

Date: Monday, May 12, 2008

Time: 9:00 a.m.

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



BOARD AGENDA

Orange County Transportation Authority Board Meeting
OCTA Headquarters
First Floor - Room 154, 600 South Main Street
Orange, California
Monday, May 12, 2008, at 9:00 a.m.

ACTIONS

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

Invocation

Director Campbell

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. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.



BOARD AGENDA

ACTIONS

Special Matters

There are no Special Matter items.

Consent Calendar (Items 1 through 14)

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

1. Approval of Minutes

Of the Orange County Transportation Authority and affiliated agencies' regular meeting of April 28, 2008.

2. State Legislative Status Report

Kristin Essner/P. Sue Zuhlke

Overview

With an estimated \$100 billion in state transportation infrastructure needs over the next 20 years and continued insufficiencies in state transportation funding, innovative means of finance are necessary to meet the state's infrastructure needs. An overview of several legislative proposals for expanded public-private partnerships is provided and principles for discussion are recommended. An oppose position is recommended for a bill that would impose additional requirements on a lead agency when creating and utilizing an environmental document under the California Environmental Quality Act. An oppose position is also recommended for a bill that would prohibit the construction or expansion of a state highway within a quarter mile of a school.

Recommendations

- A. Approve a set of principles that should be considered when analyzing legislation that would authorize or study the creation of additional public private partnership projects within the state or create a centralized mechanism for streamlining the approval of such projects.



BOARD AGENDA

ACTIONS

2. (Continued)

B. Adopt the following recommended positions on legislation:

Oppose SB 1165 (Kuehl, D-Santa Monica), which would impose additional requirements under the California Environmental Quality Act

Oppose SB 1507 (Oropeza, D-Long Beach), which would prohibit state highway construction or expansion near schools

3. **Agreement for a Compensation and Classification Study for Administrative Positions**

Lisa Arosteguy/James S. Kenan

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2007-2008 budget goals for the Human Resources Department, the Board of Directors approved the implementation of a comprehensive compensation and classification study for all administrative positions. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0516 between the Orange County Transportation Authority and The Segal Company, in an amount not to exceed \$165,000, for a comprehensive compensation and classification study of administrative positions.

4. **Request to Award Agreement for Network Based Intrusion Detection/Prevention Services**

Christopher Chock/James S. Kenan

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2007-08 Budget, the Board of Directors approved professional services to support the Information Systems Security Program. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.



BOARD AGENDA

ACTIONS

4. (Continued)

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1424 between the Orange County Transportation Authority and Verisign Inc., in an amount not to exceed \$184,785, for network based intrusion detection/prevention services for a three-year term.

5. **Finance, Administration and Human Resources Division Responses to State Triennial Performance Audit Recommendations**

Kenneth Phipps/James S. Kenan

Overview

State triennial performance audits of the Orange County Transportation Authority and the Orange County Transit District, as required by California Public Utilities Code §99246, were presented to the Board of Directors in July 2007. Sixteen improvement recommendations were provided for the Finance, Administration and Human Resources Division. A report on the findings and management response is provided.

Recommendation

Receive and file as an information item.

Orange County Local Transportation Authority Consent Calendar Matters

6. **Adopt a Mitigated Negative Declaration for the Fullerton Turnback Facility and the Anaheim Layover Facility**

Dinah Minteer/Kia Mortazavi

Overview

The Metrolink Service Expansion Program includes the construction of the Fullerton turnback facility and an adjacent layover facility in Anaheim. The Orange County Transportation Authority has had an initial study prepared to evaluate the environmental effects of the project. The initial study concluded that the project would not have a significant environmental impact with implementation of certain mitigation measures.



BOARD AGENDA

ACTIONS

6. (Continued)

Recommendation

Approve Resolution No. 2008-31 adopting the mitigated negative declaration and a Mitigation Monitoring and Reporting Program for the Fullerton turnback facility and the Anaheim layover facility.

7. **Consultant Cost Negotiation for Preparation of a Feasibility Study for Improvements to the Riverside Freeway (State Route 91)**

Dan Phu/Kia Mortazavi

Overview

The Renewed Measure M Early Action Plan calls for preparation of conceptual engineering for a segment of the Riverside Freeway (State Route 91), between the Costa Mesa Freeway (State Route 55) and the Orange Freeway (State Route 57). On February 11, 2008, the Board of Directors authorized staff to request a price proposal from RMC, Inc., and negotiate an agreement for services. Staff was directed to return to the Board of Directors with the agreement when negotiations were completed.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1360 with RMC, Inc., in an amount not to exceed \$297,021.

8. **Measure M Quarterly Report**

Norbert Lippert/Kia Mortazavi

Overview

Staff has prepared a Measure M progress report for the first quarter of 2008. This is a regular report that highlights the Measure M projects and programs currently under development.

Recommendation

Receive and file as an information item.



BOARD AGENDA

ACTIONS

9. **Metrolink Ridership and On-Time Performance Report**
Megan Taylor/Kia Mortazavi

Overview

A report on Metrolink ridership and on-time performance is presented. The report covers the third quarter of fiscal year 2007-08.

Recommendation

Receive and file as an information item.

10. **Agreement for Public Outreach Consultant to Support the Environmental and Design Phases of the Riverside Freeway (State Route 91) Improvement Projects**
Fernando Chavarria/Ellen S. Burton

Overview

Three improvements to the Riverside Freeway (State Route 91), identified as Project H and Project J, are in the Renewed Measure M Early Action Plan. Consultant services are needed to support the public outreach effort during the environmental, design, and pre-construction phases of three projects. Proposals have been received and evaluated in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1433 between the Orange County Transportation Authority and Westbound Communications, in an amount not to exceed \$589,000 over a three-year term, for comprehensive public outreach services in support of the environmental, design and/or pre-construction phases of three projects on the Riverside Freeway (State Route 91).



BOARD AGENDA

ACTIONS

Orange County Transit District Consent Calendar Matters

11. **Agreement for Heating, Ventilation, and Air Conditioning Replacement at the Garden Grove Base Annex Building**
James J. Kramer/Kia Mortazavi

Overview

The main heating, ventilation, and air conditioning unit at the Garden Grove Base annex building is beyond its useful life and requires replacement. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0441 between the Orange County Transportation Authority and Air-Ex Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$298,048, for heating, ventilation, and air conditioning replacement at the Garden Grove Base annex building.

12. **Agreement for Bus Wash Building Refurbishment at the Garden Grove Base**
James J. Kramer/Kia Mortazavi

Overview

Refurbishment of the bus wash building at the Garden Grove Base is necessary to repair deteriorating operational conditions and to extend the life of the bus wash facility at the operation and maintenance base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0377 between the Orange County Transportation Authority and Thomco Construction, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$123,448, for the refurbishment of the bus wash building at the Garden Grove Base.



BOARD AGENDA

ACTIONS

13. Bus Customer Satisfaction Survey
Stella Lin/Ellen S. Burton

Overview

To gauge bus customer usage patterns, satisfaction, attitudes and awareness, as well as to gather customer demographic information, a bus customer satisfaction survey was conducted in November 2007. Results from the survey are expected to play a key role in helping the Orange County Transportation Authority better understand bus customer needs and perceptions, as well as provide insight to improve the bus service. This staff report summarizes the results from the survey.

Recommendation

Receive survey results for discussion and possible action as deemed appropriate by the Board of Directors.

14. Approval of the Fiscal Year 2008-09 Local Transportation Fund Claim for Public Transportation and Community Transit Services
William Dineen, Jr./James S. Kenan

Overview

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation and community transit services throughout Orange County. To receive the funds, the Orange County Transit District must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendation

Approve the Orange County Transit District Fiscal Year 2008-09 Local Transportation Fund Claim for public transportation services, in the amount of \$98,226,084, and for community transit services, in the amount of \$5,227,300, for a total claim amount of \$103,453,384, and authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.



BOARD AGENDA

ACTIONS

Regular Calendar

Orange County Local Transportation Authority Regular Calendar Matters

15. **Go Local Step One Screening Results and Step Two Recommendations**
Darrell E. Johnson/Kia Mortazavi

Overview

On February 25, 2008, the Orange County Transportation Authority Board of Directors directed staff to screen the submission of Go Local Step One final reports in accordance with the approved Go Local Step One Final Reports Screening Checklist. As of preparation of this report, the cities of Anaheim, Irvine, Santa Ana, (acting as lead agency with Garden Grove) and San Clemente, (acting as lead agency with Dana Point and San Juan Capistrano) have submitted final reports summarizing the cities' Step One results and requests for Step Two funding consideration. Staff has screened 21 projects in total, seven from Anaheim, ten from Irvine, three from Santa Ana, and one from San Clemente, and are presenting the results for the Board of Directors' consideration.

Recommendations

- A. Allocate \$5.9 million to the City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector.
- B. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.



BOARD AGENDA

ACTIONS

15. (Continued)

- C. Allocate \$5.9 million to the City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance of the Santa Ana Fixed-Guideway Project.
- D. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the Santa Ana Fixed-Guideway Project, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.
- E. Direct staff to return to the Board of Directors after all Go Local Step One final reports have been submitted with a recommended approach for funding consideration of all station, parking, bicycle, pedestrian, and remaining Go Local Step One projects.
- F. Refer policy discussion on using Renewed Measure M funds for operations and maintenance to the Renewed Measure M Transit Strategic Plan effort, and direct staff to return by June 2008 with a draft strategic plan that evaluates options for funding operations and maintenance.

Discussion Items

16. 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.



BOARD AGENDA

ACTIONS

17. Chief Executive Officer's Report

18. Directors' Reports

19. Closed Session

A Closed Session is not scheduled

**20. Orange County Transportation Authority Fiscal Year 2008-09
Budget Workshop**

Rene I. Vega/James S. Kenan

The Orange County Transportation Authority is developing the fiscal year 2008-09 budget, which identifies available revenues and the costs associated with providing transportation services and programs for Orange County commuters. Following the May 12, 2008, Orange County Transportation Authority Board of Directors' meeting, the proposed budget will be reviewed in detail in a two-hour informal workshop.

21. Adjournment

The next regularly scheduled meeting of this Board will be held at **9:00 a.m. on May 23, 2008**, at the OCTA Headquarters.

Minutes of the Meeting of the
Orange County Transportation Authority
Orange County Service Authority for Freeway Emergencies
Orange County Local Transportation Authority
Orange County Transit District
Board of Directors
April 28, 2008

Call to Order

The April 28, 2008, regular meeting of the Orange County Transportation Authority and affiliated agencies was called to order by Chairman Norby at 9:00 a.m. at the Orange County Transportation Authority Headquarters, Orange, California.

Roll Call

Directors Present: Chris Norby, Chairman
Peter Buffa, Vice Chair
Jerry Amante
Arthur C. Brown
Bill Campbell
Carolyn Cavecche
Paul Glaab
Cathy Green
Allan Mansoor
John Moorlach
Curt Pringle
Miguel Pulido
Mark Rosen
Gregory T. Winterbottom
Cindy Quon, Governor's Ex-Officio Member

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

Directors Absent: Patricia Bates
Richard Dixon
Janet Nguyen

Invocation

Director Amante gave the invocation.

Pledge of Allegiance

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

Public Comments on Agenda Items

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

Special Matters

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

Chairman Norby presented Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-23, 2008-24, 2008-25 to Robert Green, Coach Operator; James Pugh, Maintenance; and Cathy Davis, Administration, as Employees of the Month for April 2008.

Consent Calendar (Items 2 through 31)

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

Orange County Transportation Authority Consent Calendar Matters

2. Approval of Minutes - Special Meeting

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' special meeting of April 14, 2008.

3. Approval of Minutes - Regular Meeting

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to approve the minutes of the Orange County Transportation Authority and affiliated agencies' regular meeting of April 14, 2008.

4. Approval of Resolutions of Appreciation for Employees of the Month for April 2008

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to adopt Orange County Transportation Authority Resolutions of Appreciation Nos. 2008-23, 2008-24, and 2008-25 to Robert Green, Coach Operator, James Pugh, Maintenance, and Cathy Davis, Administration, as Employees of the Month for April 2008.

5. Legislation Related to the Confidential Records Program

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to adopt the following recommended position on legislation:

Support and Work with Authors on AB 996 (Spitzer, R-Orange and Solorio, D-Santa Ana)

6. Amendment to Agreement to Exercise First Option Year for On-Call Commuter Rail Engineering Services

A motion was made by Director Amante, seconded by Vice Chairman Buffa, and declared passed by those present, to authorize the Chief Executive Officer to exercise the first one-year option and execute Amendment No. 4 to Agreement No. C-4-1222 between the Orange County Transportation Authority and J.L. Patterson & Associates, Inc., in an amount not to exceed \$100,000, for continued services through June 30, 2009, bringing the total contract value to \$321,000.

7. Amendment to Agreement for Project Report and Environmental Document Services for Lane Addition on the Eastbound Riverside Freeway (State Route 91) Between the Eastern Transportation Corridor (State Route 241) and the Corona Expressway (State Route 71)

Director Moorlach pulled this item and inquired if there was a need to modify the budget for this item. Tom Bogard, Director of Director of Highway Project Delivery, responded that would not be necessary, and this action was an amendment to a consultant's contract.

A motion was made by Director Moorlach, seconded by Director, Green, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 4 to Agreement No. C-4-1048 between the Orange County Transportation Authority and Kimley-Horn and Associates, in an amount not to exceed \$132,000, for closeout costs for the eastbound Riverside Freeway (State Route 91) project, between the Eastern Transportation Corridor (State Route 241) and the Corona Expressway (State Route 71), bringing the total contract value to \$1,944,204.

Director Brown was not present to vote on this item.

8. Selection of a Consultant to Conduct the Central County Corridor Major Investment Study

Director Moorlach pulled this item and asked if Parsons (who will be a subcontractor for URS) is the same agency who oversaw work on the State Route 22, and noted that the bidders involved on this item were only one point apart. He further asked, given the history on past contracts with Parsons, if it would not then be better to award the contract to PB Americas.

Charlie Larwood, Section Manager, Development Division, responded that URS was chosen based on their experience with working as a team and in the study area on projects of a similar nature.

Director Moorlach indicated he was uncomfortable with this recommendation, and made a motion to award the work to PB Americas. Motion died for lack of a second.

A motion was made by Vice Chair Buffa, second by Director Amante, and declared passed by those present, to:

- A. Approve the selection of URS Corporation as the top ranked firm to conduct the Central County Corridor Major Investment Study.
- B. Authorize staff to request a cost proposal from URS Corporation and negotiate an agreement for services.
- C. Authorize the Chief Executive Officer to execute the final agreement.

Director Moorlach voted in opposition of the motion.

9. Trade Corridors Improvement Fund Program Update

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

- A. Approve the updated project match amounts and sources for the adopted Trade Corridors Improvement Fund projects.
- B. Authorize staff to process all necessary amendments to the Regional Federal Transportation Improvement Program and execute any necessary agreements to facilitate the programming of these projects.

10. Request for Proposals for Contract Technical Staffing for Programming, Database Administration, Computer Operations, Network Administration, and Desktop Support

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

- A. Approve the proposed evaluation criteria and weightings.
- B. Approve the release of the request for proposals for contract technical Staffing for computer programming, database administration, computer operations, network administration, and desktop support.

11. Amendment to Agreements for Temporary Staffing Services Contracts

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 4 to exercise the third option term to on-call agreements C-5-0938 with Corestaff Services, C-5-2439 with Focus on Temps, Inc., and C-5-2438 with Select/Remedy Staffing, and the Orange County Transportation Authority adding \$710,000, for fiscal year 2008-09, for a total contract commitment of \$2,355,000 covering the period from July 1, 2005 through June 30, 2009.

12. Amendment to Agreement for Claims Administration for Self-Insured Workers' Compensation Program

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 1 to exercise the first of two option years to Agreement No. C-5-2590 between the Orange County Transportation Authority and TRISTAR Risk Management, in an amount not to exceed \$409,948, to provide claims administration services for the Orange County Transportation Authority's self-insured workers' compensation program for the period of November 1, 2008 through October 31, 2009.

13. First Quarter 2008 Debt and Investment Report

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

- A. Authorize the Treasurer to invest, reinvest, purchase, exchange, sell, and manage Orange County Transportation Authority funds during fiscal year 2008-09.
- B. Receive and file the Quarterly Investment Report prepared by the Treasurer as an information item.

14. 91 Express Lanes Customer Service Center Lease Renewal

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute an extension of the lease agreement with CPI Properties, for approximately 4,200 square feet of space at 2275 Sampson Avenue in Corona, California at an estimated cost of approximately \$7,900 per month for the first year, and a maximum cumulative obligation of \$506,000, over a five-year period.

Orange County Service Authority for Freeway Emergencies Consent Calendar Matters

15. Amendment to Agreement for Freeway Service Patrol Tow Services

Chairman Norby pulled this item and asked for clarification on the increases for the firms involved. Iain Fairweather, Manager of Motorist Services, responded that the contracts were bid during an option year, and increases were part of the bid at that time.

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

- A. Authorize the Chief Executive Officer to execute Amendment No. 5 to Agreement No. C-5-0081 between the Orange County Transportation Authority and California Coach, Orange, in an amount not to exceed \$1,191,547, a 2 percent increase in the original hourly rate for the period of July 1, 2008 to June 30, 2009.
- B. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement No. C-5-0737 between the Orange County Transportation Authority and Greater Southern California Towing, Inc., in an amount not to exceed \$575,848, a 0 percent increase in the original hourly rate for the period of July 1, 2008 to June 30, 2009.

Orange County Local Transportation Authority Consent Calendar Matters

16. Amendment to Cooperative Agreement with the City of Irvine for Construction of a Parking Structure at the Irvine Transportation Center

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

- A. Authorize the Chief Executive Officer to execute Amendment No. 5 to Cooperative Agreement No. C-3-0628 between the Orange County Transportation Authority and the City of Irvine, in an amount not to exceed \$1,029,039, to provide supplemental funding to incorporate finish treatment and video surveillance equipment into the parking structure project.

16. (Continued)

- B. Authorize the use of \$329,039 in Commuter and Urban Rail Endowment funds for painting and finish treatments.
- C. Authorize the use of \$560,000 in Federal Transit Administration's Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Section 5309 Capital Program funds for a video surveillance system.
- D. Authorize the use of \$140,000 in Commuter Urban Rail Endowment funds for the 20 percent local match required for the Federal Transit Administration's Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Section 5309 Capital Program funds for the video surveillance system.
- E. Authorize staff to amend the federal Regional Transportation Improvement Program and State Transportation Improvement Program, as well as execute any necessary agreements to facilitate the above actions.

17. Agreement for Public Outreach Consultant to Support Environmental Review Phase of San Diego Freeway (Interstate 405) Project Development

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-7-1369 between the Orange County Transportation Authority and Consensus Planning Group, in an amount not to exceed \$385,000 over a four-year term, for a comprehensive public outreach program in support of the environmental review phase of project development of Renewed Measure M improvements on the San Diego Freeway (Interstate 405).

18. Amendment to Cooperative Agreement with Southern California Regional Rail Authority for the Metrolink Service Expansion Program

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

- A. Approve the revised project elements and budget for the rail infrastructure improvements required to support 30-minute Metrolink service in Orange County.
- B. Approve Amendment No.1 to Agreement No. C-6-0820 and authorize the use of \$7,127,000 in Measure M transit funds for the program.
- C. Authorize the Chief Executive Officer to execute Amendment No. 1 to Cooperative Agreement No. C-6-0820 between the Orange County Transportation Authority and the Southern California Regional Rail Authority, in an amount not to exceed \$7,127,000, for design and construction of rail infrastructure improvements.

19. Amendment to Cooperative Agreement with the California Department of Transportation for Pavement Rehabilitation at the Garden Grove Boulevard and Goldenwest Street Intersection

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 1 to Cooperative Agreement No. C-7-0411 between the Orange County Transportation Authority and the California Department of Transportation. This amendment will terminate the pavement rehabilitation at the Garden Grove Boulevard and Goldenwest Street intersection and remove this work from the Garden Grove Freeway (State Route 22) Improvement Project.

20. Cooperative Agreement with the Garden Grove Sanitary District for the Thunderbird Sewer Improvement Project

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Cooperative Agreement No. C-7-1176 between the Orange County Transportation Authority and the Garden Grove Sanitary District, in an amount not to exceed \$1,624,600, for the final design, construction, construction management, operation, and maintenance of the Thunderbird Sewer Improvement Project.

21. Renewed Measure M Progress Report

Public comment was heard from Hamid Bahadori, representing the Southern California Automobile Club (Auto Club), who shared the Auto Club's recent newsletter highlighting various issues, including delivery of Measure M projects.

Chairman Norby asked Mr. Bahadori to provide the number of cars requiring towing service versus just gasoline or repairing a flat tire. Mr. Bahadori will provide that information.

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

22. Katella Avenue Smart Street – Ninth Street to Humor Drive Project Update

Director Moorlach pulled this item and requested information on how projects are prioritized. Jennifer Bergener, Section Manager, Development, responded that the projects are funded on a first-come, first-served basis; therefore, the cities are encouraged to get in as early as they can, and the funding will be distributed in that manner.

22. (Continued)

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

- A. Approve the transfer of \$800,000 from the construction allocation to the right-of-way allocation for the City of Anaheim Katella Avenue Smart Street Project.
- B. Approve the City of Anaheim's request for an additional \$3,302,969 for the construction phase of the Katella Avenue Smart Street Project.
- C. Authorize staff to increase the Measure M Smart Street Program allocations by \$3,302,969 for the Katella Avenue Smart Street Project from Ninth Street to Humor Drive.

Orange County Transit District Consent Calendar Matters

23. Operational Review of Farebox Revenue Operations

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to direct staff to implement the recommendation in the Farebox Revenue Operations Operational Review, Internal Audit Report No. 07-018.

24. Agreement with the City of Laguna Beach for Provision of ACCESS Service

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute a new revenue agreement between the Orange County Transportation Authority and the City of Laguna Beach, allowing the Orange County Transportation Authority to recover operating costs, in an amount not to exceed \$138,375, through fiscal year 2012-13.

25. Carl Moyer Grant Award for Replacement Natural Gas Engines and Contract Amendment with Cummins Cal Pacific, LLC

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

- A. Authorize the Chief Executive Officer to enter into an agreement with the South Coast Air Quality Management District to support the purchase of 188 replacement low-emission natural gas engines.

25. (Continued)

B. Authorize the Chief Executive Officer to execute Amendment No. 1 to Agreement No. C-6-0453 with Cummins Cal Pacific, LLC, in the amount of \$120,001, bringing the total obligation to \$20,177,453, to accommodate a change in unit quantity and transfer engine core ownership. This change will accommodate the South Coast Air Quality Management District's grant requirements.

26. Agreement for Soils and Material Testing and Inspection Services for Orange County Transportation Authority Facility Modification Projects

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-7-1347 between the Orange County Transportation Authority and AESCO Technologies, Inc., in an amount not to exceed \$200,000, for soils and material testing and inspection services for Orange County Transportation Authority facility modification projects.

27. Agreement for Facility Modifications at the Irvine Construction Circle Base

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0190 between the Orange County Transportation Authority and Dalke & Sons Construction, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$2,546,000, for facility modifications at the Irvine Construction Circle Base.

28. Amendment to Agreement for Radio Frequency Engineering Consulting Services

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 2 to Agreement No. C-6-0223 between the Orange County Transportation Authority and Yoh Services, LLC, to exercise the second option term, in an amount not to exceed \$75,000, for radio frequency engineering consulting services, bringing the total contract value to \$225,000.

29. Agreement for Restroom Supplies

Director Moorlach pulled this item and offered comments regarding his preference to award firms from within Orange County.

A motion was made by Director Moorlach to select Waxie Sanitary Supply as the prevailing bidder. A second was provided by Director Pulido.

29. (Discussion)

Discussion followed, and General Counsel, Kennard R. Smart, Jr., advised the Board that as part of this procurement, bidders were notified that the award would be made to the lowest responsible, responsive bidder. Therefore, in order to award to another bidder in this situation, the Board would need to find that the bidder either was not responsive to the bid documents or do a re-procurement.

Further discussion ensued, resulting in Director Moorlach withdrawing his motion.

A subsequent motion was made by Director Pulido, seconded by Director Campbell, and declared passed by those present, to authorize the Chief Executive Officer to execute Agreement No. C-8-0281 between the Orange County Transportation Authority and Gale Supply Company, the lowest responsive, responsible bidder, for a maximum obligation of \$100,000, to provide restroom supplies for a one-year period with two one-year options.

Director Moorlach voted in opposition of this motion.

30. Amendment to Agreement for Americans with Disabilities Act ACCESS Eligibility Determination Services

A motion was made by Director Amante, seconded by Vice Chair Buffa, and declared passed by those present, to authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement No. C-5-3039 between the Orange County Transportation Authority and Comprehensive Assessments Restorative Evaluation, to exercise the first option term, in the amount of \$1,116,000, for a maximum obligation of \$2,013,000, for ACCESS eligibility determination services from July 1, 2008, through June 30, 2010.

31. ACCESS Performance Measurements Update

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

Regular Calendar

Orange County Transit District Regular Calendar Matters

32. Agreement to Purchase Non-Revenue Hybrid Electric Vehicles

Virginia Abadessa, Director of Contracts Administration and Materials Management, presented this item to the Board, summarizing the work that has taken place on the procurement issue since the Board directed staff on April 14 to analyze more options, as well as to provide answers to a series of questions posed previously by the Board.

32. (Continued)

Public comment was heard from Joe Stergios, Area Sales Manager for Enterprise Fleet Management, who provided a history of the long-term service his organization has provided to OCTA, and expressed his surprise that his organization was not being considered for this award.

Public comment was heard from Roy Durham, Fleet/Internet Director, Longo Toyota. Mr. Durham provided information to the Board regarding service on vehicles and insurance liability issues.

A lengthy discussion and question-and-answer period followed. Areas addressed were:

- Lease/buy options
- Maintenance and service locations and costs
- Expiration dates of current lease agreements
- Life expectancy for vehicles under consideration
- Potential impacts of buying versus leasing vehicles
- Opportunities to bring cars in on a rotational basis
- Insurance and liability issues when vehicles are moved for servicing

A motion was made by Director Pulido, seconded by Director Amante, to direct staff to negotiate with the current vendor to extend the current lease, investigate opportunities for new model year Prius vehicles, and return to the Committee, then the Board, with potential options. The motion also included direction that the group of vehicles with leases expiring in August may be considered separately from those expiring in October.

Director Amante requested that staff return to Committee with an analysis of diversifying the type of products under consideration (hybrid types, plug-in, etc.)

33. Final Report on Public Hearing - Proposed Service Changes

Scott Holmes, Manager, Transit Division, presented and summarized the results of the public hearing conducted on April 14, 2008. Mr. Holmes detailed the changes in routes and service changes.

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

- A. Approve staff's proposals to reroute Stationlink routes 470 (Tustin Station to John Wayne Airport) and 471 (Tustin Station to Irvine) and renumber to Route 472 (Tustin Station to Irvine via Red Hill Avenue and MacArthur Boulevard) and Route 473 (Tustin Station to University of California at Irvine via Harvard Avenue); approve staff's recommendation to modify the original proposal for the Route 473 alignment in the vicinity of the Irvine campus; with changes effective June 9, 2008.

