Orange County's very real traffic problems to create a political empire. This 20 year sales tax increase would cost taxpayers over \$3 billion dollars, to be wasted by the same bungling bureaucrats who have mismanaged the county's transportation during the last decade.

Now they're running a deceptive campaign. They spent millions of dollars of developer money last year in a losing campaign, and plan to spend even more this year to mislead you into taxing yourself to pay for their mistakes.

WHAT THEY'RE NOT TELLING YOU

- Their "new rail system" is a SHAM - neither the technology nor the costs have been identified. This is a blank check for financial disaster.
- The "new freeway lanes" will virtually all be dangerous diamond lanes. Freeways will become even more congested.
- The "growth management plan" actually encourages high density growth by punishing cities who resist development. This benefit to developers will generate even more traffic on our local roads.
- The citizens oversight committee would be dominated by a bureaucrat whose budget is controlled by the Board of Supervisors.

If they really wanted to listen to us, the appointed Orange County Transportation Commissioners would resign and allow DIRECT ELECTION of competent and accountable commissioners. Responsible commissioners would listen to taxpayers, not taxspenders, and wouldn't insult voters by submitting the same sorry tax year after year.

Vote NO on Tax Measure M

- s/ Tom Rogers
Chairman, Citizens Against Unfair Taxation.
Former Chairman, Orange County Republican Central Committee
- s/ Norman Z. Eckenrode
Mayor, City of Placentia
Member, Southern California Association of Governments, Housing and Economic Development Committee
- s/ Joy Neugebauer
Councilmember, City of Westminster
Past President, American Businesswomen's Association
Businessowner, Ace Tool Company
- s/ Jean H. Watt
Councilmember, City of Newport Beach
Environmental/Community Leader
- s/ Chris E. Ema, P.E.
Institute of Transportation Engineers - Fellow

ARGUMENT AGAINST MEASURE M

This \$3 billion sales tax increase shouldn't even be on the ballot. We defeated this tax less than a year ago. But the Orange County Transportation Commission didn't get the message.

Californians aren't undertaxed. We already pay plenty in Federal and State transportation taxes. In June, Proposition 111 authorized a 100% gas tax increase for an additional \$18.5 billion for transportation. Orange County is entitled to a large share of this money. Why raise taxes again?

Poor planning by the unelected bureaucrats at OCTC have mismanaged the county into gridlock. They have wasted millions of dollars on special projects like dangerous diamond lanes and transitways. Now they want a blank check for an extravagant mass transit plan. Remember the airport overruns?

Their plan is a surefire formula for high-density development and more congestion, just what we don't need. Ignoring last November's defeat of Measure M is a prime example of their indifference and arrogance toward the voters.

MORE REASONS TO VOTE NO ON TAX M

- ELIMINATES EFFECTIVE GROWTH MANAGEMENT
- OPPOSED BY MAJOR CITIZEN SPONSORED TAXPAYER ASSOCIATIONS, PROMINENT ENVIRONMENTALISTS AND CONSERVATIONISTS
- POTENTIAL BILLIONS IN INDEBTEDNESS
- AS A REGRESSIVE TAX, HURTS RETIRED PERSONS AND OTHERS LIVING ON FIXED INCOMES
- MOST OF THE MONEY GOES TO MASS TRANSIT PROJECTS, RESULTING IN EVEN MORE TAXES TO COVER THE OPERATING LOSSES
- OUR TAX MONEY WOULD BE USED TO FORCE US OUT OF OUR CARS INTO TRANSIT
- UNFAIR ALLOCATION OF TAX M MONEY WILL BE THREATENED TO PRESSURE OUR LOCAL CITY GOVERNMENTS
- LOOPHOLES PERMIT DEVELOPERS TO BENEFIT AT OUR EXPENSE

We don't need to raise our taxes by \$3 billion to subsidize developers and pay for OCTC boondoggles!

ENOUGH IS ENOUGH!

SEND THEM A MESSAGE: Vote NO and bury this loser forever!!
(For further information call 24 hour tax hotline at 650-1537)

- s/ Tom Rogers
Chairman, Citizens Against Unfair Taxation
Former Chairman, Orange County Republican Central Committee
- s/ Norman Z. Eckenrode
Mayor, City of Placentia
Member, Southern California Association of Governments,
Housing and Economic Development Committee
- s/ Joy Neugebauer
Councilmember, City of Westminster
Past President, American Businesswomen's Association
Businessowner, Ace Tool Company
- s/ Jean H. Watt
Councilmember, City of Newport Beach
Environmental/Community Leader
- s/ Chris E. Ema, P.E.
Institute of Transportation Engineers - Fellow

REBUTTAL TO ARGUMENT AGAINST MEASURE M

As suggested by Orange County voters, Measure M has been revised to strengthen the power of your Citizens' Oversight Committee to ensure that you get the transportation improvements you want. In addition, Measure M has been revised to give the voters sole power to approve changes to the transportation plan.

Despite these added safeguards to Measure M, one of the people who signed last year's ballot argument in support of Measure M now opposes it. It's puzzling. Especially when a "no" vote could let other counties receive over \$100,000,000 of your tax dollars to fix their local transportation problems each and every year for the next twenty years.

We would be left with bad roads, congested freeways, dirty air, and an inadequate transit system.

Why?

Because many state and federal transportation programs require local matching funds, which Orange County will not have without Measure M.

We think Orange County voters are willing to pay for transportation improvements when they know the money will go to those improvements and nothing else.

Revised Measure M mandates countywide growth management.

Revised Measure M guarantees new rail/transit services.

Revised Measure M requires developers to pay for the traffic impacts of new development.

Last year's measure was decided in a special election in which 78% of our fellow voters did not vote. Now we need people - like you - who care about our quality of life to decide this issue.

VOTE YES ON REVISED MEASURE M - A POSITIVE VISION FOR ORANGE COUNTY'S FUTURE!

- s/ John Kumbera
President, Brea Chapter
American Association of Retired Persons
- s/ Reed Royalty
President, Orange County Taxpayers Association
- s/ Clarice Blamer
Chairwoman, 20-Year Master Plan Citizens Committee
- s/ A. E. Shaffer
Captain (ret.), California Highway Patrol
- s/ Leland Oliver
Chairman, Orange County Chamber of Commerce



OFFICIAL BALLOT GENERAL ELECTION

COUNTY OF ORANGE
TUESDAY, NOVEMBER 6, 1990

This ballot stub shall be torn off by precinct board member and handed to the voter.

MEASURES SUBMITTED TO VOTE OF VOTERS

COUNTY OF ORANGE

M THE REVISED TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT ACT. The purpose of this measure is to improve the quality of life, relieve traffic congestion, and improve air quality in Orange County by:

○ Expanding the present Los Angeles to San Diego commuter rail service throughout Orange County.

○ On I-5, the Santa Ana Freeway, adding up to three lanes in each direction from the Los Angeles County line to San Clemente;

○ Rebuilding the I-5/I-405, El Toro "Y" Interchange;

○ On State Route 91, adding an additional lane in each direction and improving major interchanges from Los Angeles to Riverside;

○ On State Route 55, the Costa Mesa Freeway, adding a new lane in each direction between the Riverside and Santa Ana Freeways;

○ Synchronizing traffic signals on major streets throughout Orange County;

○ Improving maintenance and rehabilitation of streets and roads;

○ Requiring each city and the County to adopt a growth management program to require a balance between land development and traffic impacts;

○ Increasing transit service and providing discount fares for senior citizens and the disabled;

○ Empowering an Independent Citizens Oversight Committee with a chairman elected by all Orange County voters to guarantee that all funds generated by this Measure shall be used only for transportation purposes;

○ Requiring that any proposed change in the amount of funds for rail transit, freeway, regional and local street improvement expenditures be brought back to the voters for their approval;

Shall the Orange County Local Transportation Authority be authorized to (I) establish by ordinance, a one-half (1/2) of one (1) percent retail transaction and use tax for a period of twenty (20) years with an appropriations limit of \$500 million dollars, with the proceeds placed in a trust fund to be used solely for traffic improvement and growth management and (II) issue bonds payable solely from the proceeds of such retail transaction and use tax?

YES	+
NO	+

CITY OF ANAHEIM

N Shall Sections 515 and 1501 of the City Charter be amended to increase the maximum fine for Charter or ordinance violations from \$500 to \$1000 and to allow future fine increases in conformance with state law?

YES	+
NO	+

30-9051

VOTE BOTH SIDES

I HAVE VOTED-HAVE YOU?

O Shall Section 518 of the City Charter be amended to expressly authorize Stadium and Convention Center event agreements to be executed by the Stadium and Convention Center general managers at rates fixed or authorized by the City Council?

YES	+
NO	+

P Shall Sections 604 and 1206 of the City Charter be amended to authorize the City to contract for services under the City's centralized purchasing system?

YES	+
NO	+

Q Shall Sections 705, 706 and 1216 of the City Charter be amended to authorize the use of negotiable instruments (checks) which are less expensive than the City warrants currently required for payment of City obligations, and to increase the time limit for presentation of claims against the City from 100 days to six months to conform to current state law?

YES	+
NO	+

R Shall Section 511 of the City Charter be amended to authorize the City Council to adopt a single motion at any City Council meeting waiving the oral reading of the complete text of all ordinances and resolutions adopted at such meeting in lieu of the current procedure which requires a separate waiver for each ordinance or resolution?

YES	+
NO	+

S Shall Section 1401 of the City Charter be amended to authorize the City Council to grant franchises upon the terms and conditions specified in the ordinance granting the franchise?

YES	+
NO	+

T Shall Section 1221 of the City Charter be amended to authorize the City Council, with regard to the City's water and electric utilities, to establish ratepayer discount and other programs to assist residential customers in the payment of their utility bills and allowing the cost of such programs to be paid from the City's utility revenues?

YES	+
NO	+

U Shall Section 1210 of the City Charter be amended, and shall new Sections 1210.2 and 1210.3 be added thereto, authorizing the City Council to sell and issue water and electric utility bonds and notes which are not paid from property taxes and do not constitute an indebtedness or general obligation of the City, without an election, under limited circumstances prescribed in the measure?

YES	+
NO	+

30-9021

VOTE BOTH SIDES

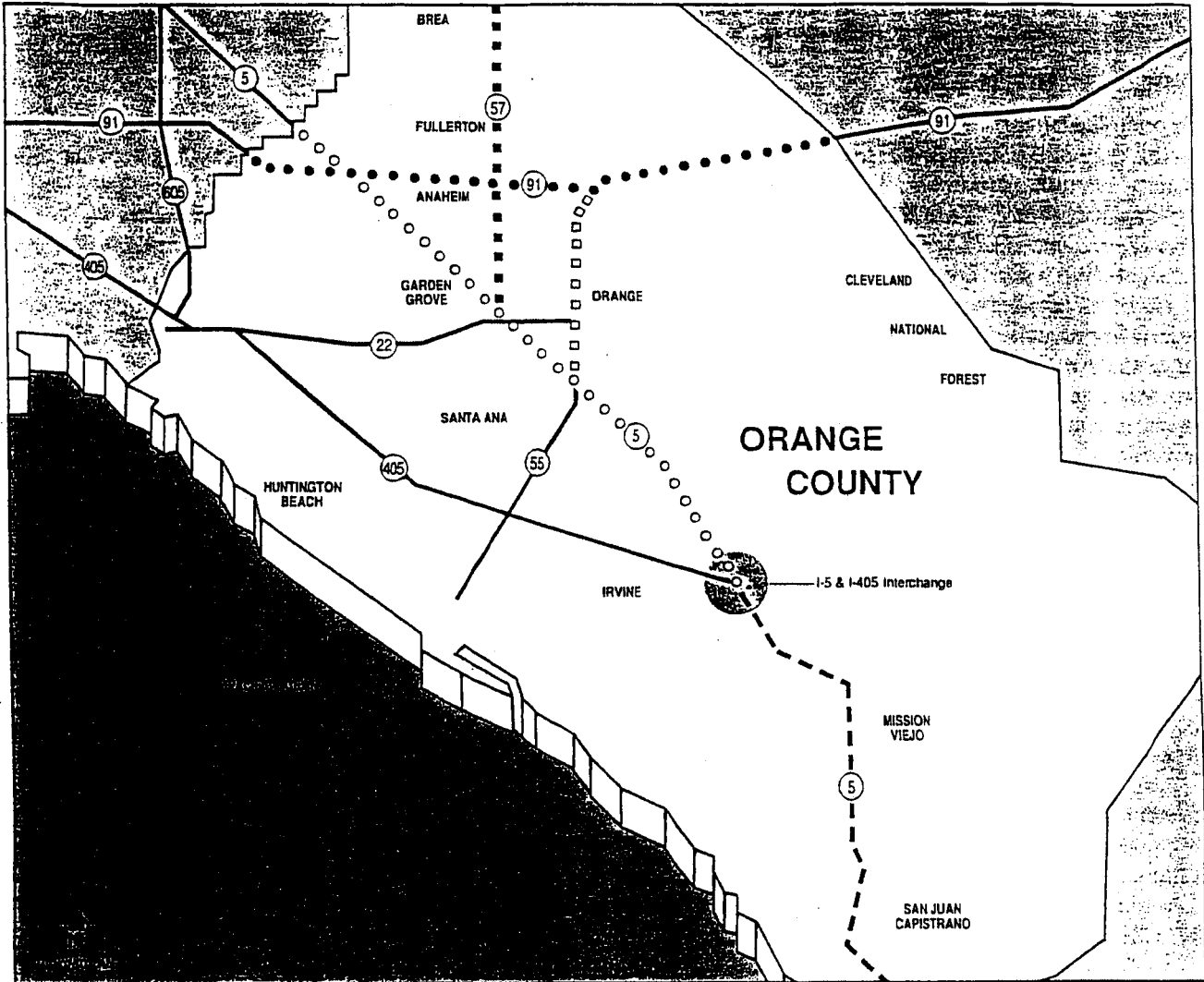
Sample Ballot

Sample Ballot

**Traffic Improvement and Growth Management Plan
Expenditure Plan (1988 \$ x million)**

Freeway Projects		\$ 1,325
Project	Cost	
I-5 (Santa Ana Freeway) between I-405 (San Diego Freeway) and I-605 (San Gabriel Freeway)	\$ 550	
I-5 (San Diego Freeway) between I-5/I-405 Interchange and San Clemente	80	
I-5/I-405 Interchange	55	
S.R. 55 (Costa Mesa Freeway) between I-5 and S.R. 91 (Riverside Freeway)	200	
S.R. 57 (Orange Freeway) between I-5 and Lambert Road	40	
S.R. 91 (Riverside Freeway) between Riverside County line and Los Angeles County line	400	
Freeway Sub-total	1,325	
Regional Street and Road Projects		\$350
Project	Cost	
Super Streets	\$ 120	
Regionally Significant Interchanges	70	
Intersection Improvement Program	100	
Traffic Signal Coordination	50	
Transportation Systems Management and Transportation Demand Management	10	
Streets and Roads Sub-total	350	
Local Street and Road Projects		\$ 650
Project	Cost	
Master Plan of Arterial Highway Improvements	\$ 100	
Streets and Roads Maintenance and Road Improvements	450	
Growth Management Area Improvements	100	
Local Street and Road Sub-total	650	
Transit Projects		\$ 775
Project	Cost	
Pacific Electric Right-of-Way	\$ 50	
Lossan Intercity Rail Program	20	
Lossan Commuter Rail	130	
Riverside Commuter Rail	90	
High-Technology Advanced Rail Transit	340	
Elderly and Handicapped Fare Stabilization	20	
Transitways	125	
Transit Sub-total	775	
TOTAL		\$ 3,100

Orange County Freeway Projects



Legend

- | | | | |
|-----------|------------------------------|-----------|-------------------------|
| □ □ □ □ □ | S.R. 55 (Costa Mesa Freeway) | ○ ○ ○ ○ ○ | I-5 (Santa Ana Freeway) |
| ■ ■ ■ ■ ■ | S.R. 57 (Orange Freeway) | — — — — — | I-5 (San Diego Freeway) |
| ● ● ● ● ● | S.R. 91 (Riverside Freeway) | ● | I-5 & I-405 Interchange |

Orange County Freeway Project Descriptions

Santa Ana Freeway Improvement for the San Diego Freeway (I-405) to the Los Angeles County Line

Description:

Rebuilding of the Santa Ana Freeway is critical to the county's continued mobility. This project forms the centerpiece of the *20-Year Master Plan of Transportation Improvements*. Fifty percent of all Orange County residents live within three miles of this facility and two-thirds of all jobs lie in this transportation corridor. The staged improvements call for the addition of up to three lanes in each direction, rebuilding the freeway-to-freeway interchanges, and providing soundwalls and environmental mitigation. The project begins where I-5 separates from the I-405 and continues north to the Los Angeles County line. Two of the new travel lanes will be dedicated to carpools.

Within this length of freeway is the I-5/SR 57/SR 22 interchange. This is the nation's seventh busiest interchange. This interchange and all other intermediate interchanges will be improved as part of this project. Traffic on I-5 north of I-405 was 160,000 vehicles per day in 1988 and in the future the vehicular demand is expected to increase to over 260,000 daily.

Costs:

The overall cost of the I-5 project is estimated to be \$1.6 billion. Existing state and federal resources are expected to fund \$1.1 billion with the sales tax revenue providing the additional \$550 million to complete the project.

Implementation:

Construction will start immediately. Sales tax revenue would be used to augment funding, alleviate cash flow constraints, and accelerate project delivery by 10 years.

San Diego Freeway (I-5) from the I-5/I-405 Confluence to San Clemente

Description:

Current plans for I-5 south of the confluence call for adding one carpool lane in each direction, building soundwalls and other environmental amenities. This project includes the segment of I-5 from the I-405 confluence to San Clemente near the San Diego County line, a distance of approximately 12 miles. In 1988, the freeway carried approximately 170,000 vehicles per day and forecasts show demand to increase to over 230,000 daily.

Costs:

The estimated capital cost for this section of the I-5 improvement is about \$80 million.

Implementation:

Project construction is scheduled to begin during the first 10-year period of the plan.

I-5/I-405 Interchange

Description:

The need for improving one of the county's busiest interchanges has been identified in numerous studies. In 1988 over 260,000 vehicles a day traveled through this interchange and forecasts show this demand will grow to over 350,000 vehicles daily. This project calls for the construction of bypass and feeder lanes along I-5 for the "El Toro Y" interchange. This will greatly improve traffic movement between the Santa Ana Freeway and the San Diego Freeway, as these facilities are widened to add three new lanes in each direction (including carpool lanes) on the I-5, and carpool lanes to the San Diego Freeway.

Costs:

The capital cost in 1988 dollars is estimated at \$55 million.

Implementation:

Construction will begin within the first five years of the 20-year program. This project plays a critical role in the improvement of the I-5.

Orange County Freeway Project Descriptions

Costa Mesa Freeway (SR 55) from the Riverside Freeway to Interstate 5

Description:

The 20-Year Master Plan of Transportation Improvements calls for the addition of two new general purpose lanes to the Costa Mesa Freeway for a distance of approximately six miles. In 1988 Route 55 carried about 180,000 vehicles per day and forecasts show demand to exceed 190,000 in the future. Auxiliary lanes are also planned, in addition to providing soundwalls and other environmental mitigation measures.

Costs:

The current estimated capital cost (1988) is approximately \$200 million.

Implementation:

Construction is scheduled for the second 10-year period of the plan.

Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5

Description:

The 20-Year Master Plan for Transportation Improvements calls for the addition of one carpool lane in each direction to the Orange Freeway for its entire length within Orange County. This covers a distance of about 12 miles. In addition, soundwalls and other environmental amenities will be added. In 1988, this freeway carried over 210,000 vehicles per day and forecasts estimate this demand to grow to over 280,000 daily. Los Angeles County plans for additional lanes that could extend the improvements north to Route 60 in Diamond Bar.

Costs:

The 1988 capital cost estimate for this improvement is \$40 million.

Implementation:

The current schedule slates the Orange Freeway improvements for the first five-year period of the plan.

Riverside Freeway (SR 91) from the Los Angeles County Line to the Riverside County Line

Description:

Long-range plans call for the addition of one carpool lane in each direction on the Route 91 from Riverside County line to Los Angeles County line. The first phase of this project on Route 91 extends from the Riverside County line and terminates at the Orange Freeway. The second phase extends from Route 57 to the Los Angeles County line. In addition to the carpool lanes, plans for the freeway include rebuilding the freeway-to-freeway interchanges and providing soundwalls and other environmental mitigation features. About 210,000 vehicles used this freeway in 1988 and forecasts show demand to exceed 240,000 in the future. Both Los Angeles and Riverside counties have plans to improve SR 91 within their jurisdictions.

Costs:

The capital cost for these improvements is \$400 million.

Implementation:

Construction of Phase I improvements is scheduled for the first 10 years of the plan and Phase II improvements will occur during the second 10 years.

State Route 22 Measure M Description

Garden Grove Freeway (State Route 22) from State Route 55 to Valley View Street

Description:

State Route 22 is the last major freeway in Orange County slated for improvements. In 2000, over 174,000 vehicles a day traveled on this freeway and forecasts show demand increasing to over 212,000 daily. Plans call for the addition of carpool lanes in each direction along with auxiliary lanes, interchange improvements and environmental mitigation.

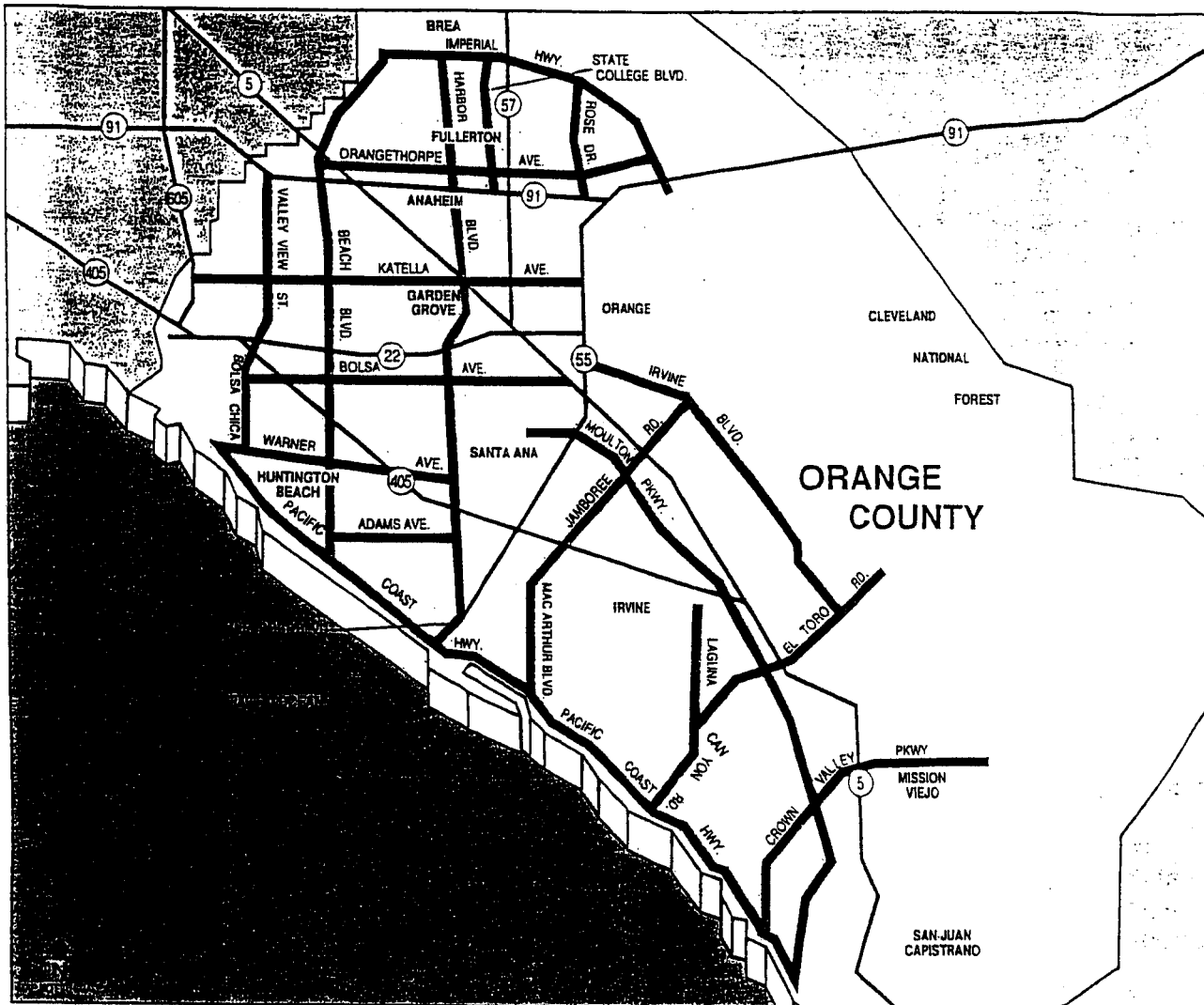
Costs:

The Measure M contribution for this project shall not exceed \$158 million (in 1988 dollars). These funds will leverage existing Federal, State, and Local sources that are providing over \$235 million toward improvements.

Implementation


Design of the project will begin immediately. Construction is targeted to begin by 2004. Sales Tax revenues would be used to augment funding from other sources.

Orange County Streets and Roads Projects



Legend

 Super Streets

 Freeways

Please note: The following projects are included under Orange County Street and Road Projects but not shown on map:

1. Regional Interchanges
2. Intersection Improvement Program throughout Orange County
3. Signal Coordination throughout Orange County
4. Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)
5. Master Plan of Arterial Highways for Orange County
6. Streets Maintenance and Local Roads Projects
7. Growth Management Area Improvements

Orange County Streets and Roads Project Descriptions

Super Streets Throughout Orange County

Description:

The Super Street Program for Orange County is a 220-mile network of arterial streets targeted for improvements designed to increase their ability to carry traffic. These improvements consist of traffic signal synchronization, restriping/widening roadways to increase the number of travel lanes, intersection grade separations, bus turnouts, removal of on-street parking, and intersection improvements. The Super Street Network includes 21 major arterial streets throughout Orange County such as Beach Boulevard, Katella Avenue and El Toro Road.

Costs:

\$120 million of sales tax revenue is targeted for Super Street improvements.

Implementation:

Improvements would be phased over the 20-year program, and coordinated with other local improvements.

Regional Interchanges

Description:

The goal of the program is to further enhance the local street interchanges at key freeway junctions such as the interchanges of I-405 and Warner Avenue, and Route 22 and Beach Boulevard. The program also would direct connections between the transitway system and local streets, for example at Route 57 and Cerritos Avenue.

Local agencies would be required to provide dollar-for-dollar matching funds. All freeway and major street junctures throughout Orange County are eligible. Improvements will be coordinated with other freeway projects and phased in over 20 years.

Costs:

\$70 million of sales tax revenue is targeted for this program.

Intersection Improvement Program Throughout Orange County

Description:

The 20-Year Master Plan of Transportation Improvements recommends that 100 of the county's most congested street intersections such as the intersections of Bristol/MacArthur Boulevard, El Toro Road/Rockfield and State College Boulevard/Imperial Highway be identified and scheduled for improvement. This program will help alleviate traffic bottlenecks present in Orange County. The schedule shows these improvements to span the full period of the plan.

Costs:

\$100 million over a 20-year period is recommended for this program.

Signal Coordination Throughout Orange County

Description:

With 29 cities in Orange County, the number of jurisdictions can complicate the coordination of traffic signals between city boundaries. This element of the 20-Year Master Plan of Transportation Improvements calls for financial assistance to cities and the County of Orange in timing traffic signals where streets cross city boundaries.

Costs:

\$50 million over a 20-year period is targeted for these improvements.

Master Plan of Arterial Highways for Orange County

Description:

The County of Orange currently provides \$4 million annually to complete the construction of major streets countywide. Over 80 percent of the county's road system has been constructed. Additional funding is proposed that, when combined with county and other local funds, will help complete the system. Construction will occur throughout the 20-year program.

Costs:

\$100 million is allocated to construct and improve local streets and roads.

Orange County Streets and Roads Project Descriptions

Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)

Description:

Transportation system and demand management focus on increasing the present capacity of the transportation system for the movement of people rather than of vehicles at a relatively low capital cost. Thus, these strategies center on increasing the occupancy of vehicles and spreading the demand for travel to times when facilities have excess capacity. These measures include carpooling and vanpooling programs, park-and-ride service development, removal of on-street parking, parking management, and controlling delivery and operations of commercial vehicles. Also included are bicycling, alternative work hours, development of site amenities to encourage high occupancy use, such as transit shelters and preferential parking, and reversible traffic lanes to add capacity to the peak direction. This element of the *20-Year Plan for Transportation Improvements* calls for each city to develop and implement TSM/TDM strategies. Implementation of these improvements will occur throughout the life of the 20-year program.

Costs:

\$10 million is required for this program.

Growth Management Area Improvements

Description:

An important component of the plan is the formation of Growth Management Areas that will blend local and regional planning perspectives and traffic control techniques. These areas will be established by grouping local jurisdictions with similar land use and transportation characteristics. This program element will focus on addressing cumulative regional traffic impacts of development. Specifically, funds will be used to complete traffic improvements crossing city/county boundaries. Under no circumstances may local government use funds from the program to subsidize costs which should be borne by developers.

Costs:

\$100 million over a 20-year period is targeted for this program.

Streets Maintenance and Local Roads Projects

Description:

This program element offers cities funds for street maintenance and local traffic improvements. The program is designed to supplement city and county expenditures on road projects and will require continuation of local investment in the street and road system. Specifically, to receive these funds cities must:

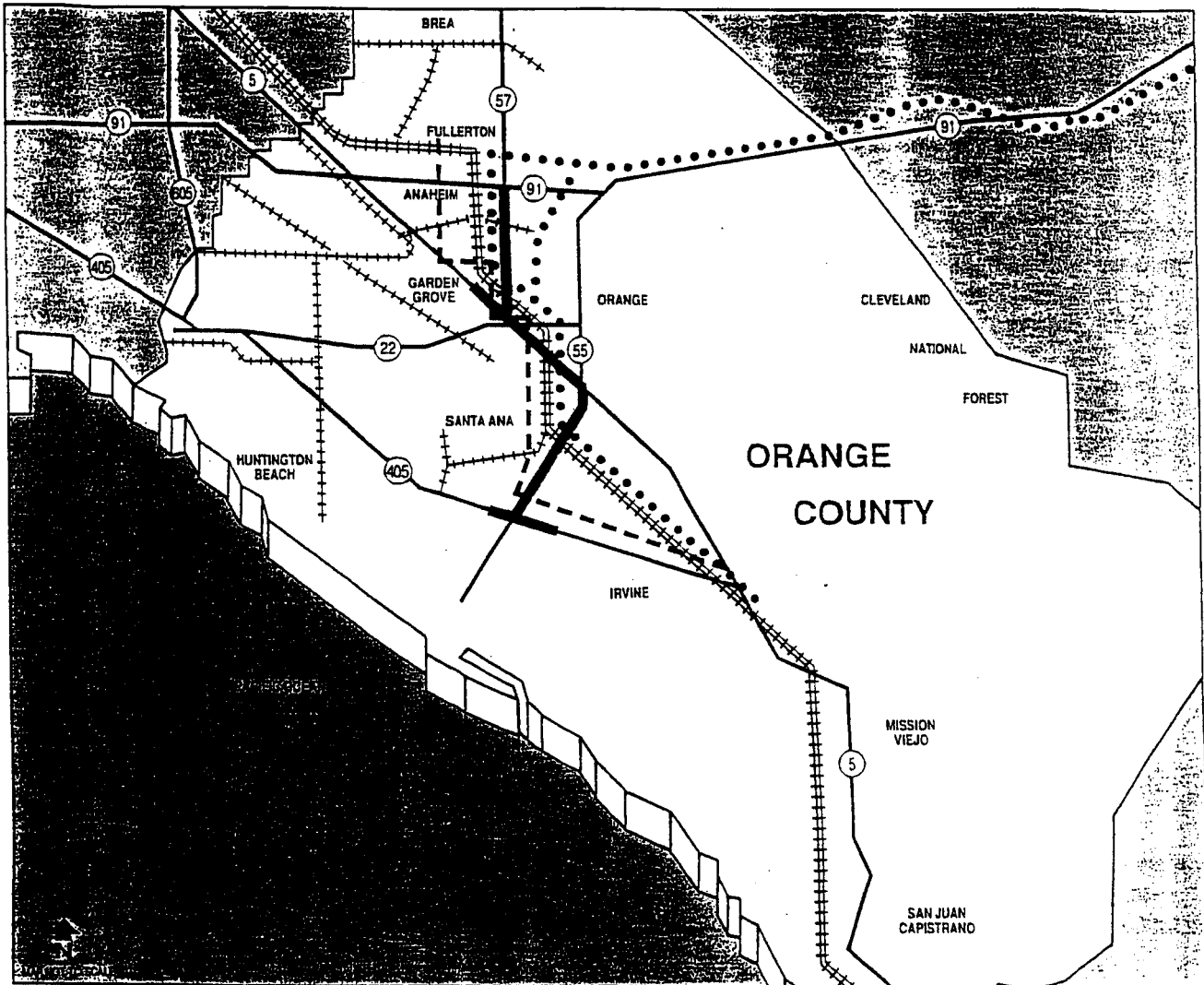
- adopt a *Growth Management Plan* as called for in the 20-Year Master Plan;
- adopt a local *Pavement Management System* that will eliminate the need for costly road reconstruction and adequately fund such a system;
- adopt a local *Transportation Systems Management* plan to make better use of the road network;
- agree to complete improvements within three years or return the funds; and
- adopt a local traffic circulation plan that is consistent with the countywide *Master Plan of Arterial Highways*.

This is a countywide program to maintain and improve over 5,000 miles of local streets and roads and will extend over the entire 20-year program.

Costs:

Previous studies have indicated that an initial investment of \$200 million is needed to bring all deficient streets into good repair, and an annual allocation of \$36 million for routine maintenance. It is proposed to allocate \$450 million towards such needs that, when combined with local resources, will provide substantial new funding for Orange County streets and roads.

Orange County Transit Projects



Legend			
-----+-----	Existing Rail Right-of-Way	-----+-----	Lossan Intercity Rail Program and Lossan Commuter Rail
-----	High-Technology Advanced Rail Transit	Riverside Commuter Rail
—————	Transitway Development Program		

Please note: Included under Orange County Transit Projects but not shown on map is the Senior Citizens/Disabled Reduced Fares Program.

Orange County Transit Project Descriptions

Rail Transit Right-Of-Way Protection

Description:

Right-of-way (ROW) protection on the Pacific Electric/Southern Pacific West Santa Ana Branch from Santa Ana to Los Angeles County line.

Location:

Central and west part of the county. Goes through the cities of Santa Ana, Garden Grove, Stanton, Anaheim, Buena Park, Cypress, and La Palma.

Technology and Ridership Estimates:

The future technology to be considered in this corridor and on this alignment would be some type of rail transit. Due to the long-term nature related to implementation of service, revised ridership estimates are not available. There are previous studies conducted by OCTC and OCTD which do provide ridership estimates. Depending on the rail system the segment is connected to, the daily ridership for the year 2000 is forecast at 10,000-15,000.

Costs:

\$50 million would be reserved for this project and used by the OCTC to preserve the right-of-way opportunities on this alignment.

Implementation:

It is assumed that the ROW would be purchased during the first five years of the program.

Issues/Comments:

1. The Southern Pacific (SP) right-of-way (ROW) from Beach Blvd. to Downtown Los Angeles is being considered for abandonment by SP. This ROW along with the existing ROW owned by OCTD could provide a future rail transit connection to the Century Freeway rail transit line and Los Angeles County's rail transit system. The distance is approximately five miles.

2. The OCTD now owns the Pacific Electric (PE) ROW from Santa Ana to Beach Blvd. (7 miles). The City of Garden Grove proposes to develop parcels through their redevelopment agency at future station locations at Euclid and Brookhurst. The city proposes to purchase approximately 6,100 feet of the ROW and provide an acceptable financial package to OCTC and OCTD that would not preclude the development of rail transit in the future. The city also proposes to minimize the repurchase price of the ROW when needed for rail transit development. The development of rail transit in this corridor could be started within the next 20 years.

References:

1. Santa Ana Transportation Corridor, Transit Element, Alternatives Analysis and Draft Environmental Impact Report, OCTD, February 1984.

2. Santa Ana Transportation Corridor, Multimodal Alternatives Analysis, Preliminary Findings Report, OCTC, December 1984.

Orange County Transit Project Descriptions

LOSSAN Corridor Intercity Rail Service

Description:

The LOSSAN corridor extends for 128 miles between the downtown areas of Los Angeles and San Diego, and is second only to the Northeast Corridor in ridership on the Amtrak rail passenger system. This rail line (Santa Fe) links communities in the counties of Los Angeles, Orange, and San Diego. At this time, over six million people reside within five miles of this rail line. There are currently nine stations with five of them in Orange County. Amtrak's present service in the LOSSAN corridor includes eight daily trains in each direction. The future proposal calls for two additional trains to be added.

Location:

The project uses the Santa Fe/Amtrak line from the San Diego downtown to the Los Angeles Central Business District (CBD), a distance of 128 miles with 47 miles in Orange County.

Technology and Ridership Estimates:

The technology currently used for this service is diesel-electric locomotives pulling up to six passenger cars. The cars are approximately 85 feet long and can operate at high or low platforms. Based on current usage and the implementation of two new roundtrips, the ridership is forecasted to be 8,000 riders per day.

Costs:

A capital development program that includes funding by all three counties, Amtrak, the State of California, and Santa Fe Railroad has been developed that will allow for expansion of service to 10 trains per day in each direction. Orange County's share of this program is approximately \$20 million. Any required operating assistance would be paid by the State and Amtrak. These services are very close to having full farebox recovery on operating and maintenance costs and are therefore priced for intercity type service and not priced to encourage daily commuter use.

Implementation:

If the funding program can be put in place, service could begin as early as 1993.

Issues/Comments:

This program requires the cooperation of the three counties, Caltrans, Amtrak, Santa Fe, and the local communities to be implemented successfully.

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group, Consultants-Wilbur Smith & Associates, Morrison-Knudsen Engineers, and Arthur Bauer & Associates.
2. Los Angeles to San Diego (LOSSAN) Corridor Status Report and Proposed Commuter Rail Implementation Program, Report to Orange County Transportation Commission, June 16, 1988, staff consultant-Sharon Greene & Associates.
3. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

LOSSAN Corridor Commuter Rail Service

Description:

The proposed commuter rail service in the LOSSAN Corridor specifically will be directed at the needs of persons commuting on a daily basis. Train schedules, station locations, and fare policy will be set to accommodate the needs of these commuters. The initial service calls for two peak period trains inbound from San Clemente to Los Angeles on weekday mornings and two peak period trains outbound from Los Angeles to San Clemente on weekday evenings. The service calls for nine stations in Orange County and four in Los Angeles County. The additional stations in Orange County include Mission Viejo, North Irvine, and Buena Park. The Irvine station (Spectrum area) is included in the nine stations. The commuter trains would supplement the intercity trains that are proposed and currently operated by Amtrak.

It is also proposed that the project acquire the Santa Fe right-of-way (ROW) from Fullerton to the San Diego County line in cooperation with San Diego agencies. Based on the activities proposed for this project, these actions would constitute the first step in developing a major backbone rail transit system for Orange County.

Location:

The project uses the Santa Fe/Amtrak line from the San Clemente/Oceanside area to the Los Angeles central business district.

Technology and Ridership Estimates:

The technology to be used for this service would be similar to the current Amtrak service. It is estimated that the initial service would attract 2,000 riders per day in the peak periods. Ridership will increase over time as additional commuter service is scheduled.

Costs:

A capital development program has been proposed that would include the purchase of the Santa Fe ROW, provision of equipment to provide the service, and the development of three new stations at Mission Viejo, North Irvine, and Buena Park. The service would require operating assistance as the farebox is estimated to fund 40-50 percent of the annual costs. The capital cost estimate for Orange County's share is \$108 million and for operating subsidy is \$22 million for the balance of the 20-Year Plan period.

Implementation:

The service could begin as early as 1993, if funding is in place.

Issues/Comments:

The implementation of this project and this ROW as the backbone rail transit corridor is dependent on the successful negotiation and purchase of the Santa Fe ROW south of Fullerton. This project, as well, needs the full cooperation of all three counties (L.A., Orange, and San Diego).

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group.
2. Santa Ana Transportation Corridor Multimodal Alternatives Analysis, Commuter Rail Element, 1984, Orange County Transportation Commission.
3. LOSSAN Corridor Status Report and Proposed Commuter Rail Implementation Program, report to OCTC, June 16, 1988.
4. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

Riverside Commuter Rail Service

Description:

This proposed project operating on Santa Fe trackage would be a cooperative and jointly funded program with the Riverside County Transportation Commission (RCTC). The proposed commuter rail service would begin in downtown Riverside and terminate at the Irvine station (Spectrum). Four trains per day in each direction are proposed. Of the four daily trains, two would be routed directly to Irvine, while the other two serve destinations in Placentia, Fullerton, and Anaheim before rejoining the other route at the Chapman station in Orange. Seven new stations/stops are proposed in Orange County.

The initial directional service is proposed to begin during the morning peak period and operate four south-bound trains on 20-minute headways. A similar return set of trips would be operated during the evening peak period. The route going directly to Irvine would be approximately 50 miles and the route through Fullerton and Anaheim would be 56 miles long.

Location:

The project would use Santa Fe ROW between Riverside and Irvine.

Technology and Ridership Estimates:

The technology to be used for this service would be the same type as the current Amtrak service on the LOSSAN corridor. It is estimated that the proposed service would attract 6,400 riders per day in the peak periods.

Costs:

The Feasibility Assessment study estimated Orange County's share of the capital costs at \$65 million and the operating costs at \$25 million (through the end of the 20-Year Plan period). The Riverside County share will be funded through their one-half cent sales tax that passed in November 1988.

Implementation:

This service will be initiated during the second 10 years of the plan.

Issues/Comments:

The key issues to be addressed by the two agencies (OCTC and RCTC) are the financial arrangements, priority of expenditures, and the funding splits.

References:

1. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Interim Report, OCTC and RCTC, July 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.
2. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Final Report, OCTC and RCTC, December 6, 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.

Orange County Transit Project Descriptions

High-Technology Advanced Rail Transit

Description:

This project would further develop the existing rail right-of-way and initiate a high capacity urban rail system in Orange County. This 20-Year Plan element will also provide matching funds to encourage local development of extensions to major activity centers.

The primary improvements will be along the LOSSAN rail corridor and designed to provide frequent train service between south and north Orange County with nine stops at San Juan Capistrano, San Clemente, Mission Viejo, Irvine, North Irvine, Santa Ana, Anaheim, Fullerton, and Buena Park.

The extension will provide access between the primary rail system and employment centers. Two of the potential candidate projects are the Anaheim People Mover Project and the Irvine Spectrum to John Wayne Airport Fixed Guideway transit line that could ultimately extend further west to the South Coast Metro area and beyond.

Location:

This project would use the Santa Fe/Amtrak line from San Clemente to Buena Park.

Technology and Ridership Estimates:

Selection of technology, ridership estimates and system costs need further analysis and studies.

Costs:

The total capital cost of the urban rail improvements could exceed \$800 million. Rail extension costs will be determined pending selection of technology. It is recommended that \$340 million be allocated toward this system. System connectivity, ridership/performance and availability of matching funds will be used as criteria to determine the relative priority of investment in the system.

Implementation:

Planning work on this project will begin immediately. The goal is to implement the project(s) during the second 10 years of the plan.

Reference:

Transit Strategy Report, April 1989, Orange County Transportation Commission, prepared by Parsons Brinckerhoff Quade & Douglas, Inc.

Orange County Transit Project Descriptions

Senior Citizens/Disabled Persons Reduced Fares

Description:

This project would stabilize fares for senior citizens and persons with disabilities on all forms of public transit including OCTD bus and dial-a-ride programs, City of Laguna Beach system, the Consolidated Transportation Service Agency (CTSA) and any rail service that is implemented.

The OCTD fare for seniors on the local fixed routes is 40 cents in the peak period (weekdays only) and 10 cents in the off-peak; the Handicapped fare is 85 cents in the peak period and 40 cents in the off-peak; and on the demand responsive system the fare is 80 cents at all times. OCTD service accommodates approximately 80 percent of the current users.

Location:

This would apply to all of Orange County.

Technology and Ridership Estimates:

Based on today's usage of the public transit system, there are about 10,000 daily transit rides.

Costs:

It is estimated that a fare stabilization program would cost about \$1 million per year, or \$20 million over 20 years.

Implementation:

This could be implemented immediately if an additional funding source is available.

References:

Short Range Transit Plans and Transportation Improvement Programs for fiscal years 1989-1993 and fiscal years 1990-1994 for OCTD, City of Laguna Beach, and CTSA.

Transitway Development Program

Description:

The transitway development program is a 19.4-mile program for the I-5, SR55 and SR57 corridors from the SR91 to the I-405 corridor. The program is made up of freeway-to-freeway connectors and other projects which can be implemented separately. In addition to these projects, Park-and-Ride lots are needed to complete the system. For the transitway program to function as approved, all of the components should be in place to receive maximum benefits, but substantial benefits are attainable with each project.

Location:

Central county on the SR57, I-5, SR55, and I-405 freeways.

Technology and Ridership Estimates:

The transitway lanes would be used by buses and other high occupancy vehicles such as carpools and vanpools. The total expected usage of the transitway segment would be 22,000 daily transit trips and 50,000 carpool-user/daily-person trips.

Costs:

A portion of this program (\$154 million) is funded using existing resources and is incorporated into the I-5 (Santa Ana Freeway) improvements. Forty-six million dollars of federal funds is also assumed for the remainder of the program. An additional \$125 million in sales tax revenues is targeted for direct freeway-to-freeway connectors between Routes 57 and 91 and Routes 405 and 55, and Park-and-Ride facilities.

Implementation:

Projects will be implemented over the 20-year program in conjunction with freeway improvement projects.

References:

1. A Transitway Development Program for Orange County, October, 1986, Orange County Transit District.
2. A Transitway Development Program for Orange County, Concept Design Final Report, February, 1989, Orange County Transit District.
3. A Transitway Development Program for Orange County, Concept Design Final Report, Plans and Profiles, May, 1988, Orange County Transit District.

Growth Management Plan

Description:

The Revised Traffic Improvement and Growth Management Plan requires each city and the county to adopt a Growth Management Element of its general plan to be eligible to receive new transportation revenue, if new revenue is approved by Orange County voters.

Under this plan each local agency is required to:

- outline each agency's plans and efforts to develop multijurisdictional traffic solutions through a well-defined, cooperative planning process;
- specify traffic level of services;
- promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Systems Management (TSM) and Transportation Demand Management (TDM);
- require a traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;
- foster a better balance of jobs and housing and reduce commuter trips through careful planning;
- encourage local jurisdictions, where applicable, to establish performance standards for fire, police, library, parks, open space, flood control, and other infrastructure based on local criteria;
- require phasing of new development to ensure that service level goals are achieved;
- pursue additional revenue to upgrade recreational areas and to acquire additional open space.

The countywide Revised Traffic Improvement and Growth Management Plan emphasizes good planning, improved cooperation between neighboring cities, and requires that development pays its fair share toward dealing with traffic generated by that new development.

With this approach, new transportation revenue, in the form of a one-half cent sales tax measure, would be focused on curing existing transportation and traffic deficiencies while a new traffic mitigation fee will help pay a fair share of the cost of infrastructure required by new residential, commercial and industrial growth.

ORANGE COUNTY LOCAL TRANSPORTATION AUTHORITY

ORDINANCE NO. 2

AMENDED:

SEPTEMBER 23, 1991

NOVEMBER 25, 1991 ✓

MAY 23, 1994 ✓

MAY 13, 1996 ✓

JUNE 9, 1997

DECEMBER 10, 2001 ✓

SEPTEMBER 13, 2004 ✓

1 B. The Retail Tax shall be in addition to any other taxes imposed by law, including
2 any existing or future state or local sales tax or transaction and use tax. The provisions of
3 California Revenue and Taxation Code Sections 7261 and 7262 are hereby incorporated by
4 reference as if fully set forth herein.
5

6 SECTION 4. AGREEMENT WITH STATE BOARD OF EQUALIZATION

7 A. Prior to the effective date of this Ordinance, the Authority shall contract with the
8 California State Board of Equalization (the "State Board of Equalization") to perform functions
9 incident to the administration and operation of this Ordinance.
10

11 B. The relationship between the Authority and the State Board of Equalization shall
12 be specified in a companion Ordinance which shall be adopted when the electors approve the
13 Retail Tax.
14

15 SECTION 5. INTENT AND PURPOSES

16 A. All of the gross revenues generated from the Retail Tax plus any interest or other
17 earnings thereon (collectively, the "Retail Tax Revenues") after deduction of amounts payable
18 to the State Board of Equalization pursuant to Section 4 hereof and after deduction of costs for
19 the administration of the Plan as provided herein, shall be used solely for the transportation
20 projects and programs described in the Plan.
21

22 B. The specific projects and programs to be implemented pursuant to this
23 Ordinance as well as the Growth Management Program (as hereinafter defined) required by
24 this Ordinance are described in the Plan. As used herein, the term "Growth Management
25 Program" shall mean and refer to the Orange County Division, League of California Cities,
26 Countywide Traffic Improvement and Growth Management Program, Countywide Growth
27 Management Plan Component, dated June 15, 1989, which is hereby incorporated by
28 reference as if fully set forth herein.
29

30 C. All local jurisdictions and special jurisdictions in Orange County (the "County")
31 are encouraged to seek all available funding from private and public sources to further the
purposes of the Plan and this Ordinance.

1 D. It is the intent of the Authority to provide a forum for the discussion and resolution
2 of countywide transportation planning and related issues.

3
4 SECTION 6. BONDING AUTHORITY

5 A. "Pay as you go" financing is the preferred method of financing transportation
6 improvements and programs under this Ordinance. However, the Authority may use bond
7 financing as an alternative method if the scope of planned expenditures makes "pay as you go"
8 financing unfeasible.

9
10 B. Upon approval by the electors of the ballot proposition described in Section 15
11 herein (the "Ballot Proposition"), the Authority shall be empowered to issue bonds (the
12 "Bonds"), pursuant to the provisions of Division 19, Sections 180250 through 180265, of the
13 California Public Utilities Code, for the transportation purposes described in Section 12 herein.
14 The Bonds shall be payable from the Retail Tax Revenues.

15 SECTION 7. MAINTENANCE OF EFFORT REQUIREMENTS

16
17 A. It is the intent of the Legislature and the Authority that the Retail Tax Revenues
18 allocated pursuant to this Ordinance for local street and road projects be used to supplement
19 and not replace existing local revenues being used for transportation improvements and
20 programs.

21
22 B. Under state enabling legislation (Public Utilities Code Section 180200), a local
23 jurisdiction cannot redirect monies currently being used for transportation purposes to other
24 uses and replace the redirected funds with Retail Tax Revenues. To meet said requirement of
25 State law, each local jurisdiction is hereby required to maintain a minimum level of local streets
26 and roads expenditures in conformance with the following requirements (the "Maintenance of
27 Effort Requirements"):

28
29 1. The minimum annual level of local streets and roads expenditures for
30 each jurisdiction shall be based upon an average of the expenditures in each jurisdiction for
31 the purposes of local street maintenance and construction over the five (5) year period from
Fiscal Year 1985-86 through Fiscal Year 1989-90.