33. (Continued)

- B. Approve staff's proposal to implement an additional service to the Orange County Fair, new Route 671 Orange County Fair Flyer, between the cities of Orange, Anaheim, and the Orange County Fairgrounds, for four consecutive weekends from July 12 through August 3, 2008.
- C. Approve staff's proposal to discontinue Route 686 (Irvine Transportation Center to Irvine Spectrum) effective June 8, 2008.
- D. Approve staff's proposal to implement new intercounty express Route 792 (Riverside, Corona to Anaheim Resort Area), subject to the negotiation of a shared cost agreement with the Riverside Transit Agency, with service to start during the third or fourth quarter of calendar year 2008.
- E. Approve an intercounty express fare of \$3.75 for new Route 792.

Directors Glaab, Mansoor, and Pulido were not present for the vote on this item.

Discussion Items

34. Bus Rapid Transit Operating Plan

Gordon Robinson, Bus Rapid Transit (BRT) Project Manager, provided an overview of the bus rapid transit operating plan for the Board. Discussion followed with further information on smart cards, how bus stop locations are identified, and further information on selected alignments.

Director Mansoor requested information on how Bear Street will be affected by the bus rapid transit operating plan.

Vice Chair Buffa indicated he felt there were too many stops and requested that staff explore ways to increase the time savings on this service versus regular bus service.

Director Pulido requested staff to look into off-board fare vending options.

35. California High-Speed Rail Project Update

Mehdi Morshed, Executive Director, California High-Speed Rail Authority, provided a detailed briefing on the California High-Speed Rail Project.

Director Moorlach requested information on the current number of passengers flying from John Wayne and LAX to Sacramento/Oakland in consideration of high-speed rail issue.

35. (Continued)

Bruce Armistead, Senior Engineering Manager, with Parsons Brinckerhoff Inc., addressed the Board and provided information on this project as it relates to Orange County.

Director Cavecche mentioned that agencies in the City of Orange had received letters requesting records and drawings of their facilities in the vicinity of the alignment, and requested an explanation be provided so that these agencies understand “property takes” are not planned for those areas. Mr. Morshed confirmed that is not what is intended, but utility information was needed.

Director Pringle requested Mr. Morshed and Mr. Armistead to send letters to all who received the initial letters and drawings to clarify the specifics and retracting what was previously communicated to the individuals.

36. Public Comments

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

Christie Rudder, representing the Dayle McIntosh Center, offered comments regarding ACCESS eligibility, accessibility at bus stops, restraints and straps for wheelchairs, and difficulty using the 6400 series buses, citing there was not enough wheelchair capacity on those buses.

37. First Quarter Review of Chief Executive Officer's Goals for 2008

Chief Executive Officer (CEO), Arthur T. Leahy, provided his goals for 2008, elaborating on and highlighting particular goals to provide a further understanding of those items, including changes to prior goals and an additional item added for seeking funding for work at the Oso Parkway exit on the Interstate 5 Freeway.

38. Chief Executive Officer's Report

CEO, Arthur T. Leahy, reported:

- Members were provided today CD's of the “Santa Ana and Garden Grove Transit Vision”
- A budget workshop will be held following the Board meeting of May 12
- There will be a First District Leadership Forum on April 30 in Garden Grove
- A joint meeting will be held with Los Angeles County elected officials regarding the Major Investment Study
- On May 2, there will be another Angels' baseball promotional event promoting Metrolink

39. Directors' Reports

Director Buffa reported that he and Director Cavecche were in Washington, D.C., the week before last on the annual advocacy trip.

Director Mansoor inquired as to what the cost of printing the OCTA Annual Report is; staff will return with that information.

Director Mansoor expressed his appreciation for staff's work on the State Route 55 Access Study and inquired about the next steps. He also asked for information on the cut-and-cover process versus a tunnel on that corridor.

40. Closed Session

A Closed Session was not scheduled at this meeting.

41. Adjournment

The meeting adjourned at 11:47 a.m. Chairman Norby announced that the next regularly scheduled meeting of this Board will be held at **9:00 a.m. on May 12, 2008**, at the OCTA Headquarters.

ATTEST

Wendy Knowles
Clerk of the Board

Chris Norby
OCTA Chairman



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: State Legislative Status Report

Legislative and Communications Committee Meeting of May 1, 2008

Present: Directors Bates, Brown, Buffa, Cavecche, Glaab, Mansoor, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Director Rosen was not present to vote on this item.

Committee Recommendations

A. Approve a set of principles that should be considered when analyzing legislation that would authorize or study the creation of additional public private partnership projects within the state or create a centralized mechanism for streamlining the approval of such projects.

B. Adopt the following recommended positions on legislation:

Oppose SB 1165 (Kuehl, D-Santa Monica), which would impose additional requirements under the California Environmental Quality Act.

Oppose SB 1507 (Oropeza, D-Long Beach), which would prohibit state highway construction or expansion near schools.



May 1, 2008

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

Overview

With an estimated \$100 billion in state transportation infrastructure needs over the next 20 years and continued insufficiencies in state transportation funding, innovative means of finance are necessary to meet the state's infrastructure needs. An overview of several legislative proposals for expanded public-private partnerships is provided and principles for discussion are recommended. An oppose position is recommended for a bill that would impose additional requirements on a lead agency when creating and utilizing an environmental document under the California Environmental Quality Act. An oppose position is also recommended for a bill that would prohibit the construction or expansion of a state highway within a quarter mile of a school.

Recommendations

- A. Approve a set of principles that should be considered when analyzing legislation that would authorize or study the creation of additional public-private partnership projects within the state or create a centralized mechanism for streamlining the approval of such projects

- B. Adopt the following recommended positions on legislation:
 - Oppose SB 1165 (Kuehl, D-Santa Monica), which would impose additional requirements under the California Environmental Quality Act

 - Oppose SB 1507 (Oropeza, D-Long Beach), which would prohibit state highway construction or expansion near schools

Discussion

In the 2008 State of the State address, the Governor proposed extending and streamlining eligibility for performance based infrastructure (PBI), also known as public-private partnerships (P3). The Governor also proposed the creation of "PBI California," a center with responsibility to manage and implement PBI agreements, as well as act as a centralized location for information in the creation of PBI projects. In support of the proposal, the Governor cited the \$500 billion in infrastructure needs, including transportation, water, and schools, over the next 20 years and the lack of funding currently available to meet those needs. Based on examples of PBI internationally, the Governor estimated that the use of PBI would allow California to meet \$75 billion to \$100 billion of these state infrastructure requirements.

In response to the Governor's request, several bills were introduced in the 2008 legislative session. Although the intention behind each bill is to create new methods of financing infrastructure within the state, there are major differences in the methods chosen to accomplish this task, some of which could present hardships for current and future P3 projects, such as the 91 Express Lanes. Below is a summary the major P3 proposals that are currently before the Legislature.

AB 2732 (Levine, D-Van Nuys) would require the Legislative Analyst's Office (LAO) to conduct a study on the impacts of P3 for transportation and other types of infrastructure projects. Based on this study, the LAO would then be required to forward a report with its findings to the Legislature by October 31, 2009. The report would be required to analyze cost comparisons of transportation projects using P3 versus those built using traditional methods, profit margins of P3 projects, the impacts of P3 on public employment, and the tax consequences of P3 on general fund revenues. In addition, the report is to include recommendations to ensure adequate oversight and accountability, as well as appropriate worker protections, and business returns. Currently, AB 2732 is pending before the Assembly Transportation Committee.

AB 3021 (Nava, D-Santa Barbara) is State Treasurer Bill Lockyer's alternative proposal for P3 projects. Under AB 3021, the California Transportation Financing Authority would be created to increase the construction of new capacity on the state highway system through the issuance of revenue bonds backed by various transportation funding sources, including tolls.

If bonds are issued to fund the project, AB 3021 requires that the revenues for the project be sufficient to pay debt service on the bonds and to operate and maintain the project over the life of the bonds. Furthermore, provisions are

included which allow bonds to be issued that do not possess investment grade ratings, a project sponsor to request to be the issuer of the bonds, and the Authority to authorize additional credit support for bond issues.

If tolls are implemented, AB 33021 requires the following:

- The project provide new and additional transportation capacity on the state highway system
- The governing body of the project sponsor or the majority of voters within the jurisdiction of the project sponsor approve the tolls
- There be non-tolled alternative lanes available in the same corridor
- Tolls be set and maintained at a level sufficient to pay debt service, operations, and maintenance of the project over the life of the bonds
- The project's financial pro forma incorporate life cycle costs for the project
- Excess revenues only be used within the tolling corridor for construction of high occupancy vehicle (HOV) facilities, other transportation purposes, and transit service
- Tolls not be set to generate revenues beyond that which are required to pay debt on bonds, operate and maintain the project and provide transportation improvements to the corridor

Under the act, the project sponsor would be authorized to incorporate congestion management mechanisms to increase mobility and regulate usage. AB 3021 was presented to the Assembly Transportation Committee on April 14, 2008, and passed on an 8-4 vote. The bill is now assigned to the Assembly Appropriations Committee.

There is also one spot bill to be developed at a later date, AB 2495 (Feuer, D-Los Angeles), which would authorize the state to create public-private partnerships with local government agencies to create fee-producing infrastructure projects and facilities.

Three other fiscal bills were introduced this session that did not meet the policy committee deadline of April 18, 2008. However, these bills may emerge later in the session in other vehicles.

SB 1363 (Perata, D-Oakland) would extend the date under existing law, as adopted under AB 1467 (Chapter 32, Statutes of 2006), that authorizes the California Department of Transportation (Caltrans) and regional transportation agencies to enter into up to four P3 agreements that are primarily designed to improve goods movement from January 1, 2012 until January 1, 2013. Projects authorized under this section are limited to two projects in Northern California and two projects in Southern California. No fewer than two of the

selected projects are to be nominated by a regional transportation agency, whose definition includes county transportation commissions.

AB 1850 (DeVore, R-Irvine) would create the Office of Public-Private Partnerships in the Office of the Governor. This office would develop a streamlined process to create P3 agreements between the state and one or more private enterprises. Under specific conditions and limitations, these P3 agreements would be to construct and maintain infrastructure within the state. Permitted areas under the bill include, but are not limited to transportation systems, sewage treatment and water reclamation projects, water supply and treatment, flood control and drainage, schools, libraries, parks, parking facilities, open space, and the seismic retrofit and rehabilitation of public facilities. All provisions created under AB 1850 would sunset on January 1, 2019, unless a statute is later enacted to extend or delete the date.

AB 1756 (Caballero, D-Salinas) would require the Secretary of the Business, Transportation, and Housing Agency to create the Office of Local Public-Private Partnerships (Office) within the agency. The role of the Office would be to inform local agencies and stakeholders of the function P3s can play in financing, constructing, operating, maintaining, managing, or some combination of the above, when creating fee-producing local infrastructure projects. The Office would also be charged with gathering best practices, providing guidelines and a framework for implementing these projects, and providing information on how these projects can assist in achieving greenhouse gas reductions.

Proposed Principles

With the ownership of the 91 Express Lanes and active participation in future P3 projects such as the Anaheim Regional Transportation Intermodal Center, the Orange County Transportation Authority (OCTA) could potentially be affected by efforts to modify existing structures or create new processes for future projects. In order to ensure that any P3 legislation adopted maintains the necessary flexibility for OCTA to adapt these and any future projects to meet regional needs and concerns, OCTA will continue to be an active participant in discussions surrounding the various bills.

Staff proposes principles (Attachment A) that may be used as a tool to guide discussions and negotiations. Several policy issues have been identified including the assurance that revenues from P3 projects be used to supplement and not supplant existing state and federal transportation funding, the protection of agency interests in existing P3 projects such as the 91 Express

Lanes, and the support for P3 to increase highway capacity without limiting the ability to improve public facilities.

Newly Analyzed Legislation

SB 1165 (Kuehl, D-Santa Monica)

SB 1165 would amend provisions under the California Environmental Quality Act (CEQA) to require a lead agency to make administrative drafts of an environmental impact report (EIR), negative declarations, mitigated negative declarations, or portions of the reports or declarations that are circulated among the project applicant and public agencies available to the public upon request when the official draft of the EIR is available for public comment. It would also prohibit a lead agency from acting on a project relying on an EIR that was certified more than five years prior. Lastly, SB 1165 would clarify that the lead agency consider and retain only written communications made by the public to the lead agency or consultants regarding the project or the project's potential environmental effects.

OCTA, as the lead agency for the transportation projects within its jurisdiction, will be responsible for carrying out the amendments to the CEQA process under SB 1165. SB 1165 could create additional liabilities for OCTA in the CEQA process and create additional, unnecessary delays to project completion.

An analysis of the bill is attached (Attachment B). Staff recommends: **OPPOSE.**

SB 1507 (Oropeza, D-Long Beach)

SB 1507 would prohibit the California Transportation Commission from authorizing the construction or expansion of a state highway within a quarter-mile from a school boundary. The bill would also prohibit the California Department of Transportation from constructing or expanding a state highway within a quarter-mile from a school boundary.

Existing law contains a number of provisions that help protect school sites from the impacts of highway projects. SB 1507 unnecessarily halts new highway construction and expansion projects without regard to actual impacts on school facilities and possible mitigation measures. With well over 700 public and private K-12 schools in Orange County, this requirement would virtually halt the implementation of Renewed Measure M and Proposition 1B projects. Approximately 35 currently planned projects occur within a quarter-mile of an existing school site.

An analysis of the bill is attached (Attachment C). Staff recommends: OPPOSE.

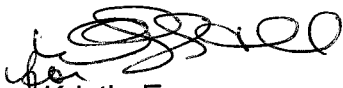
Summary

Public-private partnerships can help meet state infrastructure needs in times of strained resources. Principles to guide discussions and negotiations surrounding the development of public-private partnership legislation are outlined in this report. An oppose position is recommended for SB 1165 (Kuehl, D-Santa Monica), which mandates additional requirements for a lead agency under the California Environmental Quality Act. An oppose position is also recommended for AB 1507 (Oropeza, D-Long Beach), which will prohibit the construction or expansion of freeways near school boundaries.

Attachments

- A. Proposed Principles for Public-Private Partnership Legislation
- B. Analysis of SB 1165 (Kuehl, D-Santa Monica)
- C. Analysis of SB 1507 (Oropeza, D-Long Beach)
- D. Orange County Transportation Authority Legislative Bulletin, April 17, 2008
- E. Orange County Transportation Authority Legislative Matrix

Prepared by:



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Approved by:



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Chief of Staff
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Proposed Principles for Public-Private Partnership Legislation

- Any definition of public-private partnership (P3) should include the authority for local agency participation and control, as well as the ability for local agencies to direct revenues to fund transportation improvements within an appropriate region.
- Revenues from P3 projects should supplement and not supplant existing state and federal funding commitments to transportation.
- Nothing shall infringe upon the rights, interests, or investments of agencies operating established facilities per AB 680 (Chapter 107, Statutes of 1989) and AB 1010 (Chapter 688, Statutes of 2002), or create new obligations upon such agencies without their express consent.
- Nothing shall infringe upon an agency's ability to finance, develop, maintain, repair, rehabilitate, operate, or lease any transportation project.
- P3 highway initiatives should be used to increase highway capacity without limiting the ability to improve transportation facilities.
- Any third party advisory board created to streamline the approval of P3 within the state should include representation that both accurately reflects the regions throughout the state and includes expertise from affected sectors of government. This body should defer to local agency or regional expertise when applicable.
- The extension of current, successful P3 projects should be encouraged.
- Any defined authorization for transportation-related P3 projects shall allow for flexibility in the types of projects created to ensure continued innovation.

BILL: SB 1165 (Kuehl, D-Santa Monica)
Introduced February 7, 2008
Amended March 28, 2008
Amended April 9, 2008

SUBJECT: Requires a lead agency, under the California Environmental Quality Act, to retain and consider specified public comments, make available administrative drafts of environmental documents, and prohibits reliance on environmental impact reports older than five years

STATUS: Passed Senate Environmental Quality Committee 4-3
Pending in Senate Appropriations Committee

SUMMARY AS OF APRIL 18, 2008:

SB 1165 would amend provisions under the California Environmental Quality Act (CEQA) to require a lead agency to make administrative drafts of an environmental impact report (EIR), negative declarations, mitigated negative declarations, or portions of the reports or declarations that are circulated among the project applicant and public agencies available to the public when the official draft of the EIR is available for public comment. An administrative draft is defined under the bill to include all portions of any of the aforementioned environmental documents that are circulated by the lead agency to either a responsible agency or other departments within the agency prior to public notice of the official draft EIR, negative declaration, or mitigated negative declaration. Under current law, only the official drafts of these environmental documents are circulated to the public.

Furthermore, SB 1165 would prohibit a lead agency from acting on a project relying on an EIR that was certified more than five years ago, without treating the document as an uncertified, draft EIR. The lead agency must then recirculate it for public comment and recertify the document before they can take any action on that project based on that EIR. Current law only requires a subsequent or supplemental EIR when substantial changes to the project or the circumstances surrounding the project have occurred or when new information related to the project becomes available.

Lastly, SB 1165 would clarify that the lead agency consider and retain only written communications made by the public to the lead agency or consultants regarding the project or the project's potential environmental effects. Current law requires that comments submitted in any format are to be included in the environmental document.

EFFECTS ON ORANGE COUNTY:

The Orange County Transportation Authority (OCTA), as the lead agency for the transportation projects within its jurisdiction, will be responsible for carrying out the amendments to the CEQA process under SB 1165. An administrative draft of an EIR, negative declaration, or mitigated negative declaration is drafted with the intent to collect and clarify internal comments before releasing the final draft to the public.

The very purpose of an administrative draft is to provide the lead agency with the opportunity to openly study and clarify issues in order to provide the most accurate review of the project. The additional analysis of these draft documents by members of the public will not only create confusion over possibly inconsistent information presented in the administrative drafts compared to the final drafts, but also create potential liabilities for agencies over such inconsistencies. Often times, information contained within the administrative documents is deleted or amended due to new information that becomes available as part of the CEQA study process or review by legal counsel for accuracy.

Furthermore, the prohibition against agency reliance on EIRs older than five years is not needed. Time is not the single determinant of whether conditions have changed sufficiently under an EIR to require a new analysis. Already under current law, a supplemental EIR is required when substantial changes are proposed in the project or with respect to the circumstances under which the project is to be undertaken, and when new information not known when the initial EIR is certified becomes available. Any additional constraints arbitrarily based on time will only create further delay in project completion.

OCTA POSITION:

Staff recommends: OPPOSE

AMENDED IN SENATE APRIL 9, 2008
AMENDED IN SENATE MARCH 28, 2008

SENATE BILL

No. 1165

Introduced by Senator Kuehl

February 7, 2008

An act to amend Sections 21082.1 and 21166 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1165, as amended, Kuehl. Environment: environmental impact report.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA does not prohibit a person from submitting information or other comments to a public agency responsible for preparing an environmental impact report (EIR), draft EIR, negative declaration, or mitigated negative declaration.

This bill would authorize a person to submit information or other comments to the lead agency and require the lead agency to consider and retain communications made to the lead agency or its consultants. The bill would require the lead agency to make available to members of the public administrative drafts, as defined, of its EIR, negative declaration, or mitigated negative declarations that are circulated among the project applicant and any public agencies ~~prior to their official release for public comments~~ *when the draft EIR, negative declaration, or mitigated negative declaration is available for public comment.* The

bill would require the lead agency, which includes a local agency, to make available and provide specified notice of the availability of any administrative draft, thereby imposing a state-mandated local program by requiring an increase in the level of service provided by a local agency.

(2) CEQA does not require, except for under specified circumstances, a lead agency or a responsible agency to prepare a subsequent or supplemental EIR when an EIR has been prepared for a project.

This bill would, instead, require, except for under specified circumstances, a lead agency or a responsible agency to prepare a subsequent or a supplemental EIR for a project if the certification of the prior EIR for the project is more than 5 years old. The bill would prohibit a lead agency from relying on an EIR, ~~negative declaration, or mitigated negative declaration~~ that was certified more than 5 years ago and would require the document to be treated as an uncertified, draft environmental ~~document~~ *impact report* that must be recirculated for public review and comment and recertified by the lead agency before the agency may take an action ~~in reliance on the analyses and conclusions of the prior~~ *on that project based on that* environmental ~~document~~ *impact report*. By requiring a lead agency or a responsible agency, which includes a local agency, to recirculate an EIR whose certification is more than 5 years old for public review and comment, and recertification, this bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 21082.1 of the Public Resources Code
2 is amended to read:
3 21082.1. (a) A draft environmental impact report,
4 environmental impact report, negative declaration, or mitigated
5 negative declaration prepared pursuant to the requirements of this

1 division shall be prepared directly by, or under contract to, a lead
2 agency.

3 (b) A person may submit information or other comments to the
4 lead agency responsible for preparing an environmental report,
5 negative declaration, or mitigated negative declaration.
6 ~~Communications~~ *Written communications* to the lead agency or
7 its consultants regarding the project or its potential environmental
8 effects shall be considered and retained by the lead agency.

9 (c) The lead agency shall make available to the members of the
10 public administrative drafts ~~of its environmental impact reports,~~
11 ~~negative declarations, mitigated negative declarations, or portions~~
12 ~~of the reports or declarations that are circulated among the project~~
13 ~~applicant and public agencies, prior to the official release of the~~
14 ~~drafts for public comments. The agency shall provide public notice,~~
15 ~~by posting with the county clerk or the Office of Planning and~~
16 ~~Research, or to persons who have requested the notice of~~
17 ~~availability of any administrative draft of an environmental~~
18 ~~document of portions of the document that is being circulated, and~~
19 ~~provide the opportunity for the public to review it upon request.~~
20 *circulated to the project applicant, upon request, when the draft*
21 *environmental impact report, negative declaration, or mitigated*
22 *negative declaration is available to the public for comment.*

23 (d) The lead agency shall do all of the following:

24 (1) Independently review and analyze any report or declaration
25 required by this division.

26 (2) Circulate draft documents that reflect its independent
27 judgment.

28 (3) As part of the adoption of a negative declaration or a
29 mitigated negative declaration, or certification of an environmental
30 impact report, find that the report or declaration reflects the
31 independent judgment of the lead agency.

32 (4) Submit a sufficient number of copies of the draft
33 environmental impact report, proposed negative declaration, or
34 proposed mitigated negative declaration, and a copy of the report
35 or declaration in an electronic form as required by the guidelines
36 adopted pursuant to Section 21083, to the State Clearinghouse for
37 review and comment by state agencies, if any of the following
38 apply:

39 (A) A state agency is any of the following:

40 (i) The lead agency.

1 (ii) A responsible agency.

2 (iii) A trustee agency.

3 (B) A state agency otherwise has jurisdiction by law with respect
4 to the project.

5 (C) The proposed project is of sufficient statewide, regional, or
6 areawide environmental significance as determined pursuant to
7 the guidelines certified and adopted pursuant to Section 21083.

8 (e) For the purposes of this section, “administrative draft” means
9 an environmental-~~document~~ *impact report, negative declaration,*
10 *or mitigated negative declaration, or a portion of those*
11 *environmental documents* that is circulated by the lead agency to
12 a responsible agency, or to other departments within the agency,
13 prior to providing public notice of the draft environmental impact
14 report, *negative declaration, or mitigated negative declaration*
15 pursuant to Section 21092.

16 SEC. 2. Section 21166 of the Public Resources Code is
17 amended to read:

18 21166. (a) When an environmental impact report, ~~negative~~
19 ~~declaration, or mitigated negative declaration~~ has been certified
20 for a project pursuant to this division within the past five years,
21 no subsequent or supplemental environmental impact report shall
22 be required by the lead agency or by a responsible agency, unless
23 one or more of the following events occurs:

24 (1) Substantial changes are proposed in the project which will
25 require major revisions of the environmental impact report.

26 (2) Substantial changes occur with respect to the circumstances
27 under which the project is being undertaken which will require
28 major revisions in the environmental impact report.

29 (3) New information, which was not known and could not have
30 been known at the time the environmental impact report was
31 certified as complete, becomes available.

32 (b) When ~~approving~~ *acting on* a project, a lead agency ~~shall not~~
33 ~~rely action shall not be based~~ on an environmental impact report;
34 ~~negative declaration, or mitigated negative declaration for that~~
35 ~~project that was certified more than five years ago without treating~~
36 ~~the document that environmental impact report~~ as an uncertified,
37 draft environmental impact report under this division, circulating
38 ~~the document that environmental impact report~~ for public review
39 and comment, and recertifying ~~the document that environmental~~
40 ~~impact report~~ pursuant to this division before the agency may take

1 an action ~~in reliance on the analyses and conclusions of the~~ *on that*
2 *project based on that* environmental impact report, ~~negative~~
3 ~~declaration, or mitigated negative declaration.~~ This provision
4 *subdivision* does not prohibit the incorporation by reference or
5 tiering off of ~~the prior~~ *that* environmental impact report.
6 SEC. 3. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 a local agency or school district has the authority to levy service
9 charges, fees, or assessments sufficient to pay for the program or
10 level of service mandated by this act, within the meaning of Section
11 17556 of the Government Code.

BILL: SB 1507 (Oropeza, D-Long Beach)
Introduced February 21, 2008
Amended March 28, 2008

SUBJECT: Prohibits the construction or expansion of a state highway within a quarter mile from a school boundary

STATUS: Passed Senate Transportation and Housing Committee 7-4
Pending in Senate Appropriations Committee

SUMMARY AS OF APRIL 18, 2008:

SB 1507 would prohibit the California Transportation Commission (CTC) from authorizing the construction or expansion of a state highway within a quarter mile from a school boundary. The bill would also prohibit the California Department of Transportation (Caltrans) from constructing or expanding a state highway within a quarter mile from a school boundary.

Under existing law a school board is authorized to approve a schoolsite within 500 feet of the closest traffic lane of a freeway or other busy traffic corridor if the school district determines, pursuant to appropriate modeling and mitigation measures, that the air quality characteristics are such that neither short-term or long-term exposure would pose significant health risks to the students. If that determination could not be met, the governing board still has the option to adopt a Statement of Overriding Considerations when an alternative site could not be found due to the shortage of available sites that met specified requirements.

Additionally, under the California Environmental Quality Act (CEQA), significant project impacts resulting from the construction of new highways or the expansion of existing highways, including impacts on nearby schools, are to be evaluated and appropriate mitigation measures be included to account for those impacts.

EFFECTS ON ORANGE COUNTY:

Existing law contains a number of provisions that help protect school sites from the impacts of highway projects. SB 1507 unnecessarily halts new highway construction and expansion projects without regard to actual impacts on school facilities.

With well over 700 public and private K-12 schools in Orange County, this requirement would virtually halt the implementation of Renewed Measure M and Proposition 1B projects. Approximately 35 currently planned projects occur within a quarter-mile of an existing school site.

Regardless of whatever mitigation measures could be implemented to reduce or eliminate the impacts of these projects on local schools, these projects would be prohibited from moving forward.

OCTA POSITION:

Staff recommends: OPPOSE

AMENDED IN SENATE MARCH 28, 2008

SENATE BILL

No. 1507

Introduced by Senator Oropeza

February 21, 2008

An act to add Sections 75.5 and 91.7 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1507, as amended, Oropeza. ~~Transportation.~~ *Highway construction: school boundaries.*

Existing law creates the California Transportation Commission and authorizes the commission to, among other things, select, adopt, and determine the location for state highways on routes authorized by law. Existing law gives the Department of Transportation full possession and control of all state highways and authorizes the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the California Transportation Commission.

This bill would prohibit the commission from authorizing the construction or expansion of a state highway within 1/4 mile of a school boundary and would also prohibit the department from constructing or expanding a state highway in that area.

~~Existing law provides various funding sources for transportation programs and specifies the powers and duties of transportation agencies at the state, regional, and local level.~~

~~This bill would state the intent of the Legislature to enact legislation relating to transportation.~~

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

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

- 1 SECTION 1. *Section 75.5 is added to the Streets and Highways*
- 2 *Code, to read:*
- 3 75.5. *The commission shall not authorize the construction or*
- 4 *expansion of a state highway within one-fourth mile of a school*
- 5 *boundary.*
- 6 SEC. 2. *Section 91.7 is added to the Streets and Highways*
- 7 *Code, to read:*
- 8 91.7. *The department shall not construct or expand a state*
- 9 *highway within one-fourth mile of a school boundary.*
- 10 ~~SECTION 1. It is the intent of the Legislature to enact~~
- 11 ~~legislation relating to transportation.~~

**ORANGE COUNTY TRANSPORTATION AUTHORITY LEGISLATIVE BULLETIN
May 1, 2008**

I. Sponsored Bills

a. AB 387 (Duvall, R-Brea)

- Amends current statute to allow transit operators option to use design-build for technology or surveillance procurements designed to enhance safety, disaster preparedness, and homeland security.
- Passed out of the Senate Transportation and Housing Committee on March 11, 2008. Pending consideration in the Senate Appropriations Committee.

b. AB 2906 (Tran, R-Costa Mesa)

- Deletes section of the California Vehicle Code requiring any 24-hour carpool lane approved between January 1, 1987 and December 1, 1987, to maintain a four-foot buffer between the carpool lane and general purpose lane.
- Currently only applicable to Costa Mesa Freeway (State Route 55).
- Passed out of the Assembly Transportation Committee on April 14, 2008. Pending consideration on the Assembly Floor.

II. Trade Corridor Improvement Fund (TCIF) project submissions

- California Transportation Commission (CTC) staff recommended projects released on March 13, 2008.
- Contained eight projects for Orange County totaling \$218 million
- CTC adopted project list on April 10, 2008, including all eight Orange County projects.
- Legislature to consider TCIF allocation as part of budget process.

III. Other Bills of Interest

a. SB 1316 (Correa, D-Santa Ana)

- Provides for a framework for extending the 91 Express Lanes to the Corona Freeway (Interstate 15).
- Sponsored by the Riverside County Transportation Commission.
- Passed out of the Senate Transportation and Housing Committee on April 15, 2008. Pending consideration in the Senate Appropriations Committee.

b. AB 996 (Spitzer, R-Orange and Solorio, D-Santa Ana)

- Provides for a means to collect toll violation fines from vehicles with confidential license plates.
- Awaiting committee assignment from Senate Rules Committee.



Orange County Transportation Authority Legislative Matrix

2008 State Legislation Session
May 1, 2008

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
OCTA SPONSORED LEGISLATION			
AB 387 (Duvall - R) Design-Build: Transit Contracts	Amends law that authorizes transit operators to enter into design-build contract according to specified procedures. Provides that there would be no cost threshold for the acquisition and installation of technology applications or surveillance equipment designed to enhance safety, disaster preparedness, and homeland security efforts. Allows those projects to be awarded based on either the lowest responsible bidder or best value.	INTRODUCED: 02/15/2007 LAST AMEND: 01/07/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 03/11/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.	Sponsor SUPPORT: CH2M HILL, California Transit Association OPPOSE: Associated Builders and Contractors of California, Western Electrical Contractors' Association
▶ AB 2906 (Tran - R) Vehicles: High-Occupancy Vehicle Lane: Buffer Area	Repeals existing law that requires specified high occupancy vehicle lanes to be separated from adjacent mixed flow lanes by a buffer area of at least four feet in width.	INTRODUCED: 02/22/2008 LOCATION: Assembly Second Reading File STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass. To Consent Calendar.	Sponsor

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

<p>► AB 3034 (Galgiani – D)</p> <p>Safe, Reliable High-Speed Passenger Train Bond Act</p>	<p>Makes various revisions to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to be submitted to the voters. Refers to construction of a high-speed train system consistent with the High Speed Rail Authority certified environmental impact report, rather than with the final business plan. Revises descriptions of route corridors of the proposed high-speed train system. Relates to revenues from operation of the high-speed train system.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 04/09/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS.</p>	<p>Seek Amendments</p> <p>SUPPORT: California High Speed Rail Authority, Association for California High Speed Trains, California State Association of Counties OPPOSE: Sierra Club California</p>
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BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 375 (Steinberg – D)</p> <p>Transportation Planning: Travel Models: Reviews</p>	<p>Relates to guidelines for travel demand guidelines used in regional transportation plans. Includes a requirement that a regional transportation plan include a sustainable community strategy designed to achieve goals for the reduction of greenhouse gas emissions. Creates provisions for an environmental document under the Environmental Quality Act that examines specific impacts of a transportation project located in a local jurisdiction that has amended its general plan and the legislative body finds the project meets specified criteria.</p>	<p>INTRODUCED: 02/21/2007 LAST AMEND: 03/24/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 03/24/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 03/24/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>Oppose Unless Amended</p> <p>(partial list)</p> <p>SUPPORT: California League of Conservation Voters (co-sponsor), Natural Resources Defense Council (co-sponsor), American Lung Association of California, Metropolitan Transportation Commission, California State Association of Counties (if amended)</p> <p>OPPOSE: Orange County Business Council, California Building Industry Association, Department of Finance, Contra Costa Transportation Authority, California Chamber of Commerce, Transportation California</p>

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

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1316 (Correa – D)</p> <p>Transportation Facilities: Tolls: Orange/Riverside</p>	<p>Authorizes the Orange County Transportation Authority to eliminate its rights, interests, and obligations in the Riverside County portion of the State Highway Route 91 toll lane by partial assignment to the Riverside County Transportation Commission or by amendment to the franchise agreement. Deletes the 2030 limitation on issuance of bonds and collections of tolls. Authorizes toll revenues to be used for transportation purposes in the State Highway 91 Corridor.</p>	<p>INTRODUCED: 02/20/2008 LAST AMEND: 04/01/2008 LOCATION: Senate Appropriations Committee</p> <p>STATUS: 04/15/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass as amended to Committee on APPROPRIATIONS.</p>	<p>Support</p> <p>SUPPORT Riverside County Transportation Commission (sponsor), City of Corona, Greater Riverside Chambers of Commerce, Riverside City Firefighters' Association</p> <p>OPPOSE: Environmental Defense</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS BEING MONITORED			
<p>► AB 38 (Nava – D)</p> <p>Department of Emergency Services and Homeland Security</p>	<p>Deletes provisions of existing law that governs the Office of Homeland Security and the Office of Emergency Services and establishes the Department of Emergency Services and Homeland Security which would succeed to and be vested with the duties, powers, purposes, and responsibilities of both of the former offices. Requires the Office of Emergency Services to develop and complete a guidance document to the state emergency plan with respect to agriculture-related disasters.</p>	<p>INTRODUCED: 12/04/2006 LAST AMEND: 04/14/2008 LOCATION: Senate Public Safety Committee</p> <p>STATUS: 04/14/200 From SENATE Committee on PUBLIC SAFETY with author's amendments. 04/14/2008 In SENATE. Read second time and amended. Re-referred to Committee on PUBLIC SAFETY</p>	<p>SUPPORT: Office of Emergency Services, Office of Homeland Security, California Emergency Services Association, CSAC, California State Sheriffs' Association, Little Hoover Commission, Metropolitan Transportation Commission, James Lee Witt Associates, Regional Council of Rural Counties</p>
<p>AB 109 (Nunez – D)</p> <p>Global Warming Solutions Act of 2006: Annual Report</p>	<p>Requires the Governor, Treasurer's office, the Public Employees' Retirement and the State Teachers' Retirement systems to annually report to the Legislature information relating to greenhouse gas emissions and green investments. Requires all land conservancies to report to the Legislature on past, current, and future activities to sequester greenhouse gas emissions. Requires an annual report by the California Air Resources Board to the state legislature on the implementation of the Global Warming Solutions Act. Includes the reduction of such gases in the Environmental Goals and Policy Project.</p>	<p>INTRODUCED: 01/05/2007 LAST AMEND: 07/18/2007 LOCATION: Senate Inactive Files</p> <p>STATUS: 09/04/2007 In SENATE. From third reading. To Inactive File.</p>	<p>SUPPORT: American Federation of State County and Municipal Employees, California Association of Professional Scientists, Moller International Inc., Silicon Valley Leadership Group</p>
<p>AB 169 (Levine – D)</p>	<p><i>LEGISLATION DELETED FROM MATRIX. BILL HAS BEEN AMENDED TO DEAL WITH BALLAST WATER MANAGEMENT. PRIOR VERSION DEALT WITH INDIAN TRIBAL GOVERNMENT PARTICIPATION IN THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS.</i></p>		
<p>AB 867 (Davis – D)</p> <p>Transportation Analysis Zones</p>	<p>Requires each metropolitan planning organization and each regional transportation planning agency, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of regional traffic analysis zones used to estimate travel behavior and traffic generation as part of the transportation demand model. Requires results of such analysis to be availed to the public and to be added as an addendum to the regional transportation plan.</p>	<p>INTRODUCED: 02/22/2007 LAST AMEND: 07/10/2007 LOCATION: Senate Appropriations Committee</p> <p>STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.</p>	<p>SUPPORT: American Federation of State, County and Municipal Employees</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 901 (Nunez – D) Transportation: Highway Safety Traffic Reduction	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 that requires funds from the proceeds of bonds under the act for allocation to public transit operators and transportation planning agencies. Requires the Department of Transportation and Transportation Commission to provide information regarding their needs. Imposes specified auditing requirements.	INTRODUCED: 02/22/2007 LAST AMEND: 07/05/2007 LOCATION: Senate Appropriations Committee STATUS: 07/10/2007 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.	SUPPORT: California Transit Association, LACMTA, Long Beach Transit, Merced Transit, Inyo Mono Transit, Unitrans, Associated Students of the University of California, Davis, Shields for Families, Inc.
AB 995 (Nava – D) Trade Corridors	Relates to the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act. Provides that projects eligible for funding from the Trade Corridors Improvement Fund receive priority if they meet specified requirements. Requires the state Transportation Commission to coordinate with the state Air Resources Board for technical assistance in evaluating project applications.	INTRODUCED: 02/22/2007 LAST AMEND: 08/20/2007 LOCATION: Senate Inactive File STATUS: 02/13/2008 In SENATE. To Inactive File.	SUPPORT: American Federation of State, County and Municipal Employees, American Lung Association, Environmental Defense, Natural Resources Defense Council
AB 1351 (Levine – D) Transportation: State-Local Partnerships	Amends the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006. States the intent of the Legislature to appropriate a specified amount of funds for the State-Local Partnership Program for funding transportation projects for a specified period. Defines local funds under the program relating to a local match as revenues from any locally imposed transportation related sales tax. Requires certain related reports.	INTRODUCED: 02/23/2007 LAST AMEND: 07/12/2007 LOCATION: Senate Appropriations Committee STATUS: 08/30/2007 In SENATE Committee on APPROPRIATIONS: Not heard.	SUPPORT: LACMTA, RCTC
AB 1358 (Leno – D) Planning: Circulation Element: Transportation	Requires the legislative body of a city or county, upon any revision of the circulation element of the general plan, to modify the circulation element to accommodate the safety and convenient travel of users of streets, roads, and highways, in a manner that is suitable to the rural, suburban, or urban context of the general plan. Requires the Office of Planning and Research to prepare or amend guidelines to provide for this accommodation using consideration of accommodation variation in transportation.	INTRODUCED: 02/23/2007 LAST AMEND: 07/18/2007 LOCATION: Senate Inactive File STATUS: 02/13/2008 In SENATE. To Inactive File.	(partial list) SUPPORT: AARP, California League of Conservation Voters, City of Sacramento, City of Ventura, Sacramento Metropolitan Air Quality Management District, San Luis Obispo Council of Governments, Transportation and Land Use Coalition

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 1756 (Caballero – D)</p> <p>Infrastructure Development: Public-Private Partnership</p>	<p>Requires the Secretary of Business, Transportation and Housing to establish the Office of Local Public-Private Partnerships in the agency to inform local agencies and other interested stakeholders of the role that public-private partnerships can play in financing, constructing, maintaining, or managing, or any combination thereof, fee-producing local infrastructure projects.</p>	<p>INTRODUCED: 01/07/2008 LAST AMEND: 04/03/2008 LOCATION: Assembly Business and Professions Committee</p> <p>STATUS: From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on BUSINESS AND PROFESSIONS. Hearing: 04/15/2008 9:00 a.m.</p>	<p>(partial list)</p> <p>SUPPORT: League of California Cities, AFL-CIO, Associated General Contractors of California OPPOSE: Professional Engineers in California Govt., American Federation of State and Municipal Employees</p>
<p>AB 1815 (Feuer – D)</p> <p>Transportation Infrastructure Funding Task Force</p>	<p>Creates the Transportation Infrastructure Funding Task Force. Requires the task force to hold at least three public hearings around the state and to report to the Legislature and Governor on alternatives to the current system of taxing road users through per-gallon fuel taxes.</p>	<p>INTRODUCED: 01/17/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 02/07/2008 To ASSEMBLY Committee on TRANSPORTATION.</p>	<p>None Listed</p>
<p>► AB 1845 (Duvall – R)</p> <p>Railroad-Highway Grade Separations</p>	<p>Repeals the requirement for the Department of Transportation to include \$15,000,000 in its annual budget for highway-railroad grade separation projects. Authorizes projects for highway-railroad grade separations to compete for funding through the state transportation improvement program process.</p>	<p>INTRODUCED: 01/28/2008 LAST AMEND: 04/03/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>AB 1850 (DeVore – R)</p> <p>Office of Public-Private Partnerships</p>	<p>Creates the Office of Public-Private Partnerships within the office of the Governor and a process for the Office of Public-Private Partnerships to develop formal public-private partnership agreements to facilitate the construction and maintenance of the state's infrastructure. Requires the Director of that office to provide the Legislature with notice before committing the state to participate in any partnership agreement.</p>	<p>INTRODUCED: 01/29/2008 LOCATION: Assembly Business and Professions Committee</p> <p>STATUS: 04/01/2008 In ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Failed passage. 04/01/2008 In ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Reconsideration granted.</p>	<p>SUPPORT: Associated General Contractors of California, Associated General Contractors of San Diego, California Chamber of Commerce</p> <p>OPPOSE: American Federation of State and Municipal Employees, Professional Engineers in California Government</p>
<p>► AB 1851 (Nava – D)</p> <p>Greenhouse Gas Emissions: Sale of Voluntary Offsets</p>	<p>Requires sellers of voluntary greenhouse gas emission offsets to hire independent 3rd-party verifiers to ensure that the project or projects generating the greenhouse gas emission offsets meet protocols and requirements to be developed by the State Air Resources Board. Creates a voluntary Certified Greenhouse Gas Emission Offset program, to allow those that meet the program's requirements to sell and advertise offsets as California Certified Greenhouse Gas Emission Offsets.</p>	<p>INTRODUCED: 01/29/2008 LAST AMEND: 04/03/2008 LOCATION: Assembly Second Reading File</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS</p>	<p>SUPPORT: Environmental Defense Fund</p> <p>OPPOSE: Pacific Gas and Electric</p>
<p>► AB 1904 (Torrico – D)</p> <p>Transportation: Programming of Projects</p>	<p>Provides, for purposes of calculation of state highway miles in a county for the county shares formula, would provide that the total number of state highway miles in a county shall be calculated so it is not less than the total number of state highway miles that existed on a certain date. Requires the Transportation Commission to develop guidelines establishing a process for a regional transportation planning agency or a countywide transportation planning agency for the exchange of transportation funds.</p>	<p>INTRODUCED: 02/07/2008 LAST AMEND: 04/14/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>▶ AB 1954 (Jeffries – R)</p> <p>High-Occupancy Toll (HOT) Lanes</p>	<p>Relates to high-occupancy toll (HOT) lanes. Authorizes a value pricing and transit program involving HOT lanes to be developed and operated on State Highway Route 15 in Riverside County by the Riverside County Transportation Commission. Requires the Riverside County Transportation Commission and the Department of Transportation to implement the program pursuant to a cooperative agreement.</p>	<p>INTRODUCED: 02/13/2008 LAST AMEND: 04/07/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.</p>	<p>(partial list)</p> <p>SUPPORT: City of Corona, County of Riverside, AFL-CIO OPPOSE: Environmental Defense, Sierra Club California</p>
<p>AB 1968 (Jeffries – R)</p> <p>Transportation Infrastructure Emergencies</p>	<p>Authorizes the Governor to declare a transportation infrastructure emergency for the purpose of relieving traffic congestion on any specific highway or segment of a highway for which the Department of Transportation has determined that the average daily vehicle hours of delay, excluding weekends, exceeds a specified amount. Provides for the Governor to direct the Department to immediately create and implement an expedited process and to establish new highway or additional lane construction deadlines..</p>	<p>INTRODUCED: 02/14/2008 LAST AMEND: 03/24/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 03/24/2008 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/24/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p>	<p>None Listed</p>
<p>▶ AB 1973 (Ruskin – D)</p> <p>Public Utilities Commission</p>	<p>Requires the Governor to appoint a president of the commission from among its members.</p>	<p>INTRODUCED: 02/14/2008 LOCATION: Assembly Utilities and Commerce Committee</p> <p>STATUS: 02/28/2008 To ASSEMBLY Committee on UTILITIES AND COMMERCE. Hearing: 04/28/2008 3:00 p.m.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2093 (Jones – D)</p> <p>General Plan: Mandatory Elements</p>	<p>Amends the Planning and Zoning Law. Requires to be included in the mandatory elements, except for the noise element, consideration of policies that reduce the effects of land use activities and general plan actions on the emission of greenhouse gases in order to help meet the goals of the State Global Warming Solutions Act of 2006.</p>	<p>INTRODUCED: 02/19/2008 LAST AMEND: 04/08/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.</p>	<p>SUPPORT: Health Officers Association of California</p>
<p>► AB 2182 (Caballero – D)</p> <p>Local Land Use Planning</p>	<p>Establishes the Urban and Community Center Revitalization Program which would provide for moneys from a specified bond act to be made available for distribution in the form of grants to local governments that meets specified criteria, for specific plans, master environmental impact reports, and charettes. Requires the State Clearinghouse in the Governor's Office of Planning and Research to prepare and develop proposed specified regulations for the program.</p>	<p>INTRODUCED: 02/20/2008 LAST AMEND: 03/12/2008 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 03/12/2008 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments. 03/12/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT. Hearing: 04/16/2008 1:30 p.m.</p>	<p>SUPPORT: CA Associations of Councils of Government (In Concept) OPPOSE: CA Association of Realtors (Unless Amended)</p>
<p>► AB 2295 (Arambula – D)</p> <p>Transportation Capital Improvement Program</p>	<p>Relates to allocations of transportation capital improvement funds pursuant to the State Transportation Improvement Program process. States that local road rehabilitation projects are eligible for these funds.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Assembly Third Reading File</p> <p>STATUS: 04/14/2008 In ASSEMBLY. From Consent Calendar. To third reading.</p>	<p>SUPPORT: California State Association of Counties (co-sponsor) Regional Council of Rural Counties (co-sponsor) League of California Cities</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2321 (Feuer – D)</p> <p>Transportation Funding: County of Los Angeles</p>	<p>Requires the Los Angeles County Metropolitan Transportation Authority tax ordinance to specify that the tax is to be imposed for a period not to exceed and to require the authority to include specified projects and programs in its Long Range Transportation Plan.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPRIATIONS.</p>	<p>SUPPORT: Los Angeles County Metropolitan Transportation Authority (Metro) California Public Interest Research Group Environment California</p>
<p>► AB 2376 (Price – D)</p> <p>Small and Emerging Contractors: Assistance Program</p>	<p>Requires the Department of Transportation to establish a Small and Emerging Contractor Technical Assistance Program for the purpose of providing training and technical assistance to small contractors to improve their ability to secure surety bond guarantees, offered by the federal Small Business Administration, necessary to qualify for public works projects.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Assembly Appropriations Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.</p>	<p>None Listed</p>
<p>AB 2495 (Feuer – D)</p> <p>Local Governments: Infrastructure Financing</p>	<p>States the intent of the Legislature to enact legislation to allow the state create public-public partnerships with local governmental agencies.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Assembly</p> <p>STATUS: 02/21/2008 INTRODUCED.</p>	<p>None Listed</p>
<p>AB 2500 (Strickland – R)</p> <p>Grade Separation Projects</p>	<p>Relates to existing law that requires the Department of Transportation to prepare a proposed budget that includes allocation to grade separation projects. Increases the amount required to be budgeted for allocation to grade separation projects.</p>	<p>INTRODUCED: 02/21/2008 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 03/06/2008 To ASSEMBLY Committee on TRANSPORTATION.</p>	<p>None Listed</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 2558 (Feuer – D)</p> <p>Los Angeles County Metropolitan Commission</p>	<p>Authorizes the Los Angeles County Metropolitan Transportation Authority to impose a climate change mitigation and adaptation fee in the County of Los Angeles, subject to approval of an ordinance by a majority of the board of the authority and majority voter approval of a ballot measure containing the fee and an expenditure plan.</p>	<p>INTRODUCED: 02/22/2008 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on LOCAL GOVERNMENT.</p>	<p>(partial list)</p> <p>SUPPORT: LA County Metropolitan Transportation Authority, Natural Resources Defense Council, California Transit Association.</p> <p>OPPOSE: Automobile Club of Southern California, Howard Jarvis Taxpayers Association, California Motor Car Dealers Association</p>
<p>► AB 2596 (Jones – D)</p> <p>Global Warming Solutions Act: Compliance Mechanisms</p>	<p>Authorizes a city or county, to the extent it reduces greenhouse gas emissions by a certain percentage, to sell, exchange, or auction any emission reductions achieved by those plans and ordinances in any open market-based compliance mechanism established by the Air Resources Board.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/01/2008 LOCATION: Assembly Local Government Committee</p> <p>STATUS: 04/01/2008 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on LOCAL GOVERNMENT. Hearing: 04/16/2008 1:30 p.m.</p>	<p>OPPOSE: League of CA Cities, Pacific Gas and Electric</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 2600 (Niello – R) State and Local Government: Infrastructure	States the intent of the Legislature to enact legislation to authorize state and local governmental entities to enter performance-based infrastructure partnerships for eligible facilities.	INTRODUCED: 02/22/2008 LOCATION: Assembly Business and Professions Committee STATUS: 04/03/2008 To ASSEMBLY Committee on BUSINESS AND PROFESSIONS.	None Listed
► AB 2638 (Coto – D) California Air Quality and Environmental Health Act	Requires the State Board of Equalization to collect a fee on the sale or lease of a new passenger motor vehicle that has a specified federal fuel economy rating. Creates the Air Quality and Environmental Health Fund. Appropriates moneys in the fund to the State Air Resources Board to finance projects and programs that will mitigate or prevent the air pollution harm caused by vehicles subject to the fee.	INTRODUCED: 02/22/2008 LAST AMEND: 03/24/2008 LOCATION: Assembly Transportation Committee STATUS: 04/14/2008 In ASSEMBLY Committee on TRANSPORTATION: Not heard	SUPPORT: Sierra Club California OPPOSE: California Motor Car Dealers Association, Howard Jarvis Taxpayer Association
► AB 2650 (Carter – D) Department of Transportation: Environmental Process	Provides for surface transportation project delivery pilot program. Requires a report to extend the operation of the pilot program provisions.	INTRODUCED: 02/22/2008 LOCATION: Assembly Appropriations Committee STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.	SUPPORT: Caltrans (sponsor), Calaveras Council of Governments, City of Merced, Consulting Engineers and Land Surveyors of California
► AB 2744 (Huffman – D) Metropolitan Transportation Commission: Fee	Authorizes the Metropolitan Transportation Commission to impose a fee on each gallon of motor vehicle fuel, delivered into the fuel supply tank or tanks of a motor vehicle operated on the streets or highways in the region for a certain period. Requires the commission to adopt a regional transportation and climate protection expenditure plan for the revenues derived from the fee. Provides commission would be authorized to impose the fee.	INTRODUCED: 02/22/2008 LAST AMENDED: 04/08/2008 LOCATION: Assembly Transportation Committee STATUS: 04/14/2008 In ASSEMBLY Committee on TRANSPORTATION: Failed passage. 04/14/2008 In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.	(partial list) SUPPORT: Bay Area Air Quality District, Natural Resources Defense Council, Transportation and Land Use Coalition. OPPOSE: AAA Northern California, California Motor Car Dealers Association, Howard Jarvis Taxpayer Association