1 2. Within six months after approval of the Retail Tax by the electors, the
2 Authority shall, through a cooperative process with all affected jurisdictions, adopt a method for
3 calculating minimum expenditures including a means for taking into account extraordinary
4 expenses or special circumstances, including, but not limited to, state and federal grants,
5 redevelopment and bond financing.
6

7 3. Within six months after approval of the Retail Tax by the electors, the
8 Authority, through a cooperative process with all affected jurisdictions, shall adopt a method for
9 determining minimum expenditures in newly incorporated cities, areas annexed to existing
10 cities, and for making corresponding, appropriate adjustments to the County's minimum
11 expenditures because of such incorporation(s) and/or annexation(s).
12

13 C. An annual independent audit may be conducted by the Authority to verify that the
14 Maintenance of Effort Requirements are being met by the local jurisdictions.
15

16 D. Any local jurisdiction which does not meet the Maintenance of Effort
17 Requirements in any given year shall not receive any Retail Tax Revenues in such year. Any
18 Retail Tax Revenues withheld because of failure of an otherwise eligible jurisdiction to comply
19 with the Maintenance of Effort Requirements shall be redistributed pro rata to remaining
20 eligible jurisdictions.
21

22 SECTION 8. POLICY RESOLUTIONS

23 A. Statements of policy ("Policy Resolutions") may be adopted by the Authority and
24 be affixed to this Ordinance by a two-thirds (2/3) vote of the Authority. These Policy
25 Resolutions shall have the same authority as other provisions of this Ordinance.
26

27 B. Policy Resolutions shall be consistent with the Plan adopted May 22, 1989, and
28 shall be designed to clarify this Ordinance. However, the Policy Resolutions may elaborate or
29 expand upon the generalized statements included in this Ordinance C. Policy Resolutions
30 clarifying this Ordinance, numbered consecutively and in resolution format, shall require at
31 least two readings and one public hearing before the Authority before becoming effective.

1 D. The intent of each Policy Resolution shall be to provide clear operating
2 instructions for the administration of this Ordinance and the Plan. In the event of any conflict,
3 the provisions of the Plan shall supersede the provisions of this Ordinance and any Policy
4 Resolution, and the provisions of this Ordinance shall supersede the provisions of any Policy
5 Resolutions.
6

7 SECTION 9. ADMINISTRATIVE COSTS

8 A. Retail Tax Revenues may be expended by the Authority for salaries, wages,
9 benefits, overhead, auditing, and those services, including contractual services, necessary to
10 administer the fiscal aspects of this Ordinance; however, in no case shall the annual
11 expenditures for the salaries and benefits of the staff of the Authority exceed one percent (1%)
12 of the Retail Tax Revenues.
13

14 B. Costs of performing or contracting for project-related work shall be paid from the
15 Retail Tax Revenues allocated to the appropriate purposes as set herein.
16

17 C. The Authority may contract with any public agency or private firm for planning or
18 programming purposes.
19

20 D. An annual independent audit shall be conducted to ensure that the Retail Tax
21 Revenues expended by the Authority under this Section 9 are necessary and reasonable in
22 carrying out its responsibilities under this Ordinance.
23

24 SECTION 10. ANNUAL APPROPRIATIONS LIMIT

25 A. Pursuant to Section 4 of Article XIII B of the State Constitution, the appropriations
26 limit for the first year of the Authority has been established as \$500,000,000.
27

28 B. Such appropriations limit shall be subject to adjustment as provided by law, and
29 all expenditures of Retail Tax Revenues are subject to such appropriations limit
30

31 SECTION 11. EFFECTIVE AND OPERATIVE DATES

A. This Ordinance and all of its Resolutions shall become effective on April 1, 1991,
only if a majority of electors voting at the election requested to be held November 6, 1990, vote
to approve the Ballot Proposition.

1 B. The Authority may begin work on the projects and programs described herein
2 when a majority of the electors voting November 6, 1990, vote to approve the Ballot
3 Proposition.
4

5 SECTION 12. USE AND SAFEGUARDS OF USE OF REVENUES

6 A. Retail Tax Revenues shall be used solely for transportation purposes, including
7 (i) the costs and expenses provided herein, (ii) legal actions related hereto, (iii) the
8 construction and improvement of state and federal highways, (iv) the construction,
9 maintenance, improvement, and operation of local streets, roads and highways, and the transit
10 services and facilities (including bus, light rail, rapid transit and commuter rail services and
11 facilities) described in the Plan.
12

13 B. The following safeguards are hereby established to ensure strict adherence to
14 the limitation on the use of Retail Tax Revenues set forth in Section 12.A. above:
15

16 1. A transportation trust fund ("Trust Fund") shall be established by the
17 elected County Auditor-Controller (the "Auditor-Controller") to maintain all Retail Tax
18 Revenues.

19 2. Interest earned on the Retail Tax Revenues deposited into the Trust Fund
20 shall be maintained in the Trust Fund and added to the Retail Tax Revenues for purposes of
21 allocation pursuant to this Ordinance.
22

23 3. The Auditor-Controller shall certify annually whether the expenditures from
24 the Trust Fund have been spent on the specific transportation purposes identified in the Plan.

25 4. Timelines shall be established by the Authority for each major project
26 detailed in the Plan and quarterly reports on meeting these timelines shall be brought before
27 the Authority in public meetings.
28

29 5. The Authority may contract for planning services and services for
30 developing a countywide transportation model. No more than five percent (5%) of all Retail
31 Tax Revenues shall be used for planning services or for services for developing such
countywide transportation model.

1
2 6. No Retail Tax Revenues shall be used by a local jurisdiction for other than
3 transportation purposes. Any jurisdiction which violates this provision shall be deemed
4 ineligible to receive Retail Tax Revenues for a period of five (5) years.

5 SECTION 13. AMENDMENTS

6 A. Amendments to Plan.

7
8 1. The Authority may annually review and propose amendments to the Plan
9 to provide for the use of additional federal, state and local funds to account for unexpected
0 revenues, or to take into consideration unforeseen circumstances.

1 2. The Authority shall establish a process to propose amendment(s) to the
2 Plan which shall ensure that all affected agencies participate in the development of the
3 proposed amendment(s). The Authority shall hold a public hearing on proposed amendments
4 prior to adoption.

5 3. No amendments to the Plan which change the funding categories,
6 programs or projects identified on page 18 of the Plan shall be made unless they are first
7 approved by a two-thirds vote of the Citizens Committee.

8 4. In addition to Section 13A3 above, any proposed changes in expenditures
9 among the four major funding categories of freeway projects, regional street and road projects,
10 local street and road projects, and transit projects identified on page 18 of the Plan shall be
11 ratified by the electors before going into effect. The Authority shall call for a special election to
12 place the matter before the electors.

13 5. Amendments to the Plan must be passed by a roll call vote of the
14 Authority members, must be entered into the minutes of the Authority, and must have a
15 majority of the members concurring with the proposed amendment(s). Subsequently, the
16 Authority shall give written notice to the County Board of Supervisors and the city council of
17 each city in the County and shall provide each entity with a copy of the proposed
18 amendment(s) pursuant to California Public Utilities Code Section 180207.

1
2 6. Proposed amendments to the Plan shall become effective 45 days after
3 notice is given.

4 B. Amendments to Ordinance.

5 1. All amendments subsequent to the effective date of this Ordinance to Part
6 1 of Division 2 of the California Revenue and Taxation Code relating to sales and use taxes
7 and which are not inconsistent with Part 1.6 of Division 2 of the California Revenue and
8 Taxation Code, and all amendments to Part 1.6 of Division 2 of the California Revenue and
9 Taxation Code, shall automatically become a part of this Ordinance; provided, however, that
10 no such amendments shall operate so as to affect the rate of tax imposed by this Ordinance.
11

12 2. The Authority shall establish a process to propose amendment(s) to this
13 Ordinance which ensures that the affected agencies receive notice of proposed Ordinance
14 amendments.
15

16 3. Amendments to this Ordinance must be passed by a roll call vote of the
17 members of the Authority, must be entered into the minutes of the Authority, and must have a
18 majority of the members of the Authority concurring with the proposed amendments.
19

20 4. Proposed Amendments to this Ordinance shall become effective 30 days
21 after notice is given to affected agencies.

22 SECTION 14. SEVERABILITY

23 A. If any section, part, clause or phrase of this Ordinance is for any reason held
24 invalid or unenforceable by a court of competent jurisdiction, the remaining portions shall not
25 be affected but shall remain in full force and effect.
26

27 B. If a state law is passed in the future which prevents local jurisdictions from
28 establishing standards for any of the growth management performance standards specified in
29 the Plan ("Performance Standards"), the Authority may elect to delete or modify the
30 requirements for those Performance Standards.
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SECTION 15. REQUEST FOR ELECTION

A. Pursuant to California Public Utilities Code Section 180201, the Authority hereby requests that the County Board of Supervisors call a special election to be conducted by the County on November 6, 1990 to place the imposition of the Retail Tax before the electors.

B. To avoid any misunderstanding or confusion by Orange County electors, the Local Transportation Authority requests that the matter being placed before voters be identified as "Measure M".

C. The proposition to be placed before the County electors on the November 6, 1990 ballot shall contain a summary of the projects and programs in the Plan and shall read substantially as follows:

THE REVISED TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT ACT. The purpose of this measure is to improve the quality of life, relieve traffic congestion, and improve air quality in Orange County by:

- ◇ Expanding the present Los Angeles to San Diego commuter rail service throughout Orange County;
- ◇ On I-5, the Santa Ana Freeway, adding up to three lanes in each direction from the Los Angeles County line to San Clemente;
- ◇ Rebuilding the I-5/I-405, El Toro "Y" Interchange;
- ◇ On State Route 91, adding an additional lane in each direction and improving major interchanges from Los Angeles to Riverside;
- ◇ On State Route 55, the Costa Mesa Freeway, adding a new lane in each direction between the Riverside and Santa Ana Freeways;
- ◇ Synchronizing traffic signals on major streets throughout Orange County;
- ◇ Improving maintenance and rehabilitation of streets and roads;
- ◇ Requiring each city and the County to adopt a growth management program to require a balance between land development and traffic impacts;

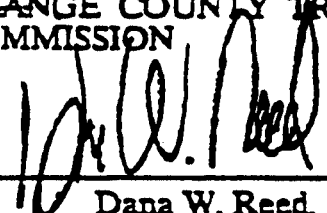
1 ◇ Increasing transit service and providing discount fares for senior citizens and the
2 disabled;
3

4 ◇ Empowering an independent Citizens Oversight Committee with a chairman elected
5 by all Orange County voters to guarantee that all funds generated by this measure shall be
6 used only for transportation purposes;
7

8 ◇ Requiring that any proposed change in the amount of funds for rail transit, freeway,
9 regional and local street improvement expenditures be brought back to the voters for their
10 approval;

11 Shall the Orange County Local Transportation Authority be authorized to (I) establish by
12 ordinance, a one-half (1/2) of one (1) percent retail transaction and use tax for a period of
13 twenty (20) years with an appropriations limit of \$500 million dollars, with the proceeds placed
14 in a trust fund to be used solely for traffic improvement and growth management and (II) issue
15 bonds payable solely from the proceeds of such retail transaction and use tax?
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23 **ORANGE COUNTY TRANSPORTATION**
24 **COMMISSION**

25
26 By: 
27 Dana W. Reed, Chairman

28 Date: 8-2-90
29

30 Approved as to form:
31 Parker and Covert

By: 
Attorneys for Orange County
Transportation Commission

1
2
3 POLICY RESOLUTION NO. 1
4 CITIZENS OVERSIGHT COMMITTEE
5

6 This Policy Resolution No. 1 is adopted by the Orange County Local Transportation Authority pursuant
7 to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance
8 (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have
9 the same meaning as in the Ordinance.
10

11 I. PURPOSE AND ORGANIZATION. A citizens committee is hereby established for the
12 purpose of overseeing compliance with the Plan, specifically the duties and responsibilities set forth in
13 Section V hereof (the "Citizens Committee"). The Citizens Committee shall be organized and convened
14 before any Retail Tax Revenues are collected pursuant to the Ordinance.
15

16 II. COMMITTEE MEMBERSHIP REQUIREMENTS AND RESTRICTIONS. The Citizens
17 Committee shall consist of nine (9) members. The composition of the Citizens Committee membership
18 shall be subject to the following requirements and/or restrictions:

19 A. Geographic Balance. The membership of the Citizens Committee shall be
20 geographically balanced at all times as follows:

21 1. There shall be at least one (1) member of the Citizens Committee
22 appointed from each of the County's supervisorial districts (individually, a "District"); and
23

24 2. There shall be no more than two (2) members of the Citizens Committee
25 appointed from any one District.

26 3. The elected Orange County Auditor-Controller (the "Auditor-Controller")
27 shall be a member and chairman of the Citizens Committee.
28

29 B. Reappointment: Maximum Term.

30 1. Citizens Committee members who have resigned, been removed, or
31 whose terms have expired may be reappointed; provided, however, that no person other than the

1 Auditor-Controller shall serve as a member of the Citizens Committee for a period in excess of six (6)
2 consecutive years.

3
4 2. Upon the resignation or removal from office of any Auditor-Controller and
5 upon the expiration of the elected term of any Auditor-Controller, the successor Auditor-Controller shall
6 serve as a member of the Citizens Committee.

7 III. COMMITTEE MEMBERSHIP SELECTION PROCESS. The members of the Citizens
8 Committee shall be selected and appointed in accordance with this Section III hereof.

9
10 A. Membership Recommendation Panel.

11 1. The Authority shall contract with the Orange County Grand Jurors
12 Association for the formation of a committee membership recommendation panel (the "Panel" to
13 perform the duties set forth in this subsection III A. If the Orange County Grand Jurors' Association
14 refuses or fails to act in such capacity, the Authority shall contract with another independent
15 organization selected by the Authority for the formation of the Panel.

16
17 2. The organization contracted by the Authority shall form a five (5) member
18 Panel to screen and recommend potential candidates for Citizens Committee membership in
19 accordance with this Section III A.

20 3. The Panel shall be charged with soliciting, collecting and reviewing
21 applications from potential candidates for membership on the Citizens Committee. No currently elected
22 or appointed city, district, county, state or federal official will be eligible to serve as a Citizens
23 Committee member, except the elected Auditor-Controller. Subject to the foregoing restriction, the
24 Panel shall evaluate each potential candidate on the basis of the following criteria:

25
26 a. Commitment and ability to participate in Citizens Committee
27 meetings;

28
29 b. Demonstrated interest and history of participation in community
30 activities, with special emphasis on transportation-related activities; and
31

1
2
3 c. Lack of conflicts of interest with respect to the allocation of Retail
4 Tax Revenues.

5 4. The Panel shall recommend to the Authority at least three (3), and no
6 more than five (5) candidates from each District for initial membership on the Citizens Committee.
7 Thereafter, the Panel shall recommend to the Authority at least three (3) and no more than five (5)
8 candidates for filling each vacancy on the Citizens Committee.
9

10 B. Initial Members.

11 1. Membership Term. Three (3) of the initial Citizens Committee members
12 shall be appointed for a term of three (3) years; three (3) of the initial Citizens Committee members
13 shall be appointed for a term of two (2) years; and two (2) of the initial Citizens Committee members
14 shall be appointed for a term of one (1) year.
15

16 2. Appointment. The initial members of the Citizens Committee shall be
17 appointed by the Authority in the following manner. The Authority shall place the names of the
18 candidates recommended by the Panel on equally-sized cards which shall be deposited randomly in a
19 container. In public session, the chairman of the Authority will draw a sufficient number of names from
20 said container to allocate Citizens Committee membership in accordance with the membership
21 requirements and restrictions set forth in Section II hereof and otherwise in the order of the names
22 drawn as follows:
23

24 a. The first person whose name is drawn from each District shall be
25 appointed to serve a three (3) year term until all three (3) year terms have been allocated. Thereafter,
26 the first person whose name is drawn from each District shall be appointed to serve a two (2) year term.
27

28 b. After one (1) candidate from each of the five (5) Districts is
29 appointed to serve as a Citizens Committee member pursuant to subsection (i) above, the remaining
30 members of the Citizens Committee shall be appointed in the order of names already drawn, but not
31 previously assigned a term and thereafter in the order of names drawn by the chairman of the

1 Authority, with the remaining two (2) year terms to be filled first and the one (1) year terms to be filled
2 thereafter.

3
4 C. Vacancies. Vacancies on the Citizens Committee, however caused, shall be filled by
5 the Authority in accordance with this Section III C. Said vacancies shall be filled annually on or about
6 July 1 to replace members whose terms are expiring, and at such other times as are necessary to
7 replace members who have resigned or been removed.

8
9 1. Membership Term. Each new member of the Citizens Committee shall be
10 appointed for a term of three (3) years; provided, however, that any new member appointed to replace
11 a member who has resigned or been removed shall serve only the balance of such member's
12 unexpired term, unless reappointed thereafter.

13
14 2. Appointment. The Authority shall place the names of the candidates
15 recommended by the Panel for filling vacancies on equally-sized cards which shall be deposited
16 randomly in a container. In a public session, the chairman of the Authority will draw one (1) name from
17 said container for each vacancy on the Citizens Committee. The persons whose names are so drawn
18 shall be appointed by the Authority to fill said vacancies.

19 IV. RESIGNATIONS: REMOVAL.

20
21 A. Resignations. Any member of the Citizens Committee may, at any time, resign
22 from the Citizens Committee upon written notice delivered to the Authority; provided, however, that
23 such resigning member may continue to serve on the Citizens Committee until a successor member is
24 appointed to serve such member's unexpired term.

25
26 B. Removal. Any Citizens Committee member who has three (3) unexcused
27 absences from meetings of the Citizens Committee shall be removed from serving as a member of the
28 Citizens Committee. An absence from a Citizens Committee meeting shall be considered unexcused
29 unless, prior to or after such absence (i) the absent member submits to each of the other members a
30 written request to excuse such absence, which request shall state the reason for such absence and
31

1 any special circumstances existing with respect to such absence; and (ii) a majority of the other
2 Citizens Committee members have agreed to excuse such absence.

3
4 C. Acceptance of any public office as referred to in Section IIIA3 hereof or the filing
5 of an intent to seek public office by a member of the Citizens Committee, including a filing under
6 California Government Code Section 85200, shall constitute such member's automatic resignation
7 from the Citizens Committee.

8
9 V. DUTIES AND RESPONSIBILITIES. The Citizens Committee is hereby charged with
10 the following duties and responsibilities:

11 A. Promptly after being appointed to the Citizens Committee, the initial members
12 shall convene to adopt such procedural rules and regulations as are necessary to govern the conduct
13 of Citizens Committee meetings, including, but not limited to, those governing the calling, noticing and
14 location of Citizens Committee meetings, as well as Citizens Committee quorum requirements and
15 voting procedures. The Citizens Committee may select its own officers, including, but not limited to, a
16 Citizens Committee co-chairman who will be the primary spokesman for the Citizens Committee.

17
18 B. The Citizens Committee shall approve, by a 2/3 vote, any material amendments
19 to the Expenditure Plan or any portions of the Plan proposed by the Authority which change the funding
20 categories, programs or projects identified on page 18 of the Plan.

21
22 C. The Citizens Committee shall review the growth management plan for each
23 jurisdiction solely to determine if the plan prepared and certified by each includes the elements
24 specified in the countywide Growth Management Program.

25 1. The Citizens Committee shall use a checklist to determine if the Growth
26 Management Element of each jurisdiction, if and when required by the Growth Management Program;
27 has:

- 28
29 a. Specified traffic level of service standards;
30 b. Adopted planning standards for fire, police, library, flood control,
31 parks and open space, and other locally determined needs;

- c. Adopted a development mitigation program;
- d. Adopted a development phasing program
- e. Developed a seven-year capital improvement program;
- f. Participated in inter-jurisdictional planning forums;
- g. Addressed a balancing of housing options and job opportunities;

and

- h. Adopted a transportation systems management ordinance.

2. A Growth Management Element, as required by the Growth Management Program, shall be adopted by each local jurisdiction in accordance with the provisions of the California Government Code, which governs procedures for adopting elements of a general plan. Neither the Authority's nor the Citizens Committee's review hereunder shall include a determination as to the adequacy of such Growth Management Elements and components thereof. Each jurisdiction shall determine the adequacy of its Growth Management Element, and any legal challenge to such adequacy shall be brought against such jurisdiction in accordance with the provisions of statutes and case law governing legal challenges to the adequacy of general plan elements.

3. Once the Citizens Committee has reviewed the growth management checklist as described in Section VC1 above, it shall forward its finding to the Authority. If the Authority determines that the checklist is fulfilled, and the requirements of the Policy Resolutions and the Ordinance are met, the Retail Tax Revenues shall be allocated to the jurisdiction pursuant to the Ordinance.

4. The Citizens Committee shall hold an annual public hearing to determine whether the Authority is proceeding in accordance with the Plan. In addition, the Citizens Committee may issue reports, from time to time, on the progress of the transportation projects described in the Plan.

D. The Citizens Committee shall place priority on each jurisdiction's development of a seven-year capital improvement program and shall ensure that all expenditures proposed in a

1 jurisdiction's seven-year capital improvement program conform with the transportation purposes
2 identified in Policy Resolution No. 3.
3

4 E. Except as otherwise provided by the Ordinance, the Citizen's Committee may
5 contract, through the Authority, for independent analysis or examination of issues within the Citizens
6 Committee's purview, including a performance audit of the Authority. The Citizens Committee may
7 also, through the Authority, hire staff to assist the Citizens Committee in discharging its duties
8 hereunder.
9

10 F. The Citizens Committee may submit a written request to the Authority to explain
11 any perceived deviations from the Plan. The Authority's chairman must respond to such request, in
12 writing, within sixty (60) days after receipt of the same.
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21 **ORANGE COUNTY TRANSPORTATION**
22 **COMMISSION**

23
24 By: 

25 Dana W. Reed, Chairman

26 Date: 8-2-90

27
28 Approved as to form:
29 Parker and Covert

30 By: 

31 Attorneys for Orange County
Transportation Commission

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POLICY RESOLUTION NO. 2
GROWTH MANAGEMENT

Amended May 23, 1994

This Policy Resolution No. 2 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. GROWTH MANAGEMENT PROGRAMS AND GROWTH MANAGEMENT AREAS.

A. In order to receive Retail Tax Revenues from the Authority, local jurisdictions must meet the requirements of the Plan and specifically those requirements relating to growth management which are described in the Growth Management Program. As a prerequisite to receiving Retail Tax Revenues from the Authority, local jurisdictions, working through the City-County Coordination Committee designated by resolution of the County and the League of California Cities, Orange County Division (the "Coordination Committee"), or a successor, shall adopt administrative requirements to implement the Growth Management Program in each local jurisdiction. Any amendments to the adopted administrative requirements, including guidelines and administrative procedures, shall be prepared and approved by the Authority. [Amended May 23, 1994]

B. As a further prerequisite to receiving Retail Tax Revenues from the Authority, within six months after approval of the Retail Tax by the electors, local jurisdictions, working through the Coordination Committee, shall approve growth management areas ("GMAs") to facilitate multi-jurisdictional cooperation on traffic projects and improvements within GMAs ("GMA Improvement Projects"). The boundaries of each GMA shall be designed to focus on multi-jurisdictional, high-volume traffic impact areas. Following establishment of the GMAs, changes in GMA boundaries may be made by an agreement approved by the affected local jurisdictions and approved by the Authority. [Amended May 23, 1994]

C. If the local jurisdictions, working through the Coordinating Committee, are unable to establish GMAs within six months after the approval of the Retail Tax by the electors, the Authority

1 may determine alternate provisions relative to the allocation of Retail Tax Revenues under this Policy
2 Resolution.

3
4 D. The Authority shall consider a regional, countywide geographic balance in allocating
5 Retail Tax Revenues to GMA Improvement Projects. Factors which shall be considered in determining
6 the allocation of such funds shall include, but not be limited to, regional significance/benefit, amount of
7 local matching funds, and any existing or new development traffic mitigation fee program.

8
9 E. The procedure for allocation of Retail Tax Revenues to local jurisdictions for GMA
10 Improvement Projects shall require the jurisdictions to participate in the following Process to receive
11 these funds:

12 1. Jurisdictions within each GMA shall participate in multi-jurisdictional forums
13 convened by the Coordination Committee to examine regional improvements needed within the GMA.

14 2. The GMA-based multi-jurisdictional forums shall recommend to the Authority a
15 list of GMA Improvement Projects that will be implemented cooperatively participating jurisdictions to
16 ensure that traffic impacts from new development are mitigated.

17
18 F. The Authority shall allocate Retail Tax Revenues for GMA Improvement Projects to the
19 jurisdictions which will perform the project work.

20 II. CONGESTION MANAGEMENT PLANS.

21
22 A. In order to minimize duplication, the Growth Management Program shall be reconciled
23 with the state mandated Congestion Management Plan ("CMP") through a cooperative process
24 involving local jurisdictions, the Coordination Committee, and the local agency charged with
25 implementing the CMP.

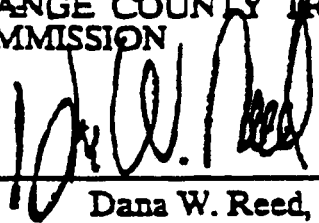
26
27 B. No reconciliation of the Growth Management Program and the CMP shall prevent a local
28 jurisdiction from establishing, for the purposes of the jurisdiction's own growth management plan, a
29 level of service standard which is stricter than the levels mandated by the CMP.
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III. DEVELOPMENT PAYS ITS FAIR SHARE.

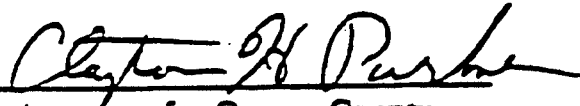
Notwithstanding any other provision of the Ordinance or this Policy Resolution, each new development project shall be conditioned to require payment of the project's fair share of traffic improvement programs and projects implemented by the local jurisdiction as a development mitigation or congestion management measure. A project's fair share shall be determined in accordance with the requirements of California Government Code Sections 66000 et. seq.

ORANGE COUNTY TRANSPORTATION
COMMISSION

By: 
Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: 
Attorneys for Orange County
Transportation Commission

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**POLICY RESOLUTION NO. 3
EXPENDITURES AND ALLOCATIONS**

Amended May 23, 1994; Amended June 9, 1997

This Policy Resolution No. 3 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined here, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. REQUIREMENTS FOR ALLOCATIONS OF RETAIL TAX REVENUES.

The allocation of Retail Tax Revenues by the Authority shall be subject to the following requirements:

A. For State Highway Projects

1. The Authority shall make every effort in allocating Retail Tax Revenues to maximize state and federal funding to the County in the following manner:

a. No Retail Tax Revenues shall be allocated in any year from any State Highway Project as defined in Section VIII hereof until the Authority has made findings at a public meeting that:

(i) the County is receiving, at a minimum, its fair share of funds from state and federal sources for Freeway Projects, Transit Projects, Highways and Arterials and Local Street and Road Projects (each as defined in Section VIII hereof); and

(ii) the state has not reduced any allocations of state funds to the County as the result of the addition of any local revenues.

b. In determining whether the County has received its fair share of such funds the Authority shall consider all relevant factors including:

(i) the degree to which the County is receiving its statutory County minimum funding for all budgeted, expended and programmed state and federal transportation funds, and

1 (ii) the policies and project approval actions of the California
2 Transportation Commission, the State Department of Transportation ("Caltrans") and divisions of the
3 Federal Department of Transportation.
4

5 c. If the Authority is unable to make the findings described above, the
6 Authority may amend the Plan to maximize the receipt of state and federal funds received within the
7 County.
8

9 d. The Authority shall annually report on progress in obtaining state and
10 federal transportation funding and on progress in completing the transportation projects described in
11 the Plan.
12

13 2. All state improvements to be funded with Retail Tax Revenues, including project
14 development and overall project management, shall be a joint responsibility of Caltrans, the Authority,
15 and the affected local jurisdiction(s) or special district(s). All major project approval actions including
16 the project concept, the project location, and any subsequent change in project scope shall be jointly
17 agreed upon by Caltrans, the Authority, and the project sponsors, and where appropriate, by the
18 Federal Highway Administration and/or the California Transportation Commission.
19

20 3. The Authority may allocate the Retail Tax Revenues to accelerate projects
21 described in the Plan which are anticipated to be funded through the State Transportation Improvement
22 Program if:
23

24 a. Caltrans demonstrates that a significant acceleration can be
25 accomplished using Retail Tax Revenues; and
26

27 b. The state commits to refunding those Retail Tax Revenues through cash
28 reimbursements or by accelerating or completing other Plan projects and programs.
29
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31

1
2 4. If the refund of acceleration funds pursuant to subsection A 3 of this Resolution
3 would significantly impact the implementation of any project or program described in the Plan, the
4 Authority may seek to amend the Plan.
5

6 5. Prior to the allocation of Retail Tax Revenues for construction or improvements
7 of any State Highway Project, the Authority shall obtain written assurances from the appropriate state
8 agency that once the State Highway Project is constructed to at least minimum acceptable state
9 standards, the state shall be responsible for the maintenance and operation of such State Highway
10 Project.
11

12 6. Construction of State Highway Projects identified in the Plan shall be the number
13 one priority of the Authority.
14

15 B. For Transit Projects:
16

17 Prior to the allocation of Retail Tax Revenues for construction of any Transit Project, the
18 Authority, in cooperation with affected transit operators and agencies, shall determine the entity to be
19 responsible for the maintenance and operation thereof.
20

21 C. For Local Street and Road Projects:
22

23 Prior to the allocation of Retail Tax Revenues for any Local Street or Road Project, the
24 Authority, in cooperation with affected agencies, shall determine the entity(ies) to be responsible for
25 the maintenance and operation thereof.
26

27 D. For Other Local Transportation Projects:
28

29 In addition to Local Street and Roads Projects, jurisdictions may use Local Revenues
30 (as defined in Section II C1 below) for any transportation purpose allowed for expenditure of tax
31

1 revenues under Article XIX of the California Constitution, if the Authority has found that the jurisdiction
2 has satisfied the following requirements:
3

4 1. The jurisdiction has included the transportation expenditure in its approved
5 seven-year capital improvement program.
6

7 2. The jurisdiction makes a finding that streets and roads within the jurisdiction are
8 adequately maintained and not in need of rehabilitation or reconstruction.
9

10 II. ALLOCATION OF RETAIL TAX REVENUES:

11 A. Subject to the provisions of the Ordinance and Section I above, the Retail Tax
12 Revenues shall be allocated as follows:
13

14 1. First the Authority shall pay the State Board of Equalization for the services and
15 functions contracted for pursuant to Section 4 of the Ordinance.
16

17 2. Second, the Authority shall pay the administrative expenses of the Authority
18 pursuant to Section 9 of the Ordinance.
19

20 3. Third, the Authority shall satisfy the debt service requirements of all bonds issued
21 pursuant to the Ordinance that cannot be satisfied out of separate allocations.
22

23 B. After providing for the allocations described in Section A hereof, and subject to the
24 averaging provisions of Section E hereof, the Authority shall allocate annually the remaining Retail Tax
25 Revenues (the "Net Tax Revenues") as follows:
26

- 27 1. 43% to Freeway Projects;
- 28 2. 11% to Regional Street and Road Projects;
- 29 3. 21% to Local Street and Road Projects; and
- 30 4. 25% to Transit Projects.
31

1
2 C. The allocation of 21% of Net Tax Revenues to Local Street and Road Projects pursuant
3 to Section II B3 above shall be made as follows:

4 1. An annual allocation, equal to 14.6 percent of Net Tax Revenue (the "Local
5 Revenues") shall be made available to Eligible Jurisdictions (as defined in Section II C1b) for Local
6 Street Maintenance and Improvements (as defined in Section VII below).

7
8 a. The allocation of the Local Revenues to each Eligible Jurisdiction shall be
9 determined as follows:

10
11 (i) 50 percent to each Eligible Jurisdiction based on the ratio of each
12 Eligible Jurisdiction's population for the immediately preceding calendar year to the total County
13 population (including incorporated and unincorporated areas) for the immediately preceding calendar
14 year, both as determined by the State Department of Finance. [Amended May 23, 1994]

15
16 (ii) 25 percent to each Eligible Jurisdiction based on the ratio of each
17 Eligible Jurisdiction's existing County Master Plan of Arterial Highways ("MPAH") miles to the total
18 existing MPAH miles within the County as determined annually by the County; and

19
20 (iii) 25 percent to each Eligible Jurisdiction based on the ratio of each
21 Eligible Jurisdiction's total taxable sales to the total taxable sales of the County for the immediately
22 preceding calendar year as determined by the State Board of Equalization.

23
24 b. The County and/or any city within the County shall be an "Eligible
25 Jurisdiction" if the Authority has found that the County or such city has satisfied and continues to
26 satisfy, all of the following requirements:

27
28 (i) Adopted the provisions of the Growth Management Program.
29
30
31

1
2
3 (ii) Adopted a Local Transportation Demand Management Program
4 (as described in the Growth Management Program) approved by the Authority.
5

6 (iii) Agreed to expend all Net Tax Revenues received within three
7 years of receipt. The Authority may grant an extension of the three-year limit, but extensions shall not
8 be granted beyond a total of five years from the date of the initial funding allocation. Failure to expend
9 Net Tax Revenues within the time limits set forth above will make an otherwise Eligible Jurisdiction
10 ineligible to receive additional Net Tax Revenues until reinstated as an Eligible Jurisdiction by the
11 Authority.
12
13

14 (iv) Adopted a Traffic Circulation Plan consistent with the MPAH.

15 (a) Within six months after approval of the Retail Tax by the
16 electors, the Authority, through a cooperative process involving the County and all of the cities within
17 the County, shall adopt a definition of, and a process for, determining consistency of each jurisdiction's
18 Traffic Circulation Plan with the MPAH.
19
20

21 (b) If the County and two-thirds of the cities cannot agree to a
22 definition of, and a process for determining, the consistence of each jurisdiction's Traffic Circulation
23 Plan with the MPAH, Retail Tax Revenues shall nevertheless be allocated to each Eligible Jurisdiction.
24 In that event, each Eligible Jurisdiction may spend Retail Tax Revenues on Local Street Maintenance
25 and Improvements as each Eligible Jurisdiction deems appropriate on Highways and Arterials which
26 Eligible Jurisdiction determines to be consistent with those shown on the MPAH. In any case, Net Tax
27 Revenues may not be spent in a manner which is inconsistent with or obstructs the implementation of
28 the MPAH.
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2 (v) Adopted a Local Pavement Management Plan and adequately
3 funded the same.

4 (vi) Satisfied the Maintenance of Efforts Requirements set forth in
5 Section 7 of the Ordinance.
6

7 (vii) Adopted a seven (7) year capital improvement program that
8 includes all transportation projects programmed by the Eligible Jurisdiction for receipt of Retail Tax
9 Revenues.
10

11 c. The Authority may phase the requirements in subparagraphs (ii), (iv) and
12 (v) of this subsection 1.b pursuant to a comprehensive streets and roads eligibility program to be
13 adopted by the Authority in order to give cities and the County reasonable time over a period of up to
14 five years to comply with such requirements.
15

16 d. A determination of non-eligibility shall be made only after a hearing has
17 been conducted before the Authority and a determination has been made by the Authority that the city
18 or County is not an Eligible Jurisdiction as provided hereinabove.
19
20

21 2. An allocation of Net Tax Revenues shall be made available to Eligible
22 Jurisdictions solely for expenditure on improvements to the roadways shown on the MPAH. Distribution
23 and expenditure of these Net Tax Revenues shall be consistent with Division 19 of California Public
24 Utilities Code and, unless such Division 19 otherwise requires, shall be governed by the policies and
25 guidelines of the Combined Transportation Funding Programs as appropriate. [Amended June 9, 1997;
26 Amended May 23, 1994]
27
28

29 3. An allocation of the lesser of 3.2 percent or \$5 million of Net Tax Revenues,
30 which annual allocations in the aggregate shall not exceed \$100 million during the term of the
31

1 Ordinance, shall be made available to Eligible Jurisdictions for GMA improvement Projects (as defined
2 in Policy Resolution No. 2 to the Ordinance). . [Amended June 9, 1997]
3

4 D. The award to Eligible Jurisdictions of the 11 percent of Net Tax Revenues allocated to
5 Regional Street and Road Projects shall be determined pursuant to a countywide competitive
6 procedure adopted by the Authority and patterned after those contained in the Federal Aid Urban,
7 OCUTT and the AHFP programs as follows:
8

9
10 1. The Authority shall set allocations annually for regional competition in areas,
11 including, but not limited to, the following categories:
12

- 13 a. Smart Streets; [Amended May 23, 1994]
- 14 b. Regionally significant interchanges;
- 15 c. Intersection improvement programs;
- 16 d. Traffic signal coordination; and
- 17 e. Programs encouraging Transportation Demand Management or
18 Transportation Systems Management.
19

20
21 2. In determining the allocation of Net Tax Revenues to each competitive category,
22 the Authority shall establish criteria for determining priority including, but not limited to:
23

- 24 a. Inclusion of a project in an adopted Seven-Year Capital Improvement
25 Plan, as defined in the Growth Management Program;
- 26 b. Nomination of the project by more than one GMA;
- 27 c. Nomination of a project by a single GMA; and
- 28 d. Nomination of a project by an individual city or the County.
29
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E. With the exception of funding for Local Street and Roads Projects, in any given year, the Authority may allocate Net Tax Revenues on a different percentage basis than required by Section II B hereof in order to meet short-term needs and to maximize efforts to capture state, federal, or private transportation dollars, provided the percentage allocations set forth in Section II B hereof shall be achieved during the twenty-year term of the Retail Tax.

III. PRIVATE SECTOR FUNDING. Retail Tax Revenues shall not be used to replace private developer funding which has been or will be committed for any project.

IV. ALLOCATION OF REPLACED FUNDS. If additional funds become available for a specific project or projects described in the Plan, the Authority may allocate the Retail Tax Revenues replaced by the receipt of those additional funds, in the following order of priority: first, to Plan projects and programs which provide congestion relief in the geographic region which received the additional funds; second, to other projects and programs within the affected geographic region which may be placed in the Plan through the amendment process described in Section 13 of the Ordinance; and third, to all other Plan projects.

V. TIMING OF DISBURSEMENTS AND SEPARATE ACCOUNTING OF FUNDS. [Amended May 23, 1994]

A. The Authority shall disburse Net Tax Revenues to Plan projects and programs as necessary to meet contractual and program obligations, and the Authority may withhold disbursements until needed to meet contractual project or program obligations, except that Net Tax Revenues Allocated for Local Street and Road Projects pursuant to Section II C1 above shall be paid to Eligible Jurisdictions within 60 days after receipt by the County.

B. Each agency receiving Net Tax Revenues shall maintain a separate accounting of such funds. Any interest earned on such Net Tax Revenues shall be expended only for those purposes for

which the Net Tax Revenues were allocated or shall be returned to the Authority. The Authority shall have the right to audit such accounts. [Amended May 23, 1994]

VI. IMPLEMENTING ORDINANCES. Upon approval by the electors of the Retail Tax, the Authority shall adopt ordinances, rules and administrative procedures in addition to the local rules required to be provided pursuant to this Ordinance, and shall take such other actions as may be necessary and appropriate to carry out its responsibilities to implement the Plan and this Ordinance.

VII. DEFINITIONS.

A. Eligible Jurisdiction. "Eligible Jurisdiction" shall mean the County or a city in the County which satisfies the requirements of Section II C 1b hereof.

B. Freeway Projects. "Freeway Projects" shall mean all construction and improvement of freeways and usable portions thereof described in the Plan.

C. Highways and Arterials. "Highways and Arterials" shall mean the design, right-of-way acquisition, and construction of highway and arterial street facilities, including all interstate highway routes and any other facilities so designated in the Plan, and all purposes and activities necessary and convenient thereto.

D. Local Pavement Management Plan. "Local Pavement Management Plan" shall mean a system to monitor the condition of and perform periodic maintenance and rehabilitation of streets, roads and highways.

E. Local Street Maintenance and Improvements. "Local Street Maintenance and Improvements" shall mean the maintenance, operation and construction of local streets and roads and all activities and purposes necessary and convenient thereto, including all purposes allowable under Article XIX, Section 1(a) of the State Constitution.

1
2 F. Local Street and Road Projects. "Local Street and Road Projects" shall mean those
3 street maintenance and local road projects as defined in the Plan.

4 G. Local TSM Program. "Local TSM Program" shall mean those projects and programs to
5 increase the capacity of the transportation system as described in the Plan.
6

7 H. Regional Street and Road Projects. "Regional Street and Road Project" shall mean
8 those streets and projects defined in the Plan.
9

10 I. State Highway Projects. "State Highway Projects" shall mean projects for the
11 construction or improvement of any State Highway as described in Section 24 of the California Streets
12 and Highways Code.
13

14 J. State Transportation Improvement Program. "State Transportation Improvement
15 Program" shall mean the transportation capital improvement program adopted by the California
16 Transportation Commission pursuant to California Government Code Section 14529.
17

18 K. Smart Streets. "Smart Streets" shall mean the 220 mile network of arterial streets
19 described in the Plan. [Amended May 23, 1994]
20

21 L. Traffic Circulation Plan. "Traffic Circulation Plan" shall mean the Traffic Circulation
22 Element of a local general plan as defined under California Government Code Section 65302.
23

24 M. Transportation Demand Management. "Transportation Demand Management" shall
25 mean those programs and projects to reduce demand on the transportation system as defined in the
26 Plan.
27

28 N. Transportation Systems Management. "Transportation System Management" shall
29 mean those programs and projects to increase capacity on the transportation system as defined in the
30 Plan.
31

1
2 O. Transit. "Transit" shall mean all expenditures necessary and convenient to the
3 construction, operation, and maintenance of transit services and facilities including the acquisition of
4 vehicles and right-of-way. Transit services include, but are not limited to, bus, light rail, rapid transit,
5 commuter rail services and facilities, and carpools and ridesharing in private vehicles.
6

7 P. Transit Facilities. "Transit Facilities" shall mean all transit facilities constructed,
8 maintained or improved pursuant to this Ordinance and Plan.
9

10 Q. Transit Projects. "Transit Projects" shall mean all projects described in the Plan for the
11 construction, maintenance, improvement and operation of Transit Facilities.
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21 **ORANGE COUNTY TRANSPORTATION**
22 **COMMISSION**

23
24 By: _____

25 Dana W. Reed, Chairman

26 Date: _____

27 8-2-90

28 Approved as to form:
29 Parker and Covert

30 By: _____

31 Attorneys for Orange County
Transportation Commission

**ORANGE COUNTY DIVISION, LEAGUE OF CALIFORNIA CITIES
COUNTYWIDE TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT
PROGRAM:**

COUNTYWIDE GROWTH MANAGEMENT PLAN COMPONENT

**ORANGE COUNTY DIVISION, LEAGUE OF CALIFORNIA CITIES
COUNTYWIDE TRAFFIC IMPROVEMENT
AND GROWTH MANAGEMENT PROGRAM:
COUNTYWIDE GROWTH MANAGEMENT PLAN COMPONENT**

**Revised 6-15-89
Amended 9-23-91
Amended 5-23-94**

INTRODUCTION

The Traffic Improvement and Growth Management Program is designed to achieve a cooperative process among Orange County's local jurisdictions to promote traffic improvement and stronger planning on a countywide basis. The program is also fashioned to maintain local authority over both land use decisions and the establishment of specific performance standards while considering regional impacts.

In recognition of differing needs, the program is structured to distinguish between developed and developing communities. While a future sales tax for transportation is intended to alleviate existing transportation problems, the program also is designed to assure the mitigation of the future residential, business, and commercial on the need for new facilities.

The Traffic Improvement and Growth Management Program reflects the intent of the Cities and the County of Orange to create a process that results in the maintenance of the quality of life in Orange County through sound planning for growth. The program envisions each jurisdiction adopting a Growth Management Element to their General Plan as a high visibility means to demonstrate a commitment to maintaining Orange County's quality of life.

GROWTH OF THE TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT PROCESS

The goals of the Traffic Improvement and Growth Management Program shall be to:

- Outline each agency's plans and efforts to develop multi-jurisdictional traffic solutions through well-defined cooperative planning process;
- Specify traffic level of service standards;
- Promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Demand Management (TDM); [Amended September 23, 1991]
- Provide funding for construction and maintenance of street, road and highway facilities;
- Require a locally collected and administered traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;

- Foster a better balance of jobs and housing and attempt to reduce the length of commuter trips through careful planning;
- Provide that local jurisdictions, where applicable, establish performance standards for fire, police, library, flood control, and other infrastructure services based on local criteria;
- Require the phasing of new development to insure that service level goals are achieved;
- Envisions the creation of a deficient intersections program to promote funding matches between local fees and proceeds from the sales tax corrected deficiencies.

LOCAL STREET MAINTENANCE AND IMPROVEMENTS

Portions of the monies received from future transportation sales tax will be returned to local jurisdictions (the Cities and the County) for use on local, subregional, and regional transportation improvements and maintenance projects. The intent of this program is to condition receipt of all such funds on compliance with a Traffic Improvement and Growth Management Program as described below.

ALLOCATION OF FUNDS

The Orange County Local Transportation Authority¹ will annually review local jurisdictions' Seven-Year Capital Improvement Programs and allocate transportation sales tax funds to cities, the County, and other eligible agencies as provided in the Countywide Traffic Improvement and Growth Management Program. [Amended September 23, 1991]

At its option to receive local street maintenance and improvement funds from the Authority, each jurisdiction shall submit a statement of compliance with the Traffic Improvement and Growth Management Program. The Authority shall conduct an administrative review and distribute funds based on a jurisdiction's certification of compliance regarding the Traffic Improvement and Growth Management Program. The Authority shall review this statement at a minimum of every five years and make findings regarding the jurisdiction's efforts. If the jurisdiction's efforts are found in compliance, the jurisdiction will be allocated its share of local street maintenance and improvement funding. [Amended September 23, 1991]

¹ The Orange County Transportation Commission is currently designated by the Board of Supervisors as the Transportation Authority responsible for administering the proceeds of an Orange County sales tax for transportation. Due to ongoing discussions regarding the nature of regional and subregional transportation planning, including transportation consolidation issues and the possible formation of the Orange County Council of Governments, it is possible that a different or expanded transportation planning agency could assume the Transportation Authority function in the future.

Because of great variation among jurisdictions, it is expected that the Authority will need some flexibility in determining compliance with the Traffic Improvement and Growth Management Program. Generally, this flexibility may take the form of the Authority establishing specific deadlines for achieving one or more requirements as a condition of receiving local street maintenance and improvement funds. Nothing in this program, however, shall be construed to imply that the Authority may interfere with the land use decisions of local jurisdictions.

The Authority's flexibility in determining eligibility to receive funding is limited solely to determining if a jurisdiction has adopted, if and where required by this plan, the jurisdiction's method of applying: traffic level of service standards; planning standards for fire, police, library, flood control, parks and open space and other locally-determined needs; a development mitigation program; a development phasing program; a seven-year capital improvement program; and is participating in inter-jurisdictional planning forums; has addressed housing options and job opportunities; and has adopted a transportation demand management ordinance. [Amended September 23, 1991]

TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT PROGRAM

The Traffic Improvement and Growth Management Program recognizes that Orange County contains both developed and developing communities. Generally, existing developed communities already contain public facilities necessary to support general plan land use elements, but may require new or improved additional transportation facilities to implement circulation elements and the regional system. Developing communities still need additional public facilities to bring their general plans into balance.

The Traffic Improvement and Growth Management Program also recognizes the need to promote multi-jurisdictional forums to implement facilities, which support several jurisdictions. The Program envisions the establishment of Growth Management Areas (GMAs) based upon groupings of local jurisdictions. The GMAs will enable local jurisdictions to focus their mutual concerns, coordinate improvements, and implement those improvements cooperatively through inter-jurisdictional forums. The GMAs are to be defined in terms of developed or developing communities for purposes of the Traffic Improvement and Growth Management Program requirements. Inter-jurisdictional forums, consisting of officials within identified GMAs are to be convened annually to discuss developments with multi-jurisdictional impacts and to promote dialogue on appropriate mitigation measures. Nothing in the Traffic Improvement and Growth Management Program shall be construed to limit any jurisdiction's ability to coordinate or cooperate with other jurisdictions not contained in the same Growth Management Area. [Amended May 23, 1994]

To receive its local street maintenance and improvement funds, each jurisdiction must, except where otherwise specified:

Adopt a Growth Management Element

Each jurisdiction is to adopt a Growth Management Element of its General Plan to be applied in the development review process.

Developed GMAs shall include within their element, sections 1, 3, and 4. Developing GMAs shall include within their elements section 1 through 4 inclusive. In addition, all jurisdictions must comply with, but not necessarily include with their element, sections 5, 6, 7 and 8 below unless otherwise specified.

The City-County Coordination Committee, or successor agency, shall prepare guidelines and administrative procedures to aid local jurisdictions in the development of Growth Management Elements. Local jurisdictions shall develop their Growth Management Element within one year after receipt of the guidelines which shall be prepared within six months of an election containing a sales tax measure for transportation improvements or implementation appropriately taken through the City-County Coordination Committee.

1. SPECIFY TRAFFIC LEVEL OF SERVICE (LOS) STANDARDS to implement local jurisdiction service level goals.

Each jurisdiction shall determine how traffic LOS standards are to be applied to their General Plan land use and circulation elements and specific land use categories. Each jurisdiction shall comply with its adopted standards.

The general target standard for each jurisdiction should be LOS(D) for intersections, but it is recognized that jurisdictions may establish lower LOS standards for certain intersections in urbanized areas.

Level of Service (LOS) would be measured by the Traffic Level of Service Policy Implementation Manual established by the Authority, as reviewed and approved by the City-County Coordinating Committee or successor agency. Any issues with respect to the application of the Traffic Level of Service Policy Implementation Manual shall be referred to the County Transportation Commission's Technical Advisory Committee, or successor committee, for review and recommendation to the Authority. In the event that an intersection(s) exceed(s) the applicable Traffic Service standards, local jurisdictions, in consultation with inter-jurisdictional forums, shall establish appropriate mitigation measure or determine that a given intersection is subject to a finding of special circumstances.

Any intersection that presently exceeds the local Traffic Service standard and which will be brought into compliance in the most current Seven-Year Capital Improvement Program shall be considered to be in compliance with the applicable standard. In cases where an intersection is not brought into compliance in the most current Seven-Year Capital Improvement Program, for reasons beyond the control of the governing jurisdiction (e.g. ramp metering effects, traffic generated outside the jurisdiction or state highway designation), it shall be added to a Deficient Intersection List. Projects located within the same GMA as the projects contributing cumulatively, or individually, 10% or more of the traffic using an intersection will be assessed a mitigation fee determined by the involved local jurisdictions and locally administered as part of their Seven-Year Capital Improvement Program. [Amended September 23, 1991]

The Authority, jointly with affected local jurisdictions, shall determine and periodically review the application of Traffic Level of Service Standards on routes or regional significance such as Smart Streets. The review will take into account traffic originating outside the County or jurisdiction, environmental issues and financial considerations. Local jurisdictions, through the inter-jurisdictional forums with the Authority, shall jointly determine the appropriate measures and programs for mitigation of regional traffic impacts within their boundaries. [Amended May 23, 1994]

Transportation Capital projects necessary to meet and maintain the Traffic Service standards are to be included in the required Seven-Year Capital Improvement Program. [Amended September 23, 1991]

2. ADOPT PLANNING STANDARDS, maintained through capital projects, for the following items, based on local criteria (required for developing GMAs only).
 - a. fire
 - b. police
 - c. library
 - d. flood control
 - e. parks and open space
 - f. other items as determined by each jurisdiction

Capital projects necessary to meet and maintain the Service standards are to be included in the required Seven-Year Capital Improvement Program.

3. ADOPT A DEVELOPMENT MITIGATION program to ensure that new growth is paying its fair share of the costs associated with that growth.

Local jurisdictions, for the most part, already impose fees for a variety of purposes, including site specific traffic improvements. Only a few jurisdictions impose fees for regional traffic mitigation. To meet the requirements of this section, each jurisdiction shall:

- A. Adopt a development mitigation program to ensure that development is paying its share of the costs associated with that development. The program will be coordinated through inter-jurisdictional forums within the GMAs.
- B. Each jurisdiction shall impose or continue an existing traffic impact mitigation fee for improvements within its boundaries and GMAs. Inter-jurisdictional planning forums shall determine minimally acceptable impact fee levels for application within their specific GMA. Such fee levels will serve as a base amount for impact fees for jurisdictions within a GMA, but individual jurisdictions may impose greater levels if they so desire.

- C. Ensure that new revenues provided by a sales tax increase measure shall not be used to replace private developer funding which has been committed for any project.