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► AB 3021 (Nava – D) California Transportation Financing Authority</p>	<p>Creates the Transportation Financing Authority with powers and duties relative to issuance of revenue bonds to fund transportation projects to be backed by various revenue streams of transportation funds, and toll revenues in order to facilitate construction of additional capacity on the state highway system.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 04/08/2008 LOCATION: Assembly Appropriations Committee STATUS: 04/14/2008 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.</p>	<p>SUPPORT: State Treasurer Bill Lockyer (sponsor), State Building and Construction Trades Council of California, AFL-CIO OPPOSE: Environmental Defense</p>
<p>ACA 1 (Price – D) Elections: Redistricting</p>	<p>Proposes an amendment to the Constitution to assign the responsibility for adjusting boundary lines of Senate, Assembly, congressional, and State Board of Equalization district to a specified commission. Requires the commission to hold public hearings to provide for public input and comment. Grants the Supreme Court jurisdiction over all challenges to a redistricting plan. Requires the Governor to include in the budget presented to the Legislature funds for the redistricting process.</p>	<p>INTRODUCED: 12/04/06 LAST AMEND: 06/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 06/20/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.</p>	<p>None Listed</p>
<p>ACA 2 (Walters – R) Eminent Domain</p>	<p>Proposes a Constitutional amendment that prohibits the taking or damaging of private property without the express written consent of the owner for purposes of economic development, increasing tax revenue, or private use, or when the same use will be maintained following the taking. Requires that, prior to commencement of eminent domain proceedings, the public use for which the property is to be taken is stated in writing. Defines public use. Permits a taking to eliminate an ongoing threat to public safety.</p>	<p>INTRODUCED: 12/04/2006 LAST AMEND: 07/05/2007 LOCATION: Assembly Judiciary Committee STATUS: 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Failed passage. 07/10/2007 In ASSEMBLY Committee on JUDICIARY: Reconsideration granted.</p>	<p>SUPPORT: Chris Norby, Orange County Supervisor OPPOSE: California Redevelopment Association, California State Association of Counties, League of California Cities</p>
<p>ACA 3 (Gaines – R) Expenditure Limits</p>	<p>Proposes an amendment to the Constitution that would limit total state General Fund and special fund expenditures to an annual increase of no more than the increase in the cost of living multiplied by the percentage increase in state population. Allocates any revenues exceeding the expenditure limitation to the State School Fund and to a reserve fund, to rebates for personal income taxpayers, and to fund state and California State University employees' health and dental benefits.</p>	<p>INTRODUCED: 12/04/2006 LAST AMEND: 06/04/2007 LOCATION: Assembly Education Committee STATUS: 01/09/2008 In ASSEMBLY Committee on EDUCATION: Not heard.</p>	<p>SUPPORT: Howard Jarvis Taxpayers Association</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 4 (Villines – R) Reapportionment	Proposes an amendment to the Constitution to provide for the establishment of the Independent Citizens' Commission on Redistricting to be comprised of registered voters, who would adjust the boundary lines of the Senate, Assembly, congressional and State Board of Equalization districts as required by law. Requires the Secretary of State to implement a random selection process for members of the commission. Provides that certain records of the commission are public records.	INTRODUCED: 12/04/2006 LAST AMEND: 06/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 06/20/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed
ACA 10 (Feuer – D) Bond Indebtedness: Local Government: Transportation	Amends the State Constitution to create an additional exception to the 1 percent limit on ad valorem tax on real property for a county, or city to pay for bonded indebtedness, incurred to fund specified transportation infrastructure, that is approved by 55 percent of the voters of the county or city. Lowers to 55 percent the voter approval threshold.	INTRODUCED: 01/07/2008 LOCATION: Assembly STATUS: 01/07/2008 INTRODUCED	None Listed
ACA 11 (Blakeslee – R) Budget Process: Strategic Reserve Bank	Proposes a Constitutional Amendment. Creates the Strategic Reserve Bank governed by a board of financial experts appointed by the Governor and legislative leaders to reduce the volatility of the General Fund by moderating swings in revenues and accommodating short-term changes in revenue growth. Creates the Strategic Budget Reserve Fund.	INTRODUCED: 01/08/2008 LOCATION: Assembly STATUS: 01/08/2008 INTRODUCED	None Listed
ACA 12 (Plescia – R) State Mandated Local Programs	Proposes a constitutional amendment requiring the Legislative Analyst to determine and report to the Legislature whether the enacted bill is a balanced state budget; provides that if the Legislative Analyst reports that it is not a balanced state budget, the Legislature is required to pass and send the Governor a bill or bills to balance the state budget within 15 days and the Governor may reduce expenditures in the enacted budget bill as necessary to balance the state budget.	INTRODUCED: 01/15/2008 LOCATION: Assembly STATUS: 01/15/2008 INTRODUCED	None Listed
SB 9 (Lowenthal – D) Trade Corridor Improvement: Transportation Project	Relates to Trade Corridor Improvement Transportation Fund projects. Establishes a process to be administered by the State Transportation Commission for allocation of fund moneys. Establishes the corridors eligible for funding. Establishes criteria for project selection based on improvement of mobility of freight and improvement of air quality. Requires projects to be ready for construction by a specified date. Provides for allocations to projects outside of the trade corridors.	INTRODUCED: 12/04/2006 LAST AMEND: 08/20/2007 LOCATION: Assembly Appropriations Committee STATUS: 08/30/2007 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 19 (Lowenthal – D) Trade Corridor; Projects to Reduce Emissions: Goods	Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Requires the Air Resources Board to implement the Goods Movement Emission Reduction Program and to adopt guidelines and funding criteria for the program. Creates eligibility requirements for funding pursuant to this program. Creates the Goods Movement Emission Reduction Fund to be funded with bond proceeds.	INTRODUCED: 12/04/2006 LAST AMEND: 07/17/2007 LOCATION: Assembly Appropriations Committee STATUS: 07/17/2007 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 07/17/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Moller International, Inc.
SB 61 (Runner – R) High-Occupancy Toll Lanes and Toll Roads	Authorizes the Department of Transportation to apply to the State Transportation Commission for the development and operation of a high-occupancy toll land or toll road project sponsored by the department. Deletes the four project limitation and the requirement for the Legislature to approve each project by statute.	INTRODUCED: 01/16/2007 LAST AMEND: 05/01/2007 LOCATION: Assembly Transportation Committee STATUS: 06/07/2007 To ASSEMBLY Committee on TRANSPORTATION.	SUPPORT: Department of Transportation (source), Association of Southern California Government, Department of Finance
SB 286 (Dutton – R and Lowenthal – D) Transportation Enhancement Funds: Conservation Corps	Requires, with respect to federal funds made available to the state for transportation enhancement projects, transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria that give priority in project selection to the sponsors of eligible projects that partner with, commit to employ the services of, a community conservation corps, or the state conservation corps to construct or undertake the project.	INTRODUCED: 02/15/2007 LAST AMEND: 01/17/2008 LOCATION: Assembly Appropriations Committee STATUS: 01/17/2008 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments. 01/17/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 344 (Machado – D)	<i>LEGISLATION DELETED FROM MATRIX. SIGNED BY THE GOVERNOR, AND CHAPTERED BY THE SECRETARY OF STATE ON MARCH 26, 2008. AS ENACTED, THE BILL WOULD ALLOW STATE AND LOCAL GOVERNMENT AGENCIES TO REPURCHASE BONDS ISSUED BY THE AGENCY WITHOUT THE BONDS BEING CANCELED OR EXTINGUISHED.</i>		
SB 364 (Simitian – D) Personal Information: Privacy	Amends existing law that requires any agency, and any person or business, that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or data, following discovery or notification of the security breach, to any resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Requires a report to the Office of Information Security and Privacy Protection.	INTRODUCED: 02/20/2007 LAST AMEND: 01/28/2008 LOCATION: Assembly STATUS: 01/30/2008 In SENATE. Read third time. Passed SENATE. To ASSEMBLY.	SUPPORT: Consumers Union, Consumer Federation of California, Electronic Frontier Foundation, Privacy Rights Clearinghouse
SB 445 (Torlakson – D) Greenhouse Gas Mitigation Fee	Authorizes specified regional transportation agencies to impose a greenhouse gas mitigation fee on vehicles subject to registration within the jurisdiction of the agency. Requires the fee to be implemented pursuant to a plan, which would be required to contain an expenditure plan describing specified transportation projects and programs to be funded. Requires that the fee would be subject to approval of the governing board of the implementing agency and of voters of a ballot measure containing the plan.	INTRODUCED: 02/21/2007 LAST AMEND: 03/06/2008 LOCATION: Assembly Transportation Committee STATUS: 03/06/2008 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/06/2008 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.	None Listed
SB 716 (Perata – D) Transit Operators	Relates to appropriations to transportation agencies from the Public Transportation Modernization, Improvement, and Service Enhancement Account for transit capital projects pursuant to a specified formula. Specifies requirements for an eligible project sponsor to receive an allocation of funds appropriated from the account. Requires the Transportation Commission and the Controller to administer these provisions.	INTRODUCED: 02/23/2007 LAST AMEND: 07/11/2007 LOCATION: Assembly Appropriations Committee STATUS: 07/11/2007 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	SUPPORT: Alameda Contra Costa Transit District, American Federation of State, County, and Municipal Employees OPPOSE: LACMTA

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 841 (Calderon – D) Vehicles: Mature Driver Improvement Course	Amends existing law that requires the Director of Motor Vehicles to establish standards and develop criteria for approval of initial and renewal mature driver improvement courses. Specifies that a course may be offered in an Internet format, if the course is educationally equivalent to the course provided in the classroom format. Authorizes the department to require such course provider to include technologies that reasonably verify the identity of the person taking the course.	INTRODUCED: 02/23/2007 LAST AMEND: 06/27/2007 LOCATION: Assembly Inactive File STATUS: 08/20/2007 In ASSEMBLY. To Inactive File.	SUPPORT: TrafficSchool.com (sponsor), Automobile Club of Southern California, California State Automobile Association
SB 947 (Hollingsworth – R) Consultation: Transportation Facilities	Requires notice of at least one scoping meeting to be provided to transportation planning agencies or public agencies required to be consulted concerning a project proposed by a lead agency which requires an environmental impact report under the California Environmental Quality Act. Requires the project's effect on overpasses, on-ramps, and off-ramps to be included in that consultation.	INTRODUCED: 02/23/2007 LAST AMEND: 04/30/2007 LOCATION: Assembly Natural Resources Committee STATUS: 05/24/2007 To ASSEMBLY Committees on NATURAL RESOURCES and TRANSPORTATION.	SUPPORT: Cities of El Cajon, Murrieta, Poway, Temecula, and Victorville, Lakeside Chamber of Commerce, San Diego Regional Chamber of Commerce, San Diego Mayor Jerry Sanders OPPOSE: California Chapter of the American Planning Association, Sierra Club California
► SB 1165 (Kuehl – D) Environment: Environmental Impact Report	Amends the California Environmental Quality Act. Authorizes a person to submit information or other comments to the lead agency. Requires the lead agency to consider and retain communications made to the agency or its consultants. Makes available to members of the public administrative drafts of its environmental impact report, negative declaration, or mitigated negative declarations that are circulated among the project applicant and agencies prior to official release. Requires notification of release.	INTRODUCED: 02/07/2008 LAST AMEND: 04/09/2008 LOCATION: Senate Judiciary Committee STATUS: 04/14/2008 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on JUDICIARY	(partial list) SUPPORT: Environment California, California League of Conservation Voters OPPOSE: California Chamber of Commerce, California Building Industry Association

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1240 (Kehoe – D)</p> <p>Air Pollution: Low-Carbon Fuel Standards</p>	<p>Requires the Air Resources Board to adopt, implement, and enforce a low-carbon fuel standard by regulation that achieves the maximum technologically feasible and cost-effective reductions in carbon intensity of transportation fuels, and at least a 10 percent reduction in the carbon intensity of transportation fuels by a specified date. Provides that fuel standard would apply to all refiners, blenders, producers and importers of transportation fuels. Provides that reporting requirements be imposed, as specified.</p>	<p>INTRODUCED: 02/14/2008 LAST AMENDED: 04/10/2008 LOCATION: Senate Appropriations Committee</p> <p>STATUS: 04/14/2008 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.</p>	<p>(partial list)</p> <p>SUPPORT: American Lung Association, Natural Resources Defense Council OPPOSE: California Manufacturers and Technology Association</p>
<p>SB 1278 (Maldonado – R)</p> <p>Building Standards: Green Building Construction</p>	<p>Creates the Green Neighborhood Grant Act. Provides for grants to be awarded annually to private developers for residential development projects that have been certified by the Building Industry Institute as complying with the Green Builder Program. Reimburses the developer for up to a specified percentage of the total development cost of a certified project. Provides that no more than one grant will be awarded annually for a development project located in a city with a specified population or greater.</p>	<p>INTRODUCED: 02/19/2008 LAST AMEND: 03/24/2008 LOCATION: Senate Energy, Utilities and Communications Committee</p> <p>STATUS: 04/01/2008 In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Heard, remains in Committee.</p>	<p>None Listed</p>
<p>► SB 1295 (Ducheny – D)</p> <p>Coastal Act: Coastal Redevelopment Permit: Appeal</p>	<p>Amends the California Coastal Act of 1976 that provides for the planning and regulation of development within the coastal zone, and that any appealable action on a coastal development permit or claim of exemption for any development by a local government or port governing body may be appealed by any two members of the California Coastal commission. Revises that provision to add a condition for an appeal by any 2 members to require that the commission or its staff provide comments to the local government or port governing body.</p>	<p>INTRODUCED: 02/19/2008 LAST AMEND: 04/02/2008 LOCATION: Senate Natural Resources and Water Committee</p> <p>STATUS: 04/08/2008 In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage. 04/08/2008 In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.</p>	<p>(partial list)</p> <p>SUPPORT: City of Oceanside OPPOSE: Sierra Club California, Natural Resources Defense Council, City of Huntington Beach</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 1363 (Perata – D) Transportation Projects: Lease Agreements	Extends existing law that authorizes the Department of Transportation and regional transportation agencies to enter into up to four comprehensive development lease agreements with public and private entities for transportation projects primarily designed for improvement of goods movement that may charge users of those projects tolls and user fees.	INTRODUCED: 02/21/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 02/28/2008 To SENATE Committee on TRANSPORTATION AND HOUSING	None Listed
► SB 1422 (Lowenthal –D) High Speed Rail Authority	Relates to existing law that creates the High Speed Rail Authority and that provides that whenever provisions is made by law for any project that is not under the jurisdiction of specified agencies, the project shall be under the jurisdiction of the Department of Transportation. Provides similar jurisdiction to the Department of Transportation whenever no provisions is made by law for any project that is not under the jurisdiction of the High-Speed Rail Authority.	INTRODUCED: 02/21/2008 LAST AMENDED: 04/07/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 04/10/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.	None Listed
► SB 1429 (Perata – D) State Owned Toll Bridges	Requires state owned toll bridge project sponsors to seek supplemental funding from state general obligation bond funds make available for transportation capital improvements.	INTRODUCED: 02/21/2008 LOCATION: Senate Transportation and Housing Committee STATUS: 03/06/2008 To SENATE Committee on TRANSPORTATION AND HOUSING. Hearing: 04/29/2008 1:30 p.m.	None Listed
► SB 1631 (Ackerman – R) Public Works: Environmental Complaints	Provides that, for a public works project that is to be performed on real property owned or leased by the state or a political subdivision, any person that files or threatens to file, or to fund, any environmental complaint or protest regarding any permit, map, or other entitlement related to the use or development of that land, where the purpose or objective is to obtain or extract money or other thing of value.	INTRODUCED: 02/22/2008 LOCATION: Senate Governmental Organization Committee STATUS: 04/15/2008 In SENATE Committee on GOVERNMENTAL ORGANIZATION: Failed passage.	(partial list) SUPPORT: California Building Industry Association, California Chamber of Commerce OPPOSE: California Teamsters Public Affairs Council, United Food and Commercial Workers

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1646 (Padilla – D)</p> <p>South Coast Air Quality Management District</p>	<p>Extends the authority of the South Coast Air Quality Management District to impose a specified fee on the renewal of registration of any motor vehicle in the district indefinitely, and would require no more than a specified percentage of funds in the account be used for administrative purposes.</p>	<p>INTRODUCED: 02/22/2008 LOCATION: Senate Third Reading</p> <p>STATUS: 04/15/2008 In SENATE. Read second time. To third reading.</p>	<p>(partial listing)</p> <p>SUPPORT South Coast Air Quality Management District (sponsor), Los Angeles Unified School District, Orange County Sanitation District, Sempra Energy, Southern California Edison, Toyota, University of California, Irvine, Advanced Power and Energy Program</p> <p>OPPOSE: Howard Jarvis Taxpayers Association</p>
<p>► SB 1685 (Kehoe – D)</p> <p>Regional Comprehensive Plan: San Diego County</p>	<p>Relates to the San Diego County Regional Transportation Commission retail transactions and use tax. Revises the purposes for which the tax revenues could be use to provide for implementation of the regional comprehensive plan, water quality improvement, beach sand replenishment projects. Authorizes the transfer of environmental mitigation or conservation to a public agency or nonprofit corporation for management and monitoring. Authorizes related grants. Authorizes an increase in the tax rate.</p>	<p>INTRODUCED: 02/22/2008 LAST AMENDED: 04/07/2008 LOCATION: Senate Local Government Committee</p> <p>STATUS: From SENATE Committee on TRANSPORTATION AND HOUSING: Be re-referred to Committee on LOCAL GOVERNMENT. Hearing: Local Government Committee 04/16/2008 9:30 a.m.</p>	<p>SUPPORT: San Diego Association of Governments (sponsor), North County Transit District, Nature Conservancy</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► SB 1731 (Yee- D)</p> <p>Vehicles: Fees: Congestion Mitigation</p>	<p>Authorizes the Metropolitan Transportation Commission to impose a vehicle registration fee in the counties under its jurisdiction for the purpose of implementing congestion mitigation strategies within the region. Requires the commission to adopt a program of projects that will be funded by the fee revenues.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/01/2008 LOCATION: Senate Appropriations Committee</p> <p>STATUS: 04/08/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. Hearing: 04/21/2008 10 a.m.</p>	<p>(partial list) SUPPORT: Metropolitan Transportation Commission (Sponsor) OPPOSE: California Motor Car Dealers Association, Stop Hidden Taxes Coalition, Howard Jarvis Taxpayers Association</p>
<p>► SB 1732 (Romero – D)</p> <p>Local Agencies</p>	<p>Prohibits a majority of members of a legislative body of a local agency from using, outside a meeting authorized the Ralph M Brown Act, a series of communications of any kind, directly through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Provides that when the members of a local agency are authorized to access a writing of the body there shall be no discrimination as to access of that information.</p>	<p>INTRODUCED: 02/22/2008 LAST AMEND: 04/15/2008 LOCATION: Senate Third Reading File</p> <p>STATUS: 04/15/2008 In SENATE. Read second time and amended. To third reading.</p>	<p>SUPPORT: California Newspaper Publishers Association, California Broadcasters Association, Los Angeles Unified School District Board President Monica Garcia, Upper San Gabriel Valley Municipal Water District Board President Leon M. N. Garcia</p> <p>OPPOSE: Association of California School Administrators, California School Boards Association, Community College League of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 1748 (Oropeza – D) State Budget	Makes a technical, nonsubstantive changes to existing law which provides that in determining whether the state's General Fund budget, in any given fiscal year, is in a surplus or deficit condition, the controlling factor is the fund balance, which is the difference between the total resources and total expenditures.	INTRODUCED: 02/22/2008 LOCATION: Senate Rules Committee STATUS: 03/13/2008 To SENATE Committee on RULES.	None Listed
SB 1760 (Perata – D) Energy: Greenhouse Gas Emissions	Creates the Climate Action Team (CAT) that would be responsible for coordinating the state's overall climate policy. Requires the CAT to prepare, adopt, and present to the Legislature, a strategic research, development, and demonstration plan that establishes priorities and identifies key expenditure categories for research, development, and deployment funds to be expended by the state agencies represented on the CAT.	INTRODUCED: 02/22/2008 LOCATION: Senate Environmental Quality Committee STATUS: 03/13/2008 To SENATE Committee on ENVIRONMENTAL QUALITY.	None Listed
SCA 1 (McClintock – R) Eminent Domain: Condemnation Proceedings	Proposes an amendment to the Constitution to provide that private property may be taken or damaged only for a stated public purpose and not without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. Provides that if the property ceases to be used for the public use, the former owner would have the right to reacquire the property at its fair market value. Provides reevaluation procedures.	INTRODUCED: 12/04/2006 LAST AMEND: 02/05/2007 LOCATION: Senate Judiciary Committee STATUS: 02/05/2007 From SENATE Committee on JUDICIARY with author's amendments. 02/05/2007 In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCA 5 (McClintock – R) State and Local Government Finance: Taxes	Proposes an amendment to the Constitution to establish a constitutional definition of a tax as any monetary exaction imposed by a governmental entity. Recasts the definition of a special tax. Conditions the imposition by the state or local government of a new tax, or a change in a tax, that increases the amount of any tax levied upon the approval of 2/3 membership of the governing body and voter approval. Prohibits new tax without voter approval. Provides exceptions.	INTRODUCED: 01/30/2007 LAST AMEND: 03/21/2007 LOCATION: Senate Revenue and Taxation Committee STATUS: 04/25/2007 In SENATE Committee on REVENUE AND TAXATION: Heard, remains in Committee.	SUPPORT: Howard Jarvis Taxpayers' Association, California Chamber of Commerce, Council for Citizens Against Government Waste, Mid Valley Chamber of Commerce, Milpitas Chamber of Commerce OPPOSE: California Tax Reform Association, East Bay Municipal Utilities District
SCA 14 (Denham – R) Governor: State Budget	Proposes a Constitutional amendment. Requires the budget submitted by the Governor to be a balanced budget, pursuant to a determination to be made by the Legislative Analyst. Provides that if, by January 10, the Governor fails to submit a balanced budget, as determined by the Legislative Analyst, the Governor shall forfeit any salary from January 11 until the date a balanced budget is submitted.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed
SCA 15 (Denham – R) Legislature: Sessions: State Budget	Proposes an amendment to the State Constitution. Requires, if the Legislature fails to pass the Budget Bill by June 15 of any year, that each house of the Legislature meet in session 24 hours a day, and not recess or adjourn, until the Budget Bill is passed and presented to the Governor.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SCA 16 (Denham – R) Legislature: Compensation	Proposes an amendment to the State Constitution. Provides that, if a Budget Bill is not passed by June 15, Members of the Legislature may not be paid any salary from June 16 to the date a Budget Bill is passed and sent to the Governor. Provides that once a Budget Bill is passed and sent to the Governor, a Member of the Legislature may not be paid any salary due for that period of time.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed
SCR 68 (Denham – R) Budget Bill Conference Committee	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 regular session to require that any conference committee on the Budget Bill be comprised of 10 members. Requires the Senate Committee on Rules and the Speaker of the Assembly to appoint three members each and the minority party caucuses in each house to appoint two members each.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed
SCR 69 (Denham – R) Budget Bill Votes	Adds a provision to the Joint Rules of the Senate and Assembly for the 2007-08 Regular Session to require that a vote by a committee or subcommittee in either house of the Legislature to take action on the Budget Bill, or a vote by a conference committee to take action on the Budget Bill, be a 2/3 vote.	INTRODUCED: 01/09/2008 LAST AMEND: 03/25/2008 LOCATION: Senate Rules Committee STATUS: 03/25/2008 From SENATE Committee on RULES with author's amendments. 03/25/2008 In SENATE. Read second time and amended. Re-referred to Committee on RULES.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>SB 5 c (Senate Budget & Fiscal Review Committee)</p> <p>Highway Users Tax Account</p>	<p>Requires transfers of revenues from the Highway Users Tax Account to counties or cities that would otherwise be made during certain months of 2008, to instead be made in September of 2008. Allows counties and cities to make use of any cash balance in any account that is designated for the receipt of state funds allocated for local streets and roads maintenance without the use of this cash being reflected as an expenditure of bond act funds, provided the cash is replaced.</p>	<p>INTRODUCED: 02/07/2008 LAST AMEND: 02/13/2008 LOCATION: Senate Third Reading File</p> <p>STATUS: 02/13/2008 From SENATE Committee on BUDGET AND FISCAL REVIEW: Do pass as amended. 02/13/2008 In SENATE. Read second time and amended. To third reading.</p>	<p>None Listed</p>



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Agreement for a Compensation and Classification Study for Administrative Positions

Finance and Administration Committee meeting of April 23, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, Moorlach, and Nguyen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0516 between the Orange County Transportation Authority and The Segal Company, in an amount not to exceed \$165,000, for a comprehensive compensation and classification study of administrative positions.



April 23, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for a Compensation and Classification Study for Administrative Positions

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2007-2008 budget goals for the Human Resources Department, the Board of Directors approved the implementation of a comprehensive compensation and classification study for all administrative positions. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0516 between the Orange County Transportation Authority and The Segal Company, in an amount not to exceed \$165,000, for a comprehensive compensation and classification study of administrative positions.

Background

The Orange County Transportation Authority (Authority) employs approximately 500 administrative (non-represented executive, management, professional, technical, and clerical) employees and approximately 1,500 union (represented) employees, assigned to four locations. The compensation and classification study is only of the administrative employees.

A thorough review of existing job classification titles has not been conducted since the system was initially established in 1991; there are over 300 job classifications within the administrative category. In 2003, in response to recommendations by a consultant, portions of the classification titles were evaluated and revised. The consultant's analysis focused on the evaluation of approximately 75 positions and included a review of market comparisons. The

results of the study were used to validate or revise the placement of the evaluated positions within the salary structure.

It is the practice of the Human Resources Department to review the salary grade structure annually as part of the annual budget process. In July 2006, for fiscal year (FY) 2006–07, the minimums and maximums of the salary structure were adjusted by 2.5 percent to create alignment with market. A similar structure adjustment of 2.5 percent occurred in July 2007 for FY 2007–08. Adjustments to the salary structure do not include or generate any step increases, automatic adjustments, or cost-of-living adjustments (COLA).

The current salary structure is comprised of 15 grades, 63 job families having between two and four levels within each family, 29 unique titles, and 10 supervisory/management classification titles used for approximately 90 positions, each of which has a unique job description. Not all positions in a given job family are filled; however, unique job descriptions are maintained for each level. “Classification” or “classification title” is defined as the title that identifies the type of work being performed by one or more incumbents in a position.

In order to align with market, the Compensation and Benefits Section of the Human Resources Department has participated in numerous salary surveys in past years. The majority of the surveys are nationally recognized, third-party surveys that cover a wide variety of positions. Government, transit, local, regional, and national data are included for comparison. The survey data are used to match and benchmark administrative positions. Salaries and salary grade ranges are compared with both the public and private sectors.

As noted, the compensation structure has not been reviewed in its entirety since 1991. Rather there has been a position by position review of salary and job family structure triggered by internal movement or during a particular position’s recruitment and hiring process. This one-by-one position evaluation process has caused anomalies within the structure which has resulted in internal equity issues. Due to these circumstances, questions often arise regarding the integrity of the current compensation and classification system. The proposed compensation and classification study will address the anomalies and ensure the Authority is competitive to attract, develop, and retain top talent to meet the agency’s overall goals and objectives.

Discussion

This procurement was handled in accordance with the Authority's procurement procedures for professional and technical services. The procurement was advertised on February 18, 2008 and February 21, 2008, in a newspaper of general circulation. On February 18, 2008, an electronic notice of the request for proposals (RFP) 8-0516 was sent to 1,850 firms registered on CAMM NET.

An addendum to the RFP was issued to respond to questions received by the Authority.

On March 14, 2008, eight proposals were received.

An evaluation committee was established with staff from Contracts Administration and Materials Management, Compensation and Benefits, Human Resources, and Finance and Administration to review the proposals submitted by each firm. The proposals were evaluated using the following standard criteria and weights:

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

The customary scoring factor for each of the criteria is 25 percent; however, for this procurement staff believes that the factor most relevant in predicting the successful delivery of this project is similar work experience. As a result, the criteria weighting for qualification of the firm was increased to 30 percent and the work plan reduced to 20 percent. The qualifications of the firm demonstrate the breadth and depth of experience in contracts of a similar nature.

The three highest ranked firms, Carlson Dettmann Associates, The Segal Company, and Fox Lawson and Associates were short-listed and interviews were conducted on March 27, 2008. Each firm presented its product and approach to support the Authority's request. The evaluation committee believed that The Segal Company was able to convey the best understanding of the Authority's compensation and classification requirements.

All three firms are well experienced to perform the study. The Segal Company has a wide array of experience in compensation and classification studies with public agencies as well as other transportation and transit agencies. The

Segal Company is an established firm with an extensive client base providing a full spectrum of human resources services. The Segal Company proposed a comprehensive and in-depth work plan which clearly addressed all requirements of the study.

The Segal Company also proposed highly qualified and professional staffing to perform the study. The Segal Company staff which will participate in this project has extensive public sector and transportation experience along with widespread experience in each of the tasks and objectives presented in the scope of work. The proposed staff presented themselves as a unified team during the interview.