In addition, the Authority, in cooperation with inter-jurisdictional forums and local jurisdictions, shall:

- A. Develop a program of regional traffic mitigation projects needs as determined in, but not limited to, the 20-Year Master Plan for Transportation Improvements.
 - B. Determine the most feasible methods of mitigating regional traffic impacts. Existing traffic impact fees shall be taken into consideration by the Authority.
4. **ADOPT A DEVELOPMENT PHASING AND ANNUAL MONITORING PROGRAM to ensure that service goals are achieved.**

Jurisdictions shall prepare, in conjunction with the Seven-Year Improvement Program, a phasing and monitoring program for development entitlements and circulation improvements within their jurisdictions. These phasing and monitoring programs shall also ensure that infrastructure is added and development proceeds so that balance between public facilities demand continues. The program shall provide reasonable lead time (five years from first grading permit or three years from first building permit) to design and construct improvements. In developed GMAs, phasing programs shall be limited to development entitlements tied to transportation improvements only. The annual monitoring program would also serve to provide a performance monitoring mechanism to identify potential deficiencies and corrective measures. The costs of the annual monitoring program may be an eligible expense from the proceeds of the annual increase in the sales tax for transportation improvements. [Amended September 23, 1991]

5. **PARTICIPATE IN INTER-JURISDICTIONAL PLANNING FORUMS TO REDUCE CUMULATIVE REGIONAL TRAFFIC IMPACTS OF DEVELOPMENT.**

Local jurisdictions, in cooperation with the City-County Coordination Committee or successor agency, shall establish inter-jurisdictional forums at the GMA level to cooperate in easing cumulative traffic impacts and coordinating improvements in transportation and other facilities at the inter-jurisdictional level. The Authority will support these efforts by an ongoing countywide comprehensive transportation planning process in which all jurisdictions shall assist in developing and participate.

As part of this process, a uniform database of traffic impacts will be created based on a countywide transportation computer model developed using proceeds from an increase in the sales tax for transportation improvements. It is recognized that, in consultation with local jurisdictions, the existing transportation

computer model maintained by the County would serve as the basis for this process.

Small area models used to determine the impacts of development of the circulation system shall be based on the countywide models and shall use standardized modeling assumptions and conventions. Standardized modeling would provide an opportunity to test proposed amendments to individual jurisdictions' General Plan Transportation and Land Use Elements and to assist cities and the County in determining the impacts of development projects proposed for General Plan Amendments. This also provides for the development of common standards with which to calculate traffic impacts across the jurisdictional boundaries.

Input for the model should include such items as each jurisdiction's Seven-Year Capital Improvement Program of transportation projects (see Section 6) and the projects of Federal, State and regional agencies such as Caltrans, transit operators, and the Southern California Association of Governments. In addition, the computer model database should include each local jurisdiction's anticipated land use development projects reasonably expected to be constructed within the next five years. [Amended September 23, 1991]

6. DEVELOP A SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM to meet and maintain both its adopted Traffic Service and Performance Standards.

Each jurisdiction shall determine the capital projects needed to meet and maintain both its adopted Traffic Level of Service and Performance Standards Capital financing programming will be based on proposed development to be constructed during (at a minimum) the following seven-year period. The Capital Improvement Program shall include approved projects and an analysis of the costs of the proposed project as well as a financial plan for providing the improvements. [Amended September 23, 1991]

7. ADDRESS HOUSING OPTIONS AND JOB OPPORTUNITIES as related to transportation demand on a city, subregional, and countywide basis. [Amended September 23, 1991]
8. ADOPT A TRANSPORTATION DEMAND MANAGEMENT (TDM) ORDINANCE or alternative mitigation to reduce single occupancy automobile travel.

To promote carpools, vanpools, alternate work hours, park and ride facilities, telecommuting and other traffic reduction strategies, the Authority recognizes the model Transportation Demand Management Ordinance developed by the Orange County Congestion Management Program Technical Advisory Committee, for use by local jurisdictions in developing local ordinances for adoption and implementation. Cities with a small employment base, as defined in the model ordinance, may adopt alternative mitigation measures in lieu of adopting a TDM ordinance. [Amended September 23, 1991]

**Traffic Improvement and Growth Management Plan
Expenditure Plan (1988 \$ x million)**

Freeway Projects		\$ 1,325
Project		Cost
I-5 (Santa Ana Freeway) between I-405 (San Diego Freeway) and I-605 (San Gabriel Freeway)		\$ 550
I-5 (San Diego Freeway) between I-5/I-405 Interchange and San Clemente		80
I-5/I-405 Interchange		55
S.R. 55 (Costa Mesa Freeway) between I-5 and S.R. 91 (Riverside Freeway)		200
S.R. 57 (Orange Freeway) between I-5 and Lambert Road		40
S.R. 91 (Riverside Freeway) between Riverside County line and Los Angeles County line		400
	Freeway Sub-total	1,325

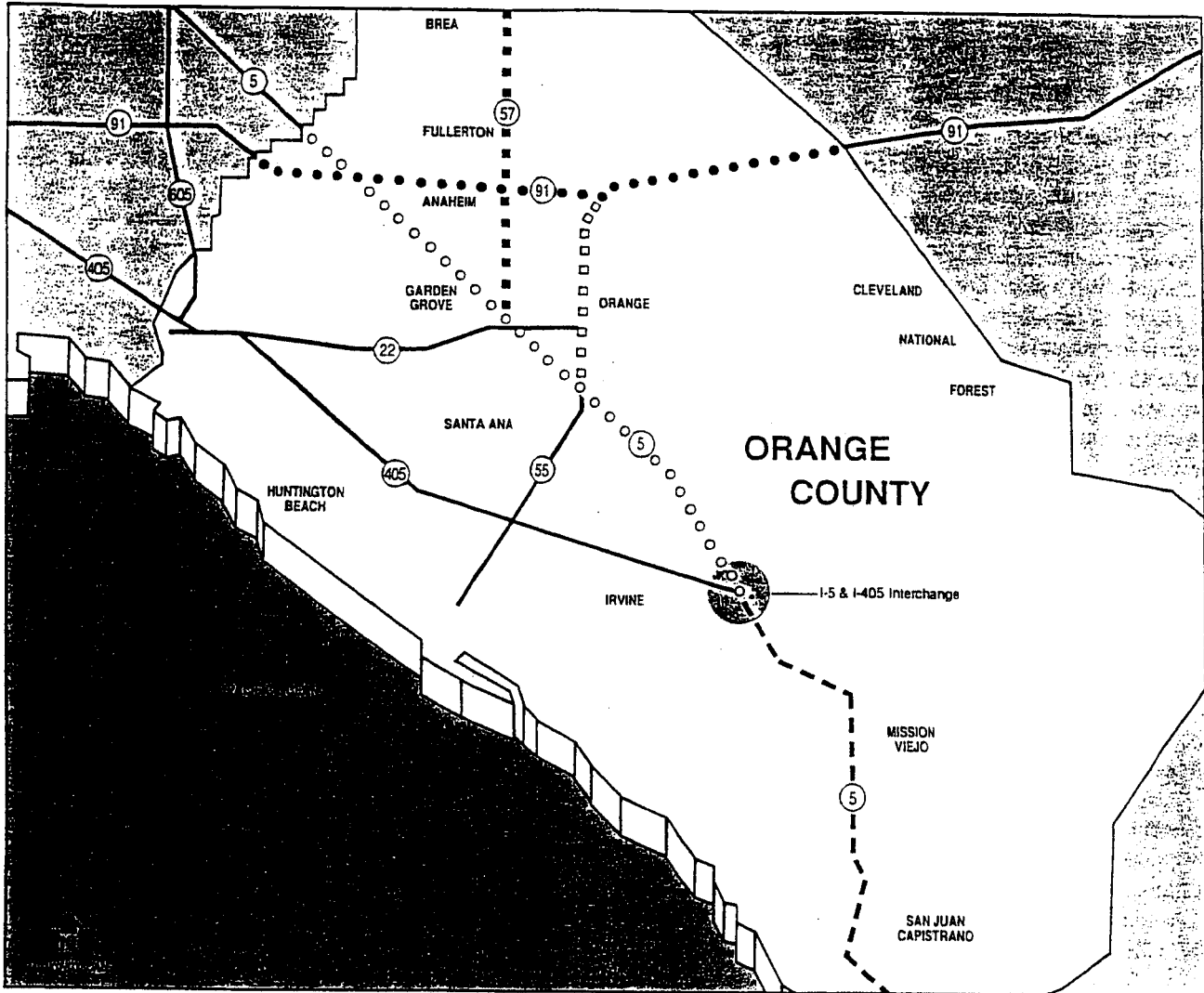
Regional Street and Road Projects		\$350
Project		Cost
Super Streets		\$ 120
Regionally Significant Interchanges		70
Intersection Improvement Program		100
Traffic Signal Coordination		50
Transportation Systems Management and Transportation Demand Management		10
	Streets and Roads Sub-total	350

Local Street and Road Projects		\$ 650
Project		Cost
Master Plan of Arterial Highway Improvements		\$ 100
Streets and Roads Maintenance and Road Improvements		450
Growth Management Area Improvements		100
	Local Street and Road Sub-total	650

Transit Projects		\$ 775
Project		Cost
Pacific Electric Right-of-Way		\$ 50
Lossan Intercity Rail Program		20
Lossan Commuter Rail		130
Riverside Commuter Rail		90
High-Technology Advanced Rail Transit		340
Elderly and Handicapped Fare Stabilization		20
Transitways		125
	Transit Sub-total	775

TOTAL		\$ 3,100
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Orange County Freeway Projects



Legend

- | | | | |
|-----------|------------------------------|-----------|-------------------------|
| □ □ □ □ □ | S.R. 55 (Costa Mesa Freeway) | ○ ○ ○ ○ ○ | I-5 (Santa Ana Freeway) |
| ■ ■ ■ ■ ■ | S.R. 57 (Orange Freeway) | — — — — — | I-5 (San Diego Freeway) |
| ● ● ● ● ● | S.R. 91 (Riverside Freeway) | ● | I-5 & I-405 Interchange |

Orange County Freeway Project Descriptions

Santa Ana Freeway Improvement for the San Diego Freeway (I-405) to the Los Angeles County Line

Description:

Rebuilding of the Santa Ana Freeway is critical to the county's continued mobility. This project forms the centerpiece of the *20-Year Master Plan of Transportation Improvements*. Fifty percent of all Orange County residents live within three miles of this facility and two-thirds of all jobs lie in this transportation corridor. The staged improvements call for the addition of up to three lanes in each direction, rebuilding the freeway-to-freeway interchanges, and providing soundwalls and environmental mitigation. The project begins where I-5 separates from the I-405 and continues north to the Los Angeles County line. Two of the new travel lanes will be dedicated to carpools.

Within this length of freeway is the I-5/SR 57/SR 22 interchange. This is the nation's seventh busiest interchange. This interchange and all other intermediate interchanges will be improved as part of this project. Traffic on I-5 north of I-405 was 160,000 vehicles per day in 1988 and in the future the vehicular demand is expected to increase to over 260,000 daily.

Costs:

The overall cost of the I-5 project is estimated to be \$1.6 billion. Existing state and federal resources are expected to fund \$1.1 billion with the sales tax revenue providing the additional \$550 million to complete the project.

Implementation:

Construction will start immediately. Sales tax revenue would be used to augment funding, alleviate cash flow constraints, and accelerate project delivery by 10 years.

San Diego Freeway (I-5) from the I-5/I-405 Confluence to San Clemente

Description:

Current plans for I-5 south of the confluence call for adding one carpool lane in each direction, building soundwalls and other environmental amenities. This project includes the segment of I-5 from the I-405 confluence to San Clemente near the San Diego County line, a distance of approximately 12 miles. In 1988, the freeway carried approximately 170,000 vehicles per day and forecasts show demand to increase to over 230,000 daily.

Costs:

The estimated capital cost for this section of the I-5 improvement is about \$80 million.

Implementation:

Project construction is scheduled to begin during the first 10-year period of the plan.

I-5/I-405 Interchange

Description:

The need for improving one of the county's busiest interchanges has been identified in numerous studies. In 1988 over 260,000 vehicles a day traveled through this interchange and forecasts show this demand will grow to over 350,000 vehicles daily. This project calls for the construction of bypass and feeder lanes along I-5 for the "El Toro Y" interchange. This will greatly improve traffic movement between the Santa Ana Freeway and the San Diego Freeway, as these facilities are widened to add three new lanes in each direction (including carpool lanes) on the I-5, and carpool lanes to the San Diego Freeway.

Costs:

The capital cost in 1988 dollars is estimated at \$55 million.

Implementation:

Construction will begin within the first five years of the 20-year program. This project plays a critical role in the improvement of the I-5.

Orange County Freeway Project Descriptions

Costa Mesa Freeway (SR 55) from the Riverside Freeway to Interstate 5

Description:

The 20-Year Master Plan of Transportation Improvements calls for the addition of two new general purpose lanes to the Costa Mesa Freeway for a distance of approximately six miles. In 1988 Route 55 carried about 180,000 vehicles per day and forecasts show demand to exceed 190,000 in the future. Auxiliary lanes are also planned, in addition to providing soundwalls and other environmental mitigation measures.

Costs:

The current estimated capital cost (1988) is approximately \$200 million.

Implementation:

Construction is scheduled for the second 10-year period of the plan.

Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5

Description:

The 20-Year Master Plan for Transportation Improvements calls for the addition of one carpool lane in each direction to the Orange Freeway for its entire length within Orange County. This covers a distance of about 12 miles. In addition, soundwalls and other environmental amenities will be added. In 1988, this freeway carried over 210,000 vehicles per day and forecasts estimate this demand to grow to over 280,000 daily. Los Angeles County plans for additional lanes that could extend the improvements north to Route 60 in Diamond Bar.

Costs:

The 1988 capital cost estimate for this improvement is \$40 million.

Implementation:

The current schedule slates the Orange Freeway improvements for the first five-year period of the plan.

Riverside Freeway (SR 91) from the Los Angeles County Line to the Riverside County Line

Description:

Long-range plans call for the addition of one carpool lane in each direction on the Route 91 from Riverside County line to Los Angeles County line. The first phase of this project on Route 91 extends from the Riverside County line and terminates at the Orange Freeway. The second phase extends from Route 57 to the Los Angeles County line. In addition to the carpool lanes, plans for the freeway include rebuilding the freeway-to-freeway interchanges and providing soundwalls and other environmental mitigation features. About 210,000 vehicles used this freeway in 1988 and forecasts show demand to exceed 240,000 in the future. Both Los Angeles and Riverside counties have plans to improve SR 91 within their jurisdictions.

Costs:

The capital cost for these improvements is \$400 million.

Implementation:

Construction of Phase I improvements is scheduled for the first 10 years of the plan and Phase II improvements will occur during the second 10 years.

State Route 22 Measure M Description

Garden Grove Freeway (State Route 22) from State Route 55 to Valley View Street

Description:

State Route 22 is the last major freeway in Orange County slated for improvements. In 2000, over 174,000 vehicles a day traveled on this freeway and forecasts show demand increasing to over 212,000 daily. Plans call for the addition of carpools lanes in each direction along with auxiliary lanes, interchange improvements and environmental mitigation.

Costs:

The Measure M contribution for this project shall not exceed \$158 million (in 1988 dollars). These funds will leverage existing Federal, State, and Local sources that are providing over \$235 million toward improvements.

Implementation

Design of the project will begin immediately. Construction is targeted to begin by 2004. Sales Tax revenues would be used to augment funding from other sources.

Orange County Streets and Roads Project Descriptions

Super Streets Throughout Orange County

Description:

The Super Street Program for Orange County is a 220-mile network of arterial streets targeted for improvements designed to increase their ability to carry traffic. These improvements consist of traffic signal synchronization, restriping/widening roadways to increase the number of travel lanes, intersection grade separations, bus turnouts, removal of on-street parking, and intersection improvements. The Super Street Network includes 21 major arterial streets throughout Orange County such as Beach Boulevard, Katella Avenue and El Toro Road.

Costs:

\$120 million of sales tax revenue is targeted for Super Street improvements.

Implementation:

Improvements would be phased over the 20-year program, and coordinated with other local improvements.

Regional Interchanges

Description:

The goal of the program is to further enhance the local street interchanges at key freeway junctions such as the interchanges of I-405 and Warner Avenue, and Route 22 and Beach Boulevard. The program also would direct connections between the transitway system and local streets, for example at Route 57 and Cerritos Avenue.

Local agencies would be required to provide dollar-for-dollar matching funds. All freeway and major street junctures throughout Orange County are eligible. Improvements will be coordinated with other freeway projects and phased in over 20 years.

Costs:

\$70 million of sales tax revenue is targeted for this program.

Intersection Improvement Program Throughout Orange County

Description:

The 20-Year Master Plan of Transportation Improvements recommends that 100 of the county's most congested street intersections such as the intersections of Bristol/MacArthur Boulevard, El Toro Road/Rockfield and State College Boulevard/Imperial Highway be identified and scheduled for improvement. This program will help alleviate traffic bottlenecks present in Orange County. The schedule shows these improvements to span the full period of the plan.

Costs:

\$100 million over a 20-year period is recommended for this program.

Signal Coordination Throughout Orange County

Description:

With 29 cities in Orange County, the number of jurisdictions can complicate the coordination of traffic signals between city boundaries. This element of the 20-Year Master Plan of Transportation Improvements calls for financial assistance to cities and the County of Orange in timing traffic signals where streets cross city boundaries.

Costs:

\$50 million over a 20-year period is targeted for these improvements.

Master Plan of Arterial Highways for Orange County

Description:

The County of Orange currently provides \$4 million annually to complete the construction of major streets countywide. Over 80 percent of the county's road system has been constructed. Additional funding is proposed that, when combined with county and other local funds, will help complete the system. Construction will occur throughout the 20-year program.

Costs:

\$100 million is allocated to construct and improve local streets and roads.

Orange County Streets and Roads Project Descriptions

Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)

Description:

Transportation system and demand management focus on increasing the present capacity of the transportation system for the movement of people rather than of vehicles at a relatively low capital cost. Thus, these strategies center on increasing the occupancy of vehicles and spreading the demand for travel to times when facilities have excess capacity. These measures include carpooling and vanpooling programs, park-and-ride service development, removal of on-street parking, parking management, and controlling delivery and operations of commercial vehicles. Also included are bicycling, alternative work hours, development of site amenities to encourage high occupancy use, such as transit shelters and preferential parking, and reversible traffic lanes to add capacity to the peak direction. This element of the *20-Year Plan for Transportation Improvements* calls for each city to develop and implement TSM/TDM strategies. Implementation of these improvements will occur throughout the life of the 20-year program.

Costs:

\$10 million is required for this program.

Growth Management Area Improvements

Description:

An important component of the plan is the formation of Growth Management Areas that will blend local and regional planning perspectives and traffic control techniques. These areas will be established by grouping local jurisdictions with similar land use and transportation characteristics. This program element will focus on addressing cumulative regional traffic impacts of development. Specifically, funds will be used to complete traffic improvements crossing city/county boundaries. Under no circumstances may local government use funds from the program to subsidize costs which should be borne by developers.

Costs:

\$100 million over a 20-year period is targeted for this program.

Streets Maintenance and Local Roads Projects

Description:

This program element offers cities funds for street maintenance and local traffic improvements. The program is designed to supplement city and county expenditures on road projects and will require continuation of local investment in the street and road system. Specifically, to receive these funds cities must:

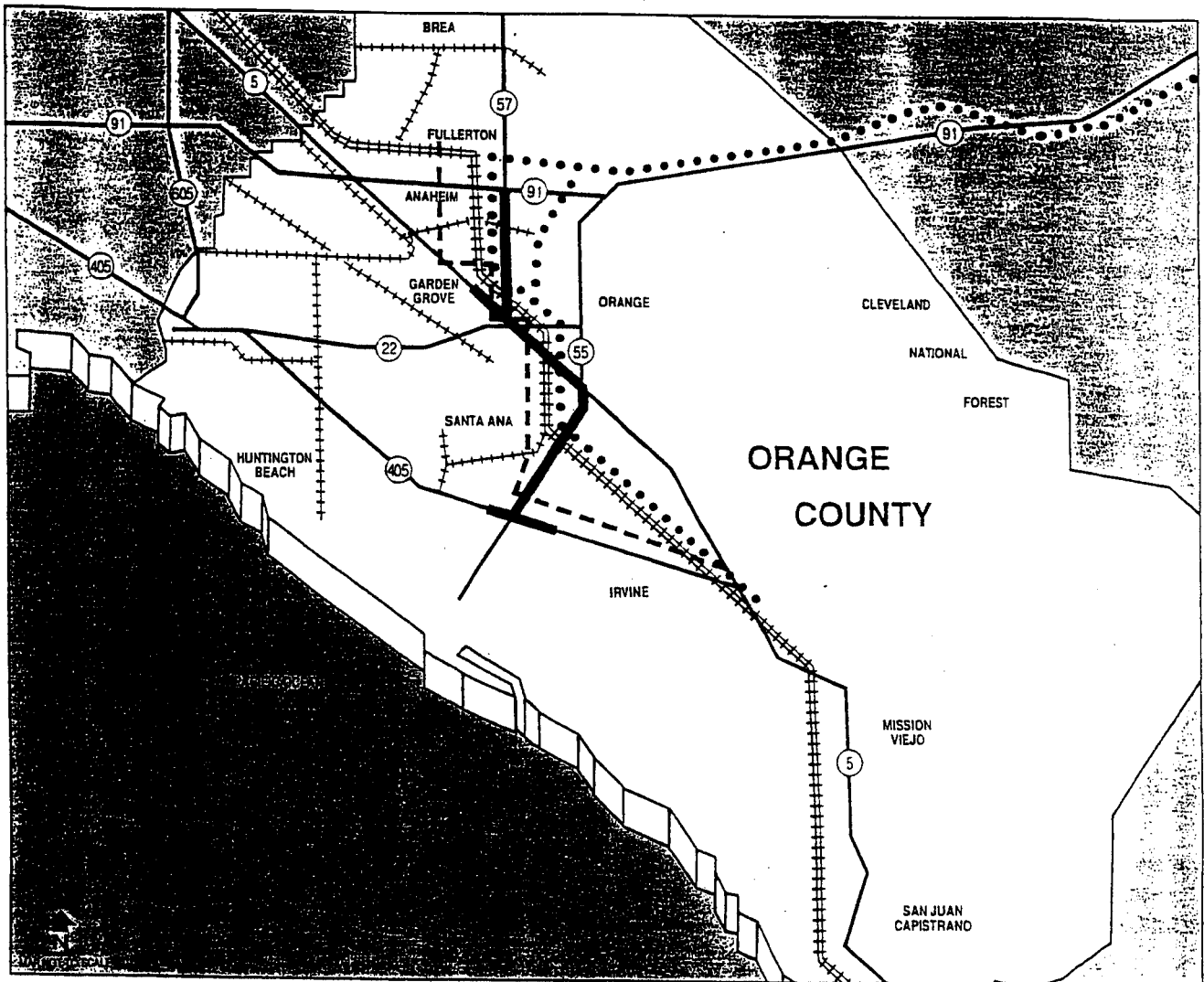
- adopt a *Growth Management Plan* as called for in the 20-Year Master Plan;
- adopt a local *Pavement Management System* that will eliminate the need for costly road reconstruction and adequately fund such a system;
- adopt a local *Transportation Systems Management* plan to make better use of the road network;
- agree to complete improvements within three years or return the funds; and
- adopt a local traffic circulation plan that is consistent with the countywide *Master Plan of Arterial Highways*.

This is a countywide program to maintain and improve over 5,000 miles of local streets and roads and will extend over the entire 20-year program.

Costs:

Previous studies have indicated that an initial investment of \$200 million is needed to bring all deficient streets into good repair, and an annual allocation of \$36 million for routine maintenance. It is proposed to allocate \$450 million towards such needs that, when combined with local resources, will provide substantial new funding for Orange County streets and roads.

Orange County Transit Projects



Legend

- | | | | |
|-------|---------------------------------------|-------|---|
| +++++ | Existing Rail Right-of-Way | | Lossan Intercity Rail Program and
Lossan Commuter Rail |
| --- | High-Technology Advanced Rail Transit | | Riverside Commuter Rail |
| — | Transitway Development Program | | |

Please note: Included under Orange County Transit Projects but not shown on map is the Senior Citizens/Disabled Reduced Fares Program.

Orange County Transit Project Descriptions

Rail Transit Right-Of-Way Protection

Description:

Right-of-way (ROW) protection on the Pacific Electric/Southern Pacific West Santa Ana Branch from Santa Ana to Los Angeles County line.

Location:

Central and west part of the county. Goes through the cities of Santa Ana, Garden Grove, Stanton, Anaheim, Buena Park, Cypress, and La Palma.

Technology and Ridership Estimates:

The future technology to be considered in this corridor and on this alignment would be some type of rail transit. Due to the long-term nature related to implementation of service, revised ridership estimates are not available. There are previous studies conducted by OCTC and OCTD which do provide ridership estimates. Depending on the rail system the segment is connected to, the daily ridership for the year 2000 is forecast at 10,000-15,000.

Costs:

\$50 million would be reserved for this project and used by the OCTC to preserve the right-of-way opportunities on this alignment.

Implementation:

It is assumed that the ROW would be purchased during the first five years of the program.

Issues/Comments:

1. The Southern Pacific (SP) right-of-way (ROW) from Beach Blvd. to Downtown Los Angeles is being considered for abandonment by SP. This ROW along with the existing ROW owned by OCTD could provide a future rail transit connection to the Century Freeway rail transit line and Los Angeles County's rail transit system. The distance is approximately five miles.
2. The OCTD now owns the Pacific Electric (PE) ROW from Santa Ana to Beach Blvd. (7 miles). The City of Garden Grove proposes to develop parcels through their redevelopment agency at future station locations at Euclid and Brookhurst. The city proposes to purchase approximately 6,100 feet of the ROW and provide an acceptable financial package to OCTC and OCTD that would not preclude the development of rail transit in the future. The city also proposes to minimize the repurchase price of the ROW when needed for rail transit development. The development of rail transit in this corridor could be started within the next 20 years.

References:

1. Santa Ana Transportation Corridor, Transit Element, Alternatives Analysis and Draft Environmental Impact Report, OCTD, February 1984.
2. Santa Ana Transportation Corridor, Multimodal Alternatives Analysis, Preliminary Findings Report, OCTC, December 1984.

Orange County Transit Project Descriptions

LOSSAN Corridor Intercity Rail Service

Description:

The LOSSAN corridor extends for 128 miles between the downtown areas of Los Angeles and San Diego, and is second only to the Northeast Corridor in ridership on the Amtrak rail passenger system. This rail line (Santa Fe) links communities in the counties of Los Angeles, Orange, and San Diego. At this time, over six million people reside within five miles of this rail line. There are currently nine stations with five of them in Orange County. Amtrak's present service in the LOSSAN corridor includes eight daily trains in each direction. The future proposal calls for two additional trains to be added.

Location:

The project uses the Santa Fe/Amtrak line from the San Diego downtown to the Los Angeles Central Business District (CBD), a distance of 128 miles with 47 miles in Orange County.

Technology and Ridership Estimates:

The technology currently used for this service is diesel-electric locomotives pulling up to six passenger cars. The cars are approximately 85 feet long and can operate at high or low platforms. Based on current usage and the implementation of two new roundtrips, the ridership is forecasted to be 8,000 riders per day.

Costs:

A capital development program that includes funding by all three counties, Amtrak, the State of California, and Santa Fe Railroad has been developed that will allow for expansion of service to 10 trains per day in each direction. Orange County's share of this program is approximately \$20 million. Any required operating assistance would be paid by the State and Amtrak. These services are very close to having full farebox recovery on operating and maintenance costs and are therefore priced for intercity type service and not priced to encourage daily commuter use.

Implementation:

If the funding program can be put in place, service could begin as early as 1993.

Issues/Comments:

This program requires the cooperation of the three counties, Caltrans, Amtrak, Santa Fe, and the local communities to be implemented successfully.

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group, Consultants-Wilbur Smith & Associates, Morrison-Knudsen Engineers, and Arthur Bauer & Associates.
2. Los Angeles to San Diego (LOSSAN) Corridor Status Report and Proposed Commuter Rail Implementation Program, Report to Orange County Transportation Commission, June 16, 1988, staff consultant-Sharon Greene & Associates.
3. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

LOSSAN Corridor Commuter Rail Service

Description:

The proposed commuter rail service in the LOSSAN Corridor specifically will be directed at the needs of persons commuting on a daily basis. Train schedules, station locations, and fare policy will be set to accommodate the needs of these commuters. The initial service calls for two peak period trains inbound from San Clemente to Los Angeles on weekday mornings and two peak period trains outbound from Los Angeles to San Clemente on weekday evenings. The service calls for nine stations in Orange County and four in Los Angeles County. The additional stations in Orange County include Mission Viejo, North Irvine, and Buena Park. The Irvine station (Spectrum area) is included in the nine stations. The commuter trains would supplement the intercity trains that are proposed and currently operated by Amtrak.

It is also proposed that the project acquire the Santa Fe right-of-way (ROW) from Fullerton to the San Diego County line in cooperation with San Diego agencies. Based on the activities proposed for this project, these actions would constitute the first step in developing a major backbone rail transit system for Orange County.

Location:

The project uses the Santa Fe/Amtrak line from the San Clemente/Oceanside area to the Los Angeles central business district.

Technology and Ridership Estimates:

The technology to be used for this service would be similar to the current Amtrak service. It is estimated that the initial service would attract 2,000 riders per day in the peak periods. Ridership will increase over time as additional commuter service is scheduled.

Costs:

A capital development program has been proposed that would include the purchase of the Santa Fe ROW, provision of equipment to provide the service, and the development of three new stations at Mission Viejo, North Irvine, and Buena Park. The service would require operating assistance as the farebox is estimated to fund 40-50 percent of the annual costs. The capital cost estimate for Orange County's share is \$108 million and for operating subsidy is \$22 million for the balance of the 20-Year Plan period.

Implementation:

The service could begin as early as 1993, if funding is in place.

Issues/Comments:

The implementation of this project and this ROW as the backbone rail transit corridor is dependent on the successful negotiation and purchase of the Santa Fe ROW south of Fullerton. This project, as well, needs the full cooperation of all three counties (L.A., Orange, and San Diego).

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group.
2. Santa Ana Transportation Corridor Multimodal Alternatives Analysis, Commuter Rail Element, 1984, Orange County Transportation Commission.
3. LOSSAN Corridor Status Report and Proposed Commuter Rail Implementation Program, report to OCTC, June 16, 1988.
4. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

Riverside Commuter Rail Service

Description:

This proposed project operating on Santa Fe trackage would be a cooperative and jointly funded program with the Riverside County Transportation Commission (RCTC). The proposed commuter rail service would begin in downtown Riverside and terminate at the Irvine station (Spectrum). Four trains per day in each direction are proposed. Of the four daily trains, two would be routed directly to Irvine, while the other two serve destinations in Placentia, Fullerton, and Anaheim before rejoining the other route at the Chapman station in Orange. Seven new stations/stops are proposed in Orange County.

The initial directional service is proposed to begin during the morning peak period and operate four south-bound trains on 20-minute headways. A similar return set of trips would be operated during the evening peak period. The route going directly to Irvine would be approximately 50 miles and the route through Fullerton and Anaheim would be 56 miles long.

Location:

The project would use Santa Fe ROW between Riverside and Irvine.

Technology and Ridership Estimates:

The technology to be used for this service would be the same type as the current Amtrak service on the LOSSAN corridor. It is estimated that the proposed service would attract 6,400 riders per day in the peak periods.

Costs:

The Feasibility Assessment study estimated Orange County's share of the capital costs at \$65 million and the operating costs at \$25 million (through the end of the 20-Year Plan period). The Riverside County share will be funded through their one-half cent sales tax that passed in November 1988.

Implementation:

This service will be initiated during the second 10 years of the plan.

Issues/Comments:

The key issues to be addressed by the two agencies (OCTC and RCTC) are the financial arrangements, priority of expenditures, and the funding splits.

References:

1. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Interim Report, OCTC and RCTC, July 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.
2. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Final Report, OCTC and RCTC, December 6, 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.

Orange County Transit Project Descriptions

High-Technology Advanced Rail Transit

Description:

This project would further develop the existing rail right-of-way and initiate a high capacity urban rail system in Orange County. This 20-Year Plan element will also provide matching funds to encourage local development of extensions to major activity centers.

The primary improvements will be along the LOSSAN rail corridor and designed to provide frequent train service between south and north Orange County with nine stops at San Juan Capistrano, San Clemente, Mission Viejo, Irvine, North Irvine, Santa Ana, Anaheim, Fullerton, and Buena Park.

The extension will provide access between the primary rail system and employment centers. Two of the potential candidate projects are the Anaheim People Mover Project and the Irvine Spectrum to John Wayne Airport Fixed Guideway transit line that could ultimately extend further west to the South Coast Metro area and beyond.

Location:

This project would use the Santa Fe/Amtrak line from San Clemente to Buena Park.

Technology and Ridership Estimates:

Selection of technology, ridership estimates and system costs need further analysis and studies.

Costs:

The total capital cost of the urban rail improvements could exceed \$800 million. Rail extension costs will be determined pending selection of technology. It is recommended that \$340 million be allocated toward this system. System connectivity, ridership/performance and availability of matching funds will be used as criteria to determine the relative priority of investment in the system.

Implementation:

Planning work on this project will begin immediately. The goal is to implement the project(s) during the second 10 years of the plan.

Reference:

Transit Strategy Report, April 1989, Orange County Transportation Commission, prepared by Parsons Brinckerhoff Quade & Douglas, Inc.

Orange County Transit Project Descriptions

Senior Citizens/Disabled Persons Reduced Fares

Description:

This project would stabilize fares for senior citizens and persons with disabilities on all forms of public transit including OCTD bus and dial-a-ride programs, City of Laguna Beach system, the Consolidated Transportation Service Agency (CTSA) and any rail service that is implemented.

The OCTD fare for seniors on the local fixed routes is 40 cents in the peak period (weekdays only) and 10 cents in the off-peak; the Handicapped fare is 85 cents in the peak period and 40 cents in the off-peak; and on the demand responsive system the fare is 80 cents at all times. OCTD service accommodates approximately 80 percent of the current users.

Location:

This would apply to all of Orange County.

Technology and Ridership Estimates:

Based on today's usage of the public transit system, there are about 10,000 daily transit rides.

Costs:

It is estimated that a fare stabilization program would cost about \$1 million per year, or \$20 million over 20 years.

Implementation:

This could be implemented immediately if an additional funding source is available.

References:

Short Range Transit Plans and Transportation Improvement Programs for fiscal years 1989-1993 and fiscal years 1990-1994 for OCTD, City of Laguna Beach, and CTSA.

Transitway Development Program

Description:

The transitway development program is a 19.4-mile program for the I-5, SR55 and SR57 corridors from the SR91 to the I-405 corridor. The program is made up of freeway-to-freeway connectors and other projects which can be implemented separately. In addition to these projects, Park-and-Ride lots are needed to complete the system. For the transitway program to function as approved, all of the components should be in place to receive maximum benefits, but substantial benefits are attainable with each project.

Location:

Central county on the SR57, I-5, SR55, and I-405 freeways.

Technology and Ridership Estimates:

The transitway lanes would be used by buses and other high occupancy vehicles such as carpools and vanpools. The total expected usage of the transitway segment would be 22,000 daily transit trips and 50,000 carpool-user/daily-person trips.

Costs:

A portion of this program (\$154 million) is funded using existing resources and is incorporated into the I-5 (Santa Ana Freeway) improvements. Forty-six million dollars of federal funds is also assumed for the remainder of the program. An additional \$125 million in sales tax revenues is targeted for direct freeway-to-freeway connectors between Routes 57 and 91 and Routes 405 and 55, and Park-and-Ride facilities.

Implementation:

Projects will be implemented over the 20-year program in conjunction with freeway improvement projects.

References:

1. A Transitway Development Program for Orange County, October, 1986, Orange County Transit District.
2. A Transitway Development Program for Orange County, Concept Design Final Report, February, 1989, Orange County Transit District.
3. A Transitway Development Program for Orange County, Concept Design Final Report, Plans and Profiles, May, 1988, Orange County Transit District.

Growth Management Plan

Description:

The Revised Traffic Improvement and Growth Management Plan requires each city and the county to adopt a Growth Management Element of its general plan to be eligible to receive new transportation revenue, if new revenue is approved by Orange County voters.

Under this plan each local agency is required to:

- outline each agency's plans and efforts to develop multijurisdictional traffic solutions through a well-defined, cooperative planning process;
- specify traffic level of services;
- promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Systems Management (TSM) and Transportation Demand Management (TDM);
- require a traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;
- foster a better balance of jobs and housing and reduce commuter trips through careful planning;
- encourage local jurisdictions, where applicable, to establish performance standards for fire, police, library, parks, open space, flood control, and other infrastructure based on local criteria;
- require phasing of new development to ensure that service level goals are achieved;
- pursue additional revenue to upgrade recreational areas and to acquire additional open space.

The countywide Revised Traffic Improvement and Growth Management Plan emphasizes good planning, improved cooperation between neighboring cities, and requires that development pays its fair share toward dealing with traffic generated by that new development.

With this approach, new transportation revenue, in the form of a one-half cent sales tax measure, would be focused on curing existing transportation and traffic deficiencies while a new traffic mitigation fee will help pay a fair share of the cost of infrastructure required by new residential, commercial and industrial growth.

Revised Traffic Improvement and Growth Management Plan



*ORANGE COUNTY
TRANSPORTATION
COMMISSION*

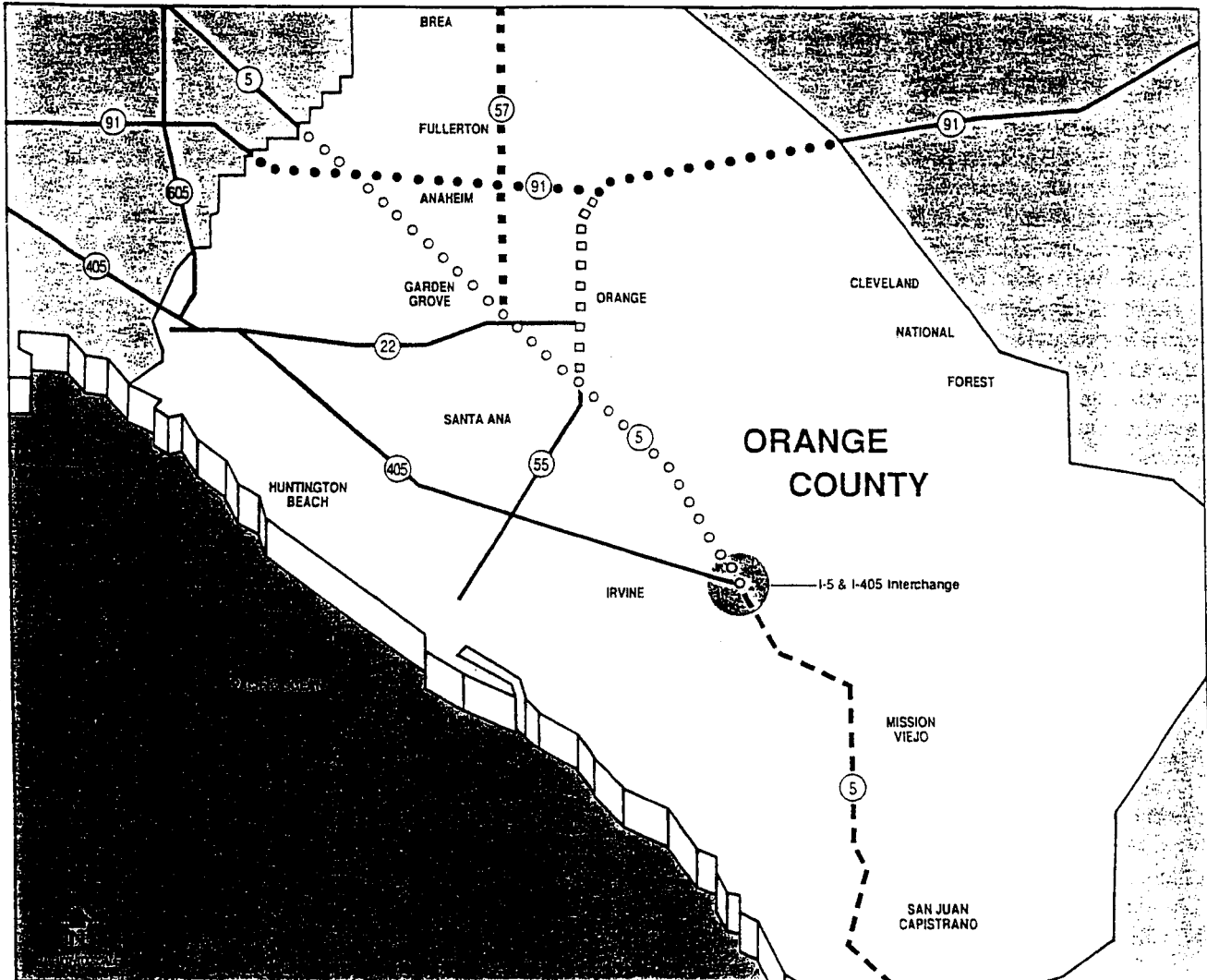
**Revised Traffic Improvement and Growth
Management Plan Expenditure Plan (1988 \$ x million)**

Freeway Projects		\$ 1,325
Project	Cost	
I-5 (Santa Ana Freeway) between I-405 (San Diego Freeway) and I-605 (San Gabriel Freeway)	\$ 750	
I-5 (San Diego Freeway) between I-5/I-405 Interchange and San Clemente	\$ 52	
I-5/I-405 Interchange	\$ 66	
S.R. 55 (Costa Mesa Freeway) between I-5 and S.R. 91 (Riverside Freeway)	\$ 44 *	
S.R. 57 (Orange Freeway) between I-5 and Lambert Road	\$ 22	
S.R. 91 (Riverside Freeway) between Riverside County Line and Los Angeles County Line	\$ 95 *	
S.R. 22 (Garden Grove Freeway) between S.R. 55 and Valley View Street	\$ 296 **	
Freeway Sub-total	\$ 1,325	
Regional Street and Road Projects		\$ 350
Project	Cost	
Smart Streets	\$ 120	
Regionally Significant Interchanges	\$ 70	
Intersection Improvement Program	\$ 100	
Traffic Signal Coordination	\$ 50	
Transportation Systems Management and Transportation Demand Management	\$ 10	
Streets and Roads Sub-total	\$ 350	
Local Street and Road Projects		\$ 650
Project	Cost	
Master Plan of Arterial Highway Improvements	\$ 100	
Streets and Roads Maintenance and Road Improvements	\$ 450	
Growth Management Area Improvements	\$ 100	
Local Street and Road Sub-total	\$ 650	
Transit Projects		\$ 775
Project	Cost	
Pacific Electric Right-of-Way	\$ 15	
LOSSAN Intercity Rail Program	\$ 20	
LOSSAN Commuter Rail	\$ 215	
Riverside Commuter Rail	\$ 40	
High-Technology Advanced Rail Transit	\$ 340	
Elderly & Handicapped Fare Stabilization	\$ 20	
Transitways	\$ 125	
Transit Sub-total	\$ 775	
TOTAL		\$ 3,100

* Pursuant to Resolution No. 94-03 dated 4/11/94, these projects shall be first in priority for State Transportation Improvement Program funds.

** Measure M project budget, assuming a 2004 construction date, is \$327 million. Pursuant to OCTA Board action dated 9/13/2004, OCTA shall pursue reimbursement of \$123.7 million in Transportation Congestion Relief Funds

Orange County Freeway Projects



Legend			
□ □ □ □ □ □	S.R. 55 (Costa Mesa Freeway)	○ ○ ○ ○ ○ ○	I-5 (Santa Ana Freeway)
■ ■ ■ ■ ■ ■	S.R. 57 (Orange Freeway)	— — — — —	I-5 (San Diego Freeway)
● ● ● ● ● ●	S.R. 91 (Riverside Freeway)	●	I-5 & I-405 Interchange

Orange County Freeway Project Descriptions

Santa Ana Freeway Improvement for the San Diego Freeway (I-405) to the Los Angeles County Line

Description:

Rebuilding of the Santa Ana Freeway is critical to the county's continued mobility. This project forms the centerpiece of the *20-Year Master Plan of Transportation Improvements*. Fifty percent of all Orange County residents live within three miles of this facility and two-thirds of all jobs lie in this transportation corridor. The staged improvements call for the addition of up to three lanes in each direction, rebuilding the freeway-to-freeway interchanges, and providing soundwalls and environmental mitigation. The project begins where I-5 separates from the I-405 and continues north to the Los Angeles County line. Two of the new travel lanes will be dedicated to carpools.

Within this length of freeway is the I-5/SR 57/SR 22 interchange. This is the nation's seventh busiest interchange. This interchange and all other intermediate interchanges will be improved as part of this project. Traffic on I-5 north of I-405 was 160,000 vehicles per day in 1988 and in the future the vehicular demand is expected to increase to over 260,000 daily.

Costs:

The overall cost of the I-5 project is estimated to be \$1.6 billion. Existing state and federal resources are expected to fund \$1.1 billion with the sales tax revenue providing the additional \$550 million to complete the project.

Implementation:

Construction will start immediately. Sales tax revenue would be used to augment funding, alleviate cash flow constraints, and accelerate project delivery by 10 years.

San Diego Freeway (I-5) from the I-5/I-405 Confluence to San Clemente

Description:

Current plans for I-5 south of the confluence call for adding one carpool lane in each direction, building soundwalls and other environmental amenities. This project includes the segment of I-5 from the I-405 confluence to San Clemente near the San Diego County line, a distance of approximately 12 miles. In 1988, the freeway carried approximately 170,000 vehicles per day and forecasts show demand to increase to over 230,000 daily.

Costs:

The estimated capital cost for this section of the I-5 improvement is about \$80 million.

Implementation:

Project construction is scheduled to begin during the first 10-year period of the plan.

I-5/I-405 Interchange

Description:

The need for improving one of the county's busiest interchanges has been identified in numerous studies. In 1988 over 260,000 vehicles a day traveled through this interchange and forecasts show this demand will grow to over 350,000 vehicles daily. This project calls for the construction of bypass and feeder lanes along I-5 for the "El Toro Y" interchange. This will greatly improve traffic movement between the Santa Ana Freeway and the San Diego Freeway, as these facilities are widened to add three new lanes in each direction (including carpool lanes) on the I-5, and carpool lanes to the San Diego Freeway.

Costs:

The capital cost in 1988 dollars is estimated at \$55 million.

Implementation:

Construction will begin within the first five years of the 20-year program. This project plays a critical role in the improvement of the I-5.

Orange County Freeway Project Descriptions

Costa Mesa Freeway (SR 55) from the Riverside Freeway to Interstate 5

Description:

The 20-Year Master Plan of Transportation Improvements calls for the addition of two new general purpose lanes to the Costa Mesa Freeway for a distance of approximately six miles. In 1988 Route 55 carried about 180,000 vehicles per day and forecasts show demand to exceed 190,000 in the future. Auxiliary lanes are also planned, in addition to providing soundwalls and other environmental mitigation measures.

Costs:

The current estimated capital cost (1988) is approximately \$200 million.

Implementation:

Construction is scheduled for the second 10-year period of the plan.

Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5

Description:

The 20-Year Master Plan for Transportation Improvements calls for the addition of one carpool lane in each direction to the Orange Freeway for its entire length within Orange County. This covers a distance of about 12 miles. In addition, soundwalls and other environmental amenities will be added. In 1988, this freeway carried over 210,000 vehicles per day and forecasts estimate this demand to grow to over 280,000 daily. Los Angeles County plans for additional lanes that could extend the improvements north to Route 60 in Diamond Bar.

Costs:

The 1988 capital cost estimate for this improvement is \$40 million.

Implementation:

The current schedule slates the Orange Freeway improvements for the first five-year period of the plan.

Riverside Freeway (SR 91) from the Los Angeles County Line to the Riverside County Line

Description:

Long-range plans call for the addition of one carpool lane in each direction on the Route 91 from Riverside County line to Los Angeles County line. The first phase of this project on Route 91 extends from the Riverside County line and terminates at the Orange Freeway. The second phase extends from Route 57 to the Los Angeles County line. In addition to the carpool lanes, plans for the freeway include rebuilding the freeway-to-freeway interchanges and providing soundwalls and other environmental mitigation features. About 210,000 vehicles used this freeway in 1988 and forecasts show demand to exceed 240,000 in the future. Both Los Angeles and Riverside counties have plans to improve SR 91 within their jurisdictions.

Costs:

The capital cost for these improvements is \$400 million.

Implementation:

Construction of Phase I improvements is scheduled for the first 10 years of the plan and Phase II improvements will occur during the second 10 years.

State Route 22 Measure M Description

Garden Grove Freeway (State Route 22) from State Route 55 to Valley View Street

Description:

State Route 22 is the last major freeway in Orange County slated for improvements. In 2000, over 174,000 vehicles a day traveled on this freeway and forecasts show demand increasing to over 212,000 daily. Plans call for the addition of carpool lanes in each direction along with auxiliary lanes, interchange improvements and environmental mitigation.

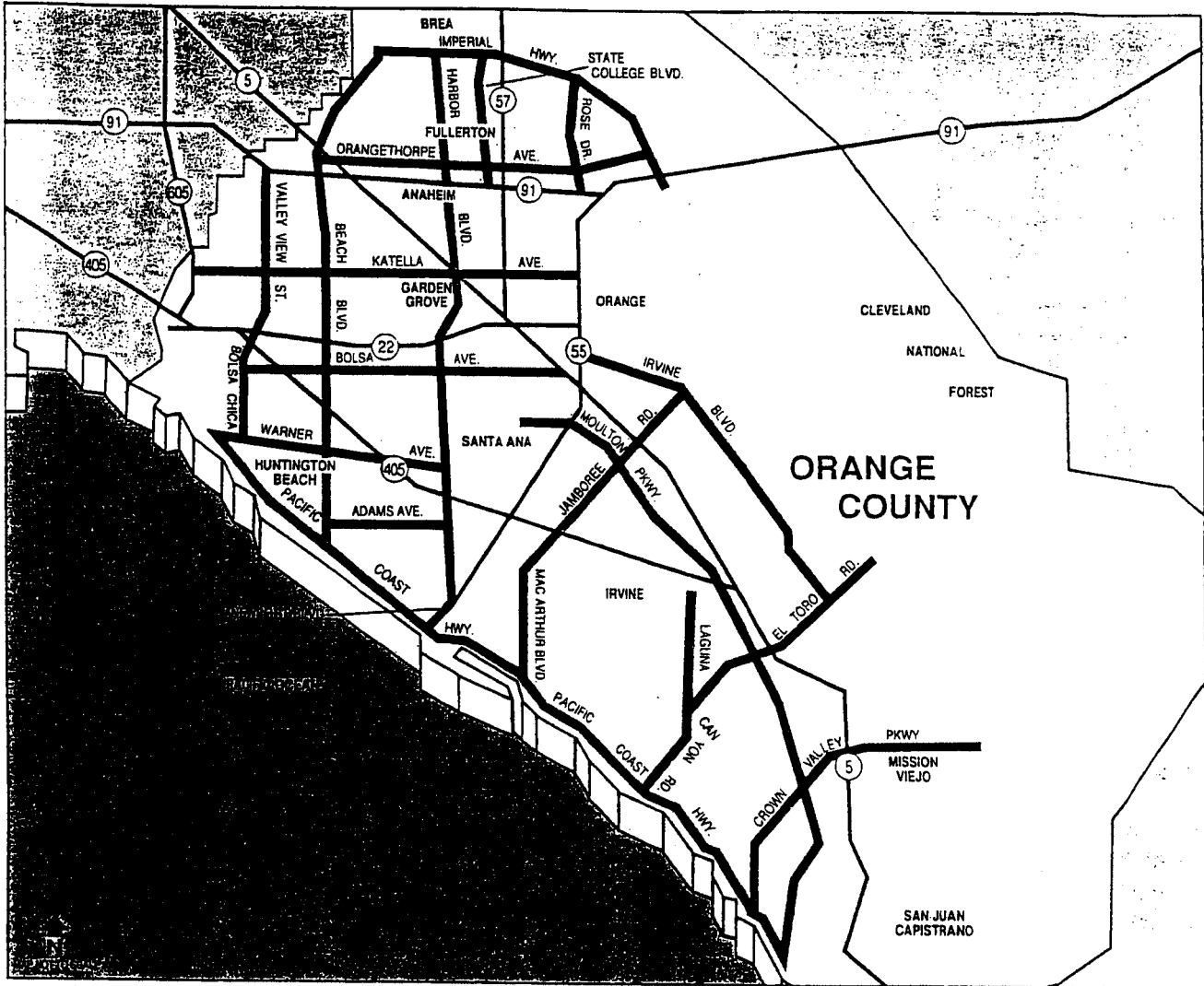
Costs:

The Measure M contribution for this project shall not exceed \$158 million (in 1988 dollars). These funds will leverage existing Federal, State, and Local sources that are providing over \$235 million toward improvements.