Although The Segal Company's cost proposal was higher than the other short-listed firms, the cost was competitive with all proposals received. The evaluation committee believes that The Segal Company is the best fit for the Authority to perform this study and aligned itself with the goals and objectives of the project. Carlson Dettmann Associates offered the lowest price, followed by Fox Lawson and Associates.

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

Firm and Location

The Segal Company
Tempe, Arizona

Fiscal Impact

Funds for this project were approved in the Authority's Fiscal Year 2007-08 Budget, Human Resources, Account 1330-7519-A2231-GJM.

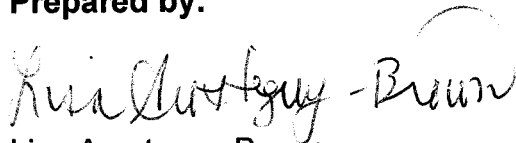
Summary

Staff recommends approval of Agreement No. C-8-0516 to The Segal Company, in the amount of \$165,000, for a compensation and classification study for The Orange County Transportation Authority's administrative employees.

Attachments

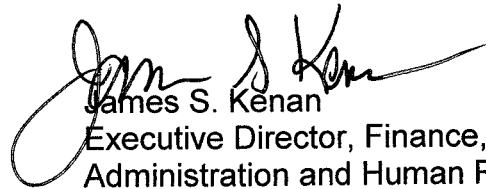
- A. Compensation and Classification Study Review of Proposals RFP 8-0516
- B. Proposal Evaluation Criteria Matrix RFP 8-0516 – Compensation and Classification Study

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Approved by:



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COMPENSATION AND CLASSIFICATION STUDY

Review of Proposals- RFP 8-0516

Presented to Finance and Administration Committee- - 4/23/08

8 proposals were received, 3 firms were interviewed. One firm is recommended for award.

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	FIRM FIXED PRICE
1	80.00	The Segal Company Tempe, AZ	None	Highest ranked firm. Firm has wealth of experience with providing similar services. Specializes in human resource services. Detailed workplan. Demonstrated thorough and concise understanding of project requirements. The team presented very well at interview. Proposed highest price among short listed firms.	\$165,000
2	77.00	Fox Lawson and Associates Phoenix, AZ	None	Firm has good experience providing compensation and classification studies and services. Work plan listed out responsibilities of both parties. Proposed decision band method in work plan. Offered competitive price.	\$132,500
3	76.00	Carlson Dettmann Associates Middleton, WI	None	Firm offers a number of human resource consulting services and products. Proposed staff has good experience in compensation and classification studies. Work plan offered an alternative approach to our requirements. Offered lowest price.	\$128,000

Evaluation Panel:

Contracts Administration and Materials Management
 Compensation and Benefits
 Human Resources
 Financial Planning and Analysis

Evaluation Criteria

Qualifications of Firm
 Staffing and Project Organization
 Work Plan
 Cost and Price

Weight Factors

30%
 25%
 20%
 25%

**PROPOSAL EVALUATION CRITERIA MATRIX
RFP 8-0516 - COMPENSATION AND CLASSIFICATION STUDY**

FIRM: The Segal Company							Weights	Overall Score
Evaluation Number	1	2	3	4	5	6		
Qualifications of Firm	4.5	4.5	4.0	4.0	4.0	4.5	6	25.5
Staffing and Project Organization	4.0	4.0	4.0	3.0	4.0	4.0	5	19.2
Work Plan	4.0	4.0	4.0	3.0	3.5	4.0	4	15.0
Cost and Price	4.0	4.0	4.0	4.0	4.0	4.0	5	20.0
Overall Score	83.0	83.0	80.0	71.0	78.0	83.0		80

FIRM: Fox Lawson and Associates							Weights	Overall Score
Evaluation Number	1	2	3	4	5	6		
Qualifications of Firm	4.0	4.0	4.0	3.0	4.0	4.5	6	23.5
Staffing and Project Organization	3.0	3.0	3.0	2.5	3.0	3.5	5	15.0
Work Plan	3.5	3.5	3.0	3.0	3.5	4.0	4	13.7
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	5	25.0
Overall Score	78.0	78.0	76.0	67.5	78.0	85.5		77

FIRM: Carlson Dettmann Associates							Weights	Overall Score
Evaluation Number	1	2	3	4	5	6		
Qualifications of Firm	3.0	3.0	3.0	4.0	3.0	3.5	6	19.5
Staffing and Project Organization	3.0	4.0	4.0	3.0	3.0	4.0	5	17.5
Work Plan	3.0	3.5	3.0	4.0	4.0	3.5	4	14.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	5	25.0
Overall Score	70.0	77.0	75.0	80.0	74.0	80.0		76



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Request to Award Agreement for Network Based Intrusion Detection/Prevention Services

Finance and Administration Committee meeting of April 23, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, Moorlach, and Nguyen

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Chairman Campbell was not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1424 between the Orange County Transportation Authority and Verisign Inc., in an amount not to exceed \$184,785, for network based intrusion detection/prevention services for a three-year term.



April 23, 2008

To: Finance and Administration Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Request to Award Agreement for Network Based Intrusion Detection/Prevention Services

Overview

As part of the Orange County Transportation Authority's Fiscal Year 2007-08 Budget, the Board of Directors approved professional services to support the Information Systems Security Program. 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 No. C-7-1424 between the Orange County Transportation Authority and Verisign Inc., in an amount not to exceed \$184,785, for network based intrusion detection/prevention services for a three-year term.

Background

Over the past few years, the landscape of security has experienced radical changes. The introduction of new legislation, the constant evolution of threats, and the ever-growing organizational dependency on technology have escalated the importance of implementing a comprehensive security program within most organizations.

The Orange County Transportation Authority (Authority) is subject to multiple state and federal privacy and security regulations including California Privacy Law SB 1386 (Chapter 915, Statutes of 2002), Health Insurance Portability Accountability Act (HIPAA), Payment Card Industry Data Security Standard (PCI DSS 1.1), Department of Homeland Security (DHS), and many others that require an organized and systematic approach to security.

As part of its commitment to security, the Authority has recently completed an enterprise-wide security program to protect both its physical and information assets. This program was collaboratively built with guidance from a security consulting group, executive management, and key stakeholders of the Authority and defined the core components needed for a successful enterprise-wide security program. This program was presented to both the Finance and Administration Committee and Security Working Group in 2006.

Due to the complexities involved with protecting information systems, the limitation of internal security resources, and desire to be compliant, it is necessary to have access to highly specialized security services to help support the various information security objectives.

As part of the Authority's strategic plan to address the gaps in the security portfolio, the Information Systems (IS) Department will be implementing network based intrusion detection/prevention systems. These systems will not only help reduce the threats to the Authority's infrastructure, but will also help meet the various state, federal, and industry privacy compliance requirements.

Although the Authority has internal security staff to support its information security program, it is not practical, from a resource allocation and cost perspective, for the Authority to implement and manage its own network intrusion detection/protection systems. These types of security systems are better suited for managed security service providers (MSSP), who have the necessary specialized expertise and resources to properly support 24/7/365 monitoring of the Authority's network infrastructure.

To keep pace with these demands and maximize the Authority's current security resources, the Authority is taking the necessary steps to establish a contract with a single MSSP to provide tools and expertise to monitor the Authority's network and information infrastructure.

Attachment C contains a brief list and description of the various federal, state, and industry compliances that this solution will help address.

Discussion

On December 10, 2007, a request for proposals (RFP) for the procurement of a network intrusion detection/prevention services provider was issued. An electronic notice was sent to 1661 firms registered in CAMM NET. In addition, the RFP was advertised in the Orange County Register on December 10, 2007 and December 17, 2007. A pre-proposal conference was held on

December 18, 2007, and was attended by 13 consultants. One addendum was issued to address questions that were submitted.

On January 24, 2008, 12 proposals were received. An evaluation committee composed of staff from Contracts Administration and Materials Management, Information Systems Security, Information Systems Technical Services, Risk Management, and Motorist Services was established to review all offers submitted.

The proposals were evaluated based on the following standard criteria:

- Qualifications of the firm 25 percent weight
- Staffing and Project Organization 25 percent weight
- Work Plan 25 percent weight
- Cost and Price 25 percent weight

The evaluation committee reviewed and evaluated all 12 proposals. The four highest rated firms, Verizon Business, Verisign Inc., SecureWorks, and Accuvant, were interviewed by the evaluation committee on March 17, 2008. The remaining eight firms were not included in the interview process as the scoring of the firms' written proposals did not fall within the competitive range.

The following is a summary of each of the four criteria:

Qualification of the Firm

According to independent research firm Gartner Research, Verisign has been deemed as a leader in the managed security service space, an honor that is only received by a few organizations. Gartner Research considers a vendor a leader, when the vendor has historically proven its ability to deliver sound products and solutions and when the vendor receives significant positive customer feedback.

Although Verizon Business attained the same score for this category and has similar acknowledgement from Gartner Research and other independent research organizations, the review committee felt that the interview with Verisign better substantiated its company's qualifications.

Staffing and Project Organization

Both Verisign and Verizon Business scored high in the area of staffing and project organization, as compared to Accuvant and SecureWorks. Staff felt that

the Verisign's customer-centric focus and flexibility was something that positively distinguished them from the rest of the firms.

Work Plan

Verisign's work plan was detailed and easy to comprehend, illustrating clear objectives and deliverables for the project. The review committee was able to quickly understand what actions were occurring at each stage of the project and what level of interaction and support the agency was going to get during the three-year engagement.

Verizon Business initially scored very well in the work plan section; however during the interview, Verizon Business advised the committee of a number of exceptions taken to the contract terms and conditions.

Cost and Price

All vendor proposals fell within budget for these types of services.

SecureWorks received the highest score in cost and price. However, SecureWorks proposal did not include travel and expenses and resource allocations for the project. During the interview, staff asked SecureWorks to clarify its total proposed cost, but was unable to get any firm numbers from the vendor. These unknowns caused the firm to be scored lower in its work plan.

Network intrusion detection/prevention services is a highly specialized field, which requires unique knowledge and expertise in order to properly protect an organization's data and systems. Organizations that hire these types of firms are placing a significant amount of trust in the services being offered, due to the nature of what is being protected.

Although Verisign was the highest priced firm, staff believed that there were significant benefits outlined in the firm's proposal and during the interview process that confidently showed that the proposed solution was going to be a success.

The following is a brief highlight of those benefits:

- Has been acknowledged by Information Security Magazine and Gartner Research as the most scalable, effective, and innovative solution. This provided staff confidence that the Authority will not get an outdated and limited solution.

- Has the most robust and highly available infrastructure. This provided staff assurance that there will be virtually no disruption of detection/prevention services being offered to the Authority.
- Has the most flexible and customer-centric culture. This is critical for any service engagement and can determine the success or failure of a project. Staff felt that Verisign was truly going to operate as if it were an extension of the Authority's Information Systems staff.

This recommendation for attaining MSSP services from an industry recognized leader should also assure the public of the Authority's commitment to truly protecting its customers, employees, and the communities it serves.

Verisign, Inc. has been determined to have the best proposal that meets or exceeds the Authority's objectives. This vendor's proposal provided the committee with confidence that the project will be a success, by illustrating the firm's proven track record for managing these type of solutions and its commitment to maintaining a close partnership with the Authority. This firm also demonstrated in the interview, a clear understanding of the Authority's objectives and confidently explained how the firm's services will benefit the Authority.

Based on the above findings of the evaluation committee, staff recommends the following firm for consideration of an award.

Firm and Location

Verisign, Inc.
Mountain View, California

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2007-08 Budget, Finance, Administration and Human Resources, Information Systems Department, Account 1281-7519-IX061-G8G, and is funded through Local Transportation Funds.

Summary

Based on the information provided, staff recommends award of Agreement No. C-7-1424 to Verisign Inc., in an amount not to exceed \$184,785, for Network Intrusion Detection/Prevention Services for a three-year term.

Attachments

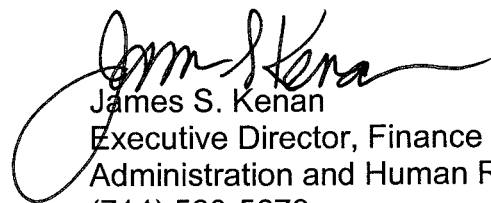
- A. Network Intrusion Detection/Prevention Review of Proposals RFP 7-1424
- B. Proposal Evaluations Criteria Matrix RFP-7-1424 –Network Intrusion Detection/Prevention
- C. List and Description of Federal, State, and Industry Compliances that this Solution will Help Address

Prepared by:



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Approved by:



James S. Kenan
Executive Director, Finance
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NETWORK INTRUSION DETECTION/PREVENTION

Review of Proposals- RFP 7-1424

Presented to Finance and Administration Committee- - 4/23/08

12 proposals were received, 4 firms was short-listed. One firm recommended for award.

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	FIRM FIXED PRICE
1	77.00	Verisign, Inc. Mountain View, CA	None	Highest ranked firm. Firm has wealth of experience with providing similar services Specializes in security service. Detailed workplan. Demonstrated thorough and concise understanding of project requirements . Very good interview. Reasonable price - within budget - all inclusive. No exceptions/deviations to Authority's contract.	\$184,785
2	73.00	SecureWorks Atlanta, GA	None	Firm has very good experience with providing security services. Good work plan. Proposal states additional expenses are not included. Very difficult to determine what those costs would be. Qualified staff supported by continuous training. Firm interviewed well, however, clarified during the interview that the Authority would be responsible for all travel, lodging, and meals of the key personnel.	\$84,952
3	70.00	Accuvant Denver, Co	IBM Atlanta, GA	Firm and sub-contractor have experience in this type of service. Lacked clarity in area of services offered. Work plan was not detailed. Did not respond well to interview questions.	\$141,439
4	66.00	Verizon Business Thousand Oaks, CA	None	Firm has experience with providing similar services. Firm has public agency experience. Comprehensive work plan acknowledging understanding of Authority needs. Took a large number of exceptions to our contract terms and conditions. Will not sign Authority agreement unless almost entirely rewritten.	\$159,103

Evaluation Panel:

Contracts Administration and Materials Management
Information Systems Security
Information Systems Technical Services
Motorist Services
Risk Management

Evaluation Criteria

Qualifications of Firm
Staffing and Project Organization
Work Plan
Cost and Price

Weight Factors

25%
25%
25%
25%

**PROPOSAL EVALUATIONS CRITERIA MATRIX
RFP 7-1424 - NETWORK INTRUSION DETECTION/PREVENTION**

						Weights	Overall Score
FIRM: Verisign							
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	5.0	4.0	4.0	4.0	4.0	5	21.0
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	5	20.0
Work Plan	4.5	4.5	4.0	4.0	4.0	5	21.0
Cost and Price	3.0	3.0	3.0	3.0	3.0	5	15.0
Overall Score	82.5	77.5	75.0	75.0	75.0		77
FIRM: SecureWorks							
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	4.0	3.5	3.0	3.0	3.0	5	16.5
Staffing/Project Organization	4.0	3.5	3.0	3.0	4.0	5	17.5
Work Plan	2.5	3.0	3.0	2.5	3.0	5	14.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	5	25.0
Overall Score	77.5	75.0	70.0	67.5	75.0		73
FIRM: Accuvant							
Evaluation Number	1	2	3	4	5		
Qualification of Firm	3.0	4.0	3.0	4.0	3.0	5	17.0
Staffing/Project Organization	3.0	3.0	3.5	3.0	3.0	5	15.5
Work Plan	3.0	4.0	3.0	4.0	3.0	5	17.0
Cost and Price	4.0	4.0	4.0	4.0	4.0	5	20.0
Overall Score	65.0	75.0	67.5	75.0	65.0		70
FIRM: Verizon Business							
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	5.0	4.0	4.0	4.0	4.0	5	21.0
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	5	20.0
Work Plan	1.0	1.0	1.0	1.0	1.0	5	5.0
Cost and Price	4.0	4.0	4.0	4.0	4.0	5	20.0
Overall Score	70.0	65.0	65.0	65.0	65.0		66

**List and Description of Federal, State, and Industry
Compliances that this Solution will Help Address:**

Payment Card Industry, Data Security Standards (PCI - DSS 1.1) Compliance – This industry compliance requirement was developed by Visa, Mastercard, and American Express in order to protect customer credit card account information from fraud and identity theft.

Health Insurance Portability Accountability Act (HIPAA) Compliance – This federal compliance requirement is to protect the privacy of health information under the Authority's purview.

California Senate Bill 1386 (Chapter 915, Statutes of 2002) Compliance – This California compliance requirement requires business in the state of California notify affected consumers when the breach of protected private information is found.

California Senate Assembly Bill 1950 (Chapter 877, Statutes of 2004) Compliance – This California compliance requires businesses in the state of California to implement a set of information security controls to ensure that personal information about California residents is protected.

Department of Homeland Security (DHS) - National Infrastructure Protection Plan (NIPP), US Patriot Act, 9-11 Act Compliance – These Federal Acts requires specific sectors, including Transportation, to implement a minimum set of information security controls in order to protect the public and its infrastructure.



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Finance, Administration and Human Resources Division
Responses to State Triennial Performance Audit
Recommendations

Finance and Administration Committee meeting of April 23, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, Moorlach,
and Nguyen

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Chairman Campbell was not present to vote on this item.

Committee Recommendation

Receive and file as an information item.



April 23, 2008

To: Finance and Administration Committee

From: Arthur T. Leahy, Chief Executive Officer

Subject: Finance, Administration and Human Resources Division Responses to State Triennial Performance Audit Recommendations

Overview

State triennial performance audits of the Orange County Transportation Authority and the Orange County Transit District, as required by California Public Utilities Code §99246, were presented to the Board of Directors in July 2007. Sixteen improvement recommendations were provided for the Finance, Administration and Human Resources Division. A report on the findings and management response is provided.

Recommendation

Receive and file as an information item.

Background

The California Public Utilities Code §99246 requires that all transit operators and regional transportation planning entities (RTPE) have a triennial performance audit conducted of its activities.

The performance audit of the Orange County Transportation Authority (OCTA) as the RTPE for the County of Orange has been completed and presented to the Board of Directors (Board). The audit report was filed with the State of California Controller's Office as required by California Public Utilities Code §99246. At the July 23, 2007, Board Meeting, staff was directed to review the 38 recommendations with the appropriate committee overseeing the particular work areas. Specifically, recommendations 1, 14, 16, 17.1, 17.2, 18, 19, 20, 22.1, 22.2, 22.3, 23, 24, 25, 26, and 27 relate to activities undertaken by the Finance, Administration and Human Resources Division and therefore are being reviewed with the Finance and Administration Committee.

Discussion

In addition to a review of OCTA's compliance with Transportation Development Act requirements, the triennial performance audit also included a review of OCTA's functional areas. Attachment A provides a summary of the functional review recommendations and management responses.

Summary

The state triennial performance audit included 16 recommendations to strengthen The Orange County Transportation Authority's Finance, Administration and Human Resources Division. Management has begun to implement the recommendations and will continue to do so through the next triennial audit period.

Attachment

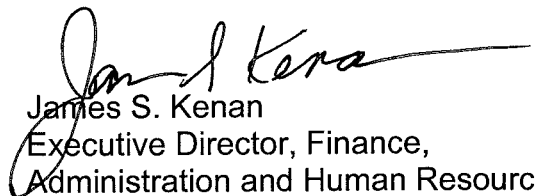
- A. Responses to State Triennial Performance Audit Recommendations

Prepared by:



Kenneth Phipps
Director, Finance, Administration and
Human Resources
(714) 560-5637

Approved by:



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

Responses to State Triennial Performance Audit Recommendations

Recommendation 1

OCTA should build on the multi-level planning efforts for the Comprehensive Business Plan (CBP) to position the CBP as the single, agencywide source for transportation plans, operations, projects, and services.

Management Response -Will not Implement.

Part of the recommendation for this item included expanding performance measures beyond bus operations to all departments within the CBP. It is important to note that the CBP is built at a macro level and is done by program, not by department. The bus operations program lends itself to performance measures on a systemwide basis but parsing out departmental goals at a programmatic level would be difficult and too detail-oriented for the CBP.

Recommendation 14

OCTA should implement required time and costing processes and tools to enable more extensive and complete direct charging of expenses to the programs/activities responsible for the expenditure.

Management Response - Will Implement with Modifications.

The Integrated Fund Accounting System (IFAS) and the current budgeting system both have the technical capacity to implement this type of project tracking at OCTA. The Financial Planning and Analysis (FP&A) Department has worked with a consultant to pare down the project codes to a more manageable number. Changes will be implemented with the fiscal year (FY) 2008-09 budget.

Recommendation 16

Accounts Payable (AP) should implement the "Payment Signature Authorization Policy" or a similar cover form for authorizing personnel to sign in the case of all invoices submitted for goods and services provided under contracts. Purchase orders could be excluded.

Management Response - Will Implement with Modifications.

In lieu of requiring a coversheet with boilerplate language to all non-purchase order payments, management suggests creating a new signature authorization card that details the responsibilities and assertions that an approval signature represents. This option will focus attention on the issue without increasing paper usage and processing time. Management believes that acknowledgement of the responsibilities with signature authority as delegated will be more effective and have less cost than adding boilerplate language and an extra piece of paper to each payment.

A draft Payment Request Policy has been developed detailing the responsibilities of authorizing payments. A signature authorization form has also been drafted.

Recommendation 17.1

OCTA should establish clear written guidelines on the use of payment requests. These should include those types of purchases that are exempt from the \$2,500 limit (e.g., judgments/settlements) and a cumulative dollar limit that can be paid to any one vendor via payment requests during any fiscal year.

Management Response - Has Already Been Addressed.

The Contracts Administration and Materials Management (CAMM) Department procedures generally establish the criteria for using payment requests by establishing thresholds for procurements that may bypass the formal procurement process. To supplement CAMM procedures, AP has increased enforcement of the rules, seeking additional authorization for payment requests exceeding \$2,500 unless on a pre-approved list of disbursements not subject to CAMM procurement rules. Accounting has created a document that details the requirements for submitting payments to AP for processing that comply with all procurement rules, and a Payment Request Policy that details the circumstances for using payment request forms has been drafted. This draft policy has been modified so that the \$2500 limit includes one-time payments as well as a series of payments to a single vendor during a rolling 12-month period.

Recommendation 17.2

CAMM should review the "frequent payment request" list and contact departments that use numerous payment requests to a single vendor to suggest that a contract or purchase order be established with the vendor. As part of this process, CAMM should also advise AP to reject any further payment requests for the identified vendors. AP should enforce the restriction.

Management Response - Will Implement with Modifications.

Management disagrees that AP should be "rejecting" payments. This strategy does not address the problem and is punitive to the vendor instead of the offending OCTA department. Once the invoice is received by AP, the legal liability exists and payment must be made. A new payment request policy has been drafted.

The new payment request draft policy details four categories of payment requests. The first three are authorized (one-time under \$2500, series of payments under \$2500 during a rolling 12-month period, and exempt payments). The last category is called Payment Request Violations (i.e. procurements that should have gone through CAMM). Payments in the last category require the signature of the Chief Executive Officer (CEO), Deputy CEO, Clerk of the Board, Executive Director, or Director before payment will be processed.

Recommendation 18

OCTA's budget process should provide for a more rigorous review of professional services and capital. In doing so, the budget section of the FP&A Department should identify patterns of continual over-budgeting and work with executive directors and the CEO to limit the practice.

Management Response - Will Implement with Modifications.

FP&A reviews each line-item in the budget as part of the budget review process. Professional services and capital budgets are built using a "zero-based" approach to budgeting, meaning that each item must be independently justified each year. In an effort to monitor the progress and merit of requested line items, FP&A staff reviews all board agendas and contracts to ensure budget resources are used as planned. Furthermore, staff is working on developing a carryover budget report that will help users distinguish line items that are encumbered and have budget dollars committed in the year the items are executed to avoid the possibility of these items being needlessly re-budgeted in subsequent years. A status of budget-to-actual information is transmitted to the Board each quarter. A focused effort to raise the level of awareness of budget-to-actual activity by department will be pursued by FP&A.

The Finance and Administration Committee has requested that the quarterly budget status report be a presentation item. This will help serve to increase the awareness of budget-to-actual activity throughout the OCTA. Budget targets by division were developed for the FY 2008-09 budget cycle.

Recommendation 19

OCTA should establish and adopt a policy that requires CEO approval, with Board notification, for budget transfers between asset categories exceeding a reasonable dollar limit with any fiscal year.

Management Response - Will Implement with Modifications.

Management believes that a less drastic revision to the current policy would provide an equal remedy and more prudent financial tracking. Currently, departments have full autonomy to transfer between capital items throughout the year. Management plans to restrict transfers only to those within the asset categories established in the CBP. For example, the major asset categories are revenue vehicles, support vehicles, land, facilities modifications, and equipment, and only transfers within those categories will be allowed. This change will prohibit large transfers to unrelated items, while maintaining the budget autonomy of each department, the independence of the budget function and allows the CEO and the Board to focus on policy direction instead of individual budget items. Management intends to implement this policy revision with implementation of the FY 2008-09 budget.

Recommendation 20

The budget development section in the FP&A Department should work with the Maintenance Department in Transit to develop a financial model that projects the upcoming year's budget for tires, major parts, and fuel based on clear assumptions regarding the planned use of buses, by model, expected unit prices, and documented operating assumptions. The model should be documented to record the assumptions made, relationships between factors (for example, miles and tires), and should be updated annually as the information changes.

Management Response - Will Fully Implement.

Maintenance has developed a budget model to forecast fuel, lubricants and taxes, maintenance parts costs, and tire costs, to project the FY 2008-09 Maintenance Department budget requirements.

Recommendation 22.1

OCTA should develop a more coordinated approach to grants management, and should consider creating a Grants Department within Finance, Administration and Human Resources. At a minimum, the grants technician position, currently assigned to the General Accounting Section, should be transferred to the CBP/Grants Section in the FP&A Department.

Management Response - Will Implement with Modifications.

This should be considered during OCTA's organizational assessment. Consolidation of the three grant functions at OCTA is worth consideration. Instead of transferring the grants technician position from Accounting to FP&A, the two departments are working to consolidate the entire grant reimbursement process in Accounting. Previously, Accounting only sought reimbursements for federal formula grants while FP&A sought reimbursement for all other grants. Responsibility for seeking reimbursement on a FY 2005-06 State Transportation Improvement Program (STIP) grant has been transferred to accounting. As new grants are approved, Accounting will take over responsibility for seeking reimbursements.

Recommendation 22.2

OCTA should establish a grants management planning process that requires the manager of CBP/Grants, the Grants Section staff, the individual in that section overseeing the grant, the project manager, and the grants funding specialist develop a plan for administering each grant upon its receipt. The plan should include a list of all grant requirements and actions needed to meet them.

Management Response - In Process.

Currently, OCTA has documented policies and procedures for the grant planning process within each of the three grant functional areas, which are separate from the Grants Section of Accounting and the grants funding specialist. This planning process is an integral part of the success for each specific grant function. The process of continued communication and coordination occurs from the initial stages of the grant needs assessment with the project manager. This continues on to proposal writing to award and execution of the grant to grant management and adherence to federal guidelines to grant accounting to grant close-out. These steps are all documented and followed in the grant policies and procedures. One item to note is that the processes are all individual in nature but coordinated as a single process. This single process itself is not documented but the concept is sound. Management will document the entire process.

Recommendation 22.3

Quarterly grants meetings should be conducted involving the section manager of CBP/Grants Section and his grants-related staff, the grants funding specialist, and the project managers for each planned and active, grant-funded project. The status of each pending and approved grant should be reviewed and needed actions defined.

Management Response - Has Already Been Addressed.

Currently, the three grant functional areas have daily communication, coordination, and discussions. This open dialogue has garnered significant advantages leading to the success of a well functioning grants area. At times, there are procedural breakdowns but these are short lived and quickly addressed. It is important to note that although the audit alludes to grants being "close to jeopardized", there are no instances where grant funds were forfeited. On a quarterly basis, there are regularly scheduled meetings with each functional area to discuss open issues, concerns, process enhancements, and grants in general. This meeting is fruitful and assists in closure of any outstanding issues. In addition, on a quarterly basis, the grants management analyst communicates and coordinates with the project managers and grant accounting with regards to reporting to the Federal Transit Administration (FTA) in the web-based Transportation Electronic Award and Management (TEAM) system. The grants team is working to improve communication with project managers throughout the OCTA. Additionally, the grant specialist and grants management report to the OCTA Board of Directors via a quarterly staff report on the status of future, pending, executed, and active grant activity.

Recommendation 23

OCTA should create a contracts administration function within the CAMM Department that is tailored to each major user group depending on the types of contracts and services. With the approval of the Renewed Measure M, there will be new contracts that will require more time and attention from a management standpoint.

Management Response - In Process.

Two contracts administrator positions were added in the Renewed Measure M budget amendment. Management will develop service level agreements with CAMM's customers. CAMM procurement administrators positions have been reclassified to contract administrators or buyers based on duties and individual qualifications. This is designed to strengthen the contracts administration function. Establishment of a post award contract administration function will be addressed as part of the organizational assessment.

Recommendation 24

OCTA should create Contracts Administration Policies and Procedures by working with other business units to meet its requirements. The manager of CAMM is planning to recommend new contract administrator positions and an updated staffing plan as part of her implementation of the consultant recommendations from the study recently completed.

Management Response - In Process.

See management response to #23. More review in this area will be conducted as part of OCTA's organizational assessment. Additionally, a contract was awarded for a consultant to assist with updating the procurement manual. A completed manual is anticipated by August/September 2008.

Recommendation 25

OCTA should implement the split in the responsibility of maintenance/material management into two sections (one for inventory management and one for major procurements) being considered as a result of the recent consultant report.

Management Response - Has Already Been Addressed.

This recommendation has been implemented and both positions have been filled.

Recommendation 26

OCTA should enhance the Inventory Management Section and review standard best practices, creating policies and procedures specific to how inventory is to be managed and maintained. This should be accomplished as part of the implementation of the Ellipse Inventory Management System. While Ellipse has the capability to list best practices, the capability has to be "turned on" and used for it to be functional. Also, the Ellipse system in itself does not generate new policies and procedures.

Management Response - In Process.

One of the first duties of the newly created section manager, inventory is to review the procedures currently in place and update them to reflect industry best practices and the capabilities inherent in the Ellipse application.

Funds have been budgeted in FY 2009 to hire a consultant to perform an inventory review.

Recommendation 27

CAMM should develop more detailed policies and procedures that will provide consistent direction.

Management Response - In Process.

As part of the revisions to OCTA's procurement policies and procedures, CAMM will develop desktop procedures for the staff. These will ensure that all new employees are trained in a like manner and that all staff is handling procurements in a similar manner.



MEMO

May 7, 2008

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

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

Thank you.



May 8, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Adopt a Mitigated Negative Declaration for the Fullerton Turnback Facility and the Anaheim Layover Facility

Overview

The Metrolink Service Expansion Program includes the construction of the Fullerton turnback facility and an adjacent layover facility in Anaheim. The Orange County Transportation Authority has had an initial study prepared to evaluate the environmental effects of the project. The initial study concluded that the project would not have a significant environmental impact with implementation of certain mitigation measures.

Recommendation

Approve Resolution No. 2008-31 adopting the mitigated negative declaration and a Mitigation Monitoring and Reporting Program for the Fullerton turnback facility and the Anaheim layover facility.

Background

On November 14, 2005, the Orange County Transportation Authority (Authority) Board of Directors (Board) adopted the Metrolink Service Expansion Program (MSEP), which authorized staff to begin the planning process for 30-minute rail service between the Fullerton Transportation Center and the Laguna Niguel/Mission Viejo Station in Orange County. The MSEP included a list of potential rail infrastructure improvements necessary to support the service and was reaffirmed as part of the Comprehensive Funding Strategy and Policy Direction approved by the Board on November 28, 2005.

On April 23, 2007, the Board approved a cooperative agreement between the Authority and the Southern California Regional Rail Authority (SCRRA) to proceed with design and construction of rail infrastructure improvements necessary to support implementation of the MSEP.

Based on a conceptual level of design, the Fullerton turnback facility and Anaheim layover facility were identified as key elements of the MSEP. It was also determined that additional property adjacent to the Authority-owned railroad right-of-way must be acquired in order to construct the Fullerton turnback facility and the Anaheim layover facility.

Discussion

The Authority, in cooperation with SCRRA, proposes the construction of a turnback facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton Transportation Center. The proposed turnback facility would facilitate intra-Orange County passenger rail service and help advance the goals of the MSEP. The Anaheim layover facility is proposed for use as an overnight layover and storage facility for Metrolink trains. The siding track would be located south of Orangethorpe Avenue and would extend to just north of the Riverside Freeway (State Route 91). The location of these two facilities is shown in Attachment A.

The Authority retained PB Americas, Inc., to conduct an initial study (IS) to evaluate the potential environmental impacts of the project. The IS concluded that the project would not have any significant environmental effects with implementation of the recommended mitigation measures. Accordingly, Authority staff is recommending the Board adopt a mitigated negative declaration (MND) pursuant to the California Environmental Quality Act (CEQA) and the Mitigation Monitoring and Reporting Program, which is included in the final IS/MND.

A Notice of Intent to Adopt a Mitigated Negative Declaration was issued on December 24, 2007, and was printed in the *Orange County Register* on January 30, 2008. It was also translated into Spanish and published in the *Excelsior* on February 8, 2008. The IS/MND was circulated for public review from December 24, 2007 through February 20, 2008. During the public review period, the Authority received a total of three comment letters from the Public Utilities Commission (PUC), the Department of Toxic Substances Control (DTSC), and the California Department of Transportation (Caltrans). The comment letters and the responses to these are included in Attachment B of the final IS/MND. A summary of the comments and responses are provided below.

- The comment letter from PUC, dated January 16, 2008, discussed a need for coordination with PUC's Rail Crossings Engineering Section, Metrolink, and Burlington Northern and Santa Fe (BNSF) Railway for safety issues and authority to alter the station platform and the Orangethorpe Avenue crossing. On April 17, 2008, the Authority sent a letter to PUC, acknowledging that coordination with these agencies is

necessary for the development of this project, and the Authority is committed to continue coordination with these agencies. Metrolink and BNSF Railway have been actively involved with this project. These agencies, as well as PUC, have been included as other public agencies whose approval is required on page 2, item 10 of the IS/Environmental Checklist Form.

- The comment letter from DTSC, dated January 16, 2008, requested additional information on the current or historic uses at the project area that may have resulted in any releases of hazardous wastes/substances and clarification on mechanisms for any site contamination.

The Authority responded that an initial site assessment (ISA) was prepared for the project and was included in the technical appendix for the IS/MND. The IS/MND discusses the potential for encountering both expected and unexpected contaminants and the measures to be implemented to safeguard human health and sensitive receptors during construction and demolition activities. The ISA provides detail on potential contaminant sources that may adversely affect the project, and a review of historical land uses and environmental databases for records of hazardous materials/waste incidences. The project is not anticipated to pose a threat to human health or the environment. A copy of the ISA was sent to DTSC.

- The comment letter from Caltrans, dated January 22, 2008, mentioned that the optional Anaheim layover facility, located in the vicinity of the State Route 91 (SR-91), may require an encroachment permit and coordination with Caltrans. In a letter dated February 26, 2008, the Authority responded that, should the Anaheim layover facility be carried forward, an encroachment permit from Caltrans would be required if state right-of-way is affected. This potential impact to Caltrans' property will be confirmed based on the final approved design engineering plan. The proposed Anaheim layover facility will not impact traffic on the SR-91. Caltrans is included as a potential responsible agency on page 1, item 10 of the Environmental Checklist Form, and discussion of necessary coordination with Caltrans is provided in the IS/MND on page 26.

On April 28, 2008, the Board approved the inclusion of the Anaheim layover facility as part of the MSEP. Authority staff will coordinate with Caltrans as required for the development of this project.

Following public review of the IS/MND, Authority staff believe that the project would not have a significant effect on the environment for the following reasons:

- The proposed project would have no effect on aesthetics, agricultural resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, recreation, and transportation and traffic.
- The proposed project would have no significant effect on air quality, biological resources, hazardous materials, hydrology and water quality, noise, public services, utilities and services, and mandatory findings of significance with the incorporation of the mitigation measures, as described in the IS.

A table summarizing the Mitigation Monitoring and Reporting Program is provided in Attachment C.

The final IS/MND is presented to the Board for adoption of the final environmental document. After the Board's resolution on the final environmental document, a Notice of Determination will be filed and posted at the County Clerk's office and the State Clearinghouse. Per CEQA Section 15112, the statute of limitations for legal challenges on project approval ends 30 days after filing and posting of the Notice of Determination.

Summary

An IS/MND is being proposed as the appropriate level of environmental compliance for the Fullerton turnback facility and Anaheim layover facility as part of the Authority's MSEP.

RESOLUTION NO. 2008-31

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

**A RESOLUTION OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM AND APPROVING
THE FULLERTON TURNBACK FACILITY AND ANAHEIM LAYOVER FACILITY**

WHEREAS, the Orange County Transportation Authority ("OCTA"), in conjunction with PB Americas, Inc. prepared an Initial Study for a proposed turnback facility at Fullerton Transportation Center and a layover facility in Anaheim (the "Project") and the Initial Study concluded that the Project will not have a significant effect on the environment with implementation of mitigation measures; and

WHEREAS, OCTA prepared a Mitigated Negative Declaration for the Project and published a Notice of Intent to Adopt the Mitigated Negative Declaration in accordance with the California Environmental Quality Act ("CEQA") (Public Resources Code §21000, et seq.) and the CEQA Guidelines (14 California Code of Regulations §15000 et seq).

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors finds as follows:

1. The Board of Directors has considered the Mitigated Negative Declaration, and comments received during the public review process and finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project will have a significant effect on the environment.
2. The Mitigated Negative Declaration reflects the OCTA's independent judgment and analysis.
3. The record of proceedings on which the Board of Director's decision is based is located at the OCTA, 550 South Main Street, Orange, California. The custodian of the record of proceedings is the Clerk of the Board.
4. Considering the record as a whole, there is no evidence before OCTA that the proposed project will have the potential of an adverse effect on wildlife resources or the habitat on which wildlife depends.
5. The presumption of adverse effect set forth in 14 California Code of Regulations §753.5(d) does not apply.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Directors adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors approves the Fullerton turnback facility and Anaheim layover facility Project.

ADOPTED, SIGNED, AND APPROVED this 12th day of May, 2008.

AYES:

NOES:

ABSENT:

ATTEST:

Wendy Knowles
Clerk of the Board

Chris Norby, Chairman
Orange County Transportation Authority

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
Lean NOx or diesel oxidation catalysts on the off-road diesel equipment and aqueous diesel fuel shall be utilized.	AIR-1.	Contractor	Construction					
To mitigated PM10 burdens during construction, the contractor shall apply soil stabilizers, replace ground cover in disturbed areas quickly, and water exposed surfaces and haul roads 2 to 3 times a day. In addition, all applicable construction rules and regulations, including standard mitigation practices will be followed.	AIR-2.	Contractor	Construction					
An asbestos study of all structures slated for demolition shall be conducted prior to issuance of the grading permit. SDAPCD's Rule 361.145 - Asbestos standards for demolition/renovation activities shall be followed for all relevant activities, and any asbestos containing material shall be properly disposed of.	AIR-3.	OCTA	Pre-Construction					
Coordination with ACOE, Santa Ana RWQCB, and CDFG shall be conducted prior to final design. The project is subject to the requirements of the resource agency permits.	BIO-1.	OCTA	Pre-Construction					
A preconstruction survey for nesting birds shall be conducted by a qualified biologist if clearing and grubbing work is conducted within the bird nesting season (March 15 to September 15). Should active nests be found during surveys or during construction, work in the vicinity of the nest shall be halted and the California Department of Fish and Game shall be contacted.	BIO-2.	OCTA	Pre-Construction					
Removal and replacement of street trees shall occur in coordination with the City of Fullerton prior to construction.	BIO-3.	OCTA	Pre-Construction					
Services from a certified archaeologist and paleontologist shall be retained to salvage and catalogue fossils and artifacts, as necessary. If major archaeological or paleontological resources are discovered, which require long-term halting or redirecting of grading, the archaeologist or	CUL-1.	OCTA	Construction					

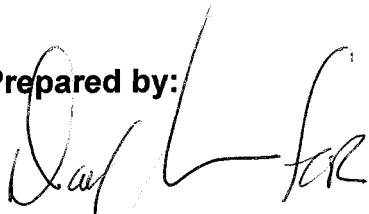
Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
paleontologist shall report such findings to OCTA. The archaeologist or paleontologist shall determine appropriate actions, in cooperation with OCTA, which ensure proper exploration and/or salvage.								
In accordance with Public Resources Code 5097.94, if human remains are found, the Orange County Coroner must be notified within 24 hours of the discovery.	CUL-2.	Contractor	Construction					
A health and safety plan, soil and groundwater contaminant management plan and a contingency plan shall be developed prior to construction.	HAZ-1.	OCTA/ Contractor	Pre- Construction					
Prior to construction, a CERCLA "due diligence" Phase I Environmental Site Assessment (ESA) shall be conducted for each acquisition property.	HAZ-2.	OCTA	Pre- Construction					
Construction runoff needs to be intercepted and conveyed away from the surface waters. All construction and project activities shall be limited to the project footprint.	WQ-1.	Contractor	Construction					
The flood capacity of existing drainage or water conveyance features within the project study area shall not be reduced in a way that causes ponding or flooding during storm events.	WQ-2.	OCTA/ Metrolink	Final Design					
Excavated materials should not be deposited or stored along side watercourses where materials can be washed away by high water or storm runoff.	WQ-3.	Contractor	Construction					
Remediation should be required at maintenance facilities and vehicle storage areas, where a potential exists for grease and oil contamination to flow into storm drains.	WQ-4.	Contractor	Construction					
Treatment control BMPs shall be considered into the project design.	WQ-5.	OCTA/ Metrolink	Final Design					
Crossovers shall be relocated approximately 75 feet away from residential areas. If the crossovers cannot be relocated to a sufficient distance away from the residential areas, use of a moveable point frog at the turnout would eliminate the gap in the track at the turnouts.	NOI-1.	OCTA/ Metrolink	Final Design					
Construction shall consider use of natural and artificial barriers as shields against construction noise.	NOI-2.	Contractor	Construction					

Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
Alternative construction methods shall be considered, such as the use of vibration or hydraulic insertion in the case of pile driving.	NOI-3.	Contractor	Construction					
The contractor shall comply with all local sound control and noise level rules, regulations and ordinances that apply. No internal combustion engine shall be operated on the project without a muffler.	NOI-4.	Contractor	Construction					
Noisier activities involving large machinery shall be limited to daytime hours. Nighttime construction would require a variance.	NOI-5.	Contractor	Construction					

Attachments

- A. Fullerton Turnback Facility and Anaheim Layover Facility Location Map
- B. Fullerton Turnback Facility and Anaheim Layover Facility - Cities of Fullerton and Anaheim, Orange County, California – Final Initial Study/Mitigated Negative Declaration
- C. Resolution No. 2008-31 – Resolution of the Board of Directors of the Orange County Transportation Authority – A Resolution of the Orange County Transportation Authority Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving the Fullerton Turnback Facility and Anaheim Layover Facility

Prepared by:



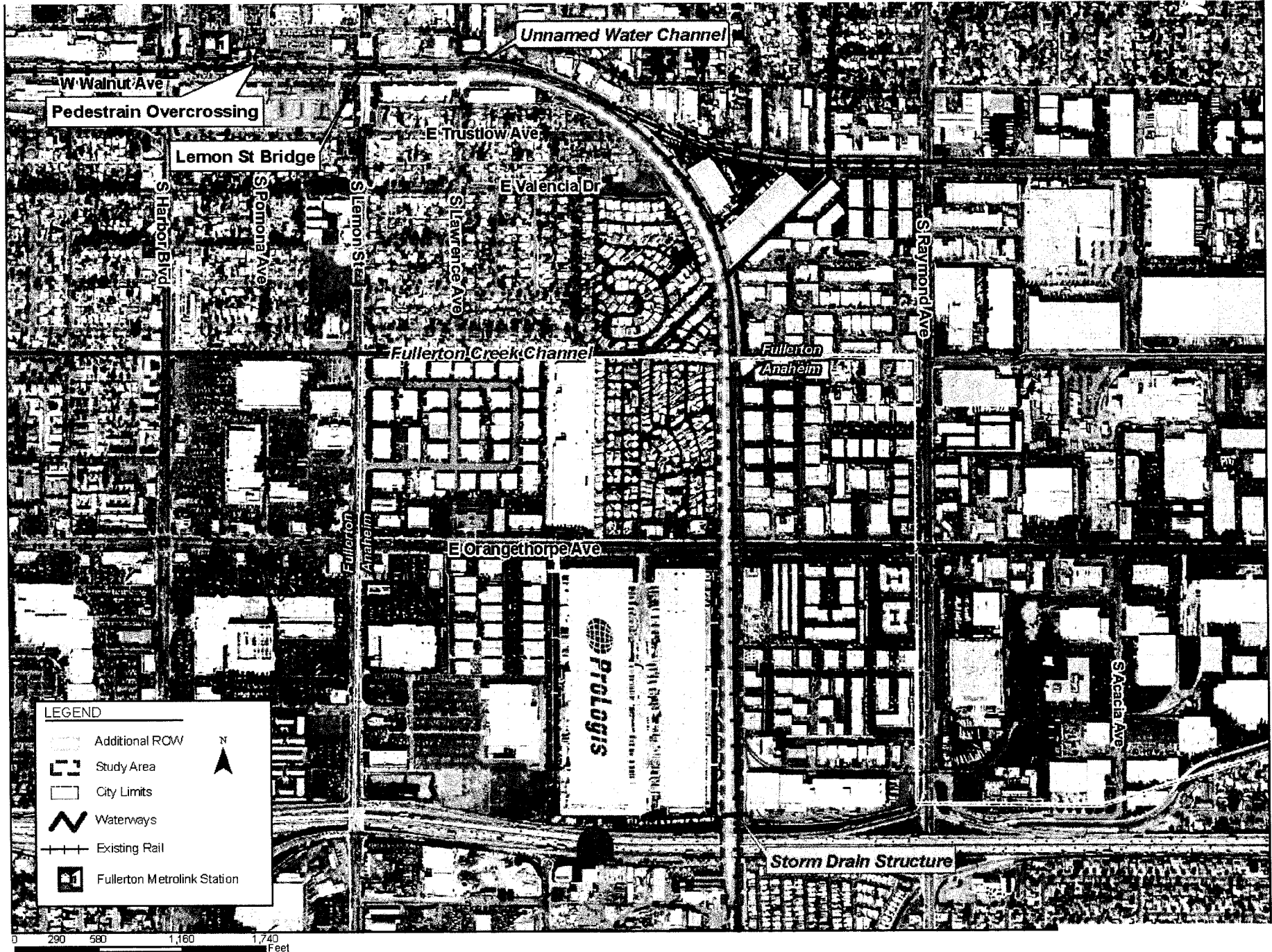
Dinah Minter
Manager, Metrolink Expansion Program
(714) 560-5740

Approved by:



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

Fullerton Turnback Facility and Anaheim Layover Facility Location Map



**FULLERTON TURNBACK FACILITY AND
ANAHEIM LAYOVER FACILITY
CITIES OF FULLERTON AND ANAHEIM
ORANGE COUNTY, CALIFORNIA**

FINAL

**INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION**

SCH No. 2007121129

Task 1.5

Fullerton Transportation Center
Between Harbor Boulevard and State Route 91

April 2008

Prepared for:

Orange County Transportation Authority
550 South Main Street
Orange, California 92863-1584

In coordination with:

Southern California Regional Rail Authority

Prepared by:

PB Americas, Inc.
505 South Main Street, Suite 900
Orange, California 92868-4529

Contents

Notice of Determination

Mitigated Negative Declaration

California Department of Fish and Game Certificate of Fee Exemption, De Minimis Impact Finding

Initial Study/ Environmental Checklist

Attachment A: Response to Comments on the Draft Environmental Document

Attachment B: Mitigation Monitoring Reporting Program

Notice of Determination

Appendix D

To:

Office of Planning and Research
For U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St. Sacramento, CA 95814

County Clerk
County of: Orange
Address: PO Box 238 Santa Ana, CA 92702

From:

Public Agency: Orange County Transportation Authority (OCTA)
Address: 550 South Main Street (P.O. BOX 14184) Orange, CA 92863-1584
Contact: Kia Mortazavi
Phone: (714) 560-5741

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2007121129

Project Title: Fullerton Turnback Facility and Anaheim Layover Facility

Project Location (include county): Fullerton Transportation Center in Cities of Fullerton and Anaheim (Orange County, CA)

Project Description:

The Orange County Transportation Authority (OCTA), in cooperation with Southern California Regional Rail Authority, proposes the construction of a turn back facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton Transportation Center to facilitate intra-Orange County service. An optional additional track line, known as the Anaheim Layover Facility, is proposed for use as an overnight layover and storage facility for Metrolink trains.

This is to advise that the Orange County Transportation Authority has approved the above described project on February 25, 2008 and has made the following determinations regarding the above described project:
(Lead Agency or Responsible Agency)

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: OCTA, 550 South Main Street, Orange, CA 92863-1584

Signature (Public Agency) [Signature] Title Exec. Director of Development
Date 2-26-2008 Date Received for filing at OPR

MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

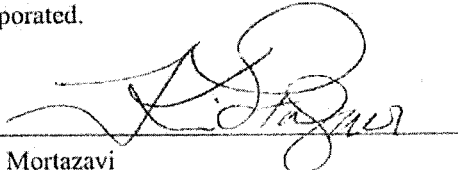
Project Description

The Orange County Transportation Authority (OCTA), in cooperation with Southern California Regional Rail Authority, proposes the construction of a turn back facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton Transportation Center to facilitate intra-Orange County service. An optional additional track line, known as the Anaheim Layover Facility, is proposed for use as an overnight layover and storage facility for Metrolink trains.

Determination

An Initial Study was prepared for this project, and following public review, it has been determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

- The proposed project would have no effect on aesthetics, agricultural resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, recreation, and transportation and traffic.
- In addition, the proposed project would have no significant effect on air quality, biological resources, hazardous materials, hydrology and water quality, noise, public services, utilities and services, and mandatory findings of significance with the mitigation measures, as described in the Initial Study, incorporated.



Kia Mortazavi

Date

Orange County Transportation Authority

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
DE MINIMIS IMPACT FINDING**

Project Title: Fullerton Turnback Facility and Anaheim Layover Facility

Project Location (including County): Fullerton Metrolink Station between Harbor Boulevard and Orangethorpe Ave and between Orangethorpe Ave. and SR-91 in the Cities of Fullerton and Anaheim, Orange County.

Name and Address of Project Proponent: Orange County Transportation Authority (OCTA) 550 South Main St. P.O. Box 14184; Orange CA, 92868

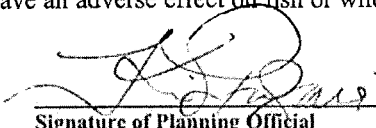
Project Description: OCTA with Metrolink propose construction of a second track at the Fullerton Transportation Center (Fullerton Metrolink Station) between Harbor Boulevard and Orangethorpe Avenue. The purpose of this project is to provide a turn-around location for Metrolink trains providing 30-minute intra-Orange County service. Project includes: terminal track, storage track, modification of the platform at Fullerton Metrolink Station, and relocation of a communications building. The construction of this track will require modification of the south passenger platform, ending just east of the pedestrian overpass. An optional additional track line, the Anaheim Layover Facility, is proposed as an overnight layover and storage facility for trains between Orangethorpe and SR-91.

Findings of Exemption:

1. An Initial Study has been conducted by OCTA, the lead agency, to evaluate the potential for adverse environmental impacts.
2. A Mitigated Negative Declaration has been prepared by OCTA.
3. The lead agency has no evidence before it, including the information in the Initial Study, the Mitigated Negative Declaration and public comments, to indicate that the proposed project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

Certification:

I hereby certify that the lead agency has made the above findings and that based upon the record, the project will not individually or cumulatively have an adverse effect on fish or wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Signature of Planning Official

Exec. Director of Development
Title

Orange County Transportation Authority
Lead Agency Name

2-26-2008
Date

INTRODUCTION

This is the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project. The Final IS/ND documents the potential environmental effects of the proposed project, pursuant to the California Environmental Quality Act (CEQA). The lead agency for this environmental analysis is the City of Laguna Hills for CEQA. There is no federal involvement; therefore, compliance with National Environmental Policy Act (NEPA) is not required.

PURPOSE OF THE ENVIRONMENTAL DOCUMENT

This Final IS/ND is a document subject to the provisions of CEQA. The Final IS/MND is a full disclosure informational document, which informs decision-makers, and the public of potential environmental impacts of the project, identify possible ways to minimize potential impacts, and describe reasonable alternatives to the project. Following the opportunities for the public, agencies and other parties to comment, a Response to Comments was prepared and the IS/ND was revised to reflect these comments and any new information.

The Notice of Intent to Adopt a Negative Declaration to notify the start of technical studies was issued on December 24, 2006. The Notice of Intent to adopt a Negative Declaration was available at the Orange County Transportation Authority (OCTA) and the Orange County Clerk-Recorder. A request for public comments regarding the Draft IS/MND was circulated between December 24, 2008 and February 20, 2008. The Draft IS/ND evaluated the impacts of constructing the Fullerton Layover Facility and the optional Anaheim Layover Facility. There were no public comments during the public review period. One comment was received from local agencies and utilities providing additional information for the proposed project (Attachment A). No changes are required to the IS/MND.