Implementation

Design of the project will begin immediately. Construction is targeted to begin by 2004. Sales Tax revenues would be used to augment funding from other sources.

Orange County Streets and Roads Projects



Legend

Super Streets
 Freeways

Please note: The following projects are included under Orange County Street and Road Projects but not shown on map:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Regional Interchanges 2. Intersection Improvement Program throughout Orange County 3. Signal Coordination throughout Orange County 4. Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM) | <ol style="list-style-type: none"> 5. Master Plan of Arterial Highways for Orange County 6. Streets Maintenance and Local Roads Projects 7. Growth Management Area Improvements |
|--|--|

Orange County Streets and Roads Project Descriptions

Super Streets Throughout Orange County

Description:

The Super Street Program for Orange County is a 220-mile network of arterial streets targeted for improvements designed to increase their ability to carry traffic. These improvements consist of traffic signal synchronization, restriping/widening roadways to increase the number of travel lanes, intersection grade separations, bus turnouts, removal of on-street parking, and intersection improvements. The Super Street Network includes 21 major arterial streets throughout Orange County such as Beach Boulevard, Katella Avenue and El Toro Road.

Costs:

\$120 million of sales tax revenue is targeted for Super Street improvements.

Implementation:

Improvements would be phased over the 20-year program, and coordinated with other local improvements.

Regional Interchanges

Description:

The goal of the program is to further enhance the local street interchanges at key freeway junctions such as the interchanges of I-405 and Warner Avenue, and Route 22 and Beach Boulevard. The program also would direct connections between the transitway system and local streets, for example at Route 57 and Cerritos Avenue.

Local agencies would be required to provide dollar-for-dollar matching funds. All freeway and major street junctures throughout Orange County are eligible. Improvements will be coordinated with other freeway projects and phased in over 20 years.

Costs:

\$70 million of sales tax revenue is targeted for this program.

Intersection Improvement Program Throughout Orange County

Description:

The 20-Year Master Plan of Transportation Improvements recommends that 100 of the county's most congested street intersections such as the intersections of Bristol/MacArthur Boulevard, El Toro Road/Rockfield and State College Boulevard/Imperial Highway be identified and scheduled for improvement. This program will help alleviate traffic bottlenecks present in Orange County. The schedule shows these improvements to span the full period of the plan.

Costs:

\$100 million over a 20-year period is recommended for this program.

Signal Coordination Throughout Orange County

Description:

With 29 cities in Orange County, the number of jurisdictions can complicate the coordination of traffic signals between city boundaries. This element of the 20-Year Master Plan of Transportation Improvements calls for financial assistance to cities and the County of Orange in timing traffic signals where streets cross city boundaries.

Costs:

\$50 million over a 20-year period is targeted for these improvements.

Master Plan of Arterial Highways for Orange County

Description:

The County of Orange currently provides \$4 million annually to complete the construction of major streets countywide. Over 80 percent of the county's road system has been constructed. Additional funding is proposed that, when combined with county and other local funds, will help complete the system. Construction will occur throughout the 20-year program.

Costs:

\$100 million is allocated to construct and improve local streets and roads.

Orange County Streets and Roads Project Descriptions

Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)

Description:

Transportation system and demand management focus on increasing the present capacity of the transportation system for the movement of people rather than of vehicles at a relatively low capital cost. Thus, these strategies center on increasing the occupancy of vehicles and spreading the demand for travel to times when facilities have excess capacity. These measures include carpooling and vanpooling programs, park-and-ride service development, removal of on-street parking, parking management, and controlling delivery and operations of commercial vehicles. Also included are bicycling, alternative work hours, development of site amenities to encourage high occupancy use, such as transit shelters and preferential parking, and reversible traffic lanes to add capacity to the peak direction. This element of the *20-Year Plan for Transportation Improvements* calls for each city to develop and implement TSM/TDM strategies. Implementation of these improvements will occur throughout the life of the 20-year program.

Costs:

\$10 million is required for this program.

Growth Management Area Improvements

Description:

An important component of the plan is the formation of Growth Management Areas that will blend local and regional planning perspectives and traffic control techniques. These areas will be established by grouping local jurisdictions with similar land use and transportation characteristics. This program element will focus on addressing cumulative regional traffic impacts of development. Specifically, funds will be used to complete traffic improvements crossing city/county boundaries. Under no circumstances may local government use funds from the program to subsidize costs which should be borne by developers.

Costs:

\$100 million over a 20-year period is targeted for this program.

Streets Maintenance and Local Roads Projects

Description:

This program element offers cities funds for street maintenance and local traffic improvements. The program is designed to supplement city and county expenditures on road projects and will require continuation of local investment in the street and road system. Specifically, to receive these funds cities must:

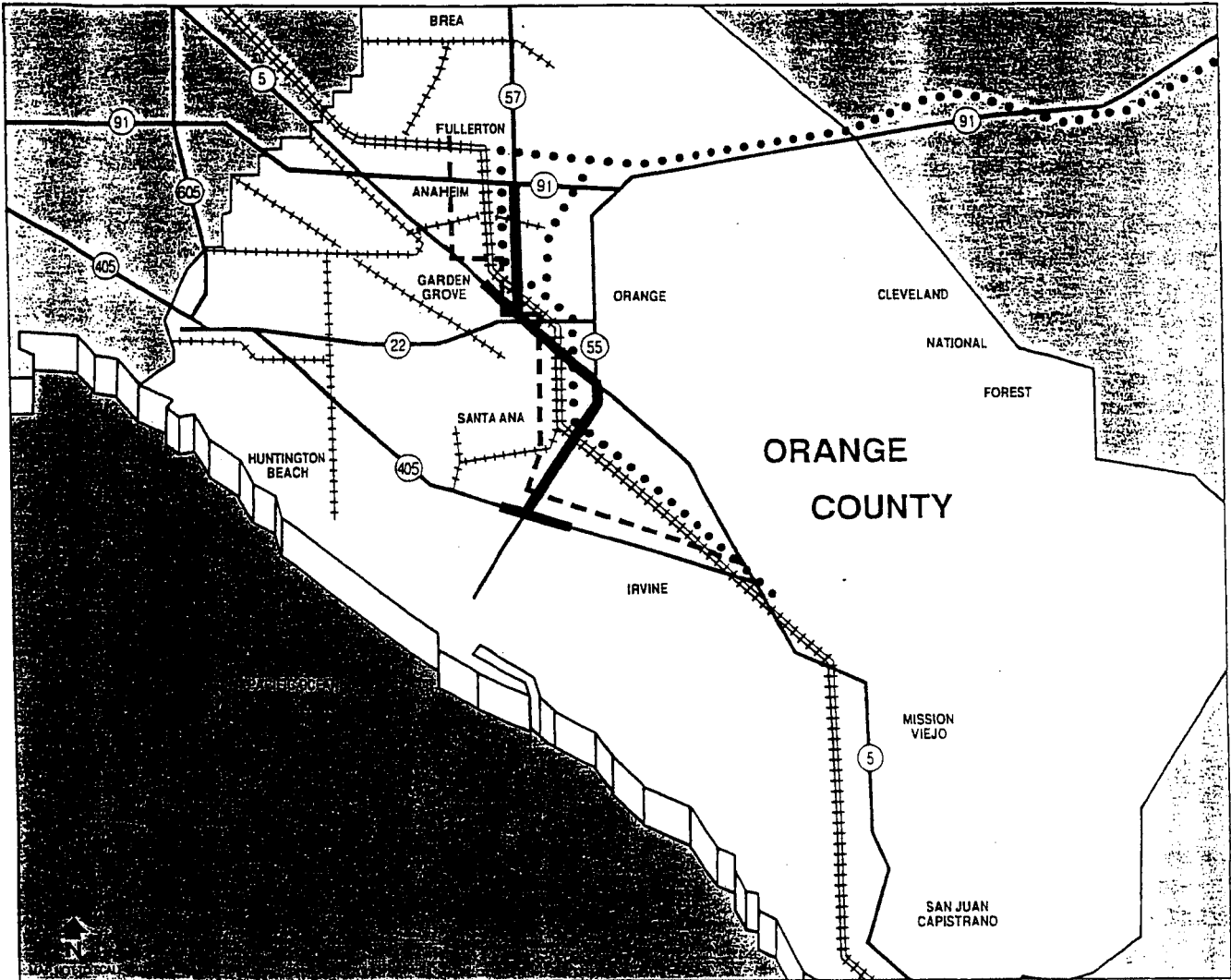
- adopt a *Growth Management Plan* as called for in the 20-Year Master Plan;
- adopt a local *Pavement Management System* that will eliminate the need for costly road reconstruction and adequately fund such a system;
- adopt a local *Transportation Systems Management* plan to make better use of the road network;
- agree to complete improvements within three years or return the funds; and
- adopt a local traffic circulation plan that is consistent with the countywide *Master Plan of Arterial Highways*.

This is a countywide program to maintain and improve over 5,000 miles of local streets and roads and will extend over the entire 20-year program.

Costs:

Previous studies have indicated that an initial investment of \$200 million is needed to bring all deficient streets into good repair, and an annual allocation of \$36 million for routine maintenance. It is proposed to allocate \$450 million towards such needs that, when combined with local resources, will provide substantial new funding for Orange County streets and roads.

Orange County Transit Projects



Legend			
+++++	Existing Rail Right-of-Way	=====	Lossan Intercity Rail Program and Lossan Commuter Rail
---	High-Technology Advanced Rail Transit	Riverside Commuter Rail
—	Transitway Development Program		

Please note: Included under Orange County Transit Projects but not shown on map is the Senior Citizens/Disabled Reduced Fares Program.

Orange County Transit Project Descriptions

Rail Transit Right-Of-Way Protection

Description:

Right-of-way (ROW) protection on the Pacific Electric/Southern Pacific West Santa Ana Branch from Santa Ana to Los Angeles County line.

Location:

Central and west part of the county. Goes through the cities of Santa Ana, Garden Grove, Stanton, Anaheim, Buena Park, Cypress, and La Palma.

Technology and Ridership Estimates:

The future technology to be considered in this corridor and on this alignment would be some type of rail transit. Due to the long-term nature related to implementation of service, revised ridership estimates are not available. There are previous studies conducted by OCTC and OCTD which do provide ridership estimates. Depending on the rail system the segment is connected to, the daily ridership for the year 2000 is forecast at 10,000-15,000.

Costs:

\$50 million would be reserved for this project and used by the OCTC to preserve the right-of-way opportunities on this alignment.

Implementation:

It is assumed that the ROW would be purchased during the first five years of the program.

Issues/Comments:

1. The Southern Pacific (SP) right-of-way (ROW) from Beach Blvd. to Downtown Los Angeles is being considered for abandonment by SP. This ROW along with the existing ROW owned by OCTD could provide a future rail transit connection to the Century Freeway rail transit line and Los Angeles County's rail transit system. The distance is approximately five miles.

2. The OCTD now owns the Pacific Electric (PE) ROW from Santa Ana to Beach Blvd. (7 miles). The City of Garden Grove proposes to develop parcels through their redevelopment agency at future station locations at Euclid and Brookhurst. The city proposes to purchase approximately 6,100 feet of the ROW and provide an acceptable financial package to OCTC and OCTD that would not preclude the development of rail transit in the future. The city also proposes to minimize the repurchase price of the ROW when needed for rail transit development. The development of rail transit in this corridor could be started within the next 20 years.

References:

1. Santa Ana Transportation Corridor, Transit Element, Alternatives Analysis and Draft Environmental Impact Report, OCTD, February 1984.
2. Santa Ana Transportation Corridor, Multimodal Alternatives Analysis, Preliminary Findings Report, OCTC, December 1984.

Orange County Transit Project Descriptions

LOSSAN Corridor Intercity Rail Service

Description:

The LOSSAN corridor extends for 128 miles between the downtown areas of Los Angeles and San Diego, and is second only to the Northeast Corridor in ridership on the Amtrak rail passenger system. This rail line (Santa Fe) links communities in the counties of Los Angeles, Orange, and San Diego. At this time, over six million people reside within five miles of this rail line. There are currently nine stations with five of them in Orange County. Amtrak's present service in the LOSSAN corridor includes eight daily trains in each direction. The future proposal calls for two additional trains to be added.

Location:

The project uses the Santa Fe/Amtrak line from the San Diego downtown to the Los Angeles Central Business District (CBD), a distance of 128 miles with 47 miles in Orange County.

Technology and Ridership Estimates:

The technology currently used for this service is diesel-electric locomotives pulling up to six passenger cars. The cars are approximately 85 feet long and can operate at high or low platforms. Based on current usage and the implementation of two new roundtrips, the ridership is forecasted to be 8,000 riders per day.

Costs:

A capital development program that includes funding by all three counties, Amtrak, the State of California, and Santa Fe Railroad has been developed that will allow for expansion of service to 10 trains per day in each direction. Orange County's share of this program is approximately \$20 million. Any required operating assistance would be paid by the State and Amtrak. These services are very close to having full farebox recovery on operating and maintenance costs and are therefore priced for intercity type service and not priced to encourage daily commuter use.

Implementation:

If the funding program can be put in place, service could begin as early as 1993.

Issues/Comments:

This program requires the cooperation of the three counties, Caltrans, Amtrak, Santa Fe, and the local communities to be implemented successfully.

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group, Consultants-Wilbur Smith & Associates, Morrison-Knudsen Engineers, and Arthur Bauer & Associates.
2. Los Angeles to San Diego (LOSSAN) Corridor Status Report and Proposed Commuter Rail Implementation Program, Report to Orange County Transportation Commission, June 16, 1988, staff consultant-Sharon Greene & Associates.
3. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

LOSSAN Corridor Commuter Rail Service

Description:

The proposed commuter rail service in the LOSSAN Corridor specifically will be directed at the needs of persons commuting on a daily basis. Train schedules, station locations, and fare policy will be set to accommodate the needs of these commuters. The initial service calls for two peak period trains inbound from San Clemente to Los Angeles on weekday mornings and two peak period trains outbound from Los Angeles to San Clemente on weekday evenings. The service calls for nine stations in Orange County and four in Los Angeles County. The additional stations in Orange County include Mission Viejo, North Irvine, and Buena Park. The Irvine station (Spectrum area) is included in the nine stations. The commuter trains would supplement the intercity trains that are proposed and currently operated by Amtrak.

It is also proposed that the project acquire the Santa Fe right-of-way (ROW) from Fullerton to the San Diego County line in cooperation with San Diego agencies. Based on the activities proposed for this project, these actions would constitute the first step in developing a major backbone rail transit system for Orange County.

Location:

The project uses the Santa Fe/Amtrak line from the San Clemente/Oceanside area to the Los Angeles central business district.

Technology and Ridership Estimates:

The technology to be used for this service would be similar to the current Amtrak service. It is estimated that the initial service would attract 2,000 riders per day in the peak periods. Ridership will increase over time as additional commuter service is scheduled.

Costs:

A capital development program has been proposed that would include the purchase of the Santa Fe ROW, provision of equipment to provide the service, and the development of three new stations at Mission Viejo, North Irvine, and Buena Park. The service would require operating assistance as the farebox is estimated to fund 40-50 percent of the annual costs. The capital cost estimate for Orange County's share is \$108 million and for operating subsidy is \$22 million for the balance of the 20-Year Plan period.

Implementation:

The service could begin as early as 1993, if funding is in place.

Issues/Comments:

The implementation of this project and this ROW as the backbone rail transit corridor is dependent on the successful negotiation and purchase of the Santa Fe ROW south of Fullerton. This project, as well, needs the full cooperation of all three counties (L.A., Orange, and San Diego).

References:

1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group.
2. Santa Ana Transportation Corridor Multimodal Alternatives Analysis, Commuter Rail Element, 1984, Orange County Transportation Commission.
3. LOSSAN Corridor Status Report and Proposed Commuter Rail Implementation Program, report to OCTC, June 16, 1988.
4. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

Riverside Commuter Rail Service

Description:

This proposed project operating on Santa Fe trackage would be a cooperative and jointly funded program with the Riverside County Transportation Commission (RCTC). The proposed commuter rail service would begin in downtown Riverside and terminate at the Irvine station (Spectrum). Four trains per day in each direction are proposed. Of the four daily trains, two would be routed directly to Irvine, while the other two serve destinations in Placentia, Fullerton, and Anaheim before rejoining the other route at the Chapman station in Orange. Seven new stations/stops are proposed in Orange County.

The initial directional service is proposed to begin during the morning peak period and operate four south-bound trains on 20-minute headways. A similar return set of trips would be operated during the evening peak period. The route going directly to Irvine would be approximately 50 miles and the route through Fullerton and Anaheim would be 56 miles long.

Location:

The project would use Santa Fe ROW between Riverside and Irvine.

Technology and Ridership Estimates:

The technology to be used for this service would be the same type as the current Amtrak service on the LOSSAN corridor. It is estimated that the proposed service would attract 6,400 riders per day in the peak periods.

Costs:

The Feasibility Assessment study estimated Orange County's share of the capital costs at \$65 million and the operating costs at \$25 million (through the end of the 20-Year Plan period). The Riverside County share will be funded through their one-half cent sales tax that passed in November 1988.

Implementation:

This service will be initiated during the second 10 years of the plan.

Issues/Comments:

The key issues to be addressed by the two agencies (OCTC and RCTC) are the financial arrangements, priority of expenditures, and the funding splits.

References:

1. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Interim Report, OCTC and RCTC, July 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.
2. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Final Report, OCTC and RCTC, December 6, 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.

Orange County Transit Project Descriptions

High-Technology Advanced Rail Transit

Description:

This project would further develop the existing rail right-of-way and initiate a high capacity urban rail system in Orange County. This 20-Year Plan element will also provide matching funds to encourage local development of extensions to major activity centers.

The primary improvements will be along the LOSSAN rail corridor and designed to provide frequent train service between south and north Orange County with nine stops at San Juan Capistrano, San Clemente, Mission Viejo, Irvine, North Irvine, Santa Ana, Anaheim, Fullerton, and Buena Park.

The extension will provide access between the primary rail system and employment centers. Two of the potential candidate projects are the Anaheim People Mover Project and the Irvine Spectrum to John Wayne Airport Fixed Guideway transit line that could ultimately extend further west to the South Coast Metro area and beyond.

Location:

This project would use the Santa Fe/Amtrak line from San Clemente to Buena Park.

Technology and Ridership Estimates:

Selection of technology, ridership estimates and system costs need further analysis and studies.

Costs:

The total capital cost of the urban rail improvements could exceed \$800 million. Rail extension costs will be determined pending selection of technology. It is recommended that \$340 million be allocated toward this system. System connectivity, ridership/performance and availability of matching funds will be used as criteria to determine the relative priority of investment in the system.

Implementation:

Planning work on this project will begin immediately. The goal is to implement the project(s) during the second 10 years of the plan.

Reference:

Transit Strategy Report, April 1989, Orange County Transportation Commission, prepared by Parsons Brinckerhoff Quade & Douglas, Inc.

Orange County Transit Project Descriptions

Senior Citizens/Disabled Persons Reduced Fares

Description:

This project would stabilize fares for senior citizens and persons with disabilities on all forms of public transit including OCTD bus and dial-a-ride programs, City of Laguna Beach system, the Consolidated Transportation Service Agency (CTSA) and any rail service that is implemented.

The OCTD fare for seniors on the local fixed routes is 40 cents in the peak period (weekdays only) and 10 cents in the off-peak; the Handicapped fare is 85 cents in the peak period and 40 cents in the off-peak; and on the demand responsive system the fare is 80 cents at all times. OCTD service accommodates approximately 80 percent of the current users.

Location:

This would apply to all of Orange County.

Technology and Ridership Estimates:

Based on today's usage of the public transit system, there are about 10,000 daily transit rides.

Costs:

It is estimated that a fare stabilization program would cost about \$1 million per year, or \$20 million over 20 years.

Implementation:

This could be implemented immediately if an additional funding source is available.

References:

Short Range Transit Plans and Transportation Improvement Programs for fiscal years 1989-1993 and fiscal years 1990-1994 for OCTD, City of Laguna Beach, and CTSA.

Transitway Development Program

Description:

The transitway development program is a 19.4-mile program for the I-5, SR55 and SR57 corridors from the SR91 to the I-405 corridor. The program is made up of freeway-to-freeway connectors and other projects which can be implemented separately. In addition to these projects, Park-and-Ride lots are needed to complete the system. For the transitway program to function as approved, all of the components should be in place to receive maximum benefits, but substantial benefits are attainable with each project.

Location:

Central county on the SR57, I-5, SR55, and I-405 freeways.

Technology and Ridership Estimates:

The transitway lanes would be used by buses and other high occupancy vehicles such as carpools and vanpools. The total expected usage of the transitway segment would be 22,000 daily transit trips and 50,000 carpool-user/daily-person trips.

Costs:

A portion of this program (\$154 million) is funded using existing resources and is incorporated into the I-5 (Santa Ana Freeway) improvements. Forty-six million dollars of federal funds is also assumed for the remainder of the program. An additional \$125 million in sales tax revenues is targeted for direct freeway-to-freeway connectors between Routes 57 and 91 and Routes 405 and 55, and Park-and-Ride facilities.

Implementation:

Projects will be implemented over the 20-year program in conjunction with freeway improvement projects.

References:

1. A Transitway Development Program for Orange County, October, 1986, Orange County Transit District.
2. A Transitway Development Program for Orange County, Concept Design Final Report, February, 1989, Orange County Transit District.
3. A Transitway Development Program for Orange County, Concept Design Final Report, Plans and Profiles, May, 1988, Orange County Transit District.

Growth Management Plan

Description:

The Revised Traffic Improvement and Growth Management Plan requires each city and the county to adopt a Growth Management Element of its general plan to be eligible to receive new transportation revenue, if new revenue is approved by Orange County voters.

Under this plan each local agency is required to:

- outline each agency's plans and efforts to develop multi-jurisdictional traffic solutions through a well-defined, cooperative planning process;
- specify traffic level of services;
- promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Systems Management (TSM) and Transportation Demand Management (TDM);
- require a traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;
- foster a better balance of jobs and housing and reduce commuter trips through careful planning;
- encourage local jurisdictions, where applicable, to establish performance standards for fire, police, library, parks, open space, flood control, and other infrastructure based on local criteria;
- require phasing of new development to ensure that service level goals are achieved;
- pursue additional revenue to upgrade recreational areas and to acquire additional open space.

The countywide Revised Traffic Improvement and Growth Management Plan emphasizes good planning, improved cooperation between neighboring cities, and requires that development pays its fair share toward dealing with traffic generated by that new development.

With this approach, new transportation revenue, in the form of a one-half cent sales tax measure, would be focused on curing existing transportation and traffic deficiencies while a new traffic mitigation fee will help pay a fair share of the cost of infrastructure required by new residential, commercial and industrial growth.

ORANGE COUNTY LOCAL TRANSPORTATION AUTHORITY

ORDINANCE NO. 2

AMENDED:

SEPTEMBER 23, 1991

NOVEMBER 25, 1991 ✓

MAY 23, 1994 ✓

MAY 13, 1996 ✓

JUNE 9, 1997

DECEMBER 10, 2001 ✓

SEPTEMBER 13, 2004 ✓

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POLICY RESOLUTION NO. 2
GROWTH MANAGEMENT

Amended May 23, 1994

This Policy Resolution No. 2 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. GROWTH MANAGEMENT PROGRAMS AND GROWTH MANAGEMENT AREAS.

A. In order to receive Retail Tax Revenues from the Authority, local jurisdictions must meet the requirements of the Plan and specifically those requirements relating to growth management which are described in the Growth Management Program. As a prerequisite to receiving Retail Tax Revenues from the Authority, local jurisdictions, working through the City-County Coordination Committee designated by resolution of the County and the League of California Cities, Orange County Division (the "Coordination Committee"), or a successor, shall adopt administrative requirements to implement the Growth Management Program in each local jurisdiction. Any amendments to the adopted administrative requirements, including guidelines and administrative procedures, shall be prepared and approved by the Authority. [Amended May 23, 1994]

B. As a further prerequisite to receiving Retail Tax Revenues from the Authority, within six months after approval of the Retail Tax by the electors, local jurisdictions, working through the Coordination Committee, shall approve growth management areas ("GMAs") to facilitate multi-jurisdictional cooperation on traffic projects and improvements within GMAs ("GMA Improvement Projects"). The boundaries of each GMA shall be designed to focus on multi-jurisdictional, high-volume traffic impact areas. Following establishment of the GMAs, changes in GMA boundaries may be made by an agreement approved by the affected local jurisdictions and approved by the Authority. [Amended May 23, 1994]

C. If the local jurisdictions, working through the Coordinating Committee, are unable to establish GMAs within six months after the approval of the Retail Tax by the electors, the Authority

1 may determine alternate provisions relative to the allocation of Retail Tax Revenues under this Policy
2 Resolution.

3
4 D. The Authority shall consider a regional, countywide geographic balance in allocating
5 Retail Tax Revenues to GMA Improvement Projects. Factors which shall be considered in determining
6 the allocation of such funds shall include, but not be limited to, regional significance/benefit, amount of
7 local matching funds, and any existing or new development traffic mitigation fee program.

8
9 E. The procedure for allocation of Retail Tax Revenues to local jurisdictions for GMA
10 Improvement Projects shall require the jurisdictions to participate in the following Process to receive
11 these funds:

12 1. Jurisdictions within each GMA shall participate in multi-jurisdictional forums
13 convened by the Coordination Committee to examine regional improvements needed within the GMA.

14 2. The GMA-based multi-jurisdictional forums shall recommend to the Authority a
15 list of GMA Improvement Projects that will be implemented cooperatively participating jurisdictions to
16 ensure that traffic impacts from new development are mitigated.

17
18 F. The Authority shall allocate Retail Tax Revenues for GMA Improvement Projects to the
19 jurisdictions which will perform the project work.

20 II. CONGESTION MANAGEMENT PLANS.

21
22 A. In order to minimize duplication, the Growth Management Program shall be reconciled
23 with the state mandated Congestion Management Plan ("CMP") through a cooperative process
24 involving local jurisdictions, the Coordination Committee, and the local agency charged with
25 implementing the CMP.

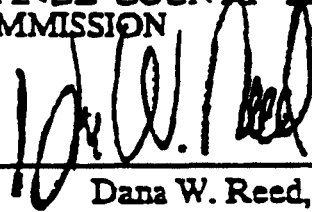
26
27 B. No reconciliation of the Growth Management Program and the CMP shall prevent a local
28 jurisdiction from establishing, for the purposes of the jurisdiction's own growth management plan, a
29 level of service standard which is stricter than the levels mandated by the CMP.
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III. DEVELOPMENT PAYS ITS FAIR SHARE.

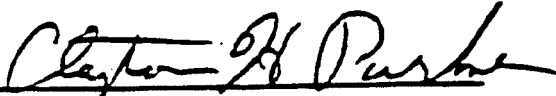
Notwithstanding any other provision of the Ordinance or this Policy Resolution, each new development project shall be conditioned to require payment of the project's fair share of traffic improvement programs and projects implemented by the local jurisdiction as a development mitigation or congestion management measure. A project's fair share shall be determined in accordance with the requirements of California Government Code Sections 66000 et. seq.

ORANGE COUNTY TRANSPORTATION
COMMISSION

By: 
Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: 
Attorneys for Orange County
Transportation Commission

Citizens Oversight Committee
Measure M Eligibility Requirements Checklist

Local Agency:

Date of Review:

_____	- Specified traffic level of service standards
_____	- Adopted planning standards for fire, police, library, flood control, parks and open space, and other locally determined needs
_____	- Adopted development mitigation program
_____	- Adopted development phasing program
_____	- Developed a seven-year capital improvement program
_____	- Participated in inter-jurisdictional planning forums
_____	- Addressed a balance of housing options and job opportunities
_____	- Adopted a transportation demand management ordinance
Comments:	
<p><i>(Please continue comments on the back of this sheet, if necessary.)</i></p>	

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DANIE I. SPENCE
DANIEL K. SPRADLIN
ALAN R. WATTS
WAYNE W. WINTERS
THOMAS L. WOODRUFF

January 4, 1994

Mr. Dave Elbaum
Director, Planning & Development
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92613-1584

Re: Measure M

Dear Dave:

You have asked the following questions related to the implementation of Measure M.

1. Does the Citizens Oversight Committee (COC) have authority to determine the adequacy of a jurisdiction's development mitigation program?
2. Does the "fair share" approach to the development mitigation program as submitted by the City of Brea meet the intent to establish a mitigation fee program per the Ordinance?
3. What type of "hearing" is required prior to the Authority determining a local jurisdiction to be ineligible for Measure M Funds? When is the hearing held?

Our opinions are as follows:

1. The COC does not have authority to review or determine the adequacy of a jurisdiction's adopted development mitigation program.
2. For purposes of determining eligibility for Measure M funds, the development mitigation program submitted by the City of Brea satisfies the requirement of an adopted mitigation fee program.
3. The "hearing" would likely be a portion of a meeting of the Authority Board of Directors, which would provide an opportunity for all interested parties to give information to the Board prior to it deciding whether the jurisdiction has satisfied

the eligibility requirements of Measure M.

ANALYSIS

1. The Revised Orange County Traffic Improvement and Growth Management Ordinance (Measure M) was approved by Orange County voters in November 1990. The Ordinance provides for a half-cent sales tax to fund transportation improvements described in the countywide Traffic Improvement and Growth Management Plan (Plan). Measure M includes three policy resolutions affixed to the Ordinance, which clarify the Ordinance.

Section 8D of the Ordinance provides as follows:

"D. The intent of each Policy Resolution shall be to provide clear operating instructions for the administration of this Ordinance and the Plan. In the event of any conflict, the provisions of the Plan shall supersede the provisions of this Ordinance and any Policy Resolution, and the provisions of this Ordinance shall supersede the provisions of any Policy Resolutions."

The Plan includes, as a component, the Growth Management Program (GMP). At page 4, the GMP states that each jurisdiction (a city or the County) must adopt a Growth Management Element. One of the required parts of the Growth Management Element is a Development Mitigation Program. Section 3 on page 6 of the GMP provides as follows:

"3. ADOPT A DEVELOPMENT MITIGATION program to ensure that new growth is paying its share of the costs associated with that growth.

Local jurisdictions, for the most part, already impose fees for a variety of purposes including site specific traffic improvements. Only a few jurisdictions impose fees for regional traffic mitigation. To meet the requirements of this Section, each jurisdiction shall:

- A. Adopt a development mitigation program to ensure that development is paying its share of the costs associated with that development. The program will be coordinated through inter-jurisdictional forums within the GMAs.
- B. Each jurisdiction shall impose or continue an existing traffic impact mitigation fee for improvements within its boundaries and GMAs. Inter-jurisdictional planning forums shall determine minimally acceptable impact fee levels for application within their specific GMA. Such fee levels will serve as a base amount for impact fees for jurisdictions

within a GMA, but individual jurisdictions may impose greater levels if they so desire.

- C. Ensure that new revenues provided by a sales tax increase measure shall not be used to replace private developer funding which has been committed for any project."

The GMP specifies the responsibility of the Orange County Transportation Authority (Authority) in determining each jurisdiction's compliance with the GMP requirements for Measure M funding eligibility by providing on page 3, in part, as follows:

"The Authority shall conduct an administrative review and distribute funds based on a jurisdiction's certification of compliance regarding the Traffic Improvement and Growth Management Program....Nothing in this program, however, shall be construed to imply that the Authority may interfere with the land use decisions of local jurisdictions....The Authority's flexibility in determining eligibility to receive funding is limited solely to determining if a jurisdiction has adopted, if and where required by this plan, the jurisdiction's method of applying:...a development mitigation program;"

This language makes clear that the Authority's role is ministerial, requiring the Authority to confirm each jurisdiction's adoption of the required development mitigation program, including a traffic impact mitigation fee program. However, the Authority does not have the discretionary authority to determine the adequacy of a jurisdiction's adopted development mitigation program.

Policy Resolution No. 1 establishes the COC and, as part of the COC's duties and responsibilities, provides, in part, in Part V.C., as follows:

"C. The Citizens Committee shall review the growth management plan for each jurisdiction solely to determine if the plan prepared and certified by each jurisdiction includes the elements specified in the countywide Growth Management Program.

1. The Citizens Committee shall use a checklist to determine if the Growth Management Element of each jurisdiction, if and when required by the Growth Management program; has:...

c. Adopted a development mitigation program;...

3. Once the Citizens Committee has reviewed the growth management checklist as described in Section VCI above, it shall forward its finding to the Authority. If the Authority determines that the checklist is fulfilled, and the requirements of

the Policy Resolutions and the Ordinance are met, the Retail Tax Revenues shall be allocated to the jurisdiction pursuant to the Ordinance."

These provisions are also clear that the COC's duty and responsibility is to determine whether a jurisdiction has adopted a development mitigation program, including a traffic impact mitigation fee program. The COC is given no discretionary authority to review or determine the adequacy of an adopted program.

2. In June 1993, the City of Brea adopted a development mitigation program, which includes provisions to assess "fair-share" traffic impact fees for new development on a case-by-case basis.

We have concluded (see analysis of question 1 above) that both the COC and the Authority are limited to the ministerial function of confirming that a jurisdiction has adopted a development mitigation program, including a traffic mitigation fee program.

In addition to the discussion above, Policy Resolution No. 2, entitled "Growth Management" provides in Part III, as follows:

"III. DEVELOPMENT PAYS ITS FAIR SHARE.

Notwithstanding any other provision of the Ordinance or this Policy Resolution, each new development project shall be conditioned to require payment of the project's fair share of traffic improvement programs and projects implemented by the local jurisdiction as a development mitigation or congestion management measure. A project's fair share shall be determined in accordance with the requirements of California Government Code Sections 66000 et seq."

Further, Paragraph V.C.2. of Policy Resolution No. 1 provides as follows:

"2. A Growth Management Element as required by the Growth Management Program shall be adopted by each local jurisdiction in accordance with the provisions of the California Government Code which governs procedures for adopting elements of a general plan. Neither the Authority's nor the Citizens Committee's review hereunder shall include a determination as to the adequacy of such Growth Management Elements and components thereof. Each jurisdiction shall determine the adequacy of its Growth Management Element, and any legal challenge to such adequacy shall be brought against such jurisdiction in accordance with the provisions of statutes and case law governing legal challenges to the adequacy of general plan elements."

These provisions apply applicable state statutes as setting the

January 4, 1994

standard for determining adequacy of a development mitigation program and entrust each jurisdiction with the responsibility of determining its adequacy. Accordingly, the Authority is not authorized to decide whether the City of Brea's adopted development mitigation program, which includes a traffic mitigation fee program, is legally sufficient. The Authority is limited to confirming the adoption of the program.

3. In discussing the requirements for a jurisdiction to be eligible for Measure M funds, Policy Resolution No. 3, Section II.C.1.d. provides as follows:

"d. A determination of non-eligibility shall be made only after a hearing has been conducted before the Authority and a determination has been made by the Authority that the city or County is not an Eligible Jurisdiction as provided hereinabove."

There are no provisions defining the referenced "hearing." Therefore, the Authority would be responsible for establishing the procedural process for conducting the hearing, which would be subject to a test of reasonableness. We believe it would be appropriate to set aside a portion of a meeting of the Authority Board of Directors to receive oral and written information from all interested parties. In addition, it would be important to provide advance notice to the affected jurisdiction that its eligibility will be considered and decided by the Authority on a specific date. The hearing would likely be immediately prior to the Authority Board of Directors deciding whether the jurisdiction has satisfied the requirements necessary to be eligible to receive Measure M funds.

Sincerely,

ROURKE, WOODRUFF & SPRADLIN



KENNARD R. SMART, JR.

KRS:lw:D16.lw

County of Orange
County Counsel

T-397; T-209

M E M O R A N D U M

February 2, 1994

TO: Steven E. Lewis, Auditor/Controller
FROM: Terry C. Andrus, County Counsel
SUBJECT: Citizens Oversight Committee Responsibilities
Under Measure M

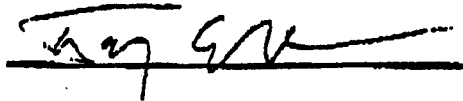
Measure M, the County's voter approved one-half cent sales tax ordinance for transportation purposes, establishes the Citizens Oversight Committee (COC) for the purpose of assuring compliance by the Local Transportation Authority (the "Authority") in its disbursement of Measure M funds to eligible local public agencies. Measure M Policy No. 1, Sec. I; Pub. Util. Code Sec. 180000 et. seq. As the elected Orange County Auditor-Controller you serve as the COC's chairman. Measure M Policy No. 1, Sec. IIA.3. As COC Chairman, by memorandum dated January 13, 1994, you have requested that this office review the January 4, 1994 opinion of the Authority's legal counsel as it relates to the functions and duties of the COC. As stated in your memorandum, your request is made to assist the COC "to determine funding eligibility" for Measure M funds.

This office neither advises nor represents the COC. However, as Auditor you have a general statutory duty of care in the payment of Measure M funds under the Measure M Ordinance, and by virtue of their deposit in the County Treasury (El Cajon v. Lonergan (1978), 83 Cal. App. 3d 672 at 676-677). Since the request of the COC raises questions concerning eligibility for Measure M funds, this office has undertaken an examination of the matter. However, we do so only as the legal advisor of the Auditor-Controller, and thus limit and intend this opinion for your use only, and not for use by the COC.

In the course of our examination we have reviewed the Authority counsel's opinion of January 4, 1994, the provisions of the Measure M Ordinance, including its Policy Resolution No. 1, and based upon that examination, and in reliance on the matters of fact stated in that opinion, and upon consideration of applicable state laws, we are of the opinion that there is support in the Measure M Ordinance for the legal conclusions stated in the Authority Counsel

Steven E. Lewis, Auditor-Controller
February 2, 1994
Page 2

Opinion, and that you may rely on that opinion in the performance of your duties as Auditor-Controller. We have not undertaken to verify through independent investigation the accuracy of the facts stated in that opinion upon which we have relied.

A handwritten signature in black ink, appearing to read "Steven E. Lewis", is written over a horizontal line.

RLA:br

cc: Rourke, Woodruff & Spradlin
Attn: Kenneth R. Smart, Jr., Esq.

1
2
3 POLICY RESOLUTION NO. 1
4 CITIZENS OVERSIGHT COMMITTEE
5

6 This Policy Resolution No. 1 is adopted by the Orange County Local Transportation Authority pursuant
7 to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance
8 (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have
9 the same meaning as in the Ordinance.
10

11 I. PURPOSE AND ORGANIZATION. A citizens committee is hereby established for the
12 purpose of overseeing compliance with the Plan, specifically the duties and responsibilities set forth in
13 Section V hereof (the "Citizens Committee"). The Citizens Committee shall be organized and convened
14 before any Retail Tax Revenues are collected pursuant to the Ordinance.
15

16 II. COMMITTEE MEMBERSHIP REQUIREMENTS AND RESTRICTIONS. The Citizens
17 Committee shall consist of nine (9) members. The composition of the Citizens Committee membership
18 shall be subject to the following requirements and/or restrictions:

19 A. Geographic Balance. The membership of the Citizens Committee shall be
20 geographically balanced at all times as follows:

21 1. There shall be at least one (1) member of the Citizens Committee
22 appointed from each of the County's supervisorial districts (individually, a "District"); and

23 2. There shall be no more than two (2) members of the Citizens Committee
24 appointed from any one District.
25

26 3. The elected Orange County Auditor-Controller (the "Auditor-Controller")
27 shall be a member and chairman of the Citizens Committee.
28

29 B. Reappointment: Maximum Term.

30 1. Citizens Committee members who have resigned, been removed, or
31 whose terms have expired may be reappointed; provided, however, that no person other than the

1 Auditor-Controller shall serve as a member of the Citizens Committee for a period in excess of six (6)
2 consecutive years.

3
4 2. Upon the resignation or removal from office of any Auditor-Controller and
5 upon the expiration of the elected term of any Auditor-Controller, the successor Auditor-Controller shall
6 serve as a member of the Citizens Committee.

7 III. COMMITTEE MEMBERSHIP SELECTION PROCESS. The members of the Citizens
8 Committee shall be selected and appointed in accordance with this Section III hereof.

9
10 A. Membership Recommendation Panel.

11 1. The Authority shall contract with the Orange County Grand Jurors
12 Association for the formation of a committee membership recommendation panel (the "Panel" to
13 perform the duties set forth in this subsection III A. If the Orange County Grand Jurors' Association
14 refuses or fails to act in such capacity, the Authority shall contract with another independent
15 organization selected by the Authority for the formation of the Panel.

16
17 2. The organization contracted by the Authority shall form a five (5) member
18 Panel to screen and recommend potential candidates for Citizens Committee membership in
19 accordance with this Section III A.

20 3. The Panel shall be charged with soliciting, collecting and reviewing
21 applications from potential candidates for membership on the Citizens Committee. No currently elected
22 or appointed city, district, county, state or federal official will be eligible to serve as a Citizens
23 Committee member, except the elected Auditor-Controller. Subject to the foregoing restriction, the
24 Panel shall evaluate each potential candidate on the basis of the following criteria:

- 25 a. Commitment and ability to participate in Citizens Committee
26 meetings;
- 27 b. Demonstrated interest and history of participation in community
28 activities, with special emphasis on transportation-related activities; and
29
30
31

1
2
3 c. Lack of conflicts of interest with respect to the allocation of Retail
4 Tax Revenues.

5 4. The Panel shall recommend to the Authority at least three (3), and no
6 more than five (5) candidates from each District for initial membership on the Citizens Committee.
7 Thereafter, the Panel shall recommend to the Authority at least three (3) and no more than five (5)
8 candidates for filling each vacancy on the Citizens Committee.
9

10 B. Initial Members.

11 1. Membership Term. Three (3) of the initial Citizens Committee members
12 shall be appointed for a term of three (3) years; three (3) of the initial Citizens Committee members
13 shall be appointed for a term of two (2) years; and two (2) of the initial Citizens Committee members
14 shall be appointed for a term of one (1) year.
15

16 2. Appointment. The initial members of the Citizens Committee shall be
17 appointed by the Authority in the following manner. The Authority shall place the names of the
18 candidates recommended by the Panel on equally-sized cards which shall be deposited randomly in a
19 container. In public session, the chairman of the Authority will draw a sufficient number of names from
20 said container to allocate Citizens Committee membership in accordance with the membership
21 requirements and restrictions set forth in Section II hereof and otherwise in the order of the names
22 drawn as follows:
23

24 a. The first person whose name is drawn from each District shall be
25 appointed to serve a three (3) year term until all three (3) year terms have been allocated. Thereafter,
26 the first person whose name is drawn from each District shall be appointed to serve a two (2) year term.
27

28 b. After one (1) candidate from each of the five (5) Districts is
29 appointed to serve as a Citizens Committee member pursuant to subsection (i) above, the remaining
30 members of the Citizens Committee shall be appointed in the order of names already drawn, but not
31 previously assigned a term and thereafter in the order of names drawn by the chairman of the

1 Authority, with the remaining two (2) year terms to be filled first and the one (1) year terms to be filled
2 thereafter.

3
4 C. Vacancies. Vacancies on the Citizens Committee, however caused, shall be filled by
5 the Authority in accordance with this Section III C. Said vacancies shall be filled annually on or about
6 July 1 to replace members whose terms are expiring, and at such other times as are necessary to
7 replace members who have resigned or been removed.

8
9 1. Membership Term. Each new member of the Citizens Committee shall be
10 appointed for a term of three (3) years; provided, however, that any new member appointed to replace
11 a member who has resigned or been removed shall serve only the balance of such member's
12 unexpired term, unless reappointed thereafter.

13
14 2. Appointment. The Authority shall place the names of the candidates
15 recommended by the Panel for filling vacancies on equally-sized cards which shall be deposited
16 randomly in a container. In a public session, the chairman of the Authority will draw one (1) name from
17 said container for each vacancy on the Citizens Committee. The persons whose names are so drawn
18 shall be appointed by the Authority to fill said vacancies.

19 IV. RESIGNATIONS: REMOVAL.

20
21 A. Resignations. Any member of the Citizens Committee may, at any time, resign
22 from the Citizens Committee upon written notice delivered to the Authority; provided, however, that
23 such resigning member may continue to serve on the Citizens Committee until a successor member is
24 appointed to serve such member's unexpired term.

25
26 B. Removal. Any Citizens Committee member who has three (3) unexcused
27 absences from meetings of the Citizens Committee shall be removed from serving as a member of the
28 Citizens Committee. An absence from a Citizens Committee meeting shall be considered unexcused
29 unless, prior to or after such absence (i) the absent member submits to each of the other members a
30 written request to excuse such absence, which request shall state the reason for such absence and
31

1 any special circumstances existing with respect to such absence; and (ii) a majority of the other
2 Citizens Committee members have agreed to excuse such absence.

3
4 C. Acceptance of any public office as referred to in Section IIIA3 hereof or the filing
5 of an intent to seek public office by a member of the Citizens Committee, including a filing under
6 California Government Code Section 85200, shall constitute such member's automatic resignation
7 from the Citizens Committee.

8
9 V. DUTIES AND RESPONSIBILITIES. The Citizens Committee is hereby charged with
10 the following duties and responsibilities:

11 A. Promptly after being appointed to the Citizens Committee, the initial members
12 shall convene to adopt such procedural rules and regulations as are necessary to govern the conduct
13 of Citizens Committee meetings, including, but not limited to, those governing the calling, noticing and
14 location of Citizens Committee meetings, as well as Citizens Committee quorum requirements and
15 voting procedures. The Citizens Committee may select its own officers, including, but not limited to, a
16 Citizens Committee co-chairman who will be the primary spokesman for the Citizens Committee.

17
18 B. The Citizens Committee shall approve, by a 2/3 vote, any material amendments
19 to the Expenditure Plan or any portions of the Plan proposed by the Authority which change the funding
20 categories, programs or projects identified on page 18 of the Plan.

21
22 C. The Citizens Committee shall review the growth management plan for each
23 jurisdiction solely to determine if the plan prepared and certified by each includes the elements
24 specified in the countywide Growth Management Program.

25
26 1. The Citizens Committee shall use a checklist to determine if the Growth
27 Management Element of each jurisdiction, if and when required by the Growth Management Program;
28 has:

- 29 a. Specified traffic level of service standards;
30 b. Adopted planning standards for fire, police, library, flood control,
31 parks and open space, and other locally determined needs;

- c. Adopted a development mitigation program;
- d. Adopted a development phasing program
- e. Developed a seven-year capital improvement program;
- f. Participated in inter-jurisdictional planning forums;
- g. Addressed a balancing of housing options and job opportunities;

and

- h. Adopted a transportation systems management ordinance.

2. A Growth Management Element, as required by the Growth Management Program, shall be adopted by each local jurisdiction in accordance with the provisions of the California Government Code, which governs procedures for adopting elements of a general plan. Neither the Authority's nor the Citizens Committee's review hereunder shall include a determination as to the adequacy of such Growth Management Elements and components thereof. Each jurisdiction shall determine the adequacy of its Growth Management Element, and any legal challenge to such adequacy shall be brought against such jurisdiction in accordance with the provisions of statutes and case law governing legal challenges to the adequacy of general plan elements.

3. Once the Citizens Committee has reviewed the growth management checklist as described in Section VC1 above, it shall forward its finding to the Authority. If the Authority determines that the checklist is fulfilled, and the requirements of the Policy Resolutions and the Ordinance are met, the Retail Tax Revenues shall be allocated to the jurisdiction pursuant to the Ordinance.

4. The Citizens Committee shall hold an annual public hearing to determine whether the Authority is proceeding in accordance with the Plan. In addition, the Citizens Committee may issue reports, from time to time, on the progress of the transportation projects described in the Plan.

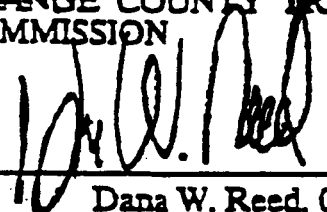
D. The Citizens Committee shall place priority on each jurisdiction's development of a seven-year capital improvement program and shall ensure that all expenditures proposed in a

1 jurisdiction's seven-year capital improvement program conform with the transportation purposes
2 identified in Policy Resolution No. 3.
3

4 E. Except as otherwise provided by the Ordinance, the Citizen's Committee may
5 contract, through the Authority, for independent analysis or examination of issues within the Citizens
6 Committee's purview, including a performance audit of the Authority. The Citizens Committee may
7 also, through the Authority, hire staff to assist the Citizens Committee in discharging its duties
8 hereunder.
9

10 F. The Citizens Committee may submit a written request to the Authority to explain
11 any perceived deviations from the Plan. The Authority's chairman must respond to such request, in
12 writing, within sixty (60) days after receipt of the same.
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21 **ORANGE COUNTY TRANSPORTATION**
22 **COMMISSION**

23
24 By: 
25 Dana W. Reed, Chairman

26 Date: 8-2-90
27

28 Approved as to form:
29 Parker and Covert

30 By: 
31 Attorneys for Orange County
Transportation Commission

**Remarks of Chairman Riley
Regarding Adoption of
Local Transportation Authority Ordinance Number 1
Traffic Improvement and Growth Management Plan
July 24, 1989**

The action before us today ends 18 months of fine effort by citizens, members of this commission, staff people, business leaders, and city and county officials.

Throughout these months, we've been guided by some basic principles:

-- we've sought a balanced plan that provides street, road and freeway improvements to solve our needs today and which provides our great county with a vision for the future with a state-of-the-art rail system in the future.

-- we've brought the sound planning principles embodied in our growth management plan and linked these principles to needed traffic improvements.

Clearly, our goal is to use new transportation revenue to solve today's traffic problems and to have developers pay for transportation improvements needed because of traffic demand created by their development.

-- we've guaranteed to the people of Orange County that any new transportation money will be used for transportation purposes and transportation purposes alone. And, in great detail, we have specified those transportation purposes.

The traffic improvement plan, the complete 20-year plan and the ordinance are three excellent documents. Individuals will quibble with words or phrases.

But each document is outstanding in its own right and, when looked at as a whole, are unprecedented in their detail, their clarity, and their overall excellence.

But to avoid any misunderstanding or lack of clarity, I believe we should make these points, once again, in straightforward, pointed language.

First, in the growth management plan, no transportation sales tax dollars will be used to bail out developers -- now or in the future.

Developers must pay the cost to improve transportation based on the traffic generated by their development.

I believe there is explicit language in the plan and in the ordinance to make this point forcefully. But, to make sure, this intent is now clearly in the public record.

Secondly, the Citizens Oversight Committee is designed to be an independent watchdog group to insure strict fidelity to the Traffic Improvement and Growth Management plan.

The Citizens Oversight Committee is modeled after the Orange County Grand Jury, an agency of unquestioned independence.

The Oversight Committee's selection procedure guarantees independence and its implementation must also protect that independence.

All of the legal language we have in this ordinance is designed to preserve that independence, within the limits allowed by law.

Just as the Orange County Grand Jury is required by law to go through the Orange County Board of Supervisors to hire consultants and to hire staff, the Citizens Oversight Committee must, by law, contract through the Authority for staff and consulting services.

However, in no way should the Authority use this technicality to impinge on the independence of the Committee. Just as the Grand Jury is independent of the Board of Supervisors, the Oversight Committee shall be independent of the Authority.