ENVIRONMENTAL CHECKLIST FORM

1.	<u>Project Title:</u> Fullerton Turnback Facility
2.	<u>CEQA Lead Agency Name and Address:</u> Orange County Transportation Authority 550 South Main Street P.O. BOX 14184 Orange, CA 92863-1584
3.	<u>Contact Person and Phone Number:</u> Kia Mortazavi, OCTA (714) 560-5741
4.	<u>Project Location:</u> The project is located at the Fullerton Transportation Center in the Cities of Fullerton and Anaheim in Orange County, California and is bound by Santa Fe Avenue on the north, North Orangethorpe Park on the east, State Route 91 (SR-91) to the south, and Harbor Boulevard to the west.
5.	<u>Project Sponsor's Name and Address:</u> Orange County Transportation Authority (OCTA) 550 South Main Street P.O. BOX 14184 Orange, CA 92863-1584
6.	<u>General Plan Designation:</u> According to the City of Fullerton General Plan Land Use (1997), the project area is designated as vacant land, industrial categorized commercial, single-family housing, duplex/mobile homes, and industrial. The remaining southern-end of the project alignment near Orangethorpe Avenue falls within the jurisdiction of the City of Anaheim and is designated as industrial, medium density residential, and for railroad modal transportation (City of Anaheim General Plan Land Use, Adopted 2004).
7.	<u>Zoning:</u> The project area located within the City of Fullerton is zoned as: Manufacturing-General (M-G), Two-Family Residential (R-2), Limited Density/Multiple Residential (R-3), One-Family Residential/Garden-Type Multiple Residential (R-1-G), Public Land (P-L), and Mobile Home Park (R-MH). The portion of the project in the City of Anaheim is zoned as industrial and railroad modal transportation.
8.	<u>Description of Project:</u> See Project Description on page 3.
9.	<u>Surrounding Land Uses and Setting:</u> The project is surrounded by office and industrial uses, residential development, and railways.
10.	<u>Other Public Agencies Whose Approval Is Required :</u> Public agencies that could be involved in the proposed project in terms of the potential of permits, financing approval, or other coordination would include: Southern California Regional Rail Authority, Metrolink, BNSF, Public Utilities Commission- Rail Crossings Engineering Section, Caltrans, US Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG), and the Santa Ana Regional Water Quality Control Board (RWQCB).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
x	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

PB Americas, Inc., Preparer _____
Date

Orange County Transportation Authority, Lead Agency _____
Date

PROJECT DESCRIPTION

Background

The proposed project site is located in the Cities of Fullerton and Anaheim in Orange County, California and is bound by Santa Fe Avenue on the north, Harbor Boulevard on the west, North Orangethorpe Park on the east, and State Route 91 (SR-91) on the south. The project is primarily located in Fullerton, but it crosses into the City of Anaheim just south of the Fullerton Creek Channel as the tracks approach Orangethorpe Avenue (see Figure 1, Project Location). Regional access to the site is provided by Interstate 5 (I-5), SR-91, and State Route 57 (SR-57).

The project area is urban in nature and includes residential, office, and industrial uses, which abut the project site. A new, high-density residential development exists at the Walnut Avenue and Lemon Street intersection. No agricultural lands, parks, schools, or community facilities were identified adjacent to the project boundary; however, Truslow Park is in the project vicinity at Lawrence Avenue. Vegetation within the vicinity of the project area consists primarily of ornamental street landscaping.

Project Improvements

OCTA, in cooperation with Southern California Regional Rail Authority, proposes the construction of a turn back facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton Transportation Center to facilitate intra-Orange County service (see Figure 2, Project Study Area). This requires that the facility have the ability to accommodate crew changes and train layovers for periods of up to approximately two hours during operating hours. Layover durations will vary based on the operating schedule of the train sets and crew change requirements. It is not the purpose of this facility to accommodate overnight storage, fueling, or cleaning of train sets. The proposed project is currently locally funded (no federal funds).

The proposed project involves the following features:

- One terminal track
- One storage track
- Additional crossovers and turnouts near Orangethorpe Avenue
- Modification of the southern platform at the Fullerton Transportation Center
- Relocation of existing communications buildings

The terminal track would be a stub end track along Walnut Avenue that would use the old Union Pacific right-of-way and bridge over Lemon Street. Construction of the terminal track would require modification of the south passenger platform adjacent to Walnut Avenue. The platform is proposed to be expanded to approximately 650 feet in length, ending just east of the existing pedestrian overpass. The terminal track would continue east and south adjacent to the existing Burlington Northern Santa Fe (BNSF) and OCTA owned right-of-ways, with a double-track section east of the Lemon Street bridge, approximately one mile in length. Both tracks will then merge back into the existing right-of-way and tracks by way of a series of crossovers both north and south of Orangethorpe Avenue.

The proposed project would remove 30 to 35 spaces of existing parking along Walnut Avenue, east of the pedestrian bridge. The project is anticipated to require right-of-way acquisition of several largely undeveloped properties between Orangethorpe Avenue and the crossing of Lemon Street. These properties are owned by a single owner, with an estimated size of 25 acres. The City of Fullerton owns the old Union Pacific bridge over Lemon Street. An easement or license for use for a portion of the BNSF right-of-way will be required.

Optional Improvements

An optional additional track line, known as the Anaheim Layover Facility, is proposed for use as an overnight layover and storage facility for Metrolink trains. The optional siding track would be located south of Commonwealth and would extend just south of the SR-91 freeway. The proposed siding would be situated west of the existing main tracks and is anticipated to require additional right-of-way on the between Orangethorpe and just south of SR 91 within an area that is primarily industrial in use. The proposed project option would include the following features:

- New storage track
- Security barrier
- New cross-over tracks

Figure 1: Project Location Map

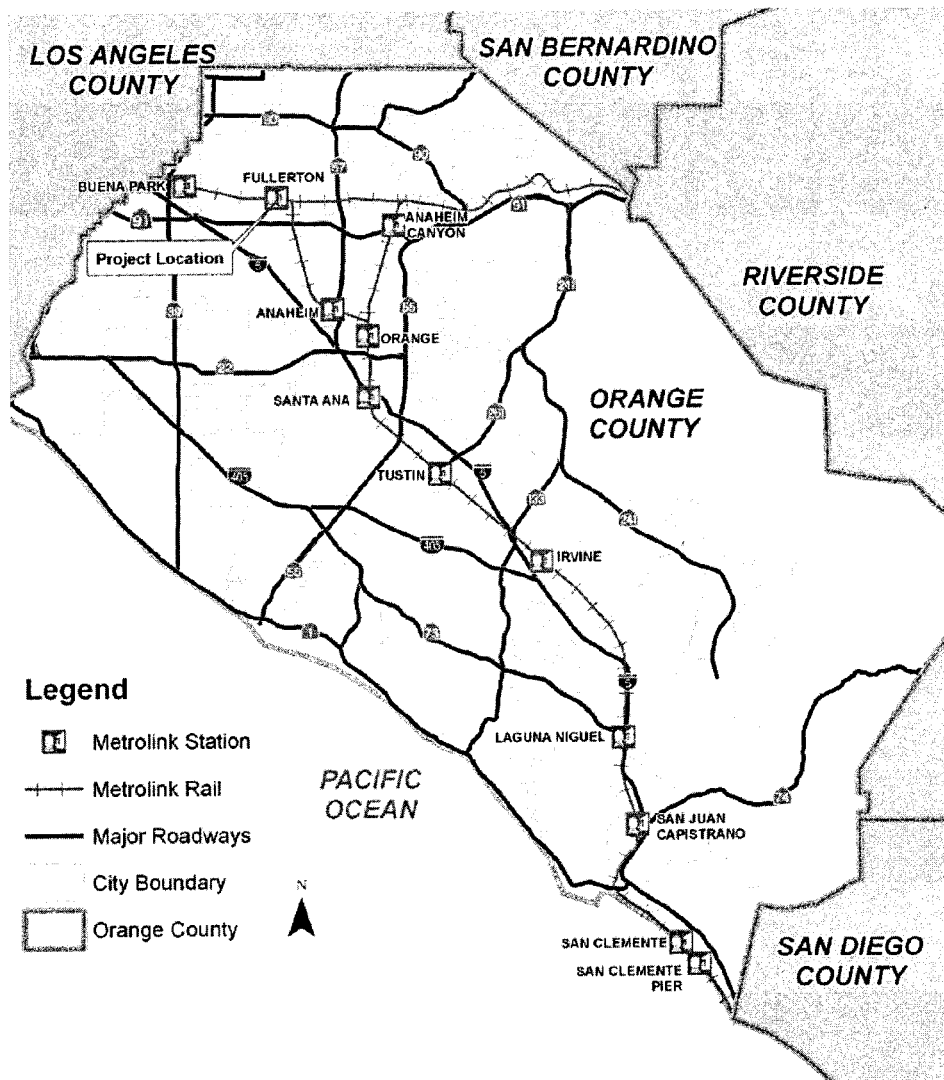
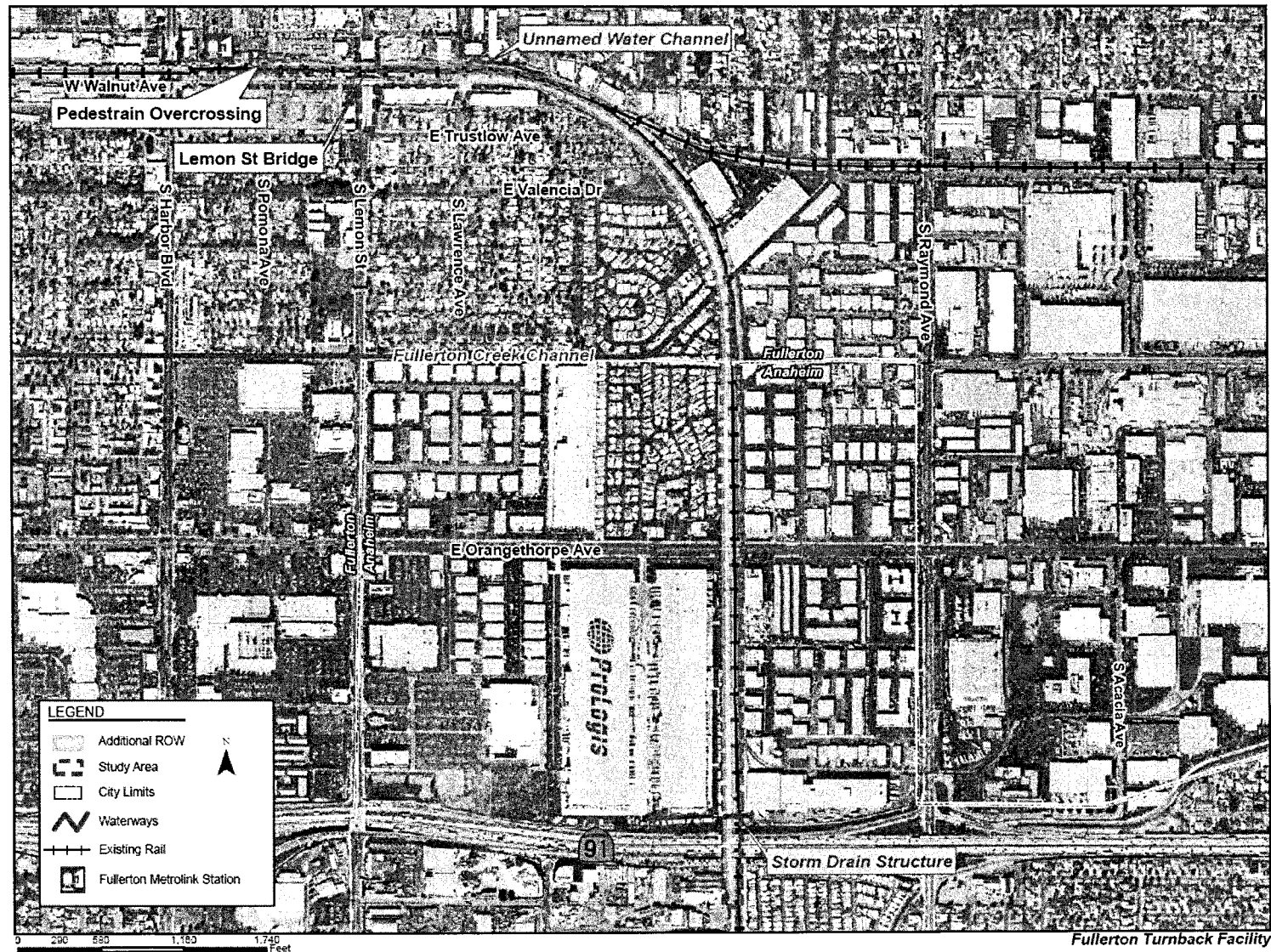


Figure 2: Project Study Area Map



EVALUATION OF ENVIRONMENTAL IMPACTS:

This section of the Initial Study responds to the CEQA Environmental Checklist questions, which are presented at the beginning of each subsection, and evaluates the potential environmental impacts related to proposed project. The responses presented are based on available existing data.

The Environmental Checklist questions are based on Appendix G of the CEQA Guidelines as amended on October 6, 2005. Appendix G of the CEQA Guidelines provides a checklist of questions that correspond directly to the legal standards for preparing Environmental Impact Reports (EIRs), Negative Declarations (NDs), and Mitigated Negative Declarations (MNDs). The environmental issues evaluated in this Initial Study include the following:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

The environmental analysis in this section follows the CEQA Environmental Checklist. Under each issue area subsection, the Environmental Checklist questions are stated and the anticipated impact is identified by checking the appropriate response, which is followed by a general discussion of the existing conditions along with a descriptive response to each question. For each question, there are four possible responses:

- **No Impact.** The proposed project would not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The proposed project would have the potential for impacting the environment, although this impact would be below thresholds that may be considered significant.
- **Less Than Significant Impact with Mitigation.** The proposed project would have potentially significant adverse impacts which may exceed established thresholds, although mitigation measures or changes to the project's physical or operational characteristics would reduce these impacts to levels that are less than significant. Measures that may reduce this impact are identified.
- **Potentially Significant Impact.** The proposed project would have impacts that are considered significant and additional analysis is required to identify mitigation measures that could reduce these impacts to insignificant levels. When an impact is determined to be potentially significant in the preliminary analysis, the environmental issue would be subject to detailed analysis in an environmental document, unless mitigation is identified during future analyses that would reduce these impacts to a level that would be less than significant, in which case a mitigated negative declaration could be prepared.

For any anticipated impact that is identified as being potentially significant, mitigation measures that could reduce those impacts to less than significant will be provided.

I. Aesthetics

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- A. No Impact.** There are no designated scenic vistas identified within the project area.
- B. No Impact.** The proposed project is not located within or adjacent to a state scenic highway. In addition, a survey of the project area did not reveal any historic resources that would be affected.
- C. No Impact.** The proposed project is an extension of existing uses that would be consistent with the aesthetic character of the area. The areas to be acquired are primarily vacant with limited vegetation.
- D. No Impact.** Existing lighting on Walnut Avenue may be relocated. Any new lighting would be established for safety purposes and would be directed toward the project facility to reduce overflow onto adjacent properties. The project does not propose any sources of substantial light or glare that would affect day or nighttime views.

II. Agricultural Resources

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- A, B, and C. No Impact.** There are no agricultural land uses within the project area and there would be no conversion of agricultural land to non-agricultural uses.

III. Air Quality

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The study area is located in Orange County, which is located within the South Coast Air Basin (SCAB), governed by the South Coast Air Quality Management District (SCAQMD). The Orange County portion of the SCAB is a nonattainment area for the state Ambient Air Quality Standards (AAQS) for PM₁₀, PM_{2.5} and ozone as well as federal AAQS for CO, PM₁₀, PM_{2.5} and ozone.

The Southern California Association of Governments (SCAG), as the federally designated metropolitan planning organization (MPO) for most of Southern California, is required to adopt and periodically update a long-range transportation plan and develop an RTP and TIP for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties.

The SCAG Regional Council adopted the 2006 RTIP on October 2, 2006 and the 2004 RTP for the six-county SCAG region in April 2004, with subsequent amendments in 2006 and 2007. The RTP, known as Destination 2030, is a performance-based plan aimed at providing a long-range, coordinated approach to transportation improvements from 2005 through 2030. The RTP is revised and adopted every three years to update policy direction, based on changing transportation infrastructure, financial, technological and environmental conditions. The RTP describes a financially constrained series of proposed transportation policies, programs, and projects that meet the mobility goals and demonstrate that the SCAG region can meet future air quality standards, including those for PM₁₀ by 2006 and ozone by 2010.

A. No Impact. The turnback facility project is part of the 2006 Long Range Transportation Plan (LRTP) for the Orange County Transportation Authority. It is also included in the 2004 and the 2007 RTP Planned projects (project # 2TR01212).

B. No Impact. The project will not involve the alteration of roadways or changing of traffic patterns. Furthermore, the project is not expected to increase vehicle miles traveled (VMT) or affect regional vehicle hours traveled (VHT). The purpose of this project is mainly to facilitate train movement. Therefore, this project is not considered a project of air quality concern, and United States Environmental Protection Agency (USEPA) has determined that such projects meet the Clean Air Act's conformity requirements without any further hot-spot analysis. As such, no air quality impacts are expected in association with this project.

C. No Impact. No air quality impacts are expected as a result of this project; therefore, no effects on non-attainment pollutants would occur.

D. Less than Significant Impact with Mitigation. Construction-related emissions the project is expected to generate are predicted to be below the threshold of significance level established by the SCAQMD with the exceptions of NO_x and PM₁₀. The following mitigation measures shall be implemented to minimize air quality impacts related to construction emissions:

AIR-1. To mitigate NO_x burdens during construction, lean NO_x or diesel oxidation catalysts on the off-road diesel equipment and aqueous diesel fuel shall be utilized.

AIR-2. To mitigate PM₁₀ burdens during construction, the contractor shall apply soil stabilizers, replace ground cover in disturbed areas quickly, and water exposed surfaces and haul roads 2 to 3 times a day. In addition, all applicable construction rules and regulations, including standard mitigation practices will be followed.

AIR-3. Airborne asbestos impacts could occur with the demolition of existing structures that contain asbestos. Structures, including the Service Roofing Co. (located at 440 East Walnut, Fullerton), would be demolished when the project is constructed. An asbestos study of all structures slated for demolition shall be conducted prior to issuance of the grading permit. SDAPCD's Rule 361.145 - Asbestos standards for demolition/renovation activities shall be followed for all relevant activities, and any asbestos containing material shall be properly disposed of.

E. Less than Significant Impact. During construction, there may be instances when heated asphalt and other construction activities may generate objectionable odors. Since the project area is primarily industrial/manufacturing and not heavily populated, the odors would not impact a large number of people. These impacts would be relatively short-term and limited to the duration of construction.

IV. Biological Resources

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Biological Resources/Natural Environment Study (PB Americas, Inc., October 2007) was conducted to identify and discuss impacts to sensitive biological resources and riparian and aquatic communities. The project area does not contain any sensitive natural community. Vegetation is primarily ornamental, street landscaping with several mature trees, shrubs, and vegetation typical of an urban environment. Date palms (*Phoenix dactylifera*), willow leafed peppermint trees (*Eucalyptus nicholii*), and star jasmine (*Trachelospermum jasminoides*) are the main ornamental plants at the Fullerton Station platform and adjacent parking area. The proposed project is subject to ACOE, CDFG, and Santa Ana RWQCB permit requirements, which will be determined when permits are obtained during final design.

A. No Impact. A search of the California Natural Diversity Database (CNDDDB) was conducted for the Anaheim quadrangle. No special status plant or animal species are anticipated to be present in the project area.

The California Native Plant Society (CNPS) identified the many stemmed dudleya (*Dudleya multicaulis*), as potentially present in the project area. The many stemmed dudleya is not listed as a threatened or endangered species on federal or state lists; however, it considered rare by the CNPS. This species generally occurs on dry stony outcrops and is associated with coastal age scrub and chaparral. Due to the highly disturbed nature of the project area, the many stemmed dudleya is not expected to be present in the project area.

B and C. Less than Significant Impact. The project site currently drains to the Fullerton Creek Channel, an unnamed drainage channel, and a storm drain near SR-91 either directly or through the City’s Municipal Separate Storm Sewer System (MS4). The project crosses Fullerton Creek Channel south of Valencia Drive and the unnamed Channel at South Lawrence Avenue. Both channels are concrete-lined channels under the jurisdiction of the Orange County Flood Control District (OCFCD), ACOE, CDFG, and the Santa Ana RWQCB. The proposed project is not anticipated to affect the Fullerton Creek Channel. However, the proposed project may require expansion of the box culvert of the unnamed channel at Lawrence Avenue and/or modification of a storm drain structure north of SR-91. If expansion or modification occurs, a Section 404 ACOE permit, Section 401 Water Quality Certification (Santa Ana RWQCB), and 1600 Streambed Alteration Agreement (CDFG) may be required. In addition to the mitigation measures in the *Water Quality/Hydrology Technical Memorandum* (PB, 2007) to protect water quality, the following measures shall be implemented to minimize impacts to natural resources:

BIO-1. Coordination with ACOE, Santa Ana RWQCB, and CDFG shall be conducted prior to final design. The project is subject to the requirements of the resource agency permits.

BIO-2. A preconstruction survey for nesting birds shall be conducted by a qualified biologist if clearing and grubbing work is conducted within the bird nesting season (March 15 to September 15). Should active nests be found during surveys or during construction, work in the vicinity of the nest shall be halted and the California Department of Fish and Game shall be contacted.

BIO-3. The proposed project may impact mature trees. Removal and replacement of street trees shall occur in coordination with the City of Fullerton prior to construction.

D. No Impact. The proposed project site is not a designated wildlife corridor. It is not anticipated that special-status animal species would occur within the immediate project area. The presence of the

active railroad tracks, urban development, lack of contiguous vegetative cover, and the disturbed nature of the proposed project area fragment habitat which decreases the possibility of the usage of portions of the project area by species as a wildlife corridor. Reptile and mammal species are expected to be limited to a few species common in disturbed habitats of the project vicinity. The concrete-lined channel of Fullerton Creek does not provide quality habitat for the amphibians or fish.

E. Less than Significant Impact. The City of Fullerton has a resource management element that contains a policy protecting tree resources. The policy’s focus is recognition and treatment of trees to preserve the aesthetic quality of the community. Although the proposed project would remove landscape trees at Walnut Avenue, these would be replaced and additional landscaping would also be added to Walnut Avenue.

F. No Impact. The project site is not located within, and thus would not be in conflict with, an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan.

V. Cultural Resources

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to the *Paleontological and Archaeological Assessment Report* (Cogstone Resources Management, Inc., October 2007), a paleontology record search was completed at the Orange County Clearinghouse. Additionally the literature was searched for fossil localities in the same sediments mapped within the project boundaries. A search for archaeological and historic records was completed at the South Central Coast Information Center, California State University Fullerton, Orange County, California. Geological and paleontological literature, cultural resource records, and historic topographic maps were also reviewed.

A. No Impact. There is one recorded historic site in the project area and five National Register Buildings within a quarter-mile radius. None of the identified historic resources would be impacted by the proposed project as they are located outside of the affected area.

B. No Impact. Twenty archaeological studies have been conducted within the search radius; however, a survey of the proposed project right-of-way did not reveal any archaeological resources that would be affected. The area has undergone substantial modification associated with the building and maintenance of the rail line over the years. Although, no records of any resources were found for the proposed project site, the following measure is required to avoid potential impacts to undiscovered resources:

CUL-1. Prior to the issuance of a grading permit, on call services from a certified archaeologist and paleontologist shall be retained to salvage and catalogue fossils and artifacts, as necessary. The

archaeologist and paleontologist shall be present at the pre-grade conference, shall establish procedures for archaeological and paleontological resource surveillance and shall establish, in cooperation with OCTA, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the findings. If major archaeological or paleontological resources are discovered, which require long-term halting or redirecting of grading, the archaeologist or paleontologist shall report such findings to OCTA. The archaeologist or paleontologist shall determine appropriate actions, in cooperation with OCTA, which ensure proper exploration and/or salvage. Excavated finds shall be offered to OCTA, or its designee, on a first-refusal basis. OCTA may retain said finds unless said finds are of significance, or a museum in Orange County indicates a desire to study and/or display them at the time, in which case items shall be donated to OCTA, or designee.

CUL-2. In accordance with Public Resources Code 5097.94, if human remains are found, the Orange County Coroner must be notified within 24 hours of the discovery. If the coroner determines that the remains are not recent, the coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento to determine the most likely descendent for the area. The designated Native American representative shall then determine in consultation with the property owner the deposition of the human remains.

C. No Impact. No unique paleontological resources or sites or unique geologic features were identified in the project area. Mitigation Measure CUL-1 is required to avoid potential impacts to undiscovered resources.

D. No Impact. No evidence of human remains, including those interred outside of formal cemeteries has been identified in the project area. Mitigation Measure CUL2 is required to avoid potential impacts to undiscovered resources.

VI. Geology and Soils

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

h) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The City of Fullerton is located within a portion of the Pacific Plate within the California Geomorphic Province known as the Penninsular Ranges. The Penninsular Ranges are a series of ranges separated by northwest trending valleys, subparallel to faults branching from the San Andreas Fault. The Penninsular Ranges extend into lower California and are bound on the east by the Colorado Desert, the Los Angeles Basin and the island group (Santa Catalina, Santa Barbara, and the distinctly terraced San Clemente and San Nicholas islands), together with the surrounding continental shelf (cut by deep submarine fault troughs) are included in this province. The City of Fullerton, like most of Los Angeles and Orange County, is relatively flat with minimal topographic relief. There are eight known faults within the general project area that could potentially cause damage within the City of Fullerton. Of these eight, only one, the Norwalk Fault, actually traverses the city. The site is located adjacent to the Norwalk fault range. The City, as well as the proposed project site, is subject to ground shaking related to seismic events.

The surface of the project and all of the surrounding area consists of young alluvial fan deposits, which are usually washed down-slope from canyon mouths during flash floods. There are no designated mineral resource zones within the city. The site is also outside of areas designated as susceptible to secondary seismic effects including landslides and liquefaction.

- A. **No Impact.** The construction and operation of the proposed project would not represent an increased risk of loss, injury, or death involving the rupture of a fault. The area is currently susceptible to ground shaking as a result of seismic events; however, the project would not represent a new use or one that would represent an increased risk for these effects. The proposed project would be constructed to meet all applicable standards for seismic forces.
- B. **No Impact.** Refer to discussion under VI, A above.
- C. **No Impact.** The proposed project is not located in an area designated as susceptible to secondary earthquake hazards such as liquefaction and landslide. The proposed project would be constructed to meet all applicable standards for seismic forces.
- D. **No Impact.** Due to the relatively flat topography of the project site and its location within an area that has not been designated as susceptible to secondary earthquake hazards, the proposed project would not increase risks associated with landslides.
- E. **Less than Significant Impact.** During construction, surface grading activities and removal of existing vegetation could result in soil erosion or loss of topsoil. These impacts would be temporary. Construction activities would be required to comply with standard erosion control measures, thus reducing potential impacts to less than substantial levels. Implementation of Best Management Practices (BMPs) in the Storm Water Pollution Prevention Plan (SWPPP) would minimize potential impacts. (See Section VIII, Item A)
- F. **No Impact.** The site is not located within an area with soil that is unstable or that could become unstable as a result of a seismic event.
- G. **No Impact.** The site is not located within an area susceptible to expansive soils.
- H. **No Impact.** Implementation of the proposed project would not require the use of septic tanks or wastewater disposal systems.