The Oversight Committee cannot be a rubber stamp. It must be smart and strong and most of all, independent.

I believe that is clearly our intent.

Thirdly, I believe it is our intent that the Oversight Committee shall protect the people of Orange County from any future "bait-and-switch". The projects people vote on in this plan are the projects which must be built.

It is our intent to build these needed transportation projects. And the Citizens Oversight Committee should keep our feet to the fire.

Without a 2/3 vote of the Oversight Committee, no new projects can be added and none of the line items listed on page 18 of the plan can be changed. Not just the four broad categories on page 18, mind you, but each of the line item categories. We want the Oversight Committee to carefully look and be involved in the programs and projects detailed on pages 18-39.

That's our intent, it has always been our intent, and it should be clearly stated.

Finally, and most importantly, I believe that now is the time for us all to have a little more faith in each other.

We're asking the voters of Orange County to have faith in this plan.

To earn that faith, we have developed safeguards, we've put in place protections, and we've worked to put together a plan people can trust.

We, rightfully, have faith in the plan. Now we must have faith in each other -- faith that we will do what we say we will do.

We have a blueprint for traffic improvement which is excellent. And we need to make it a reality.

For 18 months, we've worked to overcome objections, to find the common ground among old friends and old foes, and to develop a transportation program to take us well into the next century.

We've succeeded.

We've developed a consensus plan. It is now time to set aside our small differences and focus on the tremendous areas of agreement we've achieved. And to focus on the positive benefits of traffic relief which can be realized if this plan is successful.

And to help make this plan successful, I'd recommend that the comments I have made today be added to the Traffic Improvement and Growth Management Ordinance as a binding resolution, a preamble that clearly states our intent.

This type of preamble will help explain our intent and will help guide future boards in making future decisions -- decisions on traffic improvement, on growth management, and on the independence of our Citizens Oversight Committee.

With that addition, I'd move items A and B, add a resolution of intent as recommendation C, and take the steps needed to hold a November 7, 1989 special election on the Traffic Improvement and Growth Management plan.



INTEROFFICE MEMO

March 16, 2006

To: Monte Ward

From: Robert Duffy

Subject: **Status of LMS Report on Compliance with Measure M**

Internal Audit contracted with the firm LMS Consulting, to conduct a review of the Orange County Transportation Authority's (OCTA) compliance with the requirements of the Orange County Local Transportation Authority (Measure M) and the readiness of the OCTA to closeout the various activities funded and authorized by the initiative. The following is a brief update on the status of the recommendations that were made as part of that report. The following table shows only the ordinance requirements where LMS provided a recommendation.

Ordinance Requirement	Compliance Status	Recommendation
2. Use revenues/interest solely for transportation items per plan	Yes—Macias (independent CPA) audits primarily cover "turn backs"; need additional steps in audit program to better address competitive projects	2A. OCTA Internal Auditor will clarify and expand audit scope from regarding potential additional scope in future audits.
3. Tax revenues must <u>supplement</u> existing local revenues	Yes—Planning Department has reviewed funding agreements in the past.	2B. OCTA should update funding agreement reviews as part of current audits and reviews of cities' submissions.
6. Annual expenditures for staff at OCTA shall not exceed 1% of revenues from Measure	Yes	2C. OCTA should update its costing models and practices to assure that all charges/costs are appropriately charged

		to Measure M. Currently, charges for Measure M are allocated using a formula rather than directly charged. Direct charging could lead to more specific charging between Measure M project and administrative tasks.
7. Costs of project-related work shall be paid from the tax revenues allocated to the appropriate purposes	Yes	See recommendation 2C
8. Annual audit to ensure revenues are expended per ordinance are necessary and reasonable	Yes—see comment for #2 above	See recommendation 2C above. Requires agreement by Internal Auditor and Independent Auditors on reasonable approach. Findings should be specifically reviewed by Citizens' Oversight Committee's Audit Subcommittee.
11. Auditor-Controller shall annually certify if funds are spent per plan	Yes— See item #9 above. OCTA officials have not certified expenditures: COC approves annual expenditure plans with County Auditor-Controller acting as chair.	2D. The language referencing the Ordinance requirement should be specifically incorporated into all future annual certification memos so this process can satisfy the certification requirement.
31. GMP shall be reconciled with the Congestion Management Plan	Yes—last done in 1991	2E. OCTA should consider updating this reconciliation.

<p>33. OCTA shall make every effort to maximize state and federal funding as follows:</p>	<p>Overall, this is an impossible statement to totally verify. OCTA invests in representatives who lobby for OCTA's interests at the Federal and State levels and OCTA staff work diligently to obtain funding. Staff and Management invest substantial effort in identifying and seeking available funding. OCTA should likewise require agencies to which it provides Measure M funds to adhere to the same requirement.</p>	<p>2F. OCTA Legal Counsel has opined that the intent of the underlying State Law was to require that Measure M funds be supplemental and not replace other available funding to support programs. OCTA should assure that all agreements executed with local agencies state this requirement and audits of Measure M supported projects verify that the Measure M funds were not utilized in lieu of other available funding.</p>
<ul style="list-style-type: none"> • No retail tax revenues shall be allocated in any year from any State Highway project unless OCTA finds County is receiving its fair share from other Federal/State sources 	<p>See #33 above. OCTA complies with the intent of the Law and the Measure in terms of not substituting Measure M dollars for other available funding. A determination of "fair share" is not finite and therefore cannot be ascertained since the term is not defined in the legislation.</p>	<p>2G. In addition to the recommendation included in 2F above, OCTA may wish to refer this matter to the Citizens Oversight Committee for their consideration.</p>

The reference numbers I will use correspond to the number of the Ordinance requirement as listed in the LMS report.

2. This recommendation (2A.) has been addressed through an increase in the auditing of the competitive projects by or on behalf of internal audit. There is an annual review of competitive projects. The external auditors have also provided assurance that expenditures are reviewed to ensure that the expenditure was for appropriate items covered under the program. Also, refer to the attachment "Measure M Audit

Procedures and other Compliance Information Provided to the Audit Sub-committee of the Orange County Local Transportation Authority Citizens Oversight Committee”.

3. The recommendation (2B.) indicated that OCTA should update funding agreement reviews to ensure that Measure M dollars supplemented existing local revenues. The attached December 6, 2004 staff report “Measure M Streets and Roads Project Delivery Implementation Plan” provides additional resources to ensure that increased reviews of the Cities’ projects are performed. The ~~Discussion~~ section of the report on page two indicates some of the reviews to be conducted with these resources. The first review focused on the Super Street Program and reported to the Board in the upcoming months. I’ve also included a copy of the Minutes from the Board meeting when item, #31, authorizing the additional resources was approved.

- 6&7 This recommendation (2C.) directed that charges to projects should be directly charged to a larger degree rather than the past practice of allocating costs. Staff has undertaken efforts to identify those costs that can be appropriately charged to specific projects.

8. This recommendation (2C) relating to verifying that monies expended are necessary and reasonable also relates to and is addressed by the answer to 2 above.

11. Recommendation (2D.) suggest that language referencing the Ordinance be incorporated into the annual certification memos issued by the Citizens Oversight Committee. This wording will be incorporated into future Certifications. When the Ordinance was implemented the County Treasurer acted as Treasurer for the OCTA and the Auditor Controller was certifying as to the expenditure of the Ordinance monies. When the County of Orange filed for bankruptcy the OCTA established the treasury function in house with the Chief Executive Officer acting as Treasurer. The OCTA and State Street Bank established a banking relationship for the trust fund (See attached Board report “100 Day Plan Update” and “Custodial Agreement with State Street Bank and Trust Company of California”). The Auditor Controller was then not in a position to fulfill his responsibilities pertaining to the certification process resulting in the need for these new procedures to be implemented.

31. The recommendation (2E.) to consider updating the reconciliation of the Growth Management Plan (GMP) and Congestion Management Plan (CMP) is actually performed on an on-going basis. The GMP is reviewed annually and the CMP is reviewed biennially with comparisons between the plans made at each review.
32. These recommendations (2F. and 2G.) refer to requiring that OCTA obtain and maximize state and federal funding was determined in the review to be impossible to evaluate since there is no reasonable basis to make such a determination.

Attachments:

Measure M Audit Procedures and other Compliance Information Provided to the Audit Sub-committee of the Orange County Local Transportation Authority Citizens Oversight Committee

Measure M Streets and Roads Project Delivery Implementation Plan

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

100 Day Plan Update

Custodial Agreement with State Street Bank and Trust Company of California



BOARD COMMITTEE TRANSMITTAL

April 24, 2006

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Renewed Measure M: Final Draft Transportation Investment Plan
Note: Recommendations have been combined to reflect Committee actions at the April 10, regular Committee meeting and the April 17, 2006, Special Committee meeting.

Transportation 2020 Committee

April 10, 2006

Present: Directors Pringle, Brown, Buffa, Campbell, Cavecche, Correa, Dixon, Green, and Winterbottom
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Recommendation "D" was passed by a vote of 7-2, with Committee Members Buffa and Green voting in opposition.

Committee Recommendations

- A. Approve the Renewed Measure M Final Draft Transportation Investment Plan, incorporating the recommended changes resulting from public comment and input.
- B. Direct the Chief Executive Officer to transmit the Renewed Measure M Final Draft Transportation Investment Plan to Orange County cities and the Board of Supervisors with a request for them to approve this plan for purposes of placing it on the ballot for consideration by Orange County voters.



BOARD COMMITTEE TRANSMITTAL

Committee Recommendations, Continued:

- C. Direct the Chief Executive Officer to submit the Final Draft Transportation Investment Plan for adoption by the Board of Directors in July 2006, subject to its approval by both a majority of Orange County cities representing a majority of the incorporated population and the Board of Supervisors.
- D. Cancel previously approved, planned public education mailings regarding the renewal of Measure M and close out agreement No. C-5-2875 with Townsend Raimundo Besler & Usher.
- E. Post the 2004-05 Measure annual Report on-line; use advertisements in the major and ethnic newspapers to inform the public about its availability; and print sufficient copies to mail upon request.
- F. Add program-level environmental mitigation concepts to the freeway component of the Renewed Measure M Final Draft Transportation Investment Plan for review by the Transportation 2020 Committee at its meeting of April 17, 2006.

Transportation 2020 Committee

April 17, 2006

Present: Directors Brown, Buffa, Campbell, Cavecche, Correa, Dixon, and Winterbottom
Absent: Directors Pringle and Green

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

Add the following to the recommendations adopted by the Committee on April 10, 2006:

- G. Approve the final changes to the Renewed Measure M Final Draft Transportation Investment Plan with the following modifications and direct staff to incorporate them into the final document to be presented to the Board of Directors on April 24, 2006.



BOARD COMMITTEE TRANSMITTAL

Committee Recommendations, Continued:

1. On page 6, in the Innovative Environmental Mitigation section of the Freeway Projects Overview, add, "subject to a Master Agreement" to the first sentence and change "a" Master Plan to "the" Master Plan in the second sentence.
 2. On page 7, in the Innovative Environmental Mitigation section of the Freeway Projects Overview, add "sound reduction" to the second paragraph.
 3. On page 19, in the Local Fair Share Program section, change the term for the Capital Improvement Program from "five" to "six" years.
 4. On page 20, in the Transit Projects Overview, clarify that the 100-year old Santa Fe rail line is now known as the Los Angeles/San Diego (LOSSAN) rail corridor.
- H. Direct staff to include the concepts, terms and provisions contained in "Conceptual Freeway Mitigation Programs" (Attachment B of Item 4 from the April 17, 2006 Transportation 2020 Committee meeting) and "Environmental and Community Group Memorandum" (Attachment C of Item 4 from the April 17, 2006 Transportation 2020 Committee meeting) in the implementing ordinance for the renewal of Measure M.



April 10, 2006

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Renewed Measure M: Final Draft Transportation Investment Plan

Overview

On January 9, 2006, the Orange County Transportation Authority released a Draft Measure M Transportation Investment Plan and an extensive public outreach effort commenced to solicit feedback on the plan. This report summarizes results of the outreach including feedback, comments, and responses. A Final Draft Transportation Investment Plan is presented, highlighting the changes and refinements made to respond to public input, and seeking direction to submit it for approval of Orange County cities and the Board of Supervisors for purposes of placing it on the ballot for consideration by the voters.

Recommendations

- A. Approve the Renewed Measure M Final Draft Transportation Investment Plan, incorporating the recommended changes resulting from public comment and input.
- B. Direct the Chief Executive Officer to transmit the Renewed Measure M Final Draft Transportation Investment Plan to Orange County cities and the Board of Supervisors with a request for them to approve this plan for purposes of placing it on the ballot for consideration by Orange County voters.
- C. Direct the Chief Executive Officer to submit the Final Draft Transportation Investment Plan for adoption by the Board of Directors in July 2006, subject to its approval by both a majority of Orange County cities representing a majority of the incorporated population and the Board of Supervisors.

Background

Since fall 2004, the Orange County Transportation Authority (OCTA) has conducted technical studies and implemented ongoing outreach to develop a Renewed Measure M Draft Transportation Investment Plan (Draft Plan). On January 9, 2006, the Draft Plan was released for public review.

Communications included outreach to the general public as well as targeted programs to varied audiences throughout Orange County including local elected officials, business leadership, environmental organizations, professional/technical organizations, senior advocates, and other stakeholders. Overall comments and responses are summarized on Attachment A. Results of direct mail and on line surveys are shown as Attachment B.

The text of the Renewed Measure M Draft Transportation Investment Plan has been revised and is presented in a "red-lined" form that shows all strikeouts and additions in Attachment C. This text version of the draft final will be carried forward to the Committee and the Board of Directors, with further revisions as necessary, until it is approved in its final form. At that point, the revisions will be incorporated into a new Renewed Measure M Final Draft Transportation Investment Plan (Plan) document that will be posted on OCTA's website; made available upon request and distributed to Orange County cities, the Board of Supervisors and other stakeholders.

If the final Plan is approved by a majority of Orange County cities representing a majority of the incorporated population and the Board of Supervisors, it can then be adopted by OCTA as the Renewed Measure M Transportation Investment Plan with a recommendation that the Board of Supervisors place it on the ballot for consideration by the voters.

Discussion

Outreach Program

Since January 2006, the outreach program has included:

- Distribution of over 5,000 copies of the Draft Plan via mail and in-person
- Information and Draft Plan posted on the OCTA website
- Nearly 6,000 web hits
- 800,000 public information mailers with 9,071 response cards returned

- Over 80 presentations and/or meetings to discuss the Draft Plan including city council presentations, Super Committee meetings, meetings with Chambers of Commerce, business groups and professional organizations, environmental groups as well as ongoing discussions with the League of Cities Super Committee and OCTA's Technical Advisory, Citizen's Advisory and Special Needs in Transit Advisory Committees
- Six community workshops held in Anaheim, Garden Grove, Huntington Beach, Lake Forest, Laguna Niguel, La Habra
- 74 telephone calls for requests for information and/or to make public comments
- 84 letters were received and 15 emails
- 265 respondents to online survey (Attachment B)
- More than 84 print and broadcast media stories – KOCE, the Orange County Register, Los Angeles Times, and other local publications

Direct Mail Responses

In mid March 2006, a public education mailer was sent to 800,000 Orange County households. The goal was to provide an overview of the Draft Plan and request feedback such as perceptions of overall plan direction and likes and dislikes.

As of April 4, 2006, 9,071 responses were received. Given an option of a rating of one to five with five being highest (suggesting the respondent strongly liked the plan direction) over 81 percent gave the plan a three or better. Twelve percent rated it a two or lower. Most important were freeway elements, least important was the transit element. Results of the online survey are consistent with this; both are summarized on Attachment B.

Super Committee

With the knowledge of comments received to date and participation in the plan's development, on March 29, 2006, the League of Cities Super Committee unanimously recommended the following to the Orange County Division, League of California Cities:

- a) Approve the final draft Measure M Renewal Super Committee report substantially in the form submitted;

- b) Recommend the Orange County Division of the League of Cities, at its meeting of April 13, 2006, approve the Measure M Renewal Super Committee Report and Measure M Transportation Investment Plan, substantially in their forms submitted, for consideration by the voters of Orange County in November of 2006.

- c) Recommend to each of the 34 cities of Orange County that they approve the Measure M Transportation Investment Plan for consideration by the voters of Orange County in November of 2006.

Feedback and Plan Revisions

While there were many varied comments, some key themes emerged which led to changes as summarized in the following sections. Attachment A shows the response to each individual comment. In addition, digital copies of all comments have been compiled for Board review.

Freeways

From cities, OCTA heard that the Measure M freeway program should include provisions to improve over and undercrossings when widening freeways. Language has been added to the Plan to address this issue.

There were also concerns about right of way impacts – especially from the cities of Tustin and Orange relative to widening the Costa Mesa Freeway (State Route 55). A similar concern came from the City of Westminster on widening the San Diego Freeway (Interstate 405). The revised Draft Plan now includes the following language for the appropriate projects:

The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

To allay the City of Westminster's concerns, additional language references that improvements will adhere to the recommendations of the Interstate 405 Major Investment Study.

Other freeway comments and revisions spoke to clarify project limits, interchange improvements, and the building of general purpose versus carpool capacity. Where appropriate, related freeway improvements that will be funded with other state and federal funds have been identified. In addition, South County cities want assurances there is flexibility in the plan to address findings

from a pending South County Study. Revisions have been made to address these concerns.

Environmental groups have proposed that mitigation for some of the anticipated environmental impacts of the freeway program be handled through a "programmatic" approach, where specific commitments to mitigate overall impacts on resources could be made in exchange for streamlined permitting and approvals from resource agencies. They have also requested that freeway improvements be made using "context sensitive design," an approach favored by the Federal Highway Administration and the California Department of Transportation (Caltrans) to create more environmentally sensitive freeway design and to better integrate them with neighboring communities. A conceptual approach to address these suggestions has been developed and is shown as Attachment D. Revisions to include them in the Plan have not yet been made pending further discussion by the Committee and the Board of Directors.

Streets and Roads

Signal synchronization continues to be popular, as does improved street maintenance. Business leaders want assurances that these improvements will be made, along with an emphasis on added street capacity. On the other hand, cities want sufficient flexibility to address local priorities and small cities want assurances they will receive a fair share of funding. Business leaders appear to be skeptical with a subvention or turnback approach and favor competition to award projects. Accountability, including regular audits and ongoing performance reports for both pavement maintenance and signal synchronization are recommended to address some of these concerns. In addition, Maintenance of Effort (MOE) requirements are carried over from Measure M, now with an escalation factor. Cities want clarity in how this will be applied.

In response to some of the differing views on the streets and roads element, a group comprised of representatives from the City Managers Association, OCTA Technical Advisory Committee (Public Works Directors), Automobile Club of Southern California, and Orange County Taxpayers Association and Orange County Business Council developed a compromise proposal. This recommendation is incorporated in the Plan.

The consensus position includes a recommendation that the overall streets and roads allocation be 32 percent, with 18 percent for the Local Fair Share program and 14 percent for the Competitive Program. The 14 percent Competitive Program is recommended to be allocated 4 percent for a Signal

Synchronization program and 10 percent for a Regional Capacity program. Local match requirements are proposed at 20 percent for the Signal Synchronization program and 50 percent for the Regional Capacity program. The match for Regional Capacity can be reduced if local jurisdictions:

- Agree to participate in the Regional Signal Synchronization program –10 point reduction i.e. from 50 percent to 40 percent
- Adopt a Pavement Management Plan and publish it annually (to show progress being made on street maintenance) – 10 point reduction i.e. from 40 percent to 30 percent
- Fund the local match with sources other than Measure M – 5 point reduction in match i.e. from 30 percent to 25 percent

The Orange County Fire Authority and the Fire Chiefs Association have requested that signal priority for emergency vehicles be a consideration in the Plan. Based upon earlier direction from the Transportation 2020 Committee, this is identified as an eligible expenditure under the Local Fair Share program and for signal equipment procured as part of successful competitive projects under the Traffic Signal Synchronization program.

Transit

Comments on the transit element of the Draft Plan varied widely. Representatives of Adult Day Health Care (ADHC) programs actively advocated for an additional 1 percent of Measure M funding to support ADHC transportation. Virtually all ADHC clients are eligible for, and most use, ACCESS services. However, some aspects of ACCESS (trip lengths, door-to-door surcharges, variable pickup and arrival times, etc.) are not ideal for these passengers so there is a desire for funding augmentation to provide more specialized services. Based on earlier Committee and Board of Directors direction to focus senior and disabled transit funding on existing programs, this request has not been included in the Plan.

Numerous comments suggested adding more project detail especially to Projects S (Metrolink Extensions), V (Community Based Transit), and W (Safe Transit Stops). These project descriptions have been enhanced and refined in response. In addition, the description for Project S now integrates the competitive selection criteria that were formerly placed in the Transit Overview section (referring to Project S) and includes cost-effectiveness as criteria. The description also specifies that no single project can claim all of the funding and makes it clear that projects must connect to the Metrolink corridor and may not be redundant to Metrolink service.

A few additional suggestions are not included in the revisions, including reduced funding for a high speed rail connection to the Metrolink corridor; using Measure M to supplant existing funds for Bus Rapid Transit; and adding a separate funding category for non-motorized transportation improvements.

Environmental Cleanup

There were a few suggestions for modifying this category, most notably to rename it as, "Water Quality and Beach Cleanup," to reflect its focus on water quality improvements. Comments also reinforced that this should be a capital-focused competitive program with a clear nexus to road runoff, managed similarly to the competitive roads improvement programs, with government and non-government water quality experts participating in project evaluations. These elements are part of the Plan.

Safeguards

Generally, comments were supportive of the safeguards in the Draft Plan and no substantive changes were made.

Ongoing Public Awareness and Education

The Board of Directors has approved a public awareness and education program to support development and approval of the Plan. This includes three countywide direct mail pieces. The first of these was sent out in March 2006 to solicit input into the Draft Plan and has generated significant response through postage-paid cards, phone calls and completion of on line questionnaires. The program calls for two additional mailers to go out in the May-June 2006 time frame – to inform the public about what is in the Plan prior to consideration of its adoption by the Board of Directors. In addition, an annual report on the implementation of the current Measure M program is scheduled for a countywide distribution by mail in July 2006.

In addition to the direct mail communication, staff will continue to provide information upon request about the Plan, and manage a speaker's bureau for Board Members and senior staff to make informational presentations.

Next Steps

Through April 2006, staff will continue public awareness efforts and compilation of any remaining comments received on the Draft Plan. On April 13, 2006, the Orange County Division of the League of Cities will consider approval of the Plan and a recommendation for individual cities to approve it.

The Transportation 2020 Committee is scheduled to meet again on April 17, 2006, to consider the recommendations from an independent Orange County Business Council-managed review of the implementation of the current Measure M.

The OCTA Board of Directors will consider approval of the Plan on April 24, 2006. Staff has begun to seek presentation opportunities for city and Board of Supervisors consideration of the Plan during the months of May and June 2006.

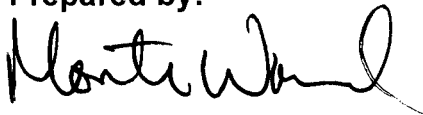
Summary

Since January 9, 2006, a public awareness effort utilizing media, community, local government relations as well direct mail has been utilized to seek input regarding the Renewed Measure M Draft Transportation Investment Plan. Refinements to the Draft Plan have been made and are presented for consideration by the Committee and the Board of Directors. Public awareness efforts will continue, and upon approval of the Plan by the Board of Directors, staff will seek the approval of city councils and the Board of Supervisors for the purposes of placing a Measure M renewal on the ballot.

Attachments

- A. Renewed Measure M Draft Transportation Investment Plan Comments & Responses Summary as of April 4, 2006
- B. Direct Mail & Online Survey Responses (including website comments)
- C. Renewed Measure M Final Draft Transportation Investment Plan Revisions and Corrections
- D. Draft Conceptual Freeway Mitigation Programs

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Renewed Measure M Draft Transportation Investment Plan
Comments & Responses Summary
As of April 18, 2006

DRAFT RENEWED MEASURE M TRANSPORTATION INVESTMENT PLAN COMMENTS & RESPONSES SUMMARY

Ref	Subject	Summary of Comment	Source	Response
F-1	Freeways: Funding Allocation	Support concept of devoting 75% of local funds to freeways streets and roads	Orange County Business Council, various citizens	Comment noted.
F-2	Freeways & Streets: Capacity	Build general purpose, not carpool lanes; Emphasize countywide regional capacity improvements	Orange County Taxpayers Association + Public Comment emails (carpool ref)	General-purpose capacity is emphasized. General-purpose capacity is planned for I-5, SR-55, SR-57, SR-91 and I-405 with only limited carpool lane gap closures planned for portions of I-5. Regional capacity i.e. interchanges or chokepoint projects are planned on all freeways.
F-3	Freeways: I-405 & I-5	Add more detail to project descriptions, including specific interchange improvements, particularly on I-405: Build Master Plan of Arterial Highway interchanges and I-5	Various City Council presentations	Added detail to include specific interchanges for projects C and K.
F-4	Freeways: SR-55	Want assurances that OCTA will minimize impacts to local communities regarding rights of way and that OCTA will involve local communities in decision process.	City Council presentations and cities of Tustin and Orange	Project F has been refined to include language that specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.
F-5	Freeways: New connection	Want a connection between SR-73 and SR-241	Mission Viejo City Council members	Alternatives will be evaluated with the OCTA South County Major Investment Study.
F-6	Freeways: New	Want OC/Riverside tunnel and 57 extension	Tustin City Council members	Geotechnical study for tunnel approved by OCTA Board; Central County Corridor Study underway – working with Army Corps of Engineers to assess technical feasibility and hydrology issues relative to the Santa Ana River.
F-7	Freeways: SR-55	Extend SR-55 south as a solution to traffic impacts at present terminus.	City of Costa Mesa – Presentation, Letter	SR-55 Access Study being proposed for Fiscal Year 2007 OCTA budget to assess options.

Ref	Subject	Summary of Comment	Source	Response
F-8	Freeways	I-5, 91, 55 most popular.	Website	Comments noted.
F-9	Freeways: I-405	a) Project K (I-405) Insert in project description: The project will include the widening of any overpasses over the I-405 which are not currently of sufficient width to meet Master Plan of Arterial Highways designations including Bolsa Chica, Golden West, McFadden, Newland, etc. b) Land and property acquisition should fall within the alternatives adopted by the OCTA Board on October 14, 2005 *	City of Westminster Public comment letter	a) and b) Language amended for project K to reference widening of local overcrossings according to city and regional master plans. In addition, language has been added that reads - Specific improvements will adhere to recommendations of the Interstate 405 Major Investment Study, as adopted by the OCTA Board of Directors on October 14, 2005, and will be developed in cooperation with local jurisdictions and affected communities.
F-10	Freeways: I-405	Improvements to Project K must maximize transportation benefits to provide congestion relief in the corridor. City requests language be included that commits Measure M (versus local agency funds) to reconstructing all interchanges and over crossings to Master Plan of Arterial Highways standards.	City of Fountain Valley	The OCTA Board has approved the findings of the I-405 Major Investment Study (MIS) which supports widening of I-405 within the existing footprint of the freeway and minimizes right of way impacts. If funded, the environmental review will look at options for widening but alternatives will be limited to those that are consistent with the approved MIS. Regarding interchanges: the plan language has been amended to reference widening of local overcrossings according to city and regional master plans.
F-11	Freeways: I-5 South	Include Crown Valley Parkway be included as an illustrative interchange in the Project Description in project D	City of Laguna Niguel	Project C description has been modified to include new access point between Crown Valley and Avery Parkway to relieve congestion on Crown Valley.
F-12	Freeways: I-5 South	a) Geographic scope of I-5 improvements south of the El Toro "Y" should be recognized from Alicia Parkway to SR-73 b) Narrative of the scope should include "consistent with local plans".	City of Mission Viejo	a) Project C limits have been changed to include the vicinity of the El Toro interchange in Lake Forest to the vicinity of SR-73 in Mission Viejo. b) Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.
F-13	Freeways: I-5 South	Add Avenida Pico to Project D	City of San Clemente	Plan amended to include Avenida Pico interchange.

Ref	Subject	Summary of Comment	Source	Response
F-14	Freeways: Priorities & schedules	Add project priorities and project schedules to freeway projects	City of Rancho Santa Margarita	The Renewed Measure M plan is just that – a plan, not a programming document. If approved, an implementation strategy would be developed based on county priorities and project readiness.
F-15	Freeways: Continued Study	The CAC understanding why Tier III type highway projects should be excluded the Measure M proposal, however these should continue to be studied and developed.	Citizen's Advisory Committee: Highway Working Group	Tier III projects, which are not developed and have no cost estimates, are excluded from the Measure M Plan. However, mobility problems are recognized and options will be studied through Feasibility and Major Investment Studies (see F-6)
F-16	Freeways: I-405	Support for the freeway program with the following exceptions: On I-405 add 2 lanes in each direction versus 1 lane approved in the Major Investment Study, add Susan Street off-ramp (between Harbor Blvd and Fairview)	Citizen's Advisory Committee: Highway Working Group	The OCTA Board of directors has approved the I-405 Major Investment Study; those results are recommended in the Measure M plan. A Susan Street off-ramp is not precluded from future study but must be developed in cooperation with local jurisdictions and affected communities.
F-17	Freeways: Other	<ol style="list-style-type: none"> 1. Primary, overarching goal should be mobility. Secondary goals are protecting transportation resources & enhancing quality of life. 2. Highway system is undersized to meet growing traffic demand – add lane miles, fix bottleneck areas. 3. Explore providing stronger environmental allowances and enhanced mitigation i.e. upgraded soundwalls, improved landscaping, and funding to better mitigate impacts on water quality caused by runoff. 4. Support decisions as to whether or not to take properties for right-of-way with economic analysis of the value of potential travel-time savings versus the impacts of doing so. 	Citizen's Advisory Committee: Highway Working Group	<ol style="list-style-type: none"> 1. Goals have been defined by the Board of Directors to include mobility, protecting transportation resources and enhancing quality of life. As projects are developed, technical reviews and public participation shape priorities for goals; these vary project-to-project. 2. The plan includes highway capacity and/or bottleneck projects on every freeway in the county. An emphasis is on mostly staying within the existing right of way and making operational improvements at key confluence areas such as the I-5/SR-57/SR-22 "Orange Crush". 3. With traditional transportation revenues, OCTA has implemented a retrofit soundwall program for enhanced mitigation. In addition, there are existing (although limited) funds for transportation enhancements through a program known as TEA. The renewed Measure M plan also proposes a new program to improve water quality by providing additional funding to mitigate the impacts of urban runoff. 4. Comment noted; as projects are developed, evaluation criteria is created and subject to policy committee review

Ref	Subject	Summary of Comment	Source	Response
F-17 cont.	Freeways: Other			and OCTA Board of Director approval.
F-18	Freeways: I-5	Want greater funding to improve and widen I-5, or at least an ability to reprogram funds as a result of continuing dialogue.	Endangered Habitats League	Comment noted.
F-19	Freeways: Borders	As the transportation planning agency for Los Angeles County, we would like to see a smooth and operationally safe transition/interface at county line. This is particularly true on I-405 since Metro has not identified funding for improvements north of border. Need to work together to ease transitions that may cause bottlenecks at the county line.	Los Angeles County Metropolitan Transportation Agency (LACMTA)	OCTA continues its efforts to improve transportation systems that span county lines (freeways, 91 toll road, Metrolink). For example, the recently completed Riverside-Orange Major Investment Study was completed in collaboration with the Riverside County Transportation Commission. OCTA also has requested joint meetings with LACMTA Board members with a goal of improving traffic between Los Angeles and Orange Counties.
F-20	Freeways: Traffic Increase	Document states traffic increases 39%. Traffic on freeways increases only 13-35% with average 22%. Change to increase in expected travel and show capacity increases.	Southern California Commuters Forum / D. Mootchnick	Traffic measures cited include all facilities -- freeways and roads; roads serve as feeder routes.
F-21	Freeways: SR-22	The SR-22 is currently under construction -- move Projects E and F (SR-22 and SR-55) to constrained alternative and others to Measure M to make up funding.	Southern California Commuters Forum / D. Mootchnick	A funding proposal is being developed for Phase II of the SR-22 project -- connector ramps at I-405 and I-405/I-605. It will be proposed that existing revenues be used for these projects as the projects are environmentally cleared and may proceed expeditiously. However, additional ramp improvements, as well as capacity on SR-55 (Projects E and F) require additional environmental documentation and funding -- therefore they are included in the Renewed Measure M plan.
F-22	Freeways: I-405 capacity	One lane each way is far from adequate. Constrained Long-Range Transportation Plan indicates \$480 B for carpool ramps and crossovers -- use this for I-405 over next 40 years.	Southern California Commuters Forum / David Mootchnick	While one lane in each direction may not, in the Southern California Forum's view, be enough, it was the consensus position developed after months of study and the adopted preferred alternative in the I-405 Major Investment Study.

Ref	Subject	Summary of Comment	Source	Response
F-23	Freeway Service Patrol	Needed, but remove from plan. Costs should be borne by owners of vehicles towed.	Southern California Commuters Forum / David Mootchnick	The Freeway Service Patrol serves to address non-recurrent congestion during peak commute hours. It is an effective way to mitigate traffic congestion.
F-24	Freeways: SR-57	When will project begin? Home is next to freeway.	Public comment via telephone	The northbound lane of the SR-57 is currently in the environmental phase. No construction funding has been identified – that is why it is included in the renewed Measure M plan. If approved by voters, and it is funded immediately, design could begin in 2007. The earliest this project could open is 2012.
F-25	Freeways: Carpool Connectors	Wants money for SR-22/I-405 and I-405/I-605 connector ramps.	Public comment via telephone	A funding proposal has been developed for Phase II of the SR-22 project – connector ramps at I-405 and I-405/I-605. Existing revenues will be used for these projects as the projects are environmentally cleared and may proceed expeditiously.
F-26	Freeways: Operations	Caller received information about different projects; would like to know if we are going to re-paint lines on the freeway – some are missing and it is hard to see, especially on rainy days.	Public comment via telephone	Ongoing freeway maintenance is a State of California / Caltrans responsibility. However, most Measure M freeway projects would include provisions for re-stripping.
F-27	Freeways: Build Faster	Caller emphasized the need to complete projects faster.... "build it faster" ...when there was earthquake damage to freeways, repairs went quickly.	Public comment via telephone	Comment noted.
F-28	Freeways: General Dissatisfaction	a) Dissatisfaction with existing approach. Existing program mostly carpool projects i.e. 405/55 – worse than before because no new lanes added to 405 or 55 (general purpose) freeway transition lanes. b) Another project is Orange Crush – this is the 4 th time re-designed while the 3 rd time is under construction. c) When OCTA was seeking support to purchase the 91 Express Lanes from private leaseholders, said tolls would be reduced and extra lanes added. Now tolls have nearly doubled and	Public comment via email	a) and b) Comments noted. Right of way impacts, as well as environmental and funding constraints all factor into when projects can be delivered. c) 91 Express Lanes. While "super peak" tolls have been adjusted to manage congestion in the lanes tolls were lifted for three plus carpools during non super peak hours. In addition, tolls have been used to pay for improvements – a westbound auxiliary lane – as well as development activities for projects that will add capacity on the 91.

Ref	Subject	Summary of Comment	Source	Response
F-28 cont.	Freeways: General Dissatisfaction	eastbound 91 still not built. d) I-405 needs to be repaved from Golden West Street to the Los Angeles County line* e) Dissatisfaction with the building of the overpass over the I-405 near Bristol and that taxpayers had to cover the cost*	Public comment via letter Public comment via letter	d) Caltrans is responsible for the maintenance of the I-405. e) Comment noted.
F-29	Freeways: Carpool Lanes	Open all carpool lanes to everyone and see how traffic moves.	Public comment via telephone	OCTA has requested Caltrans conduct a pilot program for the Garden Grove / State Route 22 freeway. This pilot would allow for continuous access as well as part time operations. This is under review with the State but represents a step to evaluate the overall operational effectiveness of the carpool system.
F-30	Freeways: Toll Roads	Toll roads can be temporary parts of the mix but a more costly solution in the long-run (taxpayers will have to pay or buy them in one way or another)... non-compete agreements only put off the inevitable in fixing traffic solutions, reward investors, and limit their use to those who can afford them... Worst part of toll road picture is that private/business entity thinks it has right to take land part of area's park system (Donna O'Neill Land Conservancy, San Onofre/San Mateo Campground)... impacts parks. Missed the fact that toll roads were in the mix at that time of Measure M. Otherwise would have voted no.*	Public comment via email Public comment via letter	Comments noted. Toll roads were not funded with Measure M sales tax revenues. They were funded through a combination of tolls and development fees. Toll roads were not proposed for funding under the Renewed M Plan.

Ref	Subject	Summary of Comment	Source	Response
F-31	Freeways: I-605 Access	The largest transportation issue in the City of Los Alamitos is Katella – at or over capacity. Need additional access.	City of Los Alamitos	Project M's description has been refined to describe access to and from I-605 which could include Katella improvements or additional freeway access points. Language reads: "Improve freeway access and arterial connection to I-605 serving the communities of Los Alamitos and Cypress.... Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities."
F-32	Freeways: SR-91	Why should Orange County freeways be improved solely to benefit commuters outside Orange County. *	Public comment letter.	Ongoing public research of Orange County residents has placed a high priority on improvements to the SR-91.
F-33	Freeways: I-5	Funds should be included in Measure M for the widening of the I-5 through San Clemente. *	Wild Heritage Planners	The plan includes nearly a billion dollars for improvements to the I-5 south of the El Toro Y. This includes \$627 million in Project C which adds lanes between Pacific Coast Highway and Avenida Pico.
F-34	Freeways: General Design	Dissatisfied with design of on and off ramps.*	Public comment letter and telephone.	Freeway design has to meet strict state guidelines as documented in the Caltrans Highway Design manual.

Ref	Subject	Summary of Comment	Source	Response
F-35	Freeways: SR-91	Would like more access to the SR-91 between Imperial and Weir Canyon. *	Public comment email.	The Renewed Measure M plan includes about \$1.5 billion for Riverside Freeway improvements which include capacity and operational improvements. This comment will be forwarded to planning staff for future consideration.
F-36	Freeways: I-5	Would like more access to the I-5 at Stonehill. *	Public comment telephone.	The Renewed M includes funding for I-5 South improvements. This comment will be forwarded to appropriate staff.
F-37	Freeways: Environmental Mitigation	Include detailed discussion of funding available for (environmental) mitigation for projects*	Hills for Everyone	It is being recommended that the freeway section include more specificity relative to environmental mitigation. Recommended language is being forwarded to the OCTA Board for consideration.

Ref	Subject	Summary of Comment	Source	Response
S-1	<p>Streets & Roads: Turnback and Match – Consensus Position</p>	<p><u>Consensus Recommendation Negotiated</u> Overall Streets and Roads allocation should be 32% and should include 18% for Local Fair Share (Turnback) funding and 14% for Competitive Programs. The 14% Competitive Program is built by including 4% for Regional Signal Synchronization and 10% for Regional Capacity. The local match requirements are 20% for Signal Synchronization and 50% for Regional Capacity. The match for Regional Capacity will be reduced if local jurisdictions: a) Agree to participate in the Regional Signal Synchronization program – 10 point reduction i.e. from 50% to 40%. b) Adopt a Pavement Management Plan and publish it annually (to show progress being made on street maintenance) – 10 point reduction i.e. from 40% to 30%. c) Fund the local match with sources other than Measure M -- 5 point reduction in match i.e. from 30% to 25%.</p>	<p>Representatives from the following organizations participated in development of this recommendation: City Managers Association OCTA Technical Advisory Committee Orange County Business Council Automobile Club of Southern California Orange County Taxpayers Association <u>Endorsed by:</u> League of Cities Super Committee in March 2006 City of Laguna Niguel City of Rancho Santa Margarita City Managers Association OCTA Technical Advisory Committee</p>	<p>The April 2006 Measure M plan proposal incorporates this recommendation for consideration by the Board of Directors.</p>

Ref	Subject	Summary of Comment	Source	Response
S-2	Streets & Roads: Maintenance of Effort	Maintenance of Effort (MOE) should be adjusted every year i.e. indexed; in addition, the County of Orange should be subject to MOE.	Automobile Club of Southern California	The plan includes a provision to index the MOE each year beginning in 2011 (using existing MOE benchmarks) according to the California Construction Index. MOE is based on existing general fund expenditures; the County of Orange does not use general funds for streets and roads improvements.
S-3	Streets & Roads: Streetscape Features	The plan and ordinance should state that streetscape features – soundwalls, street lighting, and landscaping are qualified expenditures, within limits, only when part of a larger transportation project.	Automobile Club of Southern California	Article 19 governing gas tax expenditures applies; streetscape features must be part of a larger transportation project.
S-4	Streets & Roads: Competition	Increase competition and cooperation for transportation funding; disappointed to see plan reduces competition.	Orange County Business Council	There are several competitive elements included in the Renewed Measure M plan including projects "O" – Regional Capacity, "P" – Signal Synchronization, "S" – Transit Extensions to Metrolink, Project V - Community Based Transit and Project X, Environmental Cleanup. The competitive investment represents over \$3 billion, about 26% of the total program. Current Measure M has less than 20% for competitive programs.
S-5	Streets & Roads: Project Readiness	"Shelf-ready" projects should have priority for renewed Measure M funding	Orange County Business Council	Comment noted. Project readiness is being proposed as one of the key evaluation criteria for competitive projects.
S-6	Streets and Roads: School Safety	Consider a competitive program for school safety reengineering that reduces traffic congestion at school sites and provides additional and pedestrian safety for children.	Orange County Business Council	"Fair share" / Turnback program allows local jurisdictions to fund school and pedestrian safety programs; the competitive program does not preclude these if combined with master plan of arterial highways or signal synchronization projects.

Ref	Subject	Summary of Comment	Source	Response
S-7	Streets & Roads: Competition & Regional Cooperation	Flexible local funding allocation – disagree with allocating 18% by formula and only 14% by competition – rather see cities compete for their money by proposing creative projects. We urge 9 requirements for receiving Turnback be strictly enforced; favor reducing match of Measure M allocations based on willingness to participate meaningfully in countywide projects such as arterial signal coordination.	Orange County Taxpayers Association (OCTax)	OCTax participated in developing the consensus recommendation for streets & roads programs. The competitive program emphasizes capacity and regional signal synchronization programs. Lower local matches are offered for results i.e. lowers match requirements are recommended for cities that adopt regional pavement management systems and provide annual reports; lower matches also are being recommended for cities who sign-on to the signal synchronization program and those that use non-Measure funds for their local match. In all Measure M programs, all eligibility criteria/requirements would be strictly enforced with strengthened reporting requirements, annual audits and independent reviews by the Taxpayers Oversight Committee.
S-8	Streets & Roads: Maintenance of Effort	For Maintenance of Effort (MOE), empower the Taxpayers Oversight Committee to require county and cities to spend as much of their non-M money on transportation as if Measure M did not exist. Discourage cities from using Turnback money to match Measure M projects.	Orange County Taxpayers Association	The Maintenance of Effort (MOE) goal is to ensure that Renewed Measure M funds are not used to supplant existing local funds. The Plan's proposed approach relies on actual expenditures as a baseline and applies an inflation factor to this for future years. Under the proposal, cities are rewarded for using non-Measure M funds to match competitive programs.
S-9	Streets & Roads: Capacity	Encourage capacity projects.	Orange County Taxpayers Association	The plan provides a competitive funding program to build regional arterial capacity based on the county's Master Plan of Arterial Highways.
S-10	Streets & Roads: Regional Benefit, Project Readiness	a) Consider reducing the matching funds required by cities for projects that are a true regional collaboration. The Signal Synchronization and Flexible Local Funding programs have opportunities to benefit from match reduction rewards, stemming from a regional approach. Cities should develop Pavement Management Projects. b) Regional capacity projects that are "shelf ready" should be considered priorities for funding.	The Orange County Transportation Professionals	a) These are recommended with the Consensus Position as described in S-1, above. b) Project readiness is proposed as a criterion for award of competitive projects.

Ref	Subject	Summary of Comment	Source	Response
S-11	Streets & Roads: Need for Funding & Flexibility	Continued emphasis on funding for local streets and roads is important... commitment to repair and improvement of local roads has high priority. Support increased percentage for local Turnback funds; encourage greater flexibility for competitive program. (Note: A list of improvements was provided for consideration under the Competitive Program).	City of Newport Beach	The Renewed Measure M Draft Plan includes over \$2.0 billion in the local fair share program. This is to allow cities to set community priorities for street maintenance and related projects. This amount more than doubles the Measure M funding for street maintenance. Note: The streets cited in Newport Beach's letter would be eligible under the competitive Regional Capacity Program; Newport Coast Drive Intersection Improvements beyond developer requirements are eligible.
S-12	Streets & Roads: Overall	<p>-Support plan allocation among modes as proposed in Draft, but suggest changes:</p> <ul style="list-style-type: none"> a) Want the division of street and roads funds reviewed every ten years b) Add bike lanes and lighting (upgraded and safety) as eligible Measure M expense; be silent on landscaping. c) On Signal Synchronization, allocate 4% but set this as maximum through the life of the program; i.e. this should be held constant for the life of the program. d) On Signal Synchronization, require 20% local match and updated timing plans and signal operations status reports for funded routes every three years e) On Regional Capacity program, require 50% local match unless it can be shown that capacity would not be sacrificed if the requirement were lowered. Minimum match should be 35%. f) On Regional Capacity program, include Burlington Northern Santa Fe (BNSF) grade separations and minor freeway interchange improvements as eligible expenses g) Should be requirements to develop baseline Pavement Reports but also a requirement that OCTA publicize findings. 	CAC Streets/Roads Working Group	<ul style="list-style-type: none"> a) The recommended plan mandates there be a 10-year public review. b) All Article 19 expenditures (allowable uses of gas tax funds) are eligible expenses. This includes bike lanes and lighting. c) Four percent (4%) of net Measure M revenues is allocated to the signal synchronization program (throughout the life of the program). d) The signal synchronization program is proposed to require a 20% local match and will be designed to ensure timing plans and status reports are updated regularly. e) The consensus recommendation allows local jurisdictions an opportunity to "buy down" the match to a minimum 25% for competitive projects. It is difficult to quantify whether capacity would be sacrificed. The tradeoff is an emphasis on participation in signal coordination programs that increase capacity through operational improvements. f) BNSF grade separation projects are eligible under the competitive streets and roads projects as are (minor) freeway interchange improvements. Major interchanges are proposed to be funded through the freeway program. g) OCTA will publicize findings of pavement management reports.

Ref	Subject	Summary of Comment	Source	Response
S-13	Streets & Roads: Emergency Vehicle Preemption	Add earmarked funds for emergency vehicle signal preemption (EVP). Project P (Signal Synchronization) should include a standardized preemption program for public safety.	OC Fire Authority, Orange County Fire Chiefs Association City of Rancho Santa Margarita	While not an earmark, the recommendation is to allow local jurisdictions to use fair share streets and roads funds for EVP controllers. In addition, under the signal synchronization program, EVP controllers for signals may be funded if integrated into a proposed signal synchronization project (rather than a standalone project).
S-14	Streets & Roads: Specific Projects	Requests for city specific or site- specific signal synchronizing, interchange improvements, grade separations. These were all very community or site specific.	Several comments	The plan includes funds and programs for all of these. Specific locations requested will be determined by cities, OCTA or through a competitive process.
S-15	Streets & Roads: Smart Streets	Include Smart Streets that were part of 1990 Measure M as priority projects in Renewed Measure M.	City of Laguna Niguel	While not explicitly stated, the Renewed Measure M Plan focuses "Smart Street "type improvements along a defined arterial street network that crosses jurisdictional lines. This Regional Signal Synchronization program is designed to optimize flow and capacity on busy arterials – similar goals to the 1990 Smart Street program.
S-16	Streets & Roads: Growth Management Areas	Do not reduce the roles of the GMAs (Growth Management Areas) especially in areas especially in areas where development is taking place.	City of Rancho Santa Margarita	Funding that otherwise would have been in existing GMAs has been allocated directly to cities on a formula basis under the "Fair Share" program. This gives cities flexibility to define and fund local priorities. Cities are free to continue inter jurisdictional dialogue for use of their funds.
S-17	Streets & Roads: Ability to Compete	Our main concern is our ability to compete for funds. Our success rate in obtaining grants is limited by the criteria used to select projects. Would like to see changes in procedures to allow flexibility to fund projects that may not meet strict OCTA cost/benefit ratio, but are vital to mobility; like to see ability to use MPAH funds for rehab on roadway widening – often existing pavement adjacent to widening needs rehabilitation.	City of Yorba Linda	Increased local fair share funding provides opportunities for cities to establish their own local priorities. The Long-Range Transportation Plan (LRTP) demonstrates significant future increases in street rehabilitation funds from non-Measure M sources such as Proposition 42 and the federal Surface Transportation Program.
S-17a	Streets & Roads: Relationship to Transit	Clarify that transit is part of Streets and Roads, Project Q (Flexible Local Funding). In the past, transit has not been called out as a component of transportation and has not received its fair share.	Citizen's Advisory Committee: Transit Working Group	Transit is an eligible expense.

Ref	Subject	Summary of Comment	Source	Response
S-18	Streets & Roads: Regional Capacity & Signal Sync	a) State how much capacity is added versus growth. Indicate how much of the Master Plan of Arterial Highways will be implemented. B) Signal synchronization is important but the plan does not explain how the system will be controlled on a daily basis (need central control)	Southern California Commuters Forum / D. Mootchnick	a) The L RTP demonstrates that a Renewed Measure M plus other foreseeable funds would permit completion of the Master Plan of Arterial Highways. b) The goal of the signal synchronization program is to provide a centralized control point – to transfer operations and maintenance from a single agency so signals can be coordinated across jurisdictional boundaries.
S-19	Streets & Roads: Signals, Governance	Give traffic light control to cities rather than Caltrans	Public comment via telephone	The goal of the signal synchronization program is to coordinate signals across boundaries including jurisdictional boundaries and at freeway/arterial areas. This means Caltrans will be encouraged to participate in the regional signal synchronization program.
S-20	Streets & Roads: Signal Coordination	OCTA's first priority should be traffic signal coordination.	Public comment via telephone.	This perspective is consistent with public opinion research that was used to help develop the plan and which resulted in the creation of the regional signal synchronization program.
S-21	Streets & Roads: Feedback on existing projects	a) Frustration with existing experience with Measure M... Westminster received \$20 million but has paid hundreds of millions in actual taxes. Bolsa Avenue first widened, re-stripped, then torn out. Center median constructed, stoplights added – out of sync....caused gridlock... b) When millions were spent to computerize signals, at first there seemed to be improvements. Then other cities began to tweak the system – now impossible. c) Street I live on is collector street -- in 20 years, only once did this important road receive any maintenance at all.	Public comment email	a) Comment noted. b) The proposed Signal Synchronization Program targets 2,000 signalized intersections in the County for coordinated operation. The goal is to improve the flow of traffic by developing and implementing regional signal coordination programs that cross-jurisdictional boundaries. To ensure the program is success, cities, the County of Orange and Caltrans will be required to work together and prepare a common traffic signal plan before receiving funds. c) The flexible local funding program, also known as the Fair Share Program, identifies over \$2 billion to meet needs for street rehabilitation and ongoing maintenance according to local needs.

Ref	Subject	Summary of Comment	Source	Response
S-22	Streets & Roads: Special Request	Ball & Knott, southwest corner – railroad tracks cross Ball & Knott... would like to know if streets can be leveled to avoid further (flood) damage; also interested in purchasing or possibly leasing parts of abandoned railroad tracks for parking.	Public comment telephone	Local agencies are responsible for street maintenance activities; the requests for leasing abandoned railroad tracks have been forwarded to OCTA Right of Way section.
S-23	Streets & Roads: Special Request	Safe sidewalks needed on Batavia from La Veta to Lincoln... Bridge over Santa Ana River at Batavia and Lincoln should be widened... Lincoln should have safe sidewalks from Anaheim to Tustin..Add a lane for motorist safety at Orange and Olive Roads north of Lincoln*	Public comment email	The flexible local funding program, also known as the Fair Share Program, identifies over \$2 billion to meet needs for street rehabilitation and ongoing maintenance according to local needs. These improvements could be made with this program, decision resides with City of Orange.
S-24	Streets & Roads: Signal Coordination	Signal synchronization cannot be successfully addressed if cities are required to provide 20% of the cost due to budget shortages and inability to meet time frame requirements*	Public comment letter	The League of Cities Super Committee reached a consensus on the allocation of funds as part of the Signal Synchronization program. The match was discussed and the approach approved by the League of Cities.
T-1	Transit: Project S and V	<p>a) Delete (S) City Extensions and (V) Community Based Transit and hold those funds in reserve for projects approved by public vote.</p> <p>b) Set up a \$1.226 billion reserve to support worthy projects which will surely arise within the 30-year span of the measure. Any allocation of the reserve should be subject to independent voter affirmation.</p>	AJM Engineering / J. Mallinckrodt	<p>a) The Renewed Measure M Plan includes specific allocations for freeways, streets and roads, and transit projects. Projects S and V are part of the transit mix – competitive programs that must meet specific evaluation criteria. Technology is unspecified and Project S is not a veiled attempt to revive the Centerline project. Proposals under Project S must meet strict evaluation criteria for example, they must not duplicate existing services, they must provide traffic congestion relief, and they must be cost-effective transportation solutions. Project V is also a competitive program however it is designed to meet local needs that traditional fixed route bus does not. This might mean a local shuttle, senior service, or small bus transit service for less populated outlying areas.</p> <p>b) While there are projects and programs, there are no "reserve" accounts set up. Quite the opposite. It has been consistently requested that there be more specificity in the plan versus less. In addition, the ten-year review is very popular since it allows for changes in priorities that</p>

Ref	Subject	Summary of Comment	Source	Response
T-1 cont.	Transit: Project S and V			could occur over the 30-year plan horizon. Any major changes would require affirmation by voters.
T-2	Transit: Senior Mobility	Include Adult Day Health Care (ADHC) specialized transit service in Measure M; some requested 1% be allocated.	Letter from Orange County Adult Day Services Coalition and numerous letters (private citizens), website comments and comments at public workshops.	OCTA will broaden its existing ADHC pilot program so centers can provide more specialized transit for those clients eligible for ACCESS service under the Americans with Disabilities Act (ADA). This is a cost-effective, customer friendly approach because it allows for more localized group paratransit tailored to the needs of each center, which, under existing pilot programs, operates at a lower cost per trip than individual ACCESS trips.
T-3	Transit: Senior Mobility, Expand Project U Funding	Requests changes to Project U as follows: a) 1% of net revenues for ACCESS fare stabilization b) 2% of net revenues for Senior Mobility Program c) 2% of net revenues for senior non-emergency medical transportation d) 1% of net revenues to offset costs for Adult Day Health Care (ADHC) clients Final plan be written to guarantee specific percentage of funds for Project U rather than specific dollar amount.	Support Ability	The draft plan will clarify that allocations are based on net sales tax revenues, expressed as percentages, for: <ul style="list-style-type: none"> • 1% for transit fare stabilization • 1% for Senior Mobility Program • 1% for senior non-emergency medical transportation For ADHC clients, OCTA will broaden its existing ADHC pilot program so centers can provide specialized transit for those clients eligible for ACCESS service under the Americans with Disabilities Act (ADA). This is a cost-effective, customer friendly approach because it allows for more localized group paratransit which operates at a lower cost per trip than individual ACCESS trips.
		Request changes to Project U as follows: a) 3% of net revenues for ACCESS, bus and future rail stabilization b) 3% of net revenues to expand Senior Mobility Program and c) 3% of net revenues to expand existing countywide senior non-emergency medical program	Dayle McIntosh Center	Comment noted and forwarded to the OCTA Board of Directors for consideration.

Ref	Subject	Summary of Comment	Source	Response
T-3 cont.	Transit: Senior Mobility, Expand Project U Funding	<p>Petition, signed by 497* people requesting Project U changed as follows:</p> <ol style="list-style-type: none"> 1. 1% of net revenues dedicated to ACCESS fare stabilization; 2. 2% of net revenues dedicated to the expansion and growth of the existing Senior Mobility Program; 3. 2% of net revenues dedicated to expand the existing countywide senior non-emergency medical transportation program; 4. 1% of net revenues dedicated to fund Adult Day Health Care transportation. 	Petition Received	Comment noted and forwarded to the OCTA Board of Directors for consideration.
T-4	Transit: Project S	<p>Evaluation criteria and how projects will be selected need to be clarified, especially in Project "S" - the High Capacity Transit Extensions to Metrolink.</p> <p>There was concern about the resurrection of CenterLine; and a perspective to require voter approval for any budgetary changes that would revive the project.</p> <p>Suggests the \$1 billion be cut in half and projects for west Orange County and South Orange County be defined.</p>	<p>Automobile Club of Southern California (re: Project S -- Metrolink extensions and selection criteria)</p> <p>OCTax (re: project S, CenterLine reference)</p> <p>Southern California Commuters Forum / D. Mootchnick</p>	<p>Renewed Measure M will not fund routes that are not directly connected to or would compete with Metrolink. Project "S" emphasizes expanding access to the core Metrolink rail system. The goal is to establish connections to major activity centers that are not adjacent to Metrolink. No single project would be eligible to receive all of the funds. Technology is not defined but will be assessed on a project-by-project basis.</p> <p>Projects will undergo rigorous review with strict evaluation criteria to ensure they are, among other things, complementary and connect with existing transit services, increase transit ridership, provide congestion relief and are cost-effective providing regional as well as local benefits.</p> <p>Any major changes to the plan would require a ten-year review.</p>
T-5	Transit: Project V & W	Support competitive approach and local award of funds; cannot support Projects V and W (Local circulators and Safe Transit Stops) without more	Orange County Business Council	The plan provides for competitive programs a) to extend the reach of the Metrolink system and b) to augment OCTA bus service by allowing cities to compete for transit funds for local community services (See T-4 above). In

Ref	Subject	Summary of Comment	Source	Response
T-5 cont.	Transit: Project V & W	detailed descriptions.		in addition, the final plan recommendation includes additional detail on Projects V and W.
T-6	Transit: Evaluation Criteria	Find more ways to guarantee Measure M dollars are devoted to highest priority transportation needs. Suggest criteria be given to cost effectiveness/economic benefit (including cost per passenger- capital and operations cost per passenger), traffic congestion relief, system connectivity, safety.	Orange County Business Council	The Renewed Measure M Plan addresses the criteria mentioned and the criteria have been refined to be more specific.
T-7	Transit: Add detail	Transit Vision articulated in the overview and Project R and T is fresh thinking! To improve, further define vision – may be confusion in the mind of the public about the difference between the new vision and existing Metrolink and Amtrak services. Add detail to transit project descriptions and criteria; suggest incorporating information on numbers of passengers today and future projections. Need operational and maintenance compatibility; OCTA needs to oversee to ensure connectivity of systems.	The Orange County Transportation Professionals	More detail has been added to project descriptions. OCTA's role will be to provide higher levels of service in the core Metrolink corridor and to ensure effective compatibility and connection of transit extensions as part of the evaluation of projects.
T-8	Transit: Overall program	a) Support implementation of all-day, high frequency Metrolink but recommend the Board consider safety of operations including "push pull". b) Limit gateway expenditures to "seed funding". c) Coordinate, integrate shuttles and allow communities flexibility to make decisions as to how best to serve their residents, including the augmentation of fixed routes as an option if appropriate.	Citizen's Advisory Committee Transit Working Group	a) Safety will be considered with operating plans. Push-pull operations are under review at Metrolink. b) It is recommended that the Renewed Measure M Plan continue to include about \$227 million for gateways so Orange County is not precluded from planned high-speed rail systems such as the Maglev system. This could be for track improvements, stations, etc. to prepare for these systems. If services fail to materialize, this could be re-evaluated with the ten-year review. c) This is the intent of Project V – Community based

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T-8 cont.	Transit: Overall program	<p>d) Fund only LOSSAN corridor (Los-Angeles/San Diego) grade separations through transit program</p> <p>e) Grade separations should be included at high volume stations; quiet zones at lower volume crossings but not at stations.</p> <p>f) Safe stops should include lighting and other safety/service features for high volume bus stops; ticket vending machines should be included where appropriate.</p> <p>g) Expand the Bus Rapid Transit (BRT) network beyond the five-year plan; fund a countywide BRT system with Measure M.</p> <p>h) Highlight the use of Project S funds for preservation of rail right of way.</p> <p>i) Emphasize that all new transit projects must be seamlessly integrated with surrounding transit systems.</p> <p>j) Regional Transit Gateway between the Green Line and the Metrolink station in Norwalk as part of Project T</p> <p>k) Change project W title from Safe Transit Stops to "Convenience or User-Friendly"</p>	<p>Citizen's Advisory Committee Transit Working Group (cont.)</p>	<p>shuttles.</p> <p>d) Only LOSSAN corridor grade separations are included in the transit program.</p> <p>e) OCTA recognizes the intent of this comment is to facilitate safety and address noise concerns. Both will be primary components of implementation plans.</p> <p>f) Comment noted; ticket/pass sales vending machines to be considered with the review of the OCTA pass program.</p> <p>g) OCTA transit plans include a countywide BRT network to be funded through existing transit funds. New BRT projects also could be funded under the Renewed Measure Plan if local jurisdictions propose them and services are approved under Project "S", page 23. However, the approach with the Renewed Measure M Plan is that it augments existing programs and does not supplant existing expenditures. Funding the BRT as proposed would be supplanting transit funds.</p> <p>h) Project "S" rewards local jurisdictions for elements that create extensions to Metrolink service. Criteria include project readiness (which could be enhanced through preservation of right of way) and the availability of right of way.</p> <p>i) Project "V" is designed to provide community shuttle service to those areas underserved by the local fixed route transit service. In contrast, Project S is designed to provide extensions to the Metrolink service – one principle is they must connect with the backbone. A key criteria for local community shuttles will be connection with existing transit services. There is also a requirement that they not duplicate existing services.</p> <p>j) The Renewed Measure M Draft Plan limits investment to the boundaries of Orange County.</p> <p>k) Comment noted.</p>

Ref	Subject	Summary of Comment	Source	Response
T-9	Transit: Transit Oriented Development & Developer Standards	<p>a) Cities should consider Transit Oriented Development (TOD) and alternate mode policies when updating General Plans; OCTA provide guidelines on same.</p> <p>b) Include transit as part of developer standards requirements and new development fees</p> <p>c) The plan should be integrated into land use decisions since expansion of the transportation system alone will not resolve congestion.*</p> <p>d) Would like plan to be integrated with land use policies and planning so as to reduce vehicle miles traveled and not contribute to urban sprawl*</p>	<p>a) CAC Sts & Rds & Transit Working Group</p> <p>b) Transit Working Group</p> <p>c) Hills for Everyone</p> <p>d) League of Women Voters, Orange County</p>	<p>a) , b) , c) and d) The Draft Renewed Measure M Plan guidelines for receipt of streets and roads Fair Share funding include language that encourages cities to consider transit-oriented development when General Plans are being updated. Criteria for Project S includes compatible approved land uses, proven ability to attract both public and private funding, and proximity to jobs and population.</p>
T-10	Transit: Local Coastal Transit	Carve out city-by-city Coastal & Beach Transit – i.e. Laguna Beach trolley	City of Newport Beach	The Renewed Measure M Plan's Project V is a program designed to tailor transit to a communities local needs. Approximately \$227 million is available, on a competitive basis, for local community-based shuttles, trolleys, etc.
T-11	Transit: Senior and Disabled Mobility	<p>Increase funding for senior transit needs. Of utmost priority are programs that help seniors maintain independence and healthy lifestyle i.e. transit for non-emergency medical & running errands.</p> <p>Encourage OCTA to continue seeking alternatives that will increase transportation access (for seniors.) Measure M funds could provide significant augmentation of existing services or new programs.</p>	<p>City of Newport Beach</p> <p>City of Irvine</p>	<p>The proposed Renewed Measure M plan identifies 1% of net revenues for senior/disabled transit fare discounts, 1% for non-emergency medical transportation for seniors, and 1% for Senior Mobility programs. In addition, community based shuttles, which could be used to enhance senior services (based on community needs) are available under Project V.</p>
T-12	Transit: Metrolink Expansion	When will expansion in Metrolink take place?	Public comment via telephone	<p>Weekend service on Metrolink begins in June 2006; Metrolink expansion to 30-minute service begins in 2010. However, operating costs to continue these services are funded only through 2013. After that, additional revenues will be needed or service adjustments will need to be made.</p>

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T-13	Transit: CenterLine, Light Rail	Add language to guarantee that no 'CenterLine fiasco' will occur again. Transit Overview states that 20% of funds are allocated to creative countywide rail program. This statement provides for a resurgence of the Centerline fiasco. Words i.e. visionary, creative are meant to sell; drop them. Drop light rail. Concerned that the use of the term "rapid transit" in public mailings implies a return of Centerline.*	City of Rancho Santa Margarita Southern California Commuters Forum / D. Mootchnick Public comment email Public comment email	The Transit Overview and descriptions in the Plan have been revised so as not to favor or specify any particular form of transit. Listing of specific project criteria – requirements for connection to Metrolink, prohibition of redundancy of services, and a prohibition against a single project claiming all the funds in Project S ensure that "CenterLine" will not return.
T-14	Transit: Local Trolleys	Cities should pay for individual trolley or transit systems or at least have city matching requirements with these systems.	City of Rancho Santa Margarita	If approved, cities would be able to compete for funding under Project V, to develop their own community-based shuttles. These services would be designed to augment traditional bus service which does well in the higher density areas of the county but is not as convenient for those areas with less demand. Project V would fill the gap and serve local needs in communities such as Rancho Santa Margarita.
T-15	Transit: V,W,U,X	Projects V (Community Based Transit/Circulators), W (Safe Transit Stops), U (Mobility Choices for Seniors and Disabled), and X (Environmental Cleanup) should include some formula funding to allow smaller cities and cities without same issues of larger cities the ability to compete.	City of Rancho Santa Margarita	Project U includes funding for the Senior Mobility Program which does allocate funds by formula. Project V is a competitive program in which large and small cities would have equal opportunity. Project W will be focused on areas with highest numbers of passengers. Project X will allocate funds to projects with greatest benefit to water quality, regardless of location.
T-16	Transit: Local initiatives Evaluation Criteria /	a) The section that states that local initiatives will be localized rail projects predetermines what projects will be – eliminate the statement.	Southern California Commuters Forum / D. Mootchnick	a) References to "rail transit" will be replaced with just "transit". Modes in competitive programs are to be determined based on transportation needs and project parameters.

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T-16 cont.	Effectiveness	<p>b) OCTA has funds and manpower to develop projects, not local agencies. Explain or eliminate concept of competition. Eliminate Project V (Community Transit) and consider as part of S (Metrolink extensions).</p> <p>c) add cost effectiveness to transit evaluation criteria</p> <p>d) plan assumes transit growth based on central corridor or business district – no evidence this will emerge</p> <p>e) Current Metrolink ridership is 10,000-12,000 per day...mostly inter-county. With the plan only 10,000 more – whole plan needs revision....only 7,000 more for service to LA and Riverside Counties and no mention of Metrolink funding commitments in other counties.</p>		<p>b) Competition and entrepreneurship i.e. public-private partnerships is one of the cornerstones of the plan. The perspective is that competition creates efficiencies and effectiveness. This is true for both Project V and S.</p> <p>c) Cost effectiveness is included in evaluation criteria.</p> <p>d) The plan uses the existing the Metrolink corridor as a backbone and builds from there. This is because 2/3 of Orange County's residents live within a 4-mile radius of a Metrolink station and 2/3s of the jobs are located there.</p> <p>e) OCTA is advancing a multi-modal program of projects. Opportunities to continue to widen freeways beyond existing right of way are becoming more challenging with significant right of way constraints as well as environmental issues.</p>
T-17	Transit: Regional Gateways	<p>High-speed state and regional projects are speculative – do not consider these until they become a reality. (Reference Project T)</p>	Southern California Commuters Forum	<p>While still in early planning stages, Orange County does not want to be excluded from high-speed rail plans. That is why funding, in an amount of about \$227 million, is included for regional gateways. If these systems do not materialize, the 10-year review could be used to reallocate funds to different program within the transit category, or with voter approval, to other modes.</p>
T-18	Transit: Metrolink Extensions	<p>Trains scheduled every ½ hour are not justified – these are for commuters – happy medium would be adding one or two hours to peak commuter traffic hours to service non-commuters</p>	Public comment email	<p>The concept is to use existing Metrolink right of way to create high frequency, convenient intra-county transit service to serve Orange County. Metrolink extensions then would feed this high quality service.</p>

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T-19	Transit: Monorail	<p>a) Why does the county not build a monorail system? (Ref: people movers could be built near South Coast Plaza, Downtown Fullerton, Cal State Colleges, Irvine, Airport area....etc.)</p> <p>b) Another person wants to know why OCTA does not build a monorail down freeway medians...it would cost almost nothing, no additional land is needed.</p>	<p>Public comment email</p> <p>Public comment via telephone</p>	<p>a) While monorails are not explicitly included in the plan, Metrolink extensions (Project S) are technology neutral. This means that if a local agency forwards a monorail project that competes well (as compared with other projects/modes), under this proposal, it would qualify for funding.</p> <p>b) OCTA has explored building rail in the median of the freeways...one such proposal was considered with the I-405 Major Investment Study. However, the mostly elevated option was deemed too costly with too many impacts for adjacent communities.</p>
T-20	Transit: Need More	<p>Need much more emphasis on public transportation...proliferation of cars/crowding. Population spread out so it's difficult; enclosed LA Times article on toxic air.</p> <p>Favor using M money to improve mass transit versus freeways.</p> <p>Measure M doesn't push enough the need for alternative modes – train system doesn't seem extensive, efficient, attractive enough for those commuting by car to switch to train or bus. Need homes closer to business districts. Percent of funds needs to be 50/50 – more transit on freeways, subways branch out from train.</p> <p>In favor of mass transit between Orange and Riverside Counties..opposed to routes through Santa Ana Mountains. *</p>	<p>Public comment letter</p> <p>Public comments (2) via telephone</p> <p>Public comment email</p> <p>Wild Heritage Planners</p>	<p>Comments noted.</p> <p>Measure M does not include plans to construct routes through the Santa Ana Mountains but does include an investment of \$1.5 billion in the SR-91 corridor.</p>

Ref	Subject	Summary of Comment	Source	Response
T-21	Transit: Pacific Electric Right of Way	Measure M funds should be used on the rail right of way from Los Angeles to Santa Ana	Public comment via telephone	OCTA owns the Pacific Electric Right of Way. While not explicit in the plan, Metrolink extensions may include utilization of this right of way to connect with the backbone Metrolink system.
T-22	Transit: Development, Education	Continue educating the public and work towards different kinds of mass transit corridors along with diverse housing... high rise building, communities, hospitals, universities, affordable housing part of mix....educate young people about mass transit -- encourage bikes, use of buses built into community designs. We can't drive our way out of an emergency situation.... I could envision trains/high speed buses coming from 91 systems into transportation centers such as the one proposed in Anaheim, Santa Ana and Great Park areas...connect to airports.	Public comment email	Comment noted.
T-23	Transit: Consolidate, Post Schedules	Pleased to see commitment to expand Metrolink. Please create a consolidated train schedule -- at this time, no one source incorporates all train lines; please post train schedules at train stations	Public comments via email	This comment is being referred to OCTA's marketing department for consideration with the FY 2007 budget.
T-24	Transit: Shuttle Service to LAX	In the future do you plan to implement bus shuttle service to Los Angeles airport from south Orange County?	Public comment via email	No. OCTA cannot compete with private providers of charter bus service.

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T-25	Transit: Alternative methods	a) Plan doesn't push hard enough the need for alternative transportation methods. Train system doesn't seem extensive, efficient and attractive enough for those commuting by car to switch over to train or bus* b) Orange County city planners need to develop centralized cities, with homes closer to business districts*	Public comment via email	a) Transit component of plan proposes investment in the existing backbone of Metrolink and cities are encouraged to pursue transit projects that work with land use policies. b) Transit component of Measure M is based on creating incentives to build transit. The competitive program selection criteria rewards projects that are in proximity to jobs and population centers where transit is more effective.
T-26	Transit: Increased Services	Would like bus transit service to extend from Orange County to Santa Monica. *	Public comment via letter	Comment forwarded to OCTA bus service planning for consideration.
T-27	Transit: Allocation	25% of revenues towards transit is overcompensation into an element that may not be as productive as improvements might be. Recommend that 25% be used for eligible applicants who already have a plan to improve transit.*	Hills for Everyone	Projects will undergo rigorous review with strict evaluation criteria to ensure they are, among other things, complementary and connect with existing transit services, increase transit ridership, provide congestion relief and are cost-effective providing regional as well as local benefits.
T-28	Transit: Allocation	Reconsider the allocation of funds for public transit, including areas of the county that are not along the Metrolink system. Would like improvements in intercity bus service to communities not on the Metrolink corridor*	League of Women Voters of Orange County	The Renewed Measure M Plan's Project V is a program designed to tailor transit to a communities local needs. Approximately \$227 million is available, on a competitive basis, for local community-based shuttles, trolleys, etc. OCTA existing funds include plans to expand service on transit grid. OCTA transit plans include a countywide Bus Rapid Transit network to be funded through existing transit funds. New BRT projects also could be funded under the Renewed Measure Plan if local jurisdictions propose them and services are approved under Project "S". However, the approach with the Renewed Measure M Plan is that it augments existing programs and does not supplant existing expenditures.
E-1	Environmental Cleanup	Urges OCTA to include broader environmental mitigation and enhance existing water quality clean up funding already in it to meet long-term	Friends of Harbors Beaches and Parks Coalition	Funds will be awarded based on recommendations of a 13 member committee comprised of representatives of non-profit and governmental agencies committed to protecting

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E-1 cont.	Environmental Cleanup	<p>objectives for habitat conservation and adequate and meaningful mitigation from transportation projects.</p> <p>Like San Diego, include a robust Environmental Mitigation Program...allows for expedited permitting of transportation projects and funding for programmatic mitigation based on land acquisition, habitat management, monitoring.</p> <p>Who will allocate funds? In what process? More detail needed.</p> <p>How will OCTA ensure that Measure M projects are designed and built to be sensitive to the local community; i.e. "context design," landscaping, urban design treatments, furnishings, etc.?</p> <p>Local funding program should be revised to incorporate a fair share funding contribution from Riverside County. *</p>	Hills for Everyone	<p>water quality and according to criteria that emphasizes countywide benefits, a competitive program and programs that must supplant and improve, not replace, existing city pollution reduction efforts.</p> <p>Funding for water quality improvements are included in the Plan to be allocated in a competitive program. Proposals for a programmatic mitigation program and context sensitive design policies are under discussion.</p>
E-2	Environmental Cleanup: Implement	Supports allocating to capital projects through a competitive program similar to regional road program with technical committee comprised of government and non-governmental experts	Orange County Coast Keepers	This concept will be included in the implementing Ordinance.
E-3	Environmental Cleanup: Eligibility, Implement	<p>Include funds for habitat acquisition and wildlife corridors in areas traversed by roads</p> <p>Include funding for water quality such as natural water treatment including landscaped swales and setbacks and watershed protection and enhancement.</p>	A coalition of environmentalist (36 letters received)	See E-1 and E-2 above.

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E-4	Environmental Cleanup: Program and name suggestions	-Support competitive program approach, suggest re-title to "Water Quality and Beach Cleanup" Term, Environmental Cleanup, often associated with hazardous waste in soil and groundwater. Suggest "clean beaches/water quality improvements". Also, make transportation nexus connection clear and clarify difference between mitigation and set asides.	Orange County Business Council The Orange County Transportation Professionals	Comments noted.
E-5	Environmental Cleanup: Implementing, No Supplementing Funds	Project should be competitive and not be used to maintain or expand existing services i.e. street sweeping. They should also be part of a larger transportation project and funds should not be used to fulfill the objectives of any other program or mandate.	Automobile Club of Southern California	Plan language will clearly articulate that the program is competitive, there is a nexus between transportation and environmental cleanup programs, and funds may not supplant existing funds.
E-6	Environmental Cleanup: Water Quality	Eligible projects should be broken down by watershed.	City of Newport Beach	This concept will be included in the implementing Ordinance.
E-7	Environmental Cleanup: Habitat, Context Design, Programmatic	Measure should include a clear goal that funded improvements should result in a net environmental and biological benefit to the county. Urge M include: <ul style="list-style-type: none"> ▪ Significant funding for habitat acquisition, management, restoration ▪ Funding for water quality directed to environmentally friendly water quality measures ▪ Funding for Context Design directed at improving aesthetics by increasing landscaped setbacks in lieu of sound walls Suggest programmatic approach versus project-by-project mitigation. Acquire key private owned parcels to secure and enhance habitat quality and functions of the system of natural open	Endangered Habitats League The Trust for Public Land*	See E-1 and E-2 above.

Ref	Subject	Summary of Comment	Source	Response
E-7 cont.		space in Orange County.		
E-8	Environmental Cleanup	Stay focused – environmental cleanup is stretch... you've got more money than you need	Public comment email	Comment noted.
E-9	Environmental Cleanup: Habitat, recreational areas	How to build roads to address increases in traffic....there will come a time when any amount of roads won't do the trick... growth is all the more reason to set aside parks, habitat and recreational areas BEFORE roads are in place.	Public comment email	Comment noted.
E-10	Environmental Cleanup: General	Issues relative to California Environmental Policy Act – process, alternatives, global warming, Riverside impacts, environmental justice.	Sierra Club email	Comments noted.
E-11	Environmental Mitigation	The last two bulleted items in Project X, Environmental Cleanup, should be included in all elements of the plan. What happens if one or more of the requirements listed in Project X are not met.*	Hills for Everyone	The last two bullet points in Project X relate to administrative costs and penalties for misuse of funds which apply to all programs. This is noted in the safeguards section of the document. Project development will be done in cooperation with key stakeholders including the environmental community.
E-12	Environmental Mitigation	Would like a Plan to minimize harmful effects on the environment and provide funding of studies of the effectiveness of mitigation efforts to sustain existing habitats*	League of Women Voters of Orange County	Plan includes environmental mitigation competitive program in the amount of approximately \$237 million. In addition, discussions are underway with environmental coalition that has requested a programmatic approach and: <ul style="list-style-type: none"> • Significant funding for habitat acquisition, management, restoration ▪ Funding for water quality directed to environmentally friendly water quality measures ▪ Funding for Context Design directed at improving aesthetics by increasing landscaped setbacks in lieu of sound walls This would include development of a Master Environmental Mitigation and Resource Protection Plan.

Ref	Subject	Summary of Comment	Source	Response
A-1	Safeguards & Audits: Penalties	Black-out Period: Support for penalties for jurisdictions that misuse funds	Automobile Club of Southern California	Five-year "blackout" is included.
A-2	Safeguards & Audits: Oversight	The current Citizen's Oversight Committee's role should be strengthened – allocate a dedicated annual budget, include performance reviews. Support for the proposed independent oversight committee during the entire period of the program.	Automobile Club of Southern California City of Rancho Santa Margarita Public comment via email	Comments noted. The proposed Taxpayers Oversight Committee may request any resources necessary to do its job. The proposed Taxpayers Oversight Committee would conduct annual audits, receive ongoing progress reports, and play an oversight role in the 10-year review of the plan. In addition, a performance review of the implementation of Renewed Measure M will be required every three years and the results must be shared with the Oversight Committee.
A-3	Safeguards & Audits: Public Reports	Annual public report, subject to regular independent audits should be required to measure city's improvement towards achieving reasonable pavement standards.	Orange County Business Council	In order to be eligible for funds, the cities and the county will be required at least every three years to adopt and update a local Pavement Management Plan compatible with the OCTA's. Cities that agree to annual reporting will be eligible for lower match requirements for competitive funds.
A-4	Safeguards & Audits: Admin Costs	Plan does not address general administrative costs. Clarify what's included in the 1% cap.	The Orange County Transportation Professionals	The 1% limitation applies to the salaries and benefits of the Local Transportation Authority.
A-5	Safeguards & Audits: Plan Changes	The scope of a "major change" requiring a vote of the electorate should require a vote when there is a change in the amount of expenditures across major funding categories (freeway, streets and roads, transit, environmental cleanup) but which allows flexibility of expenditures for improvements within the funding category.	City of Mission Viejo	This approach is similar to what is in the existing Measure M program and is being proposed to be carried forward with a Renewed Measure M.
A-6	Safeguards & Audits: General	Support for strong taxpayer safeguards as proposed.	City of Rancho Santa Margarita	Comment noted.
A-7	Safeguards & Audits: 10-year review	a) Recognize a process of reviewing the plan every 10 years and redefining the remaining years' programs.	Southern California Commuters Forum / D. Mootchnick	a) and b) This is the purpose of the 10-year review process – identify program status and assess (and potentially revisit) priorities.

Ref	Subject	Summary of Comment	Source	Response
A-7 cont.	Safeguards & Audits: 10-year review	b)Plan should include a contingency plan to address what could happen to funding that is designated for a project that is not completed, is dropped or is not approved.*	Hills for Everyone	
A-8	Safeguards & Audits: Judicial appointed Inspector General	Only way to insure compliance with the mandate of a tax renewal is to have a judicial appointed Independent Inspector General.	Public comment email	Taxpayers Oversight Committee is independently selected through a process managed by the Orange County Grand Jurors Association.
A-9	Safeguards & Audits: 10-year review	Dissatisfaction with safeguard to review plan every 10 years, implies nothing will get done for 10 years *	Public comment email	Comment noted.
0-1	Other: Ballot Measures + Adjacent Counties	-Develop strategies to deal with competing state ballot measures; emphasize self-reliance/local control; Encourage Los Angeles to do its share of improving I-5	Orange County Taxpayers Association	The OCTA Board of Directors will review possible competing ballot Measures before a July decision to request an election. LA County has prioritized and begun funding I-5 widening.
0-2	Other: Leveraged dollars	Leveraged local tax dollars bring significant state and federal transportation tax dollars back to the county.	The Orange County Transportation Professionals	Concur. In situations where Orange County may have the opportunity to attract state or federal funds, having Measure M to match these dollars increases chances for funding. With 18 counties having local sales tax measures to fund local transportation projects, the state and federal funding systems reward counties that bring funds to the table. It is estimated that about \$1.1 billion in total matching funds (about \$870 million of this from state sources) have been attracted because of the existing Measure M.

Ref	Subject	Summary of Comment	Source	Response
O-3	Other: Project Descriptions	Project descriptions, including benefits, should be commensurate with financial expenditures. When talking about service levels, think about time savings and average speeds.	The Orange County Transportation Professionals	Comment noted.
O-4	Other: Report Format	<ul style="list-style-type: none"> -Put audits/safeguards at front -Too much text - Need to state in booklet (and all messages) that what public has asked for is what's in the Plan. --Needs graphs/charts to illustrate problem and how M will get to solutions quicker and average per capita spending w and w/o M (leveraging scenario) Greater use of graphics is encouraged to increase comprehension...A strong message can be made by showing average reduction of travel time per corridor for an average motorist if there was no Measure M. 	<p>Written comments from city Managers, and city elected officials submitted through League of Cities and Super Committee to OCTA.</p> <p>The Orange County Transportation Professionals</p>	Use of graphics and advocacy messages in the Plan is limited by a requirement that the Plan be part of the voter pamphlet.
O-5	Other: Public Private Partnerships	<p>Encourage greater cooperation between the public and private sector; encourage public-private partnerships</p> <p>Use of public private partnerships in implementation of existing Measure M has proven to be a most cost effective and efficient approach. Private sector planning, surveying, engineering provides "more with less" & enhanced delivery of projects. This should be a strong commitment and stated element in the Transportation Investment Plan.</p>	<p>Orange County Business Council</p> <p>The Orange County Transportation Professionals</p>	Part of the implementing ordinance will encourage the use of public-private partnerships.

Ref	Subject	Summary of Comment	Source	Response
0-6	Other: South County Study	Ensure sufficient flexibility is provided in the final plan and ordinance to permit the use of Measure M funds for South Orange County transportation projects that may be identified in the (South County) Major Investment Study.	City of Laguna Niguel City of Mission Viejo	The plan notes that specific improvements will be subject to approval plans developed in cooperation with local jurisdictions and affected communities. The ten-year review process provides an opportunity for major changes to the plan.
0-7	Other: Soundwall Eligibility	Modify guidelines for soundwalls... community is interested in protecting recreational areas, wildlife corridors, open space areas adjacent to residential properties... these areas should qualify as sensitive (noise) receptors.	City of Laguna Hills	Comment noted.
0-8	Other: Toll Road Buyout	Include an option for early buyout of the 91 Toll Road. Buyout the TCA and acquire 51 miles of pavement instantly.	City of Rancho Santa Margarita, Public comments (2) via telephone Public comment email	Comment noted and will be forwarded to the OCTA Board of Directors for consideration. Focus group and poll data suggest this option is not popular with Orange County residents, especially when costs are identified....data suggests they prefer additional improvements over acquisition of existing facilities.
0-9	Other: Ordinance	Calculation of Maintenance of Effort and proposed escalation needs to be explicit in ordinance. Provide a copy of the full ordinance for review.	City of Rancho Santa Margarita	The calculation will be explicit in the implementing Ordinance. The draft Ordinance is currently under review by a legal committee and will receive broad review in the period April --June 2006.
0-10	Other: Plan Horizon & Allocations	Some favor 20 versus 30-year plan. The percentage allocation between transit, streets and roads and freeways should better reflect what was best for City residents, and that flexible prioritization should be included for projects included in the Plan.	City of Rancho Santa Margarita	The 30-year plan represents the best collective efforts with cities and others to determine and address future transportation needs. The ten-year review provides a mechanism to routinely re-visit priorities. Any major changes would go back to the voters.

Ref	Subject	Summary of Comment	Source	Response
0-11	Other: Request for Information	OCTA is to supply the City with available statistics regarding commuting habits of city residents.	City of Rancho Santa Margarita	The data will be provided by OCTA.
0-12	Other: Support for Plan	Support the Renewed Measure M Plan Extend Measure M and help fund improvements on Freeways, roads and transit. Also I-5 in south County... also use dollars for environmental cleanup in the Green Vision Movement. Everything on the plan looks good.*	City of Seal Beach Public comment letter Public comment letter	Comments noted.
0-13	Other: Add Non-Motorized Category	a) Consider establishing a Non-Motorized Transportation category. b) Additional funding for bike lanes and non motorized hiking trails * c) Funding should be allocated to encourage cyclists and pedestrians by such means as improving bikeway connections and incentive programs.*	Citizen's Advisory Committee: Transit Working Group Public comment letter Hills for Everyone	a), b) and c) Comments noted. Non-motorized transportation modes -- biking, walking -- are eligible expenses under the fair share/program based on local priorities. It is not recommended to create a separate modal category; rather local agencies would be permitted to allocate funds to these programs based on local needs.
0-14	Other: High-polling item	If a high-polling item is in the ordinance, emphasize it.	Citizen's Advisory Committee: Transit Working Group	Comment noted.

Ref	Subject	Summary of Comment	Source	Response
0-15	Other: Plan Horizon	Consider 40 years to create additional funds for environmental and transit funding.	Endangered Habitats League	Comment noted.
0-16	Other: Feedback on Existing M	I have watched success of OCTA and some successful investment of M funds. Unfortunately, I have also witnessed significant waste and cavalier attitude toward quality and adherence to standards....I-405/SR-55 HOV structure	Public comment letter.	Comment noted.
0-17	Other: Plan Vision	<p>1) No vision is espoused in the draft plan....the vision of a glorified Metrolink centered transit network still only carries a small percentage of traffic. Drop term "visionary". (not used for freeways and streets, only transit)</p> <p>2) Allocation of funds is faulty...about 2% of travel is on transit so why does transit get 25%? Revise to 5%</p> <p>3) Add goods movement projects.</p> <p>4) The plan assumes no State and Federal matching funds...of the \$24 billion drivers contribute, only \$12 billion returned.</p> <p>5) There is no way to predict over 30 years – 10-year review inadequate.</p> <p>6) Overview: page 2, implies expansion in freeway – not true: delete expand.</p> <p>7) Page 2: "Plan does not require new taxes", drop sentence – extension larger than if not renewed</p> <p>8) Page 3 -- "Program designed to reduce traffic congestion" – Change to indicate the program will only mitigate part of increase in congestion</p>	Southern California Commuters Forum/ D. Mootchnick	Comments noted.

Ref	Subject	Summary of Comment	Source	Response
0-18	Other: General Feedback	Congratulate on what appears to be a prudent investment of taxpayer money... like signal synchronization.	Public comment email	Comment noted.
0-19	Other: Dissatisfaction	<p>After millions wasted on CenterLine, I'll never vote for another Measure M</p> <p>You lied to voters last time saying it would go for freeway improvements... then you spent it on buses and trains. I won't vote for it again.</p> <p>Completely against.</p> <p>Against tax – why not get our fair share of gas tax?</p> <p>State of California and Orange County have enough money – against Measure M – don't need any more.</p> <p>Has problem with Measure M mailer and bus wraps.</p> <p>The \$2.8 billion earmarked for transit should be returned.... dissatisfaction with existing transit.</p> <p>Basic flaw in government money management... I voted against Measure M because it is a TAX and nothing by any other names. If legislators stop grabbing from transportation fund, there would be enough money for transportation</p>	<p>Public comment email</p> <p>Public comment email</p> <p>Public comment via telephone</p> <p>Public comment via telephone and letter</p> <p>Public comment via telephone and letter</p> <p>Public comment via telephone</p> <p>Public comment email</p> <p>Public comment email</p>	Comments noted.

Ref	Subject	Summary of Comment	Source	Response
0-20	Other: OCTA and TCA	Questions how much OCTA and the Transportation Corridor Agencies (TCAs) work together.... seems like TCA is off on its own.	Public comment letter	OCTA and TCA collaborate on planning and toll road operations. For example, TCA recently participated on a Major Investment Study looking at transportation options between Riverside and Orange County.
0-21	Other: If M is not approved	What are drawbacks if Measure M is not approved?	Public comment letter	Orange County will not have approximately \$310 million in transportation funds in the first year (2012) compounded each year after that and cities will not have roughly half of their current funding for local street maintenance and improvements. Without Measure M, Orange County does not have money to fund transportation capacity projects and maintenance projects and there will be limited funding to match state and federal funding.
0-22	Other: Idea to Raise Money	Instead of putting floral pictures on walls, sell ads. What do you think?	Public comment email	Comment noted.
0-23	Other: Request for Information	Am "pro" M but trying to find a person who can get a street opened -- Springdale in Cypress turns into Holder and dead ends at Stanton Channel... 27 years ago Harvey Young gave money to have this street opened. What's status?	Public comment via telephone	The road is currently shown on the countywide Master Plan of roadways. Implementation, however is the responsibility of the respective City.
0-24	Other: 30 Year Plan	30 year extension is too long. No one knows what fiscal conditions will be from now until 2037. *	Public comment letter	The 30-year plan represents our best collective efforts with cities and others to determine our future transportation needs. Undoubtedly, there will be areas that need to be revisited and changed. There are two mechanisms that could be used to address such a change in transportation priorities. Within the draft plan's safeguard measures, minor changes to Measure M can occur within each mode by a two-thirds vote of the Taxpayer Oversight Committee and a two-thirds vote of

*Comment logged after 4/14/08

Ref	Subject	Summary of Comment	Source	Response
O-24 cont.	Other: 30 Year Plan			the OCTA Board of Directors. Should a major change need to be made, the plan would need to go back to the voters for approval. And, every ten years, or more frequently if needed, OCTA must conduct a thorough assessment of the plan to determine if changes should be submitted to the voters.
O-25	Other: Public Mailing	Benefits of Measure M mailer is a misuse of funds that were earmarked for road improvement.*	Public comment letter.	The mailer was designed to solicit input on the plan-about 13,000 responses were received and comments have been noted and plan revisions made.
O-26	Other: Fair Share	Rate of fair share mitigation for future development should be analyzed to determine if it needs to be adjusted so that not all taxpayers will be stuck paying the bill for congestion caused by continued urbanization. The Measure should include analysis showing a reduced development scenario and how traffic would be affected.*	Hills for Everyone	Comment noted.
O-27	Other: Overall Transportation Funding	Misappropriation of part of the tax on gasoline should be remedied by direct state legislation, not a refusal to extend the countywide Measure M tax.*	Public comment letter	There are ongoing statewide efforts to close the loopholes that allow the state to divert transportation resources to non-transportation purposes.

Ref	Subject	Summary of Comment	Source	Response
O-28	Other: Additional Funding	Plan does not address sufficient funding for significant environmental mitigation efforts as transportation projects are implemented*	League of Women Voters, Orange County	In addition to the estimated \$237 million for the environmental cleanup program, the Plan assumes over \$200 million for environmental mitigation of freeway projects. This is in addition to mitigation for streets and roads and other capital projects.
O-29	Other: Public Education Mailer	Mailing was designed to convince voters to approve extension of Measure M*	Public comment letter	Response pending.

The Orange County Division of the League of California Cities unanimously recommended the following action on Thursday, April 13, 2006:

1. Approve the Measure M Renewal Super Committee report substantially in the form submitted;
2. Recommend the cities Orange County adopt a resolution to place the Measure M Transportation Investment Plan, substantially in their forms submitted, before the voters of Orange County in November of 2006.



Measure M Renewal Super Committee Report

A Report to the Orange County Division
League of California Cities

Respectfully Submitted:
Thursday, April 13, 2006
By the Orange County Division, League of California Cities
Measure M Super Committee

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***Please note:** Appendices are provided in electronic form on the enclosed compact disc. Clicking on an Appendix with your mouse will open the respective file.

a. Introduction

On November 6, 1990, Orange County voters approved Measure M, a half-cent local transportation sales tax to be collected for 20 years. The revenue generated from Measure M has been used to fund critical freeway, road and transit projects in Orange County. However, the sales tax is set to expire in 2011 and with travel on our roads and highways expected to increase 39 percent by the year 2030, continued investment in Orange County's transportation system is more important than ever. To illustrate the need, SR-91 alone will carry more than 400,000 trips per day by 2030, up from its current 250,000 trips per day.

In order to address our current and future transportation needs, renewal of the half-cent sales tax is imperative. Since June 2005, a group of Orange County elected and appointed officials (appointed by the League of California Cities, Orange County Division), collectively known as the "Super Committee," has met regularly to identify future transportation projects and programs to be included in a renewed Measure M and to attain support for the renewal effort from Orange County cities. This report summarizes the Super Committee's discussions, debates and conclusions, and outlines why city support of the proposed projects and programs is critical for success.

b. The History of Measure M

The 1980s marked a time of tremendous growth in Orange County as the area continued to transition from its agricultural roots to a desirable, suburban locale. However, needed transportation upgrades were lacking, as Orange County had consistently been a "donor county," paying substantially more in gasoline taxes into the State Highway Account than the County received back in highway construction, maintenance and operational revenues. While state and federal representatives carried legislation to provide alternative funding for new transportation corridors, adequate funding to achieve the needed expansions of key Orange County highway and roadway corridors was still lacking.

In his second term, a key strategy of Governor George Dukmejian's infrastructure plan was to allow county governments to raise the local sales tax by up to one-cent to pay for local transportation projects. However, in Orange County, passing such a tax to provide needed transportation improvements was not an easy task. In 1984, voters soundly rejected a proposal for a full penny local transportation sales tax by a margin of 70 percent to 30 percent. Beginning the following year in Santa Clara County, voters began approving one-half cent local sales tax measures for transportation. Despite the hard work of Orange County elected officials, business leaders and concerned citizens, voters rejected the next attempt in 1989. However, with improvements to the measure, including a number of local sales tax "best practices" that were adopted by other counties in

California, success was finally achieved in 1990 with 55 percent voter approval of Measure M. Today, 18 counties in California have taken this path of "self-help" to meet transportation needs.

In addition to the taxpayer safeguards built into the plan, a critical element of success was the contribution of the Orange County Division, League of California Cities, in forming the first transportation Super Committee. The Super Committee generated a specific list of projects that would be undertaken with the revenue from the new measure and helped develop a plan for marketing Measure M to the voters. Additionally, Super Committee members communicated the need to create a reliable transportation revenue source for Orange County's growing population and economy to their local constituencies.

**c. The First Measure M:
A Contract with the Voters**

With the passage of Measure M in 1990, voters adopted the Revised Traffic Improvement and Growth Management Plan. The plan provided for needed countywide transportation facility and service improvements to be funded, in part, by a half-cent sales tax for a period of twenty years. As the administrator of the Measure M program, the Orange County Transportation Authority (OCTA) was responsible for ensuring the timely delivery of the projects and programs approved by the voters.

Measure M
<ul style="list-style-type: none"> ● Approved by 55 percent of voters in November 1990 ● One-half cent local transportation sales tax for twenty years ● Specific spending plan approved by voters ● Ends on April 1, 2011; and can be extended only with two-thirds majority voter approval.

Measure M included specific policies related to revenue allocation funding eligibility and spending safeguards, such as:

Allocation of Revenues

- 43 percent to Freeway Projects
- 32 percent to Streets and Roads
- 25 percent to Transit Projects
- Any changes to expenditures between the major funding categories must ultimately be approved by voters

Maintenance of Effort

The implementing ordinance specified that funds raised by Measure M could only be used to enhance and not supplant or replace local funds already directed to transportation improvements and programs. To qualify to

receive Measure M funds, cities and the County must maintain a minimum level of expenditures for local streets and roads, dubbed the "Maintenance of Effort." An annual independent audit may be conducted to verify an agency's Maintenance of Effort.

One percent limit on administration

A limit of one percent for related administrative costs, such as OCTA staff salaries and benefits, was also part of the contract with voters.

Citizen's Oversight Committee

A citizen's committee, chaired by the Orange County Auditor-Controller, oversees compliance with the plan by holding an annual public hearing to determine whether OCTA is proceeding in accordance with the plan. Since its inception in 1990, the Measure M program has been found in compliance with what was promised to the public.

Despite Measure M's twenty-year horizon, most of the transportation improvements promised to the voters in 1990 have already been delivered, or will be under construction by 2006. In the nearly 16 years since Measure M passed with 55 percent voter approval, OCTA has worked diligently to honor its contract with the voters. The following table tracks the completion of the Measure M projects and programs.

Measure M Deliverables

Projects	Completed	Ongoing	Underway
I-5	✓		
I-5/I-405	✓		
SR-55	✓		
SR-57	✓		
SR-91	✓		
P.E. ROW Purchase	✓		
Metrolink: OC to LA	✓		
Metrolink: Riverside to OC	✓		
Fare Stabilization	✓		
Transitways	✓		
Regional Road Projects		✓	
Local Turnback		✓	
SR-22			✓
I-5 Far North			✓
Rail Transit			✓

d. Measure M Expiration

The ballot measure approved by voters in 1990 funded countywide transportation facility and service improvements for a period of 20 years. Therefore, without voter-approved renewal, the half-cent sales tax that provides funding for Measure M will expire in 2011.

Since passage of Measure M, state and federal transportation funds and local gas taxes have failed to keep pace with the demands to maintain and improve Orange County's road, highway and transit systems. The State of California continues to face structural budget deficits, which will likely continue to impact transportation funding negatively. The impacts of the State's budget woes are exemplified by Proposition 42 dollars, intended for road maintenance, but have been continually diverted to backfill state budget deficits. While some statewide efforts are underway to help transportation funding, the "self-help" county component remains a critical part of the future of transportation in California. In fact, some of the current State bonding proposals contains matching funding to self-help counties, which only supports the trend away from state and Federal funding to more locally based solutions.

The Measure M one-half cent transportation sales tax has proven to be the most reliable source of funds for transportation improvements in Orange County. This was exhibited most clearly when Measure M funds were used in 2004 to backfill a shortfall of state funds to complete the widening of the Garden Grove Freeway (SR-22). This also demonstrates a statewide trend that those California communities with local sales tax programs are able to keep high priority projects on track and those without a local sales tax have had to delay or abandon improvements.

Today, Orange County continues to face rapid population growth and remains a desirable destination. Like its previous transition from a rural to suburban region, Orange County is now becoming more urban. In spite of its growth, and not for lack of trying, the county still maintains its status as a state and federal donor county. Unfortunately, there does not appear to be much hope this will change any time soon. Generally, Orange County does not receive a proportional share of state and federal transportation funds in relation to its population or tax dollar contribution sent to Sacramento or Washington. In fact, with over three million residents, Orange County has a population larger than 21 states, but its per capita transportation funding in the federal transportation authorizations have persistently been lower. This shortfall is a function of the way transportation funding is generally allocated – urban areas subsidize rural areas. With respect to federal funds, while Orange County received over \$100 million in federal funding in the recent six-year transportation reauthorization bill, some of the major

regional projects for which Orange County officials were seeking federal assistance were left unfunded by Congress.

Therefore, Measure M is relied upon substantially by cities and the County of Orange to maintain and rehabilitate local and regional roads, as these funds represent approximately 50 percent of local road maintenance budgets. With no other funding available to replace Measure M funds, local officials are concerned that street maintenance may be deferred, resulting in costly future road rebuilding and pavement rehabilitation.

Over the last 20 years, state and federal funding for freeways have largely gone toward maintenance and rehabilitation as well as earthquake retrofit projects. Simply stated, freeway widening or "capacity" projects across the state generally do not get built without local transportation sales tax funds such as Measure M.

With 18 counties having local sales tax measures to fund local transportation projects, the state and federal funding systems reward local governments with matching funds. It is estimated that about \$1.1 billion in total matching funds (about \$870 million of this from state sources) have been attracted to Orange County and its 34 cities because of Measure M.

Lastly, primarily due to increased right-of-way costs, environmental mitigation and higher construction standards, costs for highway construction have gone up dramatically. Even after adjusting for inflation, it costs more than three times as much to build a highway lane mile today as it did in 1960. At the same time, the value of state and federal dollars available for improvements has fallen behind. For example, today, per vehicle mile, the gas tax produces about one-third the revenues it did in 1970.

In other words, funding transportation infrastructure will pose significant challenges to Orange County cities without the renewal of Measure M. For example, cities and the County of Orange will lose \$310 million in transportation funding in the first year alone without Measure M reauthorization.

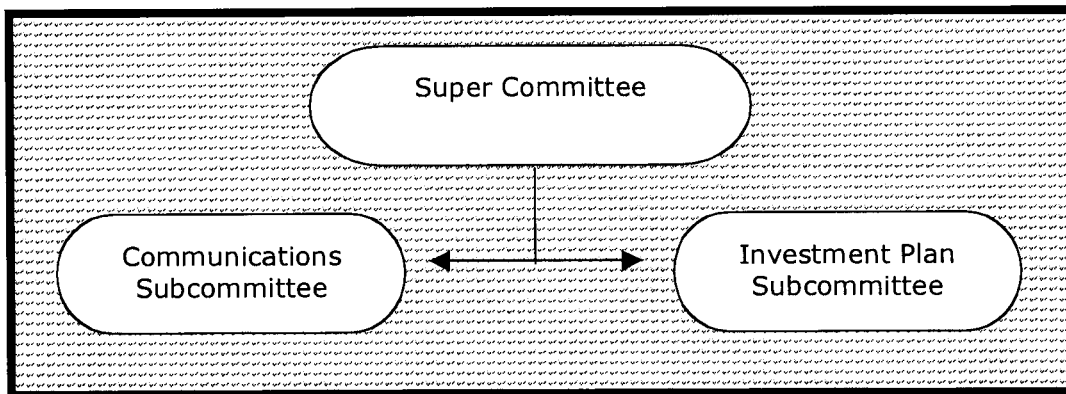
Moreover, it is important to renew Measure M before its sunset because by doing so, cities can begin working on critical transportation projects earlier, effectively plan for future needs with identified funding sources or even bond against future Measure M dollars.

e. Repeating a Successful Process: The Super Committee

Building on the successful collaborative process undertaken to pass the first Measure M, the Orange County Division, League of California Cities (Division) President Peter Herzog and Executive Director Janet Huston approached OCTA in

early 2005 to discuss partnering in efforts to reauthorize Measure M. A Super Committee, composed of elected officials, city managers and public works directors, was formed to identify necessary future transportation projects and programs to be included in a renewed Measure M. The goal of the Super Committee was to coordinate city input in the development of a consensus Investment Plan and to attain the necessary city approval from all 34 Orange County cities to place the renewal of Measure M before the voters of Orange County.

Orange County Division Super Committee Structure



Prior to the first meeting of the Super Committee, all 34 cities were surveyed to determine their satisfaction with the current Measure M allocations and solicit input on future transportation priorities. Each city was asked to provide a “wish list” of projects they wanted to see as part of a renewed Measure M. While some of these projects may have made it into the Investment Plan (and were used to assist OCTA in the Plan’s development), this “wish list” was also the cities’ best thinking (at the time) of what projects they would submit for competitive funding. At its first meeting in June 2005, the Super Committee was briefed on the results of the city “wish list” survey.

From these discussions, it became apparent that a successful Measure M renewal effort would require not only development of a comprehensive and widely-supported project list, but also an effective outreach program to increase public awareness of Measure M and focus attention on successfully completed local projects. To address these equally important challenges, the Super Committee formed two ad-hoc subcommittees – the Communications and Outreach Subcommittee (Appendix D) and the Investment Plan Subcommittee (Appendix E) – that would meet independently and jointly to develop recommendations for consideration by the entire Super Committee. The Communications and Outreach Subcommittee was charged with creating a communication plan to increase awareness of the importance of the renewal of Measure M; the Investment Plan Subcommittee was charged with developing the list of programs and projects to be included in the proposed investment plan.

In addition to the ongoing input by the cities regarding a new investment plan, the Super Committee worked with various stakeholder groups such as the business community, the OCTA Technical Advisory Committee (TAC)¹ and OCTA citizen committees, and reviewed the results of OCTA technical studies and the preferences of Orange County voters expressed through polling. This information provided the Super Committee a context from which to evaluate and discuss the projects and programs to be contained in the Draft Investment Plan.

The Communications and Outreach Subcommittee focused on reviewing polling results and input from constituents to identify strategies to communicate the importance of renewing Measure M to voters. Early polling indicated that Orange County voters were favorable to the idea of renewing the half-cent transportation sales tax, similar to voters in other counties that recently renewed transportation taxes.

Early Polling Comparison (November 2004)

County	Support Transportation Sales Tax Extension?		Support Sample Ballot Language?		Vote*
	Support	Oppose	Support	Oppose	
Riverside	65%	29%	71%	23%	69%
San Bernardino	64%	26%	75%	20%	79%
San Diego	62%	29%	73%	22%	67%
Sacramento	63%	25%	71%	22%	75%
Sonoma	62%	26%	68%	26%	67%
Solano	61%	32%	70%	26%	64%
Orange	57%	32%	71%	23%	---
*67% required for passage			Source: OCTA		

While the initial polling was indicative of a promising beginning, committee members expressed their desire to focus on the “finish line,” namely, obtaining the now higher *two-thirds* voter approval necessary for reauthorizing Measure M (in 1996, voters approved Proposition 218, which raised voter approval requirements for revenue measures like Measure M from a majority to two-thirds). Although awareness of Measure M increased 13 percent between November 2004 and July 2005, the Super Committee believed voter awareness of Measure M’s success was critical to its renewal. Thus, the Committee embarked upon an effort to:

¹ The Technical Advisory Committee (TAC) is comprised of Public Works Directors from Orange County cities.

- Ensure Measure M signs were posted in cities throughout Orange County at projects funded by Measure M
- Schedule over 70 Measure M presentations at City Council and community meetings
- Solicit the input of Committee Members' "personal information networks" including constituents, neighbors, business groups, community groups and environmental leaders

The Super Committee was also briefed on an October 2005 opinion poll of 750 likely Orange County voters that focused on transit and Riverside/Orange County transportation improvements. One of the objectives of the poll was to track support and opposition for a Measure M renewal and evaluate public views toward transit projects. The results of the poll revealed that, in October, there remained solid support for a Measure M renewal (72 percent), up three percent from July 2005. The results were shared with advisory groups and stakeholders and several of the findings were incorporated into the Investment Plan development process.

The Investment Plan Development Subcommittee concentrated its efforts on examining growth and traffic projections, providing feedback on transit and highway options, discussing projects and policies for streets and roads allocation and providing feedback on transit operations. Group exercises identified those projects that would be supported by virtually all city stakeholders, ones that would face opposition from many cities and still others that would divide cities roughly in half. Most importantly, the exercises enabled Committee Members to provide the following critical feedback on the types of projects and policies that should ultimately be included in the Investment Plan:

- Investment Plan should emphasize SR-91 improvements
- Investment Plan should address congestion on the Santa Ana Freeway (I-5) in south Orange County, Orange Freeway (SR-57) and the San Diego Freeway (I-405), with special attention to freeway confluence/interchange areas
- Interchange Projects should be categorized as Freeway Projects and should not be funded within the Streets and Roads element
- Funding levels for non-transportation programs, such as school safety, pedestrian bridges and sidewalk improvements should be capped at a specific dollar amount or percentage

The recommendations provided by the Investment Plan Subcommittee, and subsequently the Super Committee, were incorporated into the development of the Draft Transportation Investment Plan, discussed in detail in the following section.

f. Projects and Programs: A 30-Year Horizon

The Draft Transportation Investment Plan (Appendix B) was approved by the OCTA Board of Directors for public comment and released on January 9, 2006. It represents the culmination of efforts by the Super Committee, a Citizens Advisory Committee, focus groups, the Technical Advisory Committee (TAC), business and environmental groups. The Draft Plan includes a description of each proposed project and program under a renewed Measure M and divides them into three general categories: Freeway Projects, Streets and Roads Projects and Transit Projects. Also included in the \$11.9 billion Draft Plan is funding for "Environmental Cleanup" and a section outlining Taxpayer Safeguards and Audits.

It is important to note that the list of projects in the Draft Plan only represents the transportation projects that will be implemented in the coming years using Measure M funds. There are other transportation concepts and studies that various agencies are currently pursuing that will be financed through other funding mechanisms, including state and federal funds. Although they are not specifically mentioned in this Investment Plan, those efforts will continue. Further, all cost estimates in the Draft Plan include right-of-way acquisition, which is expected to be minimal. Based on Super Committee input, the goal of Measure M is to complete all projects within existing rights-of-way and to minimize impacts outside of existing rights-of-way.

There were several opportunities for public comment on the Draft Plan, including community workshops in Anaheim, Garden Grove, Huntington Beach, Laguna Niguel, La Habra and Lake Forest. The Super Committee was instrumental in publicizing the workshops by encouraging members to post workshop notices on City Web sites. Comments on the Draft Plan were received through March 31, 2006. There will then be a public education effort from April through July 2006 to inform Orange County residents about the projects that are included in the Investment Plan.

Freeway Projects

Improving Orange County freeways will represent the largest share of the Renewed Measure M program. Roughly \$4.9 billion, or 43 percent of net revenues, will be invested in freeway improvements. Based on comments received from the Super Committee and other stakeholders, congestion relief on the SR-91 will be the centerpiece of the freeway program and will include new lanes, interchanges and bridges. This is consistent with the findings of the October 2005 opinion poll, in which two-thirds of respondents believed improvements to the SR-91 should be given a high priority.

Other key projects supported by the Super Committee and included in the Draft Plan are improvements on the I-5 in south Orange County and the I-405 in western Orange County, as well as improvements to the "Orange Crush" (the confluence of I-5, SR-22, SR-55 and SR-57). A summary of proposed freeway projects and funding is included in the table below.

Draft Plan: Freeway Projects

Location		Costs (2005 estimates in millions)
I-5	Santa Ana Freeway Interchange Improvements	\$470.0
I-5	Santa Ana/San Diego Freeway Improvements	\$1,185.2
SR-22	Garden Grove Freeway Access Improvements	\$120.0
SR-55	Costa Mesa Freeway Improvements	\$366.0
SR-57	Orange Freeway Improvements	\$258.7
SR-91	Riverside Freeway Improvements	\$1,481.5
I-405	San Diego Freeway Improvements	\$819.7
I-605	Freeway Access Improvements at Katella Avenue	\$20.0
All	Freeway Service Patrol	\$150.0
Total		\$4,871.1

Also included in the list of freeway projects is "Freeway Service Patrol," which provides tow truck service for disabled vehicles on the freeway system. This program, at a cost of \$150 million, is designed to clear disabled vehicles out of freeway lanes quickly, thereby minimizing the length of time freeway lanes are shut down due to accidents. Nonetheless, the program generated some debate among the Super Committee members regarding whether non-capacity programs and projects should be included in the Investment Plan. The main concern was that inclusion of non-capacity projects might weaken public support for Measure M. As a result of this discussion, the Super Committee recognized the need to clarify that the Freeway Service Patrol program (as is the case of any project or program in the Draft Plan) does not supplant existing OCTA operating funds, but will keep pace with demand.

Streets and Roads Projects

Repair, rejuvenation and improvement of aging streets and roads will account for \$3.625 billion, or 32 percent of Renewed Measure M revenues under the Draft Plan. These funds would be devoted to fixing potholes, improving intersections, synchronizing traffic signals, widening existing streets and making the existing countywide network of streets and roads safer and more efficient. A table of the proposed streets and roads funding allocation follows.

Draft Plan: Streets and Roads Programs

Program	Costs (2005 estimates in millions)
Regional Capacity Program	\$1,132.8
Regional Traffic Signal Synchronization Program	\$453.1
Flexible Local Funding Program (fair share funding)	\$2,039.1
Total	\$3,625.0

Funding for streets and roads programs is apportioned to cities on both a competitive and formula basis. Under the current Measure M allocation, 14 percent of total revenue is provided to cities on a non-competitive, or “fair share” basis, based on population, street miles and sales tax collected.² The remaining 18 percent is distributed on a competitive basis as the regional capacity program.

The Super Committee considered multiple recommendations to adjust the streets and roads funding allocations under a renewed Measure M. In fact, this subject received the most intense scrutiny of any issue before the Super Committee. An ad hoc group representing the Orange County city managers, public works directors and the private sector developed the proposal approved by the Super Committee. These stakeholders met in an effort to develop recommendations to assist policy makers in deliberations about the allocation of streets and roads funds in the renewed Measure M Draft Transportation Investment Plan.

Through this lengthy discussion, it was decided the Flexible Funding Program, or fair share funding, would increase from the prior 14 percent to 18 percent of the net renewed Measure M funding. This would result in \$2.039 billion being allocated to local jurisdictions by the formula for the Flexible Local Funding Program. This change will result in the cities receiving over three times the amount they receive from the current turn-back funds. On the next page is a chart showing the projected dollar amounts each city will receive under the existing Measure M, a renewed Measure M and also with the existing Measure M allowed to sunset (Measure M not renewed).

Additionally, 10 percent of net Measure M revenues (\$1.133 billion) would be available to jurisdictions on a competitive basis through the Regional Capacity Program. Finally, four percent of net Measure M revenues (\$453 million) would be available for the Regional Traffic Signal Synchronization Program (on a competitive basis).

² Non-competitive, “fair share” funding is also known as “turn-back.”

Measure M Fair Share / Turn-back Projections

Jurisdiction	Existing Measure M (20-year)*	Renewed Measure M (draft/30-year)**	Measure M Not Renewed
Aliso Viejo	7,192,911	23,868,369	0
Anaheim	66,926,509	222,083,464	0
Brea	10,488,705	34,804,862	0
Buena Park	16,148,777	53,586,782	0
Costa Mesa	28,203,659	93,588,719	0
Cypress	10,748,447	35,666,769	0
Dana Point	6,627,522	21,992,228	0
Fountain Valley	12,375,358	41,065,379	0
Fullerton	25,287,371	83,911,549	0
Garden Grove	29,801,979	98,892,454	0
Huntington Beach	37,830,518	125,533,702	0
Irvine	45,205,377	150,005,834	0
Laguna Beach	5,316,659	17,642,366	0
Laguna Hills	7,444,816	24,704,271	0
Laguna Niguel	13,782,285	45,734,009	0
Laguna Woods	2,835,738	9,409,882	0
La Habra	10,513,553	34,887,316	0
Lake Forest	15,485,381	51,385,424	0
La Palma	3,615,028	11,995,813	0
Los Alamitos	2,625,756	8,713,095	0
Mission Viejo	19,207,638	63,737,058	0
Newport Beach	19,463,111	64,584,799	0
Orange	31,563,643	104,738,218	0
Placentia	9,485,910	31,477,270	0
Rancho Santa Margarita	8,649,247	28,700,955	0
San Clemente	10,567,757	35,067,182	0
San Juan Capistrano	8,098,432	26,873,176	0
Santa Ana	58,344,240	193,604,765	0
Seal Beach	4,467,304	15,799,524	0
Stanton	5,972,871	19,819,887	0
Tustin	16,314,590	54,137,003	0
Villa Park	1,066,412	3,538,695	0
Westminster	17,785,357	59,017,476	0
Yorba Linda	11,596,228	38,479,976	0
County	33,164,910	110,051,731	0

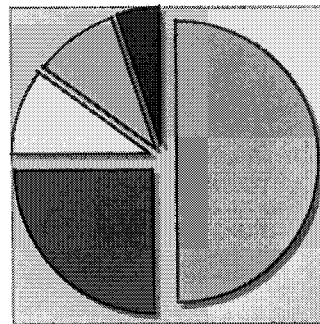
Totals	\$614,498,000	\$2,039,100,000	\$0
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* Aliso Viejo, Laguna Woods, Rancho Santa Margarita prorated to reflect 20 year, nominal dollar estimates.

** In 2005 dollars

To maximize the number of projects that can be funded through the Regional Capacity Program, there is a local match requirement, as is true in the current Measure M. There was extensive discussion by the Super Committee on what would be the appropriate level of any such match. The new proposal provides a system of incentives to reward good stewardship and inter-jurisdictional cooperation that can reduce the 50 percent match requirement to 25 percent. A 10 percent reduction in the match would be allowed for local jurisdictions that participate in the Regional Traffic Signal Synchronization Program. Another 10 percent reduction in the match is available for local jurisdictions that develop and maintain a Pavement Management Program and annually adopt and submit a common format report on pavement conditions and progress to be made in implementing the Pavement Management Program. Finally, a five percent reduction in the match would be given to local jurisdictions that use funding sources other than Measure M for the Regional Capacity Program Match. Cities can use any combination of incentives to reduce their match requirement.

Consensus Regional Capacity Match Allocation



- Measure M Regional Capacity Grant
- Local Match
- Regional Signal Synchronization
- Pavement Management
- Local Non-Measure M Match

Draft Investment Plan

currently 50 percent Measure M to 50 percent local match

Transit Projects

Dedicated funding for transit programs is allocated at \$2.83 billion, or 25 percent, of Renewed Measure M net revenue under the Draft Investment Plan. The majority of that funding (\$2.24 billion) will be dedicated to creating a new countywide high capacity transit system anchored on the existing Metrolink and Amtrak rail line, with the balance (\$591 million) being used to enhance senior transportation programs and provide targeted, localized bus service. A summary of transit projects is provided on the following page.

Draft Plan: Transit Projects

Program	Costs (2005 estimates in millions)
High Frequency Metrolink Service	\$1,014.1
High Capacity Transit Extensions to Metrolink	\$1,000.0
Metrolink Gateways to High Speed Rail Systems	\$226.6
Mobility Choices for Seniors and Persons with Disabilities	\$339.8
Community Based Transit/Circulators	\$226.5
Safe Transit Stops	\$25.0
Total	\$2,832.0

These programs are aimed at improving rail and bus transportation in Orange County, and build upon the well-established, operational commuter rail system as a platform for future growth. Under this vision, existing rail stations will be developed into regional transportation hubs that can serve as regional transportation gateways or the centerpiece of local transportation services. To accomplish this, the existing rail line, which essentially parallels the I-5, will be used as the backbone for a flexible system. Working with the cities, customized and locally appreciated systems can be developed to radiate out from the existing train stations. Plans would be funded on a competitive basis that recognize the transportation benefits, as well as creativity, system connectivity, land use compatibility, operating and construction costs and regional collaboration.

Also included in the transit element are improved van services and reduced fares for senior citizens and people with disabilities – programs that should enjoy broad support among likely voters. In the October 2005 opinion poll, almost 70 percent of respondents felt it was a high priority to reduce bus and rail fares for seniors and disabled persons and 62 percent felt it was a high priority to provide specialized services for seniors and disabled persons.

Recognizing demographic trends and the growing number of seniors countywide, the Super Committee provided valuable input with respect to the importance of preserving and expanding existing programs that benefit Orange County's senior population.

Environmental Cleanup

Two percent of the gross revenues from the Renewed Measure M Investment Plan would be set aside to protect Orange County beaches from transportation generated pollution (also known as “urban runoff”) and improve water quality. Measure M funds will be used on a countywide, competitive basis to meet federal Clean Water Act standards and can be used for water quality improvements to both existing and new transportation infrastructure, including capital and operations improvements such as catch basin screens and roadside bioswales and the maintenance of both. The competitive grant program will allow cities, the county and special districts to be eligible to propose new projects and retrofit projects, with funds being awarded to the highest priority programs that improve water quality and reduce transportation generated pollution.

The estimated cost of the Environmental Cleanup program is \$237.2 million and these funds are intended to supplement, not supplant, existing pollution reduction efforts by municipal agencies. Accordingly, the program is subject to a required maintenance of effort, as well as additional safeguards such as an annual assessment of the water quality benefits provided, a strict limit on administrative costs and penalties for misuse of Environmental Cleanup funds. In addition to these competitive funds, the Draft Plan allocates \$165 million for environmental mitigation of projects that are outlined in the plan. The plan does not include such mitigation funds for streets and roads as those projects are not known at this time.

Although the Draft Investment Plan does not include the set-aside of land for mitigation purposes, the Super Committee was aware of such requests by environmental groups. The Super Committee, however, concluded that set-aside land mitigation was unnecessary considering the projects included in the Draft Plan will have minimal impacts outside of existing rights-of-way, as discussed earlier in this report.

Taxpayer Safeguards and Audits

There are several taxpayer safeguards included in the Draft Plan and all share the purpose of ensuring that new transportation dollars generated by a Renewed Measure M are devoted to the projects and programs outlined in the Plan and are not diverted for other purposes. Prior to the allocation of funds for freeway, street and transit projects, one percent of the gross revenues from the half-cent sales tax are set aside for audits, safeguards and taxpayer protection.

Over the past year, the Super Committee reiterated that the successful passage of Measure M in 1990 would not have been possible if voters were not convinced the tax would go solely for transportation purposes. Accordingly, the Super

Committee is supportive of all efforts to protect the integrity of the voter-authorized plans.

Some of the safeguards included in the Draft Plan are:

- All spending is subject to an annual independent audit
- Public review of the Plan every 10 years with changes requiring voter approval
- Annual report to taxpayers
- Severe penalties for misspending funds
- All funds kept in a separate trust fund
- Administration limited to one percent of funds
- Taxpayers' Oversight Committee reviews all spending

Taxpayer safeguards are anticipated to play a critical role in the passage of a Renewed Measure M. In the October 2005 opinion poll, respondents strongly supported the proposed safeguards, with significant support for the proposed requirement to update the plan every 10 years, with major changes approved by the voters.

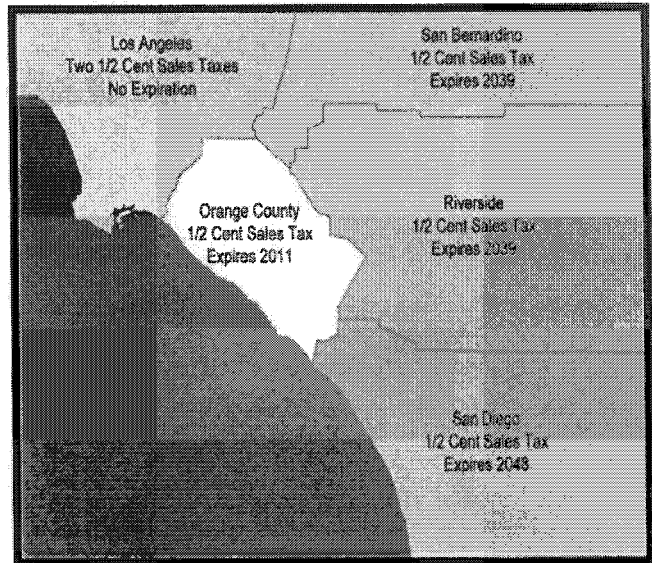
g. Conclusion and Recommendations

While renewal of Measure M faces many similar hurdles as it did in 1990, there are some significant differences. Proposition 218 requires that passage of a special tax, such as Measure M, receive a super majority, or two-thirds voter approval. While renewing an existing tax may face fewer hurdles than imposing a new tax, the super majority requirement is a significant hurdle. Additionally, in 1990, voter support coalesced around the proposed widening of the I-5 corridor, dubbed Orange County's "Main Street." Currently, the infrastructure needs in the County, while still vast, do not provide a single "banner" project, such as the I-5, to concentrate a voter base marked by disparate interest groups. However, one project that does have high visibility is improving the traffic flow on the SR-91. To meet this need, the Draft Plan devotes a substantial investment of \$1.5 billion to this corridor. Additionally, the Draft Plan will include a widening of the I-405 freeway, improved signal coordination, an expansion of the popular Metrolink service and a new program that will work to control road runoff that pollutes streams and beaches.

Most of California's urban counties have voter-approved local transportation sales tax measures similar to Measure M. Many have succeeded in gaining a two-thirds voter approval to extend these measures beyond their initial twenty-year period. In 2004, San Diego County, Riverside County and San Bernardino County each met the two-thirds vote requirement (67 percent) for renewal. Based on initial polling, Orange County voters appear to have similar views toward a potential

extension of Measure M as did voters at the same stage in the other counties that ultimately succeeded in extending their sales tax programs. Based on these results, consultants that were actively involved in the Riverside, San Bernardino and San Diego campaigns believe the polling results suggest a two-thirds vote to extend Measure M is possible.

Once the OCTA Board of Directors approves the final Draft Transportation Investment Plan supported by the Super Committee and other key stakeholders, at least 50 percent of Orange County cities representing at least 50 percent of the incorporated population of the county will need to approve the proposed investment plan and support placing it on a future ballot. To affirm the importance of renewing Measure M for current and future transportation needs countywide, the Super Committee is seeking widespread support of the resolution, attached as Appendix A, from Orange County cities. Therefore, the Super Committee recommends that all Orange County cities adopt the resolution that supports placing the renewal of Measure M before the voters on the November 2006 Ballot or as soon as is practical thereafter.



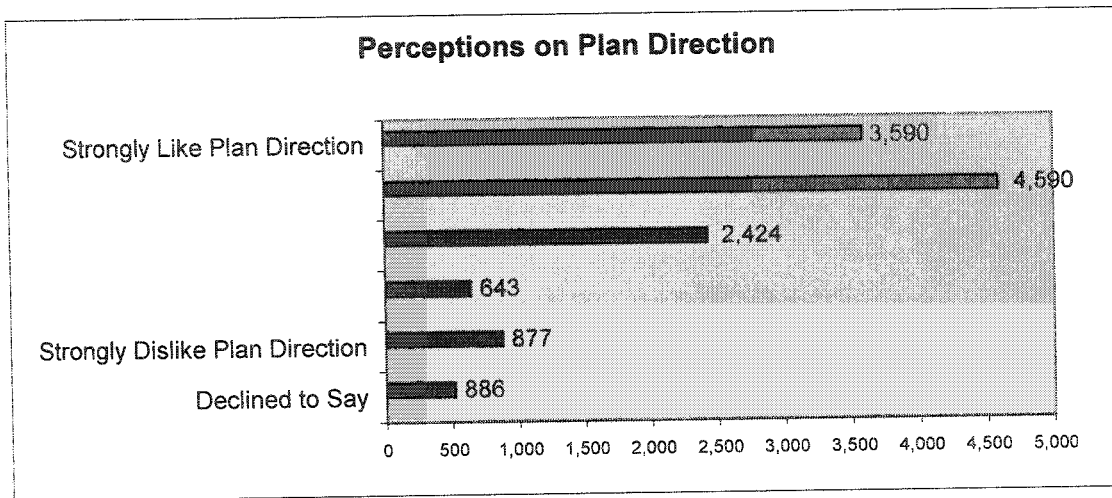
Adoption of Super Committee Report by Orange County Division	April 13, 2006
Cities and County Review and Approve Draft Final Plan	May – June 2006
Adoption of plan by OCTA Board	July 2006
Election Day	November 7, 2006

Direct Mail & Online Survey Responses

Public Education Direct Mail

Response cards received as of April 13, 2006: 13,010

Question: On a scale of 1-5, do you like the direction of the *Renewed Measure M Draft Transportation Investment Plan*? (5 is strongly like, 1 is strongly dislike)








What is the most important part of the plan to you?	Number	Percent
Freeways	5,275	35.8%
Streets and Roads	2,937	19.9%
Transit	2,676	18.2%
Environmental Clean-up	1,881	12.8%
Taxpayer Safeguards	1,966	13.3%
Total Responses	14,735	100.0%
What is the least important part of the plan to you?		
Freeways	1,374	14.5%
Streets and Roads	859	9.1%
Transit	3,738	39.5%
Environmental Clean-up	1,796	19.0%
Taxpayer Safeguards	1,690	17.9%
Total Responses	9,457	100.0%






Results Summary

1. Do you agree or disagree?






1. The Measure M draft transportation investment plan contains strong safeguards to ensure that the promises made to voters are kept.

	Response Percent	Response Total
5 - Strongly Agree 	31.1%	88
4 	31.4%	89
3 	26.9%	76
2 	6.7%	19
1 - Strongly Disagree 	4.9%	14
Total Respondents		283
(skipped this question)		13






2. Freeways should receive the largest percentage of Measure M funds.

	Response Percent	Response Total
5 - Strongly Agree 	33.8%	98
4 	20%	58
3 	19.3%	56
2 	11.4%	33
1 - Strongly Disagree 	15.9%	46
Total Respondents		290
(skipped this question)		6






3. Cities should be encouraged to synchronize traffic signals.

	Response Percent	Response Total
5 - Strongly Agree 	72.4%	210
4 	17.6%	51
3 	6.9%	20
2 	1.4%	4
1 - Strongly Disagree 	2.1%	6
Total Respondents		290
(skipped this question)		6






4. It's a good idea to have a public review of the Measure M investment plan every 10 years.

	Response Percent	Response Total
5 - Strongly Agree 	63.5%	183
4 	22.6%	65
3 	8.3%	24
2 	0.7%	2
1 - Strongly Disagree 	5.6%	16
Total Respondents		288
(skipped this question)		8

5. The Measure M investment for transit should focus on enhancing Metrolink commuter rail, including transit links between Metrolink stations and community and business centers.

	Response Percent	Response Total
5 - Strongly Agree 	39.7%	114
4 	19.9%	57
3 	22.3%	64
2 	8.4%	24
1 - Strongly Disagree 	10.1%	29
Total Respondents		287
(skipped this question)		9






6. Specialized transportation services for seniors and the disabled should be a high priority for Measure M.

	Response Percent	Response Total
5 - Strongly Agree 	21.5%	62
4 	29.5%	85
3 	28.1%	81
2 	11.8%	34
1 - Strongly Disagree 	9.4%	27
Total Respondents		288
(skipped this question)		8






7. An Independent Taxpayers Oversight Committee will be a good tool to monitor how Measure M funds are spent.

Response Percent	Response Total
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II. Online Survey - Draft Measure M Plan 4-13-06

5 - Strongly Agree		36.6%	105
4		33.1%	95
3		23.3%	67
2		3.8%	11
1 - Strongly Disagree		3.1%	9
		Total Respondents	287
		(skipped this question)	9

8. Measure M should include funds to clean up pollution from street and freeway runoff that pollutes our beaches.

		Response Percent	Response Total
5 - Strongly Agree		29.9%	85
4		26.8%	76
3		21.5%	61
2		10.6%	30
1 - Strongly Disagree		11.6%	33
		Total Respondents	284
		(skipped this question)	12

9. Sometimes streets or freeways need to be widened to increase traffic flow – even if the acquisition of some residential or business property is required.

		Response Percent	Response Total
5 - Strongly Agree		37.4%	108
4		22.5%	65
3		18.7%	54
2		10%	29
1 - Strongly Disagree		12.1%	35
		Total Respondents	289
		(skipped this question)	7






10. Transportation improvements funded by Measure M should be designed to reflect the community's surroundings.

		Response Percent	Response Total
5 - Strongly Agree		36.7%	103
4		35.9%	101
3		18.1%	51






II. Online Survey - Draft Measure M Plan 4-13-06

2		4.3%	12
1 - Strongly Disagree		5.7%	16
		Total Respondents	281
		(skipped this question)	15

11. Orange County can't rely solely on state and federal funding to meet transportation needs.

		Response Percent	Response Total
5 - Strongly Agree		46.7%	134
4		26.5%	76
3		13.2%	38
2		5.9%	17
1 - Strongly Disagree		8%	23
		Total Respondents	287
		(skipped this question)	9

12. Fixing potholes and maintaining local streets should have a high priority.

		Response Percent	Response Total
5 - Strongly Agree		32.9%	95
4		38.1%	110
3		17.3%	50
2		6.2%	18
1 - Strongly Disagree		6.2%	18
		Total Respondents	289
		(skipped this question)	7

13. The Measure M plan is ready to be placed on the ballot.

		Response Percent	Response Total
5 - Strongly Agree		24.6%	70
4		20.8%	59
3		27.5%	78
2		9.9%	28
1 - Strongly Disagree		18%	51
		Total Respondents	284
		(skipped this question)	12

14. Additional Comments:

Total Respondents	170
(skipped this question)	126

2. Your Optional Information

15. Name

Total Respondents	142
(skipped this question)	154

16. Organization

Total Respondents	37
(skipped this question)	259

17. Address Line 1

Total Respondents	131
(skipped this question)	165

18. Address Line 2

Total Respondents	13
(skipped this question)	283

19. City

Total Respondents	138
(skipped this question)	158

20. Zip Code

Total Respondents	284
(skipped this question)	12

21. E-mail Address

Total Respondents	138
(skipped this question)	158

Measure M

Website Comments

January – April 2006

Freeways

I-5 Santa Ana Freeway Interchange Improvements

- We need to do whatever it takes to get something to alleviate the issues on the South I-5 in South Orange County! I-5 South in Capistrano/San Clemente is terrible and getting worse.
- Drivers must cope with unsafe lanes, unsafe on and off ramps, streets and lane closures, money wasted on everything from fliers and surveys, to unnecessary HOV lanes on a 10 mile stretch of freeway. Please! all of you resign.
- I-5 widening - South County, from "Y" to San Diego border
- I-5 widening - between Costa Mesa and the Orange Crush area (SR-57)
- Santa Ana Freeway / San Diego Freeway (I-5) local interchange upgrades
- San Diego Freeway (I-5) south of the El Toro "Y"
- Fixing the I-5 thru San Clemente; from Las Rambias south to Cristianatos Road, 6.4 miles

SR-22 Garden Grove Freeway

- So far I like the work I see on the SR-22. It may be a bit of an inconvenience now, but the payoff will be great. Unfortunately we may not notice much of a difference because the added lanes will bring more drivers to the freeway, those who once took side streets.

SR-55 Costa Mesa Freeway

- SR-55 Freeway Access improvements
- SR-55 Very congested; sometimes even south of I-405
- The highest priority for Measure M is to double deck the 55 Freeway between the 405 and the 91 using the Alameda (Rail) Corridor Trench Technology of placing through traffic in a trench and city streets above. This would be also similar to the 55 Freeway in the City of Costa Mesa.
- The Southbound 55 narrowing before the 22 is a major bottleneck.
- I am vehemently opposed to widening the 55 freeway all over again and if that proceeds, I will never support another bond measure for streets and highways. I commuted for 18 years on the 55 while it was under construction, and for two years plus, I, as a resident of Tustin, was 'landlocked' because of torn out overpasses. I then switched jobs that took me up the 22 (and we know what is going on there). The 55 should have been done right the first time. To put us all through that again, and no doubt it will require undoing what hasn't even cured yet, is a waste of taxpayer money, not to mention the quality of my life and all who live near this freeway. You really need to look elsewhere to solve the traffic problem. Create "super streets", synchronizing signals; fix that 241 interchange out past Yorba Linda so it doesn't back up traffic, and people can get to and from south county without going near the 55. There are alternatives. I sincerely hope that someone with influence will revisit this disastrous decision.

SR-57 Orange Freeway

- A project connecting the 57 directly to the 405 should be included. This could potentially alleviate a great deal of traffic for the 405, 55 and 91 (also Beach, Brookhurst and Harbor Blvd.) to/from SW OC.
- From I-5 all the way to 60 freeway

SR-91 Riverside Freeway

- Improvements - Inter-county state highway connections
- Improvements from Costa Mesa freeway (SR-55) to the Orange/Riverside County Line
- Improvements from the Santa Ana (I-5) to the Orange freeway (SR-57)
- Resurfacing of some bumpy freeways should also take priority! Like SR-91.
- I still don't hear a viable solution to 91 east travel. A parallel freeway toward the south, or expanded lanes is needed. Or a monorail down the middle or overhead. Leaving town at commuter time is dreadful, and coming back after the weekend is only marginally better.

I-405 San Diego Freeway

- Improvements between the San Gabriel River Freeway (I-605) in Los Alamitos area and the Costa Mesa Freeway (SR-55)
- Improvements between Costa Mesa Freeway (SR-55) and the Santa Ana Freeway (I-5)
- The 405 freeway project from the 73 to 605 should have been a larger project. Property acquisition is sometimes necessary, and for the greater good it is better that a few homeowners have to relocate and traffic flow improve than the alternative. I strongly support freeway improvements receiving a large majority of funds, as well as a REQUIREMENT that traffic signals be synchronized. Maybe a stipulation that signals must be synchronized before local street improvement funds become available?
- There is no need to widen SR55. Fix the 405 and 91 problems and you will fix the SR-55 problem. In addition millions of taxpayer money was spent on sound walls along the SR-55 and to tear them down to widen the freeway a couple of years after they are built would show the inept planning and foresight and the lack of concern for spending of taxpayer money. OCTA has done a poor job in planning and also in wasteful spending on unneeded and unwanted projects.

Streets and Roads

- I think it is important to restore city streets throughout the beach cities. I believe this is an area extremely overlooked.
- Many local streets in my area are in dire need of re-paving and pothole repair. Local rents increase every year but I don't see much improvement in street repair. (Costa Mesa)
- Pacific Coast Highway is a major commuter artery but is totally ignored in M. Why are no funds paid by coastal residents allocated to coastal roads?
- What ever happen to the Katella project. Nothing has been done except around Disneyland. Hoes were bought years ago all along Katella but nothing has been done from 9th St going west. (Anaheim)

- I think most of the freeway projects underway have already helped us get into the next few years with less traffic. It's time to take a break from the freeway widening construction and focus more on improving surface street efficiency, especially repair of potholes and synchronization of stop lights.

Regional Traffic Signal Synchronization

- Irvine needs to get their signal synchronized first... You can very seldom go more than a few blocks without hitting a red light. Waste of fuel and more pollution.
- Synchronization of traffic lights on surface streets to accommodate 50 mph commuter flow would accomplish many things:
 - 1) Relieve traffic on freeways by offering acceptable alternative routes.
 - 2) Reduce fuel consumption by not having cars accelerate, stop.
- The most rapid schedule possible to synchronize the primary surface arteries. The super-arteries number is less than 25.
- Rather than spending massive amounts of money on new freeways, where are the synchronized 'super streets' that we have been told that we were going to get for all of these years?
- Improving the flow of traffic is tremendously important especially considering the various gains achieved when traffic is flowing at optimum speeds (trip-time savings, reduction in air pollution, fuel savings, benefits to mental health, increased time spent with family, and increased productivity).
- I prefer triggered traffic signals, not timed traffic signals. It is my understanding that the only way to synchronize traffic signals is to have timed traffic signals instead of triggered traffic signals. Therefore I don't want synchronized traffic signals.

Transit

Metrolink / Light Rail

- Expand Metrolink service to Riverside County.
- Included a high speed rail and a Transportation Center in Anaheim.
- Monorail in Orange County, especially in Huntington Beach - downtown area.
- Metrolink rail service is not being promoted enough - service from all points out of town to a central station downtown and connecting service from downtown to cities out of town is absolutely necessary. In just a few years our improved freeways are going to be out of date again because of the increased traffic we will be experiencing.
- Please expedite the expansion of the Metrolink. Is there a way to make the trip to Union Station shorter?
- There is a decent amount for transit services but I would like to see more detail and money in regards to transportation like Metrolink, it's park and rides, and the expansion of the service overall to other cities not currently using it.

This should include major destinations like big shopping malls, commercial business centers, airports, stadiums/arena's, amusement parks, large parks, and beaches. We can no longer rely on the lazy idea that we should just add another lane to the freeway and call it 'progress'. Asking

a vast majority of people to spend hours a day in freeway traffic is not productive, is bad for our air, is costly, and reduces the quality of life for many people in Orange County... it should be a better experience than that in beautiful California.

- Metrolink is vital and should be advertised and promoted - this survey is the first I've heard of a new MV/LN station! THE HIGHEST PRIORITY SHOULD BE PLACED ON THE DEVELOPMENT OF LIGHT RAIL to link with Metrolink and move people within the county! I'd gladly park my car if I could get from the transportation centers to the malls and neighboring areas without it! Thank you for this survey.
- The unused rail right-of-way through Orange County should be utilized for transit improvements. You own the land now; take back the encroachments from businesses and lay track which never should have been removed in the first place. Add this to your plan for transit!
- We need reliable public transportation instead of freeways! We want trains and subways! No amount of freeway widening or reviewing any plan every 10 YEARS will help.
- I don't see any work being done to the metrolink rail system between OC and San Diego (the Coaster). I drove to Oceanside for 5 years to catch the train to San Diego and people wanted another means to get south. All the trains go toward LA. There is way too much traffic going south to not pay some attention to those needs.
- The aim should be to get cars off the road not to make more roads. I am frustrated in not being able to use Metrolink because it doesn't run on weekends and at night. It also doesn't connect with the Green line.
- Please focus on the Metrolink resources, particularly funding/encouragement of TOD development surrounding the Metrolink stations. We need to commit more resources directly at mass transit, if there is any hope of working towards of solution of our freeway/local street congestion.
- Orange County needs to add day time Metrolink trains along with evening times and weekends to all destinations in Orange County and in to Los Angeles.
- Spend more money on freeways and Metrolink since they are regional issues. Let Cities fund more of the local street expansions and have cities fund all repairs to local streets.

Reward those cities with transportation development fees by providing matching funds instead of outright grants. Add Metrolink stations at El Toro Road in Lake Forest and in Irvine at Sand Canyon. Make a large multi-modal transportation hub with lots of parking at the Green River Metrolink Station with bus service and commuter rail leaving from this station to go to Orange County. Support a second route to Route 15 through the mountains - whether tunnel or surface road.

- Metro-link should have light-rail connectors to major downtown areas from existing Amtrak stations (i.e. Tustin / Santa Ana stations to Irvine / John Wayne Airport).

Bus and Express Bus Services

- We have spent a billion dollars (or more) on carpool lanes in Southern California but they only service 10-15% of our commuting population. We need to move mass transit, in the form of express bus service, to the carpool lanes and raise the minimum vehicle occupancy. This is the only way I will vote yes on any future measure regarding transportation improvement.
- I think we should place more emphasis on bus ways, following the example of Curitiba, Brazil. Bus transportation is usually cost-effective when compared to rail transportation. Also, we should

really have several sizes of buses. I see most buses operating at a low percentage of capacity; a smaller bus would serve the same route more efficiently.

- Measure M should provide Fly-A-Way bus service to Los Angeles International Airport.
- I feel that Public Transit should get a larger share of the money...25% is too small.
- Public transportation is the only long term solution to the car problem. High rise apartments and rail go together to maintain real estate values. Also allowing seniors and kids to move around without cars would be a blessing to all caregivers.
- Insufficient expansion of fixed route transit is proposed, do not create multiple city run transit systems, in LA county the result is an unusable uncoordinated, impossible to understand, or use system.
- Where's the money for local bus service? Why are we spending \$1 billion on Metrolink? A better use of the money would be to spend the money on placing buses throughout the county, including low density suburban areas, and subsidize low ridership routes so they don't get cut.

Mobility Choices for Seniors and Persons with Disabilities

- Transit Operations funding; Fare Stabilization for people with disabilities and seniors, para-transit and special transportation for people with disabilities and seniors, specialized education on how to ride the bus for people with disabilities and seniors.

Environmental

None

Taxpayer Safeguard

None

General Comments

241 Freeway

- The completion of the 241 into San Clemente should be the highest priority. Nothing will relieve traffic quicker than its' completion!

Bike Path

- Freeways have been oversold for 50 years as the solution to transportation problems; they encourage a lot of other problems: pollution, sprawl, huge consumption of energy and space, on and on. Where are all the new bike paths in your plan?
- I didn't see anything about bicycles or bike routes.
- Bike lanes and paths need a much higher priority. A bike path paralleling Katella using water, power, or train corridors would be a major asset to Orange County.

Measure M Comments

- New freeway construction should be on the agenda. As the density increases, the need will show itself (as seen in LA county). To avoid that kind of mess additional freeway planning appears to be necessary.
- I am highly in favor of Measure M right from the start - it has significantly improved my ability to get around in Orange County.

- Measure M must continue as it's a critical factor in the county's transportation efforts. With our substantial growth, we need to focus on relieving congestion on both freeways and streets.
- I'm very interested in the transition points between counties -- they are terrible, especially in Riverside and LA.
- More expansive freeways and connector roads are needed -- especially to link outlying OC cities with Irvine (Fullerton).
- As a resident of Westminster, I feel strongly that Measure M language include only the 'alt. 4' option approved by the OCTA Board.
- It is my belief that in addition to all the fine activities contemplated in the proposed plan, care should be taken for noise pollution as well, as generated by our freeways. From the El Toro Y down to the open spaces south of San Clemente, there are numerous openings in the sound walls, almost as if there were special interests involved in certain stretches of the road. I would suggest that for relatively little additional funds (no land purchases necessary, and materials are relatively cheap) sound barriers could be built to protect nearby homes from noise pollution. A good example would be the homes from OSO south to Crown Valley - the noise is very loud. Thank you for your consideration.
- The 'Renewed M' brochure that was recently received was very well done with easy-to-read graphics and tables. The freeway map in particular gave a nice snapshot view of proposed freeway projects. However, it would be helpful if additional details were provided on current and planned projects. These project details should be provided prior to the Measure M plan being placed on the ballot.
- Work completed since 1990 has certainly fulfilled promises made to voters. Good work!
- Keep up the great work...our freeways and streets are looking better and better.....El Toro road and the new shopping centers built add beauty and revenue to our community.. Thanks again You are the only State agency that I trust with our money!!!
- I liked getting the brochure in the mail to show me how much has been done in the past 10 years. I think sometimes we can forget how it 'used' to be.
- I work in the Public Works sector and would love to help support and promote the passing of Measure M. Please feel free to contact me for any help you may need.
- The mailings and website are powerful educational tools. You've done a fantastic job!! Keep it up!
- The Independent Taxpayers Oversight Committee should consist of ONLY taxpayers within the communities receiving improvements. Having an Independent Oversight Committee is a good idea, but not if the Committee consists of Federal, State or Local agents.
- Since I do not utilize the OCTA bus system at the present time, I really have no comments. On the surface it seems quite nice and well thought out. I am a Leisure World Seal Beach resident, and at the present can still drive. Thank you for the opportunity to comment
- You've done a good job. Finally, a tax I can support.
- Transportation is the single thing that should be addressed in order to improve the quality of life in Orange County.
- I have seen the results from measure M and would like it to continue.

- Thanks for your hard work! I think the plan is balanced and fair, addressing needs in all transportation areas.
- Keep up the good work. OC is so much better since Measure M. I thank you daily as I drive in OC. We are lucky to have an over-site committee and concerns about traffic.
- Project S should be deleted and instead a second level should be built on freeways when the extra capacity is needed.
- The term for the renewed M should be 20 years and not 30 years.
- For \$11.565 Billion or roughly \$3,500 in taxes per resident over and above all other State and local taxes, the focus should be on relieving congestion on freeways and main arterials. We don't need any more grandiose rapid transit schemes to go nowhere from nowhere based on their (who is their) vision of rapid transit. Take the 25% or \$2.8B for transit and get going on the roads. The 91 freeway is a disaster and is only going to get worse. Get off the dime and run a parallel freeway through the mountain and stop talking about it.
- Some improvements to freeways are not as effective as they could be because other counties (e.g. LA County) do not make similar improvements to the freeways. How can we convince other counties to commit to freeway improvements?
- We are a mobile society whose mobility has taken precedence over other values. It is not enough to have one car, every member of a family who is able to drive now has a car to work, shop, play. We should be able to design efficient and safe transit to meet our future needs for mobility. Dependency on cars have created a landscape centering on cars. Just look at the precious space the expanded I-5 takes out of Orange County.

What do cars provide other than an expedient way from point A to B. People would take mass transit if there were regular safe modes of travel that were non stop to the intended destination. We need to design transit in the next 25 years that will accomplish this goal. Lets help the future inhabitants of our county and create a mass transit that will meet their needs, needs of all citizens, not just special interests. Please design more nonstop rail and bus services, bike and moped paths (with secure bike parking/bike shop stops near rails/buses) please. Get a real monorail system going on the freeways or along main corridors. Work to link counties!!! please. This plan does not look to the distant future and it should. Build a plan for that then I say that Measure M is ready to be placed on the ballot.

- Measure M Should NOT be extended unless 100% of the funds go to Street and Highway improvement! Mass Transit should be funded separately and clearly defined!
- Convert all carpool lanes into general lanes. Remove all freeway on-ramp meters/stop lights.
- Ques.#3: synchronize with whom? Cal Trans refuses to cooperate with their signals. Current block system in use in many cities, including Irvine, is outdated and maximizes gas consumption and air pollution sent to the inland empire Quest #4: How about every year? Question #11: Did you mean to say solely on Federal, State, City and Developer fees with no added increment from OCTA?
- Given the gasoline tax we pay in CA (and I'm all for a gas tax because it taxes the user), why are we looking for a 1/2 center anywhere else? Wouldn't it be great to see a term tax sunset?
- Funding for Transportation infrastructure is supposed to come from the General Tax Fund and the Gas Tax Fund. This only covers up that misappropriation. I agree with the need for the work but the survey has the wrong questions. Your information should show what projects in Orange

County Are being funded with General Tax Fund and Gas Tax Funds as Well as the Exceptions that would be funded by Measure M.

- Too much is focused in Northern Orange County, Southern County is left out. You will never pass this in the present state.
- This has become a prime example of a so called temporary tax not being temporary. Give a government a chance to get a hold of your dollars and they can't let go. These improvements should be paid via gasoline taxes, but that's another example of a tax not going where promised. Let this tax die and go after the proper funding.
- The glossy brochure received on 3/20 makes sweeping statements, but presents few facts. The 'Streets and Roads' section key proposals are very general. What 6200 miles of aging streets are included? Where are the 2000 signals to be synchronized? Under 'Transit', what community shuttles would be funded? Even your web site does not answer these questions. Please get specific about where and how much money would be spent.
- Clever. Nice selection of questions that avoid the real issues. We pay more in taxes than are needed for transportation infrastructure enhancements. Go after Sacramento and not the county residents for funding. I will encourage voters to just say NO in Nov.
- I strongly disagree with extending Measure M another 30 years. Future transportation needs and technologies aren't knowable that far in advance, so the 30 year additional life just creates an entrenched bureaucracy that seeks to sustain itself.
- I am basically opposed to all this free way and rail expansion plans. My experience has been that the more improvements are made the more housing developments are created and in a few years we are back to the same spot. Also, all these expansions are severely impacting the environment and creating too much noise. Why is OCTA expanding the Metrolink system without first addressing what the taxpayers have been expressing - the high need to establish quiet zones in designated areas? We have already voiced our opinion to the Orange City Council and yet nothing is begin done. Unless this issue is addressed, I will not vote for renewing Measure A and in fact, will campaign against it. It appears like OCTA is out of touch with the wishes of the community.
- We already pay state taxes for infrastructure. Where are those funds going?
- Just built it faster. You take too long on each project, wasting our gas and time. It can be done in a year versus 3 years.
- Issue 1: Orange County is a donor county. I don't mind helping rural areas, however our state taxes typically go to urban areas other than our own. Measure M just perpetuates this problem. Once we get our fair share of our state public works \$, we can then think about improving things even more with a sales tax measure. Issue 2: I disagree that orange county citizens should pay for the improvements to the SR91. The problem exists due to the imbalance in jobs/housing between the counties. The riverside county folks have chosen to live there and work here. Why should orange county residents pay for them making that choice? Let them pay for their own choice, either with tolls or by other means. I'll be voting no on Measure M unless these items are addressed.
- Since taxpayers have funded Measure M, and the crews are civil servants, why in the world is it the responsibility of the commuter to endure such absolute inconvenience for such an extended period of time. It's been my belief for so many years that since civil servants are given outrageous benefits and perks (such as 17 holidays per year, when the working class receives 6), you should all be working hours for our convenience, and yes, no shift pay involved. The crews should be working during the night hours, not beginning @ 7:00 a.m. when so many of us commuters are attempting to get to work. You all are so highly paid by us that you at least owe us convenient

hours! This is my main complaint with road crews and especially Measure M. I've decided to never again vote for any measure which will fund any projects which inconvenience me to the degree you civil servants schedule these projects! If it needs to be done during the midnight hours, then do it! Most of us are required to work the hours our employers request, you should be also!

- I am not inclined to support additional measure M funding with what I have seen so far: In order to take a bus from Eastern Orange to my job in Irvine, a car trip that lasts 20 minutes, it is still necessary to take a 1.5 hour trip that begins by going in the wrong direction and routes through Santa Ana of all places. (Why does route 54 east ends by not connecting to another route?) Why has OCTA over the years been so much in favor of developing new traditional light rail systems? Rail is both extremely expensive and invasive. Why have there been no monorail systems planned? Monorails are noninvasive, relatively inexpensive (they use existing right of ways), and are very attractive. People who won't go anywhere near a bus will flock to a system that is perceived as 'cool.' When the original measure M was proposed we were promised new freeway routes. Once the measure was approved these freeways turned into toll roads with an endless series of toll increases.
- There are too many over paid, over benefited, over perked, under worked people dipping into Measure M funds. Your pay should be immediately cut in half as well as the number of people in your management staff. You're nothing but liars as the brochure you sent is nothing but a push to get people to vote for this needless tax. It wasn't sent as an informational piece. Larry Gilbert and his articles in the Register has got it right. You lie to the citizens of this county while you stuff your pockets with the taxpayer's money. Enough is enough. I and anyone I can make understand what a rip-off you people are will vote no on M!
- The priorities of the draft plan are opposite mine. I am a professional marine biologist and am concerned about runoff. Urban runoff is a very serious problem for marine life and it has negative impacts on our local economy because it degrades water quality and fisheries. I also think transit should have a larger piece of the pie. I rank the components as follows 1 highest priority - 5 lowest): 1) taxpayer safeguards (highest); 2) environmental cleanup and protection; 3) transit; 4) streets & roads; 5) freeways (lowest).
- Needs to include stronger environmental protection measures. (Environmental)

RENEWED MEASURE M
FINAL DRAFT TRANSPORTATION INVESTMENT PLAN
REVISIONS AND CORRECTIONS
TRANSPORTATION 2020 COMMITTEE
APRIL 10, 2006

THIS ITEM ON FILE WITH THE CLERK OF THE BOARD'S OFFICE
IT HAS BEEN SUPERCEDED BY UPDATES RESULTING FROM THE
APRIL 17, 2006, SPECIAL TRANSPORTATION 2020 COMMITTEE MEETING

CONCEPTUAL FREEWAY MITIGATION PROGRAMS

THIS ITEM ON FILE WITH THE

CLERK OF THE BOARD'S OFFICE

IT HAS BEEN SUPERCEDED BY UPDATES RESULTING FROM THE

APRIL 17, 2006, SPECIAL TRANSPORTATION 2020 COMMITTEE MEETING



April 17, 2006

To: Transportation 2020 Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Final Draft Transportation Investment Plan Revisions

Overview

On April 10, 2006, the Transportation 2020 Committee reviewed the Renewed Measure M Final Draft Transportation Investment Plan and directed that changes be made to incorporate program level environmental mitigation into the freeway component of the plan, along with various other minor corrections and refinements. These changes are presented for consideration and approval of the Committee.

Recommendations

- A. Approve the final changes to the Renewed Measure M Final Draft Transportation Investment Plan and direct staff to incorporate them into the final document to be presented to the Board of Directors on April 24, 2006.
- B. Direct staff to include the concepts, terms and provisions contained in Attachment B, "Conceptual Freeway Mitigation Programs" and Attachment C, "Environmental and Community Group Memorandum" in the implementing ordinance for the renewal of Measure M.

Attachments

- A. Final Draft Transportation Investment Plan Revisions
- B. Conceptual Freeway Mitigation Programs
- C. Environmental and Community Group Memorandum

Prepared by:

A handwritten signature in black ink, appearing to read "Monte Ward", written over a horizontal line.

Monte Ward
Director, Special Projects
(714) 560-5582

RENEWED MEASURE M
FINAL DRAFT TRANSPORTATION INVESTMENT PLAN
REVISIONS AND CORRECTIONS
TRANSPORTATION 2020 COMMITTEE
APRIL 17, 2006

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Introduction

Measure M Promises Fulfilled

On November 6, 1990, Orange County voters approved Measure M, a half-cent local transportation sales tax for twenty years. All of the major projects promised to and approved by the voters are underway or complete. Funds that go to cities and the County of Orange to maintain and improve local street and roads, along with transit fare reductions for seniors and persons with disabilities will continue until Measure M ends in 2011. The promises made in Measure M have been fulfilled.

Continued Investment Needed

Orange County continues to grow. By the year 2030, Orange County's population will increase by 24 percent from 2.9 million in 2000 to 3.6 million in 2030; jobs will increase by 27 percent; and travel on our roads and highways by 39 percent. Without continued investment average morning rush hour speeds on Orange County freeways will fall by 31 percent and on major streets by 32 percent.

Responding to this continued growth and broad support for investment in Orange County's transportation system, the Orange County Transportation Authority considered the transportation projects and programs that would be possible if Measure M were renewed. The Authority, together with the 34 cities of Orange County, the Orange County Board of Supervisors and thousands of Orange County citizens participated during the last eighteen months in developing a Transportation Investment Plan for consideration by the voters.

A Plan for New Transportation Investments

The Plan that follows is a result of those efforts. It reflects the varied interests and priorities inherent in the diverse communities of Orange County. It includes continued investment to expand and improve Orange County's freeway system; commitment to maintaining and improving the network of streets and roads in every community; an expansion of Metrolink rail service through the core of Orange County with future extensions to connect with nearby communities and regional rail systems; more transit service for seniors and disabled persons; and funds to clean up runoff from roads that leads to beach closures.

Strong Safeguards

These commitments are underscored by a set of strong taxpayer safeguards to ensure that promises made in the Plan are kept. They include an annual independent audit and report to the Taxpayers'; ongoing monitoring and review of spending by an independent Taxpayers' Oversight Committee; requirement for full public review and update of the Plan every ten years; voter approval for any major changes to the Plan; strong penalties for any misuse of funds and a strict limit of no more than one percent for administrative expenses.

No Increase in Taxes

The traffic improvements detailed in this plan do not require an increase in taxes. Renewal of the existing Measure M one-half cent transportation sales tax will enable all of the projects and programs to be implemented. And by using good planning and sensible financing, projects that are ready to go could begin as early as 2007.

Renewing Measure M

The projects and programs that follow constitute the Transportation Investment Plan for the renewal of the Measure M transportation sales tax approved by Orange County voters in November of 1990. These improvements are necessary to address current and future transportation needs in Orange County and reflect the best efforts to achieve consensus among varied interests and communities throughout the County.

Overview

The Renewed Measure M Transportation Investment Plan is a 30-year, \$11.8 billion program designed to reduce traffic congestion, strengthen our economy and improve our quality of life by upgrading key freeways, fixing major freeway interchanges, maintaining streets and roads, synchronizing traffic signals countywide, building a visionary rail transit system, and protecting our environment from the oily street runoff that pollutes Orange County beaches. The Transportation Investment Program is focused solely on improving the transportation system and includes tough taxpayer safeguards, including a Taxpayers' Oversight Committee, required annual audits, and regular, public reports on project progress.

The Renewed Measure M Transportation Investment Plan must be reviewed annually, in public session, and every ten years, a detailed review of the Plan must take place. If changing circumstances require the voter-approved plan to be changed, those changes must be taken to the voters for approval.

Freeways

Relieving congestion on State Route 91 (the Riverside/Artesia Freeway) is the centerpiece of the freeway program, and will include new lanes, new interchanges, and new bridges. Other major projects will make substantial improvements on Interstate 5 in southern Orange County and the I-405 (San Diego Freeway) in western Orange County. The notorious Orange Crush, the intersection of the I-5, State Route 22 and State Route 57 near Angel Stadium, will be improved and upgraded. Under the Plan, major traffic chokepoints on almost every Orange County freeway will be remedied. Improving Orange County freeways will be the greatest investment in the Renewed Measure M program: Forty-three percent of net revenues, or \$4.871 billion, will be invested in new freeway construction.

Streets and Roads

More than 6,500 lane miles of aging streets and roads will need repair, rejuvenation and improvement. City streets and county roads need to be maintained regularly and potholes have to be filled quickly. Thirty-two percent of net revenue from the Renewed Measure M Transportation Investment Plan, or \$3.625 billion, will be devoted to fixing potholes, improving intersections, synchronizing traffic signals countywide, and making the existing countywide network of streets and roads safer and more efficient.

Public Transit

As Orange County continues to grow, building a visionary rail transportation system that is safe, clean and convenient, uses and preserves existing rights-of-way, and, over time, provides high-speed connections both inside and outside of Orange County is a long term goal. Twenty-five percent of the net revenue from the Renewed Measure M, or \$2.83 billion, will be dedicated to transit programs countywide. About twenty percent, or \$2.24 billion, will be dedicated to creating a new countywide high capacity transit system anchored on the existing, successful Metrolink and Amtrak rail line, and about five percent, or \$591 million, will be used to enhance senior transportation programs and provide targeted, safe localized bus service.

Environmental Cleanup

Every day, more than 70 million gallons of oily pollution, litter, and dirty contaminants wash off streets, roads, and freeways and pour on to Orange County waterways and beaches. When it rains, the transportation-generated beach and ocean pollution increases tenfold. Under the plan, two percent of the gross Renewed Measure M Transportation Investment Plan, or \$237 million, will be dedicated to protecting Orange County beaches from this transportation-generated pollution (sometimes called “urban runoff”) while improving ocean water quality.

Taxpayer safeguards and audits

When new transportation dollars are approved, they should go for transportation and transportation purposes alone. No bait-and-switch. No using transportation dollars for other purposes. The original Measure M went solely for transportation purposes. The Renewed Measure M must be just as airtight. One percent of the gross Measure M program, or \$118.6 million over 30 years, will pay for annual, independent audits, taxpayer safeguards, an independent Taxpayers’ Oversight Committee assigned to watchdog government spending, and a full, public disclosure of all Renewed Measure M expenditures. A detailed review of the program must be conducted every ten years and, if needed, major changes in the investment plan must be brought before Orange County voters for approval. Taxpayers will receive an annual report detailing the Renewed Measure M expenditures. Additionally, as required by law, an estimated one and a half percent of the sales taxes generated, or \$178 million over 30 years, must be paid to the California State Board of Equalization for collecting the one-half cent sales tax that funds the Renewed Measure M Transportation Investment Plan.

In this pamphlet, every specific project, program, and safeguard included in the Renewed Measure M Transportation Investment Plan is explained. Similar details will be provided to every Orange County voter if the measure is placed on the ballot.

Freeway Projects

Overview

Every day, traffic backs up somewhere on the Orange County freeway system. And, every day, freeway traffic seems to get a little worse.

In the past decade, Orange County has made major strides in re-building our aging freeway system. But there is still an enormous amount of work that needs to be done to make the freeway system work well. You see the need for improvement every time you drive on an Orange County freeway.

Forty-three percent of net revenues from the Renewed Measure M Transportation Investment Plan are dedicated to improving Orange County freeways, the largest portion of the 30-year transportation plan.

SR-91 is the Centerpiece

Making the troubled SR-91 (the Riverside/Artesia) Freeway work again is the centerpiece of the Renewed Measure M Freeway program. The fix on the 91 will require new lanes, new bridges, new overpasses, and, in the Santa Ana Canyon portion of the freeway, a diversion of drivers to SR-241 (Foothill Corridor) so the rest of the Orange County freeway system can work more effectively.

And there's more to the freeway program than the fix of SR-91 – much more. More than \$1 billion is earmarked for Interstate 5 in South County. More than \$800 million is slated to upgrade the 405 (the San Diego Freeway) between Irvine and the Los Angeles County line. Another significant investment is planned on the congested Costa Mesa Freeway (SR- 55). And needed projects designed to relieve traffic chokepoints are planned for almost every Orange County freeway.

To make any freeway system work, bottlenecks at interchanges also have to be fixed. The notorious Orange Crush Interchange – where Interstate 5 (the Santa Ana Freeway) meets the 57 (the Orange Freeway) and the 22 (the Garden Grove Freeway) in a traffic tangle near Angel Stadium is in need of a major face lift. And the intersection of Interstate 5 and the Costa Mesa Freeway (State Route 55) is also slated for major repair.

Pays Big Dividends

Local investment in freeways also pays big dividends in the search for other needed freeway dollars. Because of state and federal matching rules, Orange County's local investment in freeway projects acts as a magnet for state and federal transportation dollars – pulling more freeway construction dollars into the county and allowing more traffic-reducing freeway projects to be built sooner.

Innovative Environmental Mitigation

A minimum of \$243.5 million will be available, subject to a Master Agreement, to provide for comprehensive, rather than piecemeal, mitigation of the environmental impacts of freeway improvements. Using a proactive, innovative approach, the Master Agreement negotiated between the Orange County Local Transportation Authority and state and

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federal resource agencies will provide higher-value environmental benefits such as habitat protection, wildlife corridors and resource preservation in exchange for streamlined project approvals for the freeway program as a whole.

Freeway projects will also be planned, designed and constructed with consideration for their aesthetic, historic and environmental impacts on nearby properties and communities using such elements as parkway style designs, locally native landscaping, sound reduction and aesthetic treatments that complement the surroundings.

Santa Ana Freeway Interchange Improvements (I-5)

Project A

Santa Ana Freeway (I-5) Improvements between Costa Mesa Freeway (SR-55) and "Orange Crush" Area (SR-57)

Description:

Reduce freeway congestion through improvements at the SR-55/I-5 interchange area between the Fourth Street and Newport Boulevard ramps on I-5, and between Fourth Street and Edinger Avenue on SR-55. Also, add capacity on I-5 between SR-55 and SR-57 to relieve congestion at the "Orange Crush". The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The project will increase freeway capacity and reduce congestion. The current daily traffic volume on this segment of the I-5 between SR-55 and SR-57 is about 389,000. The demand is expected to grow by more than 19 percent by 2030, bringing the daily usage to 464,000 vehicles per day. Regional plans also include additional improvements on I-5 from the "Orange Crush" to SR-91 using federal and state funds.

Cost:

The estimated cost to improve this section of the I-5 is \$470.0 million.

Project B

Santa Ana Freeway (I-5) Improvements from the Costa Mesa Freeway (SR-55) to El Toro "Y" Area

Description:

Build new lanes and improve the interchanges in the area between SR-55 and the SR-133 (near the El Toro "Y"). This segment of I-5 is the major route serving activity areas in the cities of Irvine, Tustin, Santa Ana and north Orange County. The project will also make improvements at local interchanges, such as Jamboree Road. The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The project will increase freeway capacity and reduce congestion. The current traffic volume on this segment of I-5 is about 356,000 vehicles per day and is expected to increase by nearly 24 percent, bringing it up to 440,000 vehicles per day. In addition to the projects described above, regional plans include additional improvements to this freeway at local interchanges, such as Culver Drive, using federal and state funds.

Cost:

The estimated cost to improve this section of I-5 is \$300.2 million.

Santa Ana Freeway/San Diego Freeway (I-5)

Project C

San Diego Freeway (I-5) Improvements South of the El Toro "Y"

Description:

Add new lanes to I-5 from the vicinity of the El Toro "Y" Interchange in Lake Forest to the vicinity of SR-73 ~~Crown Valley Parkway~~ in Mission Viejo. Also add new lanes on I-5 between Coast Highway and Avenida Pico interchanges to reduce freeway congestion in San Clemente. The project will also make major improvements at local interchanges as listed in Project D. The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The project will increase freeway capacity and reduce congestion. Current traffic volume on I-5 near the El Toro "Y" is about 342,000 vehicles per day. This volume will increase in the future by 35 percent, bringing it up to 460,000 vehicles per day. Regional plans also include construction of a new freeway access point between Crown Valley Parkway and Avery Parkway as well as new off ramps at Stonehill Drive using federal and state funds.

Cost:

The estimated cost to improve these segments of I-5 is \$627.0 million.

Project D

Santa Ana Freeway / San Diego Freeway (I-5) Local Interchange Upgrades

Description:

Update and improve key I-5 interchanges such as Avenida Pico, Ortega Highway, Avery Parkway, La Paz Road, El Toro Road, and others to relieve street congestion around older interchanges and on ramps. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

In addition to the project described above, regional plans also include improvements to the local interchanges at Camino Capistrano, Oso Parkway, Alicia Parkway and Barranca Parkway using federal and state funds.

Cost:

The estimated cost for the I-5 local interchange upgrades is \$258.0 million.

Garden Grove Freeway (SR-22)

Project E

Garden Grove Freeway (SR-22) Local Interchange Upgrades

Description:

Construct interchange improvements at Euclid Street, Brookhurst Street and ~~Magnolia Avenue Harbor Boulevard~~ to reduce freeway and street congestion near these interchanges. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

Regional plans also include the construction of new freeway-to-freeway carpool ramps to the SR-22/I-405 interchange, and improvements to the local interchange at Magnolia Avenue using federal and state funds.

Cost:

The estimated cost to improve the SR-22 interchanges is \$120.0 million.

Costa Mesa Freeway (SR-55)

Project F

Costa Mesa Freeway (SR-55) Improvements

Description:

Add new lanes to SR-55 between Garden Grove Freeway (SR-22) and the San Diego Freeway (I-405), generally within existing right-of-way, including merging lanes between interchanges to smooth traffic flow. This project also provides for freeway operational improvements for the portion of SR-55 between SR-91 and SR-22. The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The project will increase freeway capacity and reduce congestion. This freeway carries about 295,000 on a daily basis. This volume is expected to increase by nearly 13 percent, bringing it up to 332,000 vehicles per day in the future. In addition to the projects described above, regional plans also include a new street overcrossing and carpool ramps at Alton Avenue using federal and state funds.

Cost:

The estimated cost for these SR-55 improvements is \$366.0 million.

Orange Freeway (SR-57)

Project G

Orange Freeway (SR-57) Improvements

Description:

Build a new northbound lane between Katella Avenue and Lambert Road. Other projects include improvements to the Lambert interchange and addition of a northbound truck climbing lane between Lambert and Tonner Canyon Road. The improvements will be designed and coordinated specifically to reduce congestion at SR-57/SR-91 interchange. These improvements will be made generally within existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The project will increase freeway capacity and reduce congestion. The daily traffic volume on this freeway is about 315,000. By 2030, this volume will increase by 15 percent, bringing it up to 363,000 vehicles per day. In addition to the project described above, regional plans include new carpool ramps at Cerritos Avenue using federal and state funds.

Cost:

The estimated cost to implement SR-57 improvements is \$258.7 million.

Riverside Freeway (SR-91)

Project H

Riverside Freeway (SR-91) Improvements from the Santa Ana Freeway (I-5) to the Orange Freeway (SR-57)

Description:

Add capacity in the westbound direction and provide operational improvements at on and off ramps to the SR-91 between I-5 and the Orange Freeway (SR-57), generally within existing right-of-way, to smooth traffic flow and relieve the SR-57/SR-91 interchange. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

The current daily freeway volume along this segment of SR-91 is about 256,000. By 2030, this volume is expected to increase by nearly 13 percent, bringing it up to 289,900 vehicles per day.

Cost:

The estimated cost for improvements in this segment of SR-91 is \$140.0 million.

Project I

Riverside Freeway (SR-91) Improvements from Orange Freeway (SR-57) to the Costa Mesa Freeway (SR-55) Interchange Area

Description:

Improve the SR-91/SR-55 to SR-91/SR-57 interchange complex, including nearby local interchanges such as Tustin Avenue and Lakeview, as well as adding freeway capacity between SR-55 and SR-57. The project will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

Current freeway volume on this segment of the SR-91 is about 245,000 vehicles per day. This vehicular demand is expected to increase by 22 percent, bringing it up to 300,000 vehicles per day in the future.

Cost:

The estimated cost for these improvements to the SR-91 is \$416.5 million.

Project J

Riverside Freeway (SR-91) Improvements from Costa Mesa Freeway (SR-55) to the Orange/Riverside County Line

Description:

This project adds capacity on SR-91 beginning at SR-55 and extending to I-15 in Riverside County.

The first priority will be to improve the segment of SR-91 east of SR-241. The goal is to provide up to four new lanes of capacity ~~in this segment~~ between SR-241 and Riverside County Line by making best use of available freeway property, adding reversible lanes, building elevated sections ~~where feasible~~ and improving connections to SR-241. These projects would be constructed in conjunction with similar coordinated improvements in Riverside County extending to I-15 and provide a continuous set of improvements between SR-241 and I-15. The portion of improvements in Riverside County will be paid for from other sources. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

This project also includes improvements to the segment of SR-91 between SR-241 and SR-55. The concept is to generally add one new lane in each direction and improve the interchanges.

Today, this freeway carries about 314,000 vehicles every day. This volume is expected to increase by 36 percent, bringing it up to 426,000 vehicles by 2030.

Cost:

The estimated cost for these improvements to the SR-91 is \$925.0 million.

San Diego Freeway (I-405)

Project K

San Diego Freeway (I-405) Improvements between the San Gabriel River Freeway (I-605) in Los Alamitos area and Costa Mesa Freeway (SR-55)

Description:

Add new lanes to the San Diego freeway between I-605 and SR-55, generally within the existing right-of-way. The project will make best use of available freeway property, update interchanges and widen all local overcrossings according to city and regional master plans. ~~add merging lanes near on/off ramps and remain consistent with approved plans.~~ The improvements will be coordinated with other planned I-405 improvements in the I-405/SR-22/I-605 interchange area to the north and I-405/SR-73 improvements to the south. ~~Specific~~ The improvements will adhere to recommendations of the Interstate 405 Major Investment Study (as adopted by the Orange County Transportation Authority Board of Directors on October 14, 2005) and will be developed in cooperation with local jurisdictions and affected communities.

Today, I-405 carries about 430,000 vehicles daily. The volume is expected to increase by nearly 23 percent, bringing it up to 528,000 vehicles daily by 2030. The project will increase freeway capacity and reduce congestion. Near-term regional plans also include the improvements to the I-405/SR-73 interchange as well as a new carpool interchange at Bear Street using federal and state funds.

Cost:

The estimated cost for these improvements to the I-405 is \$500.0 million.

Project L

San Diego Freeway (I-405) Improvements between Costa Mesa Freeway (SR-55) and Santa Ana Freeway (I-5)

Description:

Add new lanes to the freeway from SR-55 to the I-5. The project will also improve chokepoints at interchanges and add merging lanes near on/off ramps such as Lake Forest Drive, Irvine Center Drive and SR-133 to improve the overall freeway operations in . ~~The improvements will be coordinated with projects in the I-405/I-5 El Toro "Y" area.~~ The projects will generally be constructed within the existing right-of-way. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

This segment of the freeway carries 354,000 vehicles a day. This number will increase by nearly 13 percent, bringing it up to 401,000 vehicles per day by 2030. The project will increase freeway capacity and reduce congestion. In addition to the projects described above, regional plans include a new carpool interchange at Von Karman Avenue using federal and state funds.

Cost:

The estimated cost for these improvements to the I-405 is \$319.7 million.

Freeway Access Improvements (I-605)

Project M

I-605 Freeway Access Improvements at Katella Avenue

Description:

Improve freeway access and arterial connection to I-605 serving the communities of Los Alamitos and Cypress. Construct interchange improvements at Katella Avenue to improve freeway and arterial system connections in the Los Alamitos area. . The project will be coordinated with other planned improvements along SR-22 and I-405. Specific improvements will be subject to approved plans developed in cooperation with local jurisdictions and affected communities.

Regional plans also include the addition of new freeway-to-freeway carpool ramps to the I-405/I-605 interchange using federal and state funds This improvement will connect to interchange improvements at I-405 and SR-22 as well as new freeway lanes between I-405 and I-605.

Cost:

The estimated cost to make these I-605 interchange improvements is \$20.0 million.

Freeway Service Patrol

Project N

Freeway Service Patrol

Description:

The Freeway Service Patrol (FSP) provides competitively bid, privately contracted tow truck service for ~~disabled~~-motorists with disabled vehicles on the freeway system. This service helps stranded motorists and quickly clears disabled vehicles out of the freeway lanes to minimize congestion caused by vehicles blocking traffic and passing motorists from rubbernecking.

Currently Freeway Service Patrol is available on Orange County freeways Monday through Friday during peak commuting hours. This project would assure that this basic level of service could be continued through 2041. As demand and congestion levels increase, this project would also permit service hours to be extended throughout the day and onto the weekend.

Cost:

The estimated cost to support the Freeway Service Patrol Program for thirty years beyond 2011 is \$150.0 million.

Streets & Roads Projects

Overview

Orange County has more than 6,500 lane miles of aging streets and roads many of which are in need of repair, rejuvenation and improvement. Intersections need to be widened, traffic lights need to be synchronized, and potholes need to be filled. And, in many cases, to make Orange County's transportation system work smoothly, we need to add additional lanes to existing streets.

Thirty-two percent of net revenues from the Renewed Measure M Transportation Investment Plan are dedicated to the maintaining streets, fixing potholes, improving intersections and widening city streets and county roads.

Making the System Work

Making the existing system of streets and roads work better – by identifying spot intersection improvements, filling potholes, repaving worn-out streets – are the basics of making a countywide transportation system work. Those basics have to be the first priority. But to operate a successful, countywide system of streets and roads, we need more: street widenings and traffic signals synchronized on a countywide basis. And there's more: pedestrian safety near local schools needs to be improved. Traffic flow must be smoothed. Street repairs must be made sooner. And, perhaps most importantly, cities and the county must work together – collaboratively – to find simple, low-cost traffic solutions.

Renewed Measure M provides financial incentives for traffic improvements that cross city and county lines, providing a seamless, county-wide transportation system that's friendly to regional commuters and fair to local residents.

Better Cooperation

To place a higher priority on cooperative, collaborative regional decision-making, Renewed Measure M creates incentives that encourage traffic lights to be coordinated across jurisdictional lines, major street improvements to be better coordinated on a regional basis, and street repair programs to be a high priority countywide. To receive Measure M funding, cities and the county have to cooperate.

The Streets and Roads program in Renewed Measure M involves shared responsibilities – local cities and the county set their local priorities within a competitive, regional framework that rewards cooperation, honors best practices, and encourages government agencies to work together.

Regional Capacity Program

Project O

Regional Capacity Program

Description:

This program, in combination with local matching funds, provides a funding source to complete the Orange County Master Plan of Arterial Highways (MPAH). The program also provides for intersection improvements and other projects to help improve street operations and reduce congestion. The program allocates funds through a competitive process and targets projects that help traffic the most by considering factors such as degree of congestion relief, cost effectiveness, project readiness, etc.

Local jurisdictions must provide a dollar-for-dollar match to qualify for funding, but can be rewarded with lower match requirements if they give priority to other key objectives, such as better road maintenance and regional signal synchronization.

Roughly 1,000 miles of new street lanes remain to be completed, mostly in the form of widening existing streets to their ultimate planned width. Completion of the system will result in a more even traffic flow and efficient system.

Another element of this program is funding for construction of railroad over or underpass grade separations where high volume streets are impacted by freight trains along the Burlington Northern Santa Fe railroad in northern Orange County.

Cost:

The estimated cost for these street improvement projects is \$1,132.8 million.

Traffic Signal Synchronization

Project P

Synchronize Traffic Signals Across Jurisdictions

Description:

This program targets over 2,000 signalized intersections across the County for coordinated operation. The goal is to improve the flow of traffic by developing and implementing regional signal coordination programs that cross jurisdictional boundaries.

Most traffic signal synchronization programs today are limited to segments of roads or individual cities and agencies. For example, signals at intersections of freeways with arterial streets are controlled by Caltrans, while nearby signals at local street intersections are under the control of cities. This results in the street system operating at less than maximum efficiency. When completed, this project can increase the capacity of the street grid and reduce the delay by over six million hours annually.

To ensure that this program is successful, cities, the County of Orange and Caltrans will be required to work together and prepare a common traffic signal synchronization plan and the necessary governance and legal arrangements before receiving funds. In addition, cities will be required to provide 20 percent of the costs. Once in place, the program will provide funding for ongoing maintenance and operation of the synchronization plan. Local jurisdictions will be required to publicly report on the performance of their signal synchronization efforts at least every three years. Signal equipment to give emergency vehicles priority at intersections will be an eligible expense for projects implemented as part of this program.

Cost:

The estimated cost of developing and maintaining a regional traffic signal synchronization program for Orange County is \$453.1 million.

Flexible Local Funding-Fair Share Program

Project Q

Flexible-Local Funding-Fair Share Program

Description:

This element of the program will provide flexible funding to help cities and the County of Orange keep up with the rising cost of repairing the aging street system. In addition, cities can use these funds for other local transportation needs such as residential street projects, traffic and pedestrian safety near schools, signal priority for emergency vehicles, etc.

This program is intended to augment, rather than replace, existing transportation expenditures and therefore cities must meet the following requirements to receive the funds.

1. Continue to invest General Fund monies (or other local discretionary monies) for transportation and annually increase this commitment to keep pace with inflation.
2. Agree to use Measure M funds for transportation purposes only, subject to full repayment and a loss of funding eligibility for five years for any misuse.
3. Agree to separate accounting for Measure M funds and annual reporting on actual Measure M expenditures.
4. Develop and maintain a Pavement Management Program to ensure timely street maintenance and submit regular public reports on the condition of streets.
5. Annually submit a ~~five~~ **six**-year Capital Improvement Program and commit to spend Measure M funds within three years of receipt.
6. Agree to assess traffic impacts of new development and require that new development pay a fair share of any necessary transportation improvements.
7. Agree to plan, build and operate major streets consistent with the countywide Master Plan of Arterial Highways to ensure efficient traffic flow across city boundaries.
8. **Participate in Traffic Forums with neighboring jurisdictions to facilitate the implementation and maintenance of traffic signal synchronization programs and projects. Adopt local traffic signal synchronization plan that is consistent with countywide master plan.** Agree to participate in the Traffic Signal Synchronization Program to implement and maintain effective signal synchronization. This requires cities to balance local traffic policies with neighboring cities - for selected streets - to promote more efficient traffic circulation overall.
9. Agree to consider land use planning strategies that are transit-friendly, support alternative transportation modes including bike and pedestrian access and reduce reliance on the automobile.

The funds under this program are distributed to cities and the County of Orange by formula once the cities have fulfilled the above requirements. The formula will account for population, street mileage and amount of sales tax collected in each jurisdiction.

Cost:

The estimated cost for this program for thirty years is \$2,039.1 million.

Transit Projects

Overview

Building streets, roads and freeways helps fix today's traffic problems. Building a visionary rail transit system that is safe, clean and convenient focuses on Orange County's transportation future.

Twenty-five percent of net revenues from the Renewed Measure M Transportation Investment Plan are allocated towards building and improving rail and bus transportation in Orange County. Approximately twenty percent of the Renewed Measure M funds are allocated to developing a creative countywide rail-transit program and five percent of the revenues will be used to enhance programs for senior citizens and for targeted, localized bus service. All transit expenditures must be consistent with the safeguards and audit provisions of the Plan.

A New Transit Vision

The key element of the Renewed Measure M rail-transit program is improving the 100-year-old Santa Fe rail line, **known today as the Los Angeles/San Diego (LOSSAN) rail corridor**, through the heart of the county. Then, by using this well-established, operational commuter rail system as a platform for future growth, existing rail stations will be developed into regional transportation hubs that can serve as regional transportation gateways or the centerpiece of local transportation services. A series of new, well-coordinated, flexible transportation systems, each one customized to the unique transportation vision the station serves, will be developed. Creativity and good financial sense will be encouraged. Partnerships will be promoted. Transportation solutions for each transportation hub can range from monorails to local mini-bus systems to new technologies. Fresh thinking will be rewarded.

The new, localized rail-transit programs will bring competition to local transportation planning, creating a marketplace of transportation ideas where the best ideas emerge and compete for funding. The plan is to encourage civic entrepreneurship and stimulate private involvement and investment.

Selection-Transit Investment Criteria

The guiding principles for all transit investments are value, safety, convenience and reliability. Each local transit vision will be evaluated against clear criteria, such as congestion relief, cost-effectiveness, readiness, connectivity, and a sound operating plan.

~~Each local rail vision will be carefully evaluated on well-defined, well-known criteria that values:~~

- ~~• Traffic congestion relief;~~
- ~~• Project readiness, with priority given to projects that can be implemented within the first five years of the Plan;~~
- ~~• Local funding commitments and the availability of right-of-way;~~
- ~~• Proven ability to attract other financial partners, both public and private;~~
- ~~• Proximity to jobs and population centers;~~
- ~~• Regional as well as local benefits;~~
- ~~• Ease and simplicity of connections;~~

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- ~~• Compatible, approved land uses;~~
- ~~• Modern technology; and~~
- ~~• A sound, long term operating plan~~

In terms of bus services, more specialized transit services, including improved van services and reduced fares for senior citizens and people with disabilities, will be provided. Safety at key bus stops will be improved. And a network of community-based, mini-bus services will be developed in areas outside of the central county rail corridor.

High Frequency Metrolink Service

Project R

High Frequency Metrolink Service

Description:

This project will increase rail services within the county and provide frequent Metrolink service north of Fullerton to Los Angeles. The project will provide for track improvements, more trains, and other related needs to accommodate the expanded service.

This project is designed to build on the successes of Metrolink and complement service expansion made possible by the current Measure M. The service will include upgraded stations and added parking capacity; safety improvements and quiet zones along the tracks; and frequent shuttle service and other means, to move arriving passengers to nearby destinations.

The project also includes funding for improving grade crossings and constructing over or underpasses at high volume arterial streets that cross the Metrolink tracks.

Cost

The estimated cost of capital and operations is \$1,014.1 million.

~~High Capacity Transit Extensions to Metrolink~~

Project S

~~High Capacity Transit Extensions to Metrolink~~

Description:

Frequent service in the Metrolink corridor provides a high capacity transit system linking communities within the central core of Orange County. This project will establish a competitive program for local jurisdictions to broaden the reach of the rail system to other activity centers and communities. ~~Proposals for extensions will be evaluated against clear criteria such as congestion relief, project readiness, local funding commitment, private investment, connectivity, compatible land uses, proven technology and a sound operating plan. must be developed and supported by local jurisdictions and will be evaluated against well-defined and well-known criteria as follows:~~

- Traffic congestion relief;
- Project readiness, with priority given to projects that can be implemented within the first five years of the Plan;
- Local funding commitments and the availability of right-of-way;
- Proven ability to attract other financial partners, both public and private;
- Cost-effectiveness;
- Proximity to jobs and population centers;
- Regional as well as local benefits;

- Ease and simplicity of connections
- Compatible, approved land uses
- Safe and modern technology; and
- A sound, long term operating plan.

This project shall not be used to fund transit routes that are not directly connected to or that would be redundant to the core rail service on the Metrolink corridor. The emphasis shall be on expanding access to the core rail system and on establishing connections to communities and major activity centers that are not immediately adjacent to the Metrolink corridor. It is intended that multiple transit projects be funded through a competitive process and no single project may be awarded all of the funds under this program.

These connections may include a variety of transit technologies such as conventional bus, bus rapid transit or high capacity rail transit systems as long as they can be fully integrated and provide seamless transition for the users.

Cost:

The estimated cost to implement this program over thirty years is \$1,000.0 million.

Metrolink Gateways

Project T

Convert Metrolink Station(s) to regional gateways that connect Orange County with ~~high speed~~ high-speed rail systems

Description:

This program will provide the local improvements that are necessary to connect planned future ~~high speed~~ high-speed rail systems to stations on the Orange County Metrolink route.

The State of California is currently planning a ~~high speed~~ high-speed rail system linking northern and southern California. One line is planned to terminate in Orange County. In addition, several magnetic levitation (MAGLEV) systems that would connect Orange County to Los Angeles and San Bernardino Counties, including a link from Anaheim to Ontario airport, are also being planned or proposed by other agencies.

Cost:

The estimated Measure M share of the cost for these regional centers and connections is \$226.6 million.

Expand Mobility Choices for Seniors and Persons with Disabilities

Project U

Expand mobility choices for seniors and persons with disabilities

Description:

This project will provide services and programs to meet the growing transportation needs of seniors and persons with disabilities as follows:-

- This includes one percent of net revenues will stabilize fares and provide fare discounts for bus services, specialized ACCESS services and future rail services;
- One one percent of net revenues will be available to continue and expand local community van service for seniors through the existing Senior Mobility Program; and-
- Another oneone percent will supplement existing countywide senior non-emergency medical transportation services.

Over the next 30 years, the population age 65 and over is projected to increase by 93 percent. Demand for transit and specialized transportation services for seniors and persons with disabilities is expected to increase proportionately.

Cost:

The estimated cost to provide these programs over 30 years is \$339.8 million.

Community Based Transit/Circulators

Project V

Community Based Transit/Circulators

Description:

This project will establish a competitive program for local jurisdictions to develop local bus transit programs services such as community based circulators, shuttles and bus trolleys that complement regional transit bus and rail services, and meet needs in areas not adequately served by regional transit. Projects will need to meet performance criteria for ridership, connection to bus and rail services, and financial viability to be considered for funding. All projects must be competitively bid, and they cannot duplicate or compete with existing transit services.

Cost:

The estimated cost of this project is \$226.5 million.

Safe Transit Stops

Project W

Safe Transit Stops

Description:

This project provides for passenger amenities at 100 busiest high-transfer transit stops across the County. The stops will be designed to ease transfer between bus lines and provide passenger amenities such as improved shelters, improved lighting, current information systems on bus and train timetables and arrival times, and easier access transit ticket vending machines.

Cost:

The estimated cost of this project is \$25.0 million.

Environmental Cleanup

Overview

Every day, more than 70 million gallons of oily pollution, litter, and dirty contamination washes off streets, roads and freeways and pours on to Orange County waterways and beaches. When it rains, the transportation-generated pollution increases tenfold, contributing to the increasing number of beach closures and environmental hazards along the Orange County coast.

Prior to allocation of funds for freeway, street and transit projects, two percent of gross revenues from the Renewed Measure M Transportation Investment Plan are set aside to protect Orange County beaches from transportation-generated pollution (sometimes called "urban runoff") and improving ocean water quality.

Countywide Competitive Program

Measure M Environmental Cleanup funds will be used on a countywide, competitive basis to meet federal Clean Water Act standards for controlling transportation-generated pollution by funding nationally recognized Best Management Practices, ~~including: such as~~ catch basins ~~and~~ with state-of-the-art biofiltration systems; or special roadside landscaping systems called bioswales that filter oil runoff from streets, roads and freeways; ~~and environmentally sensitive street cleaning programs.~~

The environmental cleanup program is designed to supplement, not supplant, existing transportation-related water quality programs. This clean-up program must improve, and not replace, existing pollution reduction efforts by cities, the county, and special districts. Funds will be awarded to the highest priority programs that improve water quality, keep our beaches and streets clean, and reduce transportation-generated pollution along Orange County's scenic coastline.

Project Description

Project X

Environmental Cleanup

Description:

Implement street and highway related water quality improvement programs and projects that will assist Orange County cities, the County of Orange and special districts to meet federal Clean Water Act standards for urban runoff.

The Environmental Cleanup monies may be used for water quality improvements related to both existing and new transportation infrastructure, including capital and operations improvements such as:

- Catch basin screens, filters and inserts
- Roadside bioswales and biofiltration channels
- **Wetlands protection and restoration**
- Continuous Deflective Separation (CDS) units
- Maintenance of catch basins and bioswales
- Other street-related “Best Management Practices” for capturing and treating urban runoff

This program is intended to augment, not replace existing transportation related water quality expenditures and to emphasize high-impact capital improvements over local operations and maintenance costs. In addition, all new freeway, street and transit capital projects will include water quality mitigation as part of project scope and cost.

The Environmental Cleanup program is subject to the following requirements:

- Development of a comprehensive countywide capital improvement program for transportation related water quality improvements.
- A competitive grant process to award funds to the highest priority, most cost-effective projects.
- A matching requirement to leverage other federal, state and local funds for water quality improvements.
- A maintenance of effort requirement to ensure that funds augment, not replace existing water quality programs.
- Annual reporting on actual expenditures and an assessment of the water quality benefits provided.
- A strict limit on administrative costs and a requirement to spend funds within ~~five~~ three years of receipt.
- Penalties for misuse of any of the Environmental Cleanup funds.

Cost:

The estimated cost for the Environmental Cleanup program is \$237.2 million. In addition it is estimated that new freeway, road and transit projects funded by the Renewed Measure M Transportation Investment Plan will include more than \$165 million for mitigating water quality impacts.

Taxpayer Safeguards and Audits

Overview

When new transportation dollars are approved, they should go for transportation and transportation alone. No bait-and-switch. No using transportation dollars for other purposes. The original Measure M went solely for transportation. The Renewed Measure M will be just as airtight.

And there will be no hidden costs in the program.

Prior to allocation of funds for freeway, street and transit projects, one percent of gross revenues from the Renewed Measure M Transportation Investment Plans are set aside for audits, safeguards, and taxpayer protection. By state law, one and one half percent of the gross sales taxes generated by Measure M must be paid to the California State Board of Equalization for collecting the countywide one-half percent sales tax that funds the Transportation Investment Program.

Special Trust Fund

To guarantee transportation dollars are used for transportation purposes, all funds must be kept in a special trust fund. An independent, outside audit of this fund will protect against cheaters who try to use the transportation funds for purposes other than specified transportation uses. A severe punishment will disqualify any agency that cheats from receiving Measure M funds for a five-year period.

The annual audits, and annual reports detailing project progress, will be sent to Orange County taxpayers every year and will be reviewed in public session by a special Taxpayers' Oversight Committee that can raise fiscal issues, ask tough questions, and must independently certify, on an annual basis, that transportation dollars have been spent strictly according to the Renewed Measure M Investment Plan.

Back to the Voters

Of course, over the next 30 years, things will change. Minor adjustments can be made by a 2/3 vote of the Taxpayer Oversight Committee and a 2/3 vote of the Orange County Local Transportation Authority Board of Directors. Major changes must be taken back to voters for authorization. And, every ten years, and more frequently if necessary, the Orange County Local Transportation Authority must conduct a thorough examination of the Renewed Measure M Investment Plan and determine if major changes should be submitted to the voters.

There are other important taxpayer safeguards, all designed to insure the integrity of the voter-authorized plans. But each is focused on one goal: guaranteeing that new transportation dollars are devoted to solving Orange County's traffic problems and that no transportation dollars are diverted to anything else.

Description

Taxpayer Safeguards and Audits

Description:

Implement and maintain strict taxpayer safeguards to ensure that the Renewed Measure M Transportation Investment Plan is delivered as promised. Restrict administrative costs to one percent (1%) of total tax revenues and State collection of the tax as prescribed in state law [currently one-and-one-half (1.5%) percent].

Administration of the Transportation Investment Plan and all spending is subject to the following specific safeguards and requirements:

Oversight

- All spending is subject to an annual independent audit.
- Spending decisions must be annually reviewed and certified by an independent Taxpayer Oversight Committee.
- An annual report on spending and progress in implementing the Plan must be submitted to taxpayers.

Integrity of the Plan

- No changes to the Plan can be made without review and approval by 2/3 vote of the Taxpayers' Oversight Committee.
- Major changes to the Plan such as deleting a project or shifting projects among major spending categories (Freeways, Streets & Roads, Transit, Environmental Cleanup) must be ratified by a majority of voters.
- The Plan must be subject at least every ten years to public review and assessment of progress in delivery, public support and changed circumstances. Any significant proposed changes to the Plan must be approved by the Taxpayer Oversight Committee and ratified by a majority of voters.

Fund Accounting

- All tax revenues and interest earned must be deposited and maintained in a separate trust fund. Local jurisdictions that receive allocations must also maintain them in a separate fund.
- All entities receiving tax funds must report annually on expenditures and progress in implementing projects.
- At any time, at its discretion, the Taxpayers' Oversight Committee may conduct independent reviews or audits of the spending of tax funds.
- The elected Auditor/Controller of Orange County must annually certify that spending is in accordance with the Plan.

Spending Requirements

- Local jurisdictions receiving funds must abide by specific eligibility and spending requirements detailed in the Streets & Roads and Environmental Cleanup components of the Plan.

- Funds must be used only for transportation purposes described in the Plan. The penalty for misspending is full repayment and loss of funding eligibility for a period of five years.
- No funds may be used to replace private developer funding committed to any project or improvement.
- Funds shall augment, not replace existing funds.
- Every effort shall be made to maximize matching state and federal transportation dollars.

Taxpayer Oversight Committee

- The committee shall consist of eleven members – two members from each of the five Board of Supervisor’s districts, who shall not be elected or appointed officials–along with the elected Auditor/Controller of Orange County.
- Members shall be recruited and screened for expertise and experience by the Orange County Grand Jurors Association. Members shall be selected from the qualified pool by lottery.
- The committee shall be provided with sufficient resources to conduct independent reviews and audits of spending and implementation of the Plan.

Collecting the Tax

- The State Board of Equalization shall be paid one-and-one-half (1.5) percent of gross revenues each fiscal year for its services in collecting sales tax revenue as prescribed in Section 7273 of the State’s Revenue and Taxation Code.

Cost:

The estimated cost for Safeguards and Audits over thirty years is \$296.6 million.

Proposed Measure M Investment Summary

Freeway Projects (in millions)	\$4871.1
I-5 Santa Ana Freeway Interchange Improvements	470.0
I-5 Santa Ana/San Diego Freeway Improvements	1,185.2
SR-22 Garden Grove Freeway Access Improvements	120.0
SR-55 Costa Mesa Freeway Improvements	366.0
SR-57 Orange Freeway Improvements	258.7
SR-91 Riverside Freeway Improvements	1,481.5
I-405 San Diego Freeway Improvements	819.7
I-605 Freeway Access Improvements at Katella Avenue	20.0
All Freeway Service Patrol	150.0
Streets & Roads Projects (in millions)	\$3625.0
Regional Capacity Program	1,132.8
Regional Traffic Signal Synchronization Program	453.1
Flexible Local Funding Fair Share Program	2,039.1
Transit Projects (in millions)	\$2832.0
High Frequency Metrolink Service	1,014.1
High Capacity Transit Extensions to Metrolink	1,000.0
Metrolink Gateways to High Speed Rail Systems	226.6
Mobility Choices for Seniors and Persons with Disabilities	339.8
Community Based Transit/Circulators	226.5
Safe Transit Stops	25.0
Environmental Cleanup (in millions)	\$237.2
Clean Up Highway and Street Runoff that Pollutes Beaches	237.2
Taxpayers Safeguards and Audits (in millions)	\$296.6
Collect Sales Taxes (State charges required by law)	178.0
Oversight and Annual Audits	118.6
Total (2005 dollars in millions)	\$11861.9

DRAFT

Conceptual Freeway Mitigation Programs

Context Sensitive Design

The Renewed Measure M Freeway Program improvements will be built largely within existing rights of way using the latest highway design and safety requirements. However, to the greatest extent possible within the available budget, projects shall be implemented using Context Sensitive Design, as described in the nationally recognized Federal Highway Administration (FHWA) Principles of Context Sensitive Design Standards. Projects will be planned, designed and constructed using a flexible community-responsive and collaborative approach to balance aesthetic, historic and environmental values with transportation safety, mobility, maintenance and performance goals. Context Sensitive Design features may include, but are not limited to, parkway-style designs; environmentally friendly, drought-resistant landscaping; and aesthetic treatments and themes that are in harmony with the community.

Programmatic Mitigation and Resource Protection Program

Five percent (estimate of \$243.5 million*) of the funds from the Renewed Measure M Freeway Program shall be available for purposes of programmatic environmental mitigation of freeway projects within the Renewed Measure M Transportation Investment Plan. These funds shall be derived by pooling funds from the mitigation budgets of individual freeway projects in the Investment Plan, and shall only be allocated subject to the following:

1. Development of a Master Environmental Mitigation and Resource Protection Plan and Agreement that details:
 - a. Commitments by the Authority to provide for programmatic environmental mitigation of the freeway projects.
 - b. Commitments by state and federal resource agencies for expedited permitting for the freeway projects.
 - c. An accounting process for mitigation obligations and credits that will document net environmental benefit from regional, programmatic mitigation in exchange for net benefit in the delivery of transportation improvements through streamlined and timely approvals and permitting.
 - d. A description of the specific mitigation actions and expenditures to be undertaken and a phasing, implementation and maintenance plan.
2. The Authority shall appoint a Mitigation and Resource Protection Program Oversight Committee to make recommendations on the allocation of the funds and monitor implementation. The committee shall consist of no more than twelve members and be comprised of representatives of the Authority, Caltrans, state and federal resource agencies, non-governmental environmental organizations, Orange County taxpayers and the Measure M Taxpayers Oversight Committee.

* 2005 dollars

MEMORANDUM

TO: Monte Ward

FROM: Terry Watt

CC: Mike White, CBI; Claire Schlotterbeck, Hills For Everyone; Melanie Schlotterbeck, Consultant; Garry Brown, Orange County Coastkeepers; Jeanne Spinner LaMar, OCTA; Ken Corey, USFWS; Warren Wong, DFG; Jonathan Snyder, USFWS

DATE: April 8, 2006

SUBJECT: Update On Environmental and Community Group Discussions Concerning Proposal for Inclusion of Context Sensitive Design and Programmatic Mitigation in Measure M and Support for the Measure

Thank you for the proposal in response to the environmental organization's requests outlining the possible inclusion of additional programs in Measure M including a policy for Context Sensitive Design and Programmatic Mitigation and Resource Protection Program within the Freeway Projects section of Measure M. The purpose of this memorandum is to update you on the status of support for the inclusion of these concepts in the Measure as well as support for the overall Measure by Orange County environmental and community organizations.

1. Status of Organizational Support for the Concepts and Measure M

As of April 7th, the environmental and community organizations whose leadership is strongly recommending¹ support of the inclusion of the proposed concepts and support for Measure M to their Boards, conditional upon addressing the additional considerations listed below either in the Measure or its Ordinance, includes the following organizations:

- California Cultural Resource Preservation Alliance
- Endangered Habitats League, EHL
- Friends of Coyote Hills
- Hills for Everyone
- Inland Empire Waterkeepers
- Orange County Coastkeepers
- Silverado-Modjeska Recreation and Parks District
- The Trust for Public Land
- Friends of Harbors, Beaches and Parks

¹ The listed groups have scheduled Board meetings over the next two weeks so that letters of support can be submitted by April 24, 2006. The EHL Board, with the inclusion of the additional considerations in this letter, has already voted to support Measure M. We will update the list as the Board meetings occur.

- Earth Resources Foundation

A number of other environmental and community organizations listed below are also actively participating in our dialogue and are still considering support for inclusion of the proposed concepts and Measure M. Incorporation of the additional considerations listed below in the Measure Text or its Ordinance would be extremely helpful in moving the following groups to support the concepts and overall Measure.

- Bolsa Chica Land Trust
- California Oaks Foundation
- Laguna Greenbelt, Inc.
- Laguna Canyon Foundation
- Laguna Canyon Conservancy
- Southcoast Wildlands
- The Nature Conservancy
- The Conservation Fund
- Saddleback Canyons Conservancy
- *Sea and Sage Audubon
- Stop Polluting Our Newport

*Groups that may not be able to *support* the Measure according to their bylaws.

2. List of Additional Considerations for Inclusion in Measure M Draft Investment Plan Text or Measure M Ordinance

The following are suggested additional considerations (#1 through #7) for inclusion in either the Measure M Draft Investment Plan Text or Measure M Ordinance.

Context Sensitive Design

#1 Clarification of Context Sensitive Design Policy Intent

Modify last sentence as follows: Context Sensitive Design features may include, but are not limited to parkway sensitive designs; environmentally friendly, drought-resistant native landscaping with indigenous plants; and aesthetic treatments, designs and themes that are in harmony with the community and the natural surrounding including improving wildlife passage.

Programmatic Mitigation and Resource Protection Program

#2 Definition of Programmatic Mitigation (PM)

Add a Definition of Programmatic Mitigation in a definitions section and/or as follows in the text of the program:

1.a. Commitments of the Authority to provide for programmatic environmental mitigation of the freeway projects. Programmatic Mitigation emphasizes fewer, large mitigation actions to compensate for numerous, smaller impacts, associated with individual transportation projects.

New Definition: Programmatic Mitigation: Programmatic Mitigation emphasizes fewer, large mitigation actions to compensate for numerous, smaller impacts, associated with individual transportation projects. Benefits of this approach include reducing project delays and the potential for protection of significant mitigation areas with multiple public benefits including protecting wildlife connectivity and habitat, improved water quality and preservation of cultural resources within their natural resources context. Continued functioning of existing wildlife passage features would not be part of Programmatic Mitigation.

#3 Clarification of Permit Streamlining

As requested by DFG and USFWS: clarify language about “expedited permitting” in Section 1.b as follows:

1.b. Commitments by state and federal agencies to reduce project delays associated through permitting and streamline the permit process.

New Definition: Permit Streamlining: Commitments by state and federal agencies to reduce project delays associated with permitting by developing a conservation strategy early in the planning process rather than at the end, and to streamline the approval process by permitting multiple projects with a single conservation strategy.

#4 Clarification of Committee Composition

In section 2, Oversight Committee composition, change the reference to “Orange County taxpayers” to member of the public.

#5 Funding in PM Pool

Amount of Funding for Programmatic Mitigation:

- Change the first sentence to read: At least Five (5) percent (estimate of \$243.5 million in 2005 dollars)...

Existing Environmental Cleanup Program

#6 Clarification of Acceptable Uses for Environmental Cleanup Funds

Add protection and creation of wetlands to the list of acceptable allocations of environmental cleanup monies.

Measure M – Potential Ordinance Language

#7 Commitment to Providing Early Funding for Programmatic Mitigation

Commitment to: a) indexing the Programmatic Mitigation fund to inflation² and b) providing early funding for Programmatic Mitigation through both bonding and possibly bridge funding against the bond proceeds to enable the spending for Programmatic Mitigation purposes in the near term.³

Letter from OCTA re: Ongoing Dialogue

The groups believe that the dialogue we are currently engaged in concerning Measure M is highly productive. The groups are committed to a long-term dialogue with OCTA and other Orange County leadership about the range of issues and solutions related to transportation and land use. The groups would like a letter of commitment or a policy statement accompanying the approval of the final Draft Measure M Transportation Investment Plan from OCTA to participate in such a dialogue with the environmental community. Further details of this proposal can be worked out during the next two weeks.

² Indexing to inflation may not be necessary because PM is specified as a percentage and not a flat amount of the sales tax. More discussion with the financial experts is needed. The best outcome is front loading so that funds can be used early.

³ The organizations believe this will have further benefits to OCTA in terms of net environmental benefit and reducing project delays related to permitting.