VII. Hazards and Hazardous Materials

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

An *Initial Site Assessment* (PB Americas, Inc., October 2007) was conducted for the proposed project, which identified potential contaminant sources that could cause adverse impacts as a result of project implementation. It was also determined that additional sources may be present but yet undiscovered at this time that may also have an adverse affect on the environment as a result of the proposed project. Some of the sites identified in the ISA appeared to have hazardous waste or materials incidences, based on the available information reviewed. Hazardous material/waste incidences were identified at 37 sites located adjacent to the proposed project and four properties would be directly affected by the proposed project.

A. Less than Significant Impact with Mitigation Incorporated. Implementation of the proposed project would not require the routine transport or use of hazardous materials. During construction, hazardous materials/wastes that may be encountered include asbestos-containing materials, lead-based paints (LBP), and above-ground or underground storage tanks associated with the demolition of structures; paint, thermoplastic, permanent tape, and temporary tape more than three years old associated with the removal of traffic striping and pavement marking materials; and aerially-deposited lead (ADL) associated with removal of soils adjacent to roadways. The following measures shall be implemented to minimize the potential for hazardous materials exposure to the public or environment:

HAZ-1. To reduce potential impacts associated with hazardous materials, a health and safety plan shall be developed prior to the commencement of construction to guide all construction activities. The plan shall contain specific procedures for encountering both expected and unexpected contaminants. In addition, a soil and groundwater contaminant management plan and a contingency plan shall be developed to cover potential soil contamination, storage tank removal, and/or discovery of unidentified hazardous or solid wastes during construction.

- B. Less than Significant Impact with Mitigation Incorporated.** Based on the ISA conducted for the proposed project, potential contaminant sources are located within the project vicinity, which may require proper remediation as a result of project implementation. It was also determined that additional sources may be present, but yet undiscovered at this time that may also require proper remediation as a result of the proposed project. The following mitigation measure is required to fully evaluate potential environmental liabilities and the need for intrusive Phase II site investigation work:

HAZ-2. Prior to construction, a CERCLA “due diligence” Phase I Environmental Site Assessment (ESA) shall be conducted for each acquisition property per ASTM Standard Practices for Environmental Site Assessments (E-1527-05) prior to the approval of the final design for the proposed project. Since there are many processes for mitigating hazardous waste/materials impacts, the Phase I ESA would be prepared to determine specific measures needed to handle potential hazardous waste/materials impacts. Based on the results of the Phase I ESA conducted on these properties, the need for Phase II site investigation work can be better evaluated. Procedures developed during the ESA and supplemental investigations, if necessary, shall be implemented by the contractor during construction. These may include the implementation of a site-specific health and safety plan, site-specific contaminant management plans, removal of storage tanks, and a general construction contingency plan.

- C. Less than Significant Impact with Mitigation Incorporated.** Maple Elementary school, Chez Grand'mere Preschool, and QPE Adult Technical School are located in close vicinity of the project site. During construction, there is a potential for the removal potential contaminant sources from the storage yards that will be acquired or the transport of construction materials and equipment that may contain hazardous materials. In order to minimize risks and/or mitigate effects, the project would be required to develop a health and safety plan to guide all construction activities. Use and storage of hazardous materials/waste are not expected during project operation; therefore, potential hazards associated with contamination sources would be short-term and temporary.
- D. No Impact.** The proposed project located is not included on a list of hazardous materials sites.
- E. No Impact.** The project site is located approximately three miles from the Fullerton Municipal Airport, which is a general aviation airport supported on 86 acres with a capacity of 600 aircraft. The Fullerton Airport is included in the City's General Plan Airport Industrial Focus Area. The Airport Industrial Focus Area does not include the project site.
- F. No Impact.** There are no private airstrips within the project vicinity. It is anticipated that the proposed project would not be exposed to airport hazards, would not affect aircraft operations, and would not create an airport safety hazard for people utilizing the roadways or residing and working in the project area.
- G. No Impact.** The proposed project includes operational and capacity improvements within the Metrolink rail yards. No roadway detours or closures are expected during construction or operation of the proposed project. The proposed improvements would not affect emergency response plans and/or emergency evacuation plans during construction or operation.
- H. No Impact.** The proposed project site is located within a highly urbanized area and no wildlands are located in the project area. The proposed project does not involve the construction of structures that may

be exposed to wildland fire hazards. Therefore, no risk of loss, injury, or death involving wildland fires is expected from the proposed project.

VIII. Hydrology and Water Quality

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to the *Water Quality Hydrology Technical Memorandum* (PB Americas Inc., October 2007), the project crosses Fullerton Creek Channel and an unnamed channel at South Lawrence Avenue. Both channels are concrete-lined channels under the jurisdiction of the OCFCD, ACOE, CDFG, and the Santa Ana RWQCB. There is also a steel pipe, storm drain structure that crosses under the existing railroad near SR-91 and the proposed alignment. The storm drain conveys runoff from the adjacent industrial plazas in the area and eventually drains to the Carbon Creek Channel. Because the storm drain supports some vegetation at the inlet, the channel may be under the jurisdiction of the Orange County Flood Control District (OCFCD), the U.S. Army Corps of Engineers (ACOE), and California Department of Fish and Game (CDFG). Water supply in the project area is provided by the City of Fullerton and the Metropolitan Water District (MWD). The City of Fullerton pumps approximately 75 percent of its water from the

groundwater supply. The remaining percentage is purchased from the MWD. The project area is located in Flood Zone X, areas of minimal to moderate flood hazard (Flood Insurance Rate Map Panel Number 06059C0131H, February 2004).

A. Less than Significant Impact with Mitigation Incorporated. Due to the proximity of the project construction limits to the Fullerton Creek Channel, the unnamed channel at South Lawrence Avenue, and storm drain structure near SR-91, potential temporary construction impacts to water quality are anticipated. In addition, the construction of a new storage track may introduce the potential for contaminants to run off into surface waters. A *Water Quality Hydrology Technical Memorandum* (PB Americas Inc., October 2007) was prepared for the proposed project that includes conceptual mitigation measures, which are recommended to lessen or alleviate the short-term and long-term impacts of the proposed project on water quality. The proposed project would be required to comply with Title III and Title IV of the Clean Water Act and NPDES standards during and following construction to ensure that dirt, construction materials, pollutants or other human-associated materials are not discharged from the project area into the Fullerton Creek Channel, the unnamed channel at South Lawrence Avenue, or into areas that would eventually drain to storm drains. Permanent treatment Best Management Practice (BMP) controls are recommended to ensure that the project does not contribute to the impairment of the surface waters in the project study area. The project would require a Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with the NPDES under the Clean Water Act in addition to requirements from the Santa Ana RWQCB. Water quality impacts, changes in project area drainage patterns, and use of best management practices would be examined in a Storm Water Pollution Prevention Plan.

The following are mitigation measures recommended for incorporation into the proposed project:

WQ-1. Due to the proximity of the project construction limits to Fullerton Creek Channel and an unnamed channel at South Lawrence Avenue, construction runoff needs to be intercepted and conveyed away from the surface waters. All construction and project activities shall be limited to a well-defined footprint to minimize impacts to water resources. No construction activities, materials, or equipment should be permitted outside of the project footprint. The boundaries of the footprint adjacent to any channels should be fenced with orange plastic construction fencing and sand bags or other barriers to prevent the transport of unwanted pollutants and sediment into the surface waters.

WQ-2. The flood capacity of existing drainage or water conveyance features within the project study area shall not be reduced in a way that causes ponding or flooding during storm events.

WQ-3. On-going during project construction, excavated materials should not be deposited or stored along side watercourses where materials can be washed away by high water or storm runoff. Proper precautions should be taken when handling materials to protect water quality. Any hazardous materials, such as paint, lubricant, engine oil, carbon-fueled equipment, concrete washes, or stockpiles, to be stored or used on the project site during construction shall be stored so as to minimize potential impacts to surface and groundwater. Appropriate techniques to employ include storing materials inside or under cover on paved surfaces, secondary containment, regular inspections, and training of subcontractors and construction workers. The period of time that such materials are stored on the site should be kept to a minimum and should be removed from the construction site as soon as possible. After construction is complete, the contractor should dispose of remaining hazardous or toxic materials appropriately, according to local, state, and federal regulations.

WQ-4. During project construction and operation, remediation should be required at maintenance facilities and vehicle storage areas, where a potential exists for grease and oil contamination to flow into storm drains. Various types of ditch structures, including grease traps, sediment traps, detention basins, and/or temporary dikes may be used to control possible pollutants. These facilities shall be constructed pursuant to guidance published in Section 402 of the Clean Water Act and shall follow the most current guidance within the NPDES program.

WQ-5. The project site currently drains to the Fullerton Creek Channel and an unnamed channel at South Lawrence Avenue. Treatment control BMPs shall be considered into the project design. The project shall consider placing the treatment BMPs in series or in a complimentary system to increase the control of pollutants to the maximum extent practicable. The systems shall be designed to efficiently and effectively handle and treat dry and wet weather flows.

The following are the recommended permanent treatment controls for incorporation into the proposed project:

BMP1 – Biofiltration Strips/Swales

Biofiltration strips and swales should be considered for the project site. Swales are vegetated channels that receive and convey concentrated storm water flow and strips are vegetated land areas over which storm water flows as sheet flow. Pollutants primarily removed by the biofiltration strips/swales include litter, total suspended solids, and particulate metals. The swales/strips should be located at the bottom of cut slopes in order to remove targeted pollutants before entering the roadway and storm drain system.

BMP2 – Media Filters

A media filter system such as a Delaware Filter is recommended for installation prior to the site's storm drain system discharging into the City or County Municipal Separate Storm Sewer System (MS4). The Delaware Filter is a sand filter configured with two closed chambers below grade and has a permanent pool of water. Pollutants primarily removed include suspended solids, particulate metals, dissolved metals, and litter. Delaware Filter should be used in series after the biofiltration swale and should be located underground at a location that is accessible for maintenance.

BMP3 – Infiltration or Detention Device

Infiltration devices remove pollutants from surface discharges by capturing the water quality volume and infiltrating it directly to the soil rather than discharging it to surface waters. Detention devices allow sediment to settle out prior to discharging captured runoff. Pollution prevention and source control BMPs should be implemented at infiltration or detention basin sites to protect groundwater quality. Approval is required from the City of Fullerton to implement infiltration devices for the proposed project.

- B. No Impact.** The proposed project would not introduce new impervious surfaces. It is not anticipated that dewatering would be required. No impacts to groundwater are anticipated.
- C and D. Less than Significant Impact.** The proposed project would not require site grading such that the existing drainage pattern would be affected. Extension of the box culvert at the unnamed channel near Lawrence Avenue may occur; however, the channels will not be altered in such a way as to affect surface drainage or channel capacity.
- E. Less than Significant Impact.** The proposed project would include the drainage facilities with proper sizing and design capacity. The proposed project would not introduce new impervious surfaces that could contribute to runoff. The construction of a new storage track in close proximity to Fullerton Creek Channels and the unnamed channel at South Lawrence Avenue and a maintenance facility south of Orangethorpe Avenue would have the potential of introducing contaminants into surface water runoff. See Item A in this subsection for mitigation measures to be incorporated into the project design, which would reduce or mitigate potential impacts.
- F. No Impact.** As stated above, a maintenance area associated with the storage track may introduce the potential for contaminants that could be carried in runoff into surface waters. Contaminants transported to surface waters may also have the potential to seep into the groundwater. Permanent treatment BMP controls that are recommended in the *Water Quality/Hydrology Technical*

Memorandum (PB, 2007) are required to ensure that the project does not contribute to the impairment of surface water or groundwater (see Item A in this subsection).

- G. No Impact.** The proposed project includes expansion of existing railroad track facilities, which does not include housing.
- H. No Impact.** The proposed project is not located within the 100-year floodplain. The project would not expose people or property to a potential flood hazard. Although, the project may require alteration to the unnamed channel at Lawrence Avenue, the portion that requires alteration is not associated with the 100-year floodplain. The unnamed channel would not be altered in a way that reduced the capacity of the channel.
- I. No Impact.** The proposed project is not located within the 100-year floodplain and is not located downstream of a dam or levee, therefore, there would be no risk of significant loss, injury, or death involving flooding.
- J. No Impact.** The project is not located within the coastal zone. There are no potential risks related to seiches or tsunamis within the proposed project area.

IX. Land Use and Planning

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The City of Fullerton General Plan land use designation for the project site consists of vacant land, categorized commercial, single-family housing, duplex/mobile homes, and industrial. The southern-end of the project alignment falls within the jurisdiction of the City of Anaheim and is designated as industrial and for railroad modal transportation. Most of the areas surrounding the railroad tracks are zoned as manufacturing-general (m-g) with some public land (p-l). The project area has been highly disturbed through past urbanization and includes office, a commercial nursery, and industrial uses, which about the project site. A new high-density residential development exists at the intersection of Walnut Avenue Lemon Street. There are two private schools located within the project study area: QPE Technical School, (located approximately 300 feet east of the project site at 1557 N Gemini Place in Anaheim) and Chez Grand'mere Preschool (located approximately 450 feet east of the project site at 900 E Orangefair Lane in Anaheim). Although, Truslow Park, one of Fullerton's mini-parks (located approximately 200 feet from the project boundary), Lemon Park, which houses the Maple Community Center and Maple Elementary School (located approximately 900 feet from the project boundary) are located near the project vicinity, no agricultural lands, parks, schools, or community facilities were identified within or adjacent to the immediate project boundary. There are two mobile homes in the project vicinity: Rancho La Paz (located on East Orangethorpe Avenue adjacent to the western boundary of project site) and Del Este Estates (located on North East Street in Anaheim approximately 100 feet east of the project boundary, south of the SR-91).

- A. No Impact.** The proposed project is an expansion of an existing transit use with limited need for additional right-of-way. Additional right-of-way includes public parking, a BNSF storage yard, private storage yards, and a commercial nursery. The expansion would not involve the physical division of an established community.
- B. No Impact.** The proposed project is consistent with the plans and goals adopted by the City's General Plan and the area's Specific Plan District. The proposed project is not located within the State Coastal Zone.
- C. No Impact.** The project area is currently developed and there are no adopted habitat conservation plans applicable to the site or the surrounding area.

X. Mineral Resources

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- A. No Impact.** The project area is currently developed with no mineral resources or active mining activities identified within the project site or vicinity. The project would not result in a loss of available known mineral resources.
- B. No Impact.** The proposed project area does not include any delineated mineral resource recovery sites. No extraction activities of mineral resources are present in the proposed project area. There are no known oil or geothermal resources in the project vicinity. No oil fields or oil wells are present on or near the project site. The adjacent areas are not subject to oil, gas, or mining operations. Therefore, no impacts would occur.

XI. Noise

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing noise levels were measured at three locations in the study area, the measurement taken at the property line of 532 Truslow Avenue (Site A) was a long-term, 24-hour measurement, which represents land uses with nighttime sleep activities such as residences. This measurement was used to determine the Day/Night Sound Level (Ldn) and peak hour Equivalent Sound Level (Leq). Short-term measurements were taken near residential land uses and included the new residential development across from the Fullerton Transportation Center (Site 1) and a site at the cul-de-sac of Patterson Way adjacent to the rail tracks (Site 2). Two modeling sites were used to supplement the measurement taken at Patterson way, which were taken near homes within the Rancho La Paz Mobile Home Park at the northern and southern ends of Lemon Via (Sites 3 and 4).

Existing noise levels are due primarily to traffic on local streets and the rail lines. The Ldn noise level was measured to be 74 dBA and the peak one-hour noise levels range from 54 dBA to 70 dBA. The range in levels is dependent on how close the site is to the local streets, with the higher noise levels occurring along the local street, and the lower noise levels occurring along the existing rail in areas without local roadways. The distance from the existing track facility to residential buildings ranges from 75 feet to 135 feet. The proposed turn back facility would be approximately 50 feet from the residential buildings along Walnut Avenue and approximately 25 feet to 75 feet from the residential buildings between Truslow Avenue and Orangethorpe Avenue.

A. No Impact. The addition of the turn back facility is predicted to have no impact on existing noise levels. The Ldn levels with trains running on the new facility, was modeled at 55 dBA for Site 1, which would not be impacted by the turnback facility. For Sites 2, 3 and 4, a project induced noise level of 64 dBA is predicted, 58 dBA from train operation with an additional 6 dBA due to special trackwork. Based on FTA criteria, an area with an existing Ldn of 74 would need project related noise levels to be above 65 dBA for a moderate noise impact to occur. There are no noise impacts caused by the proposed project.

B. Less than Significant Impact with Mitigation Incorporated. Special trackwork, such as crossovers and switch frogs may cause intrusive impact noise and vibration. Impact noise is usually produced as the steel wheel traverses the gap in the switch frog or crossover diamond. Special trackwork can increase the nearby noise levels by as much as 6 dBA for noise and 10 VdB (Vibration Velocity Level) for vibration. There are seven crossover tracks near residential buildings. There is one crossover approximately 25 feet from the residential buildings located between Truslow Avenue and Patterson Way. The remaining six crossovers are near the residential buildings, west of the existing track facility, between Valencia Dr. and Orangethorpe Ave.

According to FTA Criteria, a project with 30 to 70 vibration events a day is considered the have "Occasional Events". For Occasional Events, impacts would occur if the ground vibration levels exceeded the FTA criteria of 75 VdB for residential buildings and other structures where people normally sleep. Vibration levels were modeled at all sites and were 63 VdB for Site 3; 62 VdB for Site 4; 68 VdB for Site 1; and 71 VdB for Sites A and 2, with trains along tangent tracks operating at 25 mph. A modifier of +10 VdB, was added to the modeled vibration levels for Sites A, 2, 3, and 4, due to the presence of special trackwork. A vibration impact is predicted at Sites 2 and A, due to the close proximity of special trackwork. The project will have no vibration impacts for Sites 1, 3, and Site 4.

To mitigate vibration impacts for Sites 2 and A, the following mitigation measure shall be implemented:

NOI-1. Crossovers shall be relocated approximately 75 feet away from residential areas. If the crossovers cannot be relocated to a sufficient distance away from the residential areas, use of a moveable point frog at the turnout would eliminate the gap in the track at the turnouts and result in a 10 VdB decrease in vibration at the residential receivers closest to the crossover.

C. No Impact. The addition of the turn back facility is predicted to have no impact on existing noise levels. See Item A in this subsection.

D. Less than Significant Impact. The proposed project would likely temporarily generate noise during construction in excess of the existing ambient noise levels in the project area due to the operation of construction equipment. Community outreach or notices may be conducted to explain construction work, time involved, and control measures to be taken to reduce the impact of construction noise. The construction effects would be short-term and temporary, and the following measures shall be implemented:

NOI-2. Construction shall consider natural and artificial barriers as shields against construction noise. Strategic placement of stationary equipment could reduce impacts at sensitive receivers.

NOI-4. Alternative construction methods shall be considered, such as the use of vibration or hydraulic insertion in the case of pile driving. Drilled holes for cast-in-place piles are another alternative that could reduce noise impact.

NOI-5. The contractor shall comply with all local sound control and noise level rules, regulations and ordinances that apply. Each internal combustion engine used for any purpose on the job or related to the job shall be equipped with a muffler recommended by the manufacturer. No internal combustion engine shall be operated on the project without a muffler.

NOI-6. Noisier activities involving large machinery shall be limited to daytime hours. Nighttime construction would require a variance. Compliance with local noise ordinances will mitigate impacts associated with construction noise. All construction activities adjacent to residential uses shall be limited to daytime hours (7:00 a.m. to 6:00 p.m.) on Mondays through Saturdays.

E. No Impact. The proposed project site is located three miles from the Fullerton Municipal Airport and is not located within the airport's land use plan. The proposed improvements would not lead to or increase the exposure of people in the area to noise levels associated with aircraft and airport operations.

F. No Impact. There are no private airstrips located near the project site, which may expose persons to excessive aircraft noise levels.

XII. Population and Housing

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A. No Impact. The project is capacity increasing, but would not result in growth inducement, remove/reduce barriers to growth or change land uses. No commercial or residential developments are proposed as part of the project. The presence of construction workers at the site would be temporary and short-term and would not lead to a permanent demand for housing, goods, or services in the area. It is anticipated that the proposed project would merely function as operational improvements for the existing Metrolink facilities and would not produce new or increased transit use and would not directly induce new growth in Fullerton, Anaheim or surrounding cities.

B. No Impact. The project does not propose displacement and relocation of residential and non-residential properties, but it will remove 30 to 35 spaces of existing Metrolink parking along Walnut Avenue, east of the pedestrian bridge. The project is anticipated to require right-of-way acquisition of several largely undeveloped properties between Orangethorpe Avenue and the crossing of Lemon Street. These properties are owned by a single owner, with the estimated size of 25 acres. Acquisitions would not result in the loss of housing or require replacement housing.

C. No Impact. See Item B in this subsection.

XIII. Public Services

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The closest governmental facilities to the proposed project site are located on Commonwealth Avenue between Lemon Street and Highland Avenue. The facilities include a library, police station, chamber of commerce, post office, and fire station. These facilities are located one eighth to one quarter of a mile from the proposed project site.

A. Less than Significant Impact. During construction, traffic flows in the vicinity of the project site may experience temporary congestion or detours, which may affect emergency response. However, emergency service agencies would be informed of the roadway construction schedule and a Traffic Management Plan would be prepared prior to commencement of construction. Temporary road detour plans would be coordinated with emergency services to ensure minimal disruption. This would allow emergency vehicles to use alternate routes. After construction the new facilities would not generate additional demand for additional government facilities or public services.

B. Less than Significant Impact. See Item A in this subsection.

C. No Impact. The proposed project would not generate an additional demand for school services. A Traffic Control Plan would be implemented as part of the proposed project to facilitate the flow of traffic in and around the proposed project area. The school district would also be notified of the proposed project. The proposed project would, therefore, not result in impacts to school services.

D. No Impact. The proposed project would not generate a demand for parks and/or recreational services.

E. No Impact. The proposed project would not generate a demand for library services, medical services, or other public facilities.

XIV. Recreation

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A. No Impact. There are four parks within a mile of the proposed project site: Amerige, Lemon, Truslow, and Richman Parks. It is not anticipated that the proposed project would produce new or increased vehicular traffic. Residents and visitors currently have access to the recreational facilities and it is not anticipated that the use of parks would be increased as a result of the proposed project. No substantial physical deterioration of nearby recreational facilities is expected from the implementation of the proposed project.

B. No Impact. The proposed project does not include the construction of any recreational facilities. In addition, it would not require the expansion of any existing recreational facilities.

XV. Transportation / Traffic

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A and B. No impact. The proposed project would accommodate crew changes and train layovers within the Metrolink train station area. The proposed expansion of facilities onsite is not expected to cause an increase in traffic. However, the proposed project would remove 30 to 35 spaces of existing parking along Walnut Avenue, east of the pedestrian bridge. Vehicles that previously used these spaces can be accommodated in the existing surface parking lot at Fullerton Transportation Center, located off Santa Fe Avenue. In the long term, with the completion of the new parking structure proposed on a 5.2 acre lot between Highland Avenue and Harbor Boulevard abutting the railroad tracks, it is expected that these vehicles will use this new facility. With elimination of the 30 to 35 parking spaces, vehicle trips would shift from the parking spaces to Lemon Street. Based on a conservative analysis of 100 percent occupancy for the 35 parking spaces, approximately 70 vehicle trips would shift from the parking spaces to Lemon Street. These vehicle trips would increase daily volume on Lemon Street to approximately 30,000 resulting in a volume to capacity (V/C) ratio of 0.80 and a Level of Service (LOS) of D. The V/C and LOS on Lemon Street, in the short-term (horizon year 2010), would be the same with or without the proposed project (*Metrolink Services Expansion – Fullerton Station Project, PB Americas Inc., 2007*). Since the resulting LOS is within the City’s acceptable service limits threshold, no mitigation in the short term would be required.

Also in the short term, the intersection of Lemon Street at Santa Fe Avenue is expected to be affected by the 70 vehicle trips as they make a northbound left turn in the A.M. peak-hour to approach the surface parking lot for the Fullerton Transportation Center, off Santa Fe Avenue. In the P.M. peak hour, these same trips would make an eastbound right turn to exit from the parking lot. Based on 70 daily trips generated on Lemon Street, 35 vehicles will make the northbound left in the morning and an equal number will make the eastbound right in the evening. It is unlikely that the 35 additional vehicle trips during peak hours would contribute more than ten percent to the total growth in vehicle volumes

by 2025 (City of Fullerton, 2006); therefore, no project generated impacts would occur and project related mitigations are not warranted.

In the long term (horizon year 2025), it is assumed that 50 percent of project related trips will access the new parking garage from Harbor Boulevard, while the remaining from Highland Avenue, adding 35 daily trips to each segment. Project traffic is not expected to use Lemon Street. Based on the traffic analysis conducted for the proposed project, the 35 daily trips would not change the V/C or LOS along any of the affected roadway segments over the future year (2030) without the proposed project. With or without the proposed project, the LOS on Harbor Boulevard and Lemon Street would be F and E respectively. The segments of Harbor Boulevard and Lemon Street would be operationally deficient by 2030 whether the proposed project was implemented or not.

The intersection of Harbor Boulevard at Santa Fe Avenue is also expected to be affected by vehicles making a northbound left turn in the A.M. peak hour to access the new parking garage. In the P.M. peak hour, project related trips are anticipated to make an eastbound right turn to exit the parking lot. Based on 35 daily trips generated on Harbor Boulevard, 18 vehicles will make the northbound left in the morning and an equal number will make the eastbound right in the evening. It is unlikely that an addition of 18 vehicles in each peak hour will contribute more than ten percent of the total growth by 2025 (City of Fullerton, 2006), hence project-related mitigation measures are not warranted in the long term.

The proposed project would have a negligible impact on traffic and circulation in the project vicinity. Arterials and intersections that operate at deficient LOS are due to regional trips that are expected to grow in communities within and around the City. The project would not impact traffic on SR-91. Should the Anaheim Layover facility be carried forward, an encroachment permit from Caltrans would be required. Mitigation measures for the project are not warranted in the long term.

- C. **No Impact.** The proposed project would not affect air traffic patterns at the Fullerton Municipal Airport or create changes in locations which would cause substantial safety risks.
- D. **No Impact.** The project does not include design features that would increase hazards or introduce a new, incompatible use.
- E. **No Impact.** During construction, traffic on streets in the project area may experience temporary delays. These delays may affect emergency response times. Detours and temporary lane closures and/or rerouting would likely be implemented. As part of the proposed project a Traffic Management Plan will be prepared and temporary road detour plans will be developed and coordinated with emergency services to minimize disruptions.
- F. **No Impact.** The project includes elimination of 35 parking spaces along Walnut Avenue. In the short term, these vehicles will use the existing surface parking lot at Fullerton Transportation Center, located off Santa Fe Avenue. In the long term, these vehicles would use the new parking structure proposed between Highland Avenue and Harbor Boulevard. The proposed project would not substantially decrease parking capacity, create new parking, or induce a need for additional parking capacity.
- G. **No Impact.** There are no recreational trails within or directly adjacent to the project area that would be impacted by this project. Bicycle facilities do not exist within the project area or vicinity, but a Class I bike trail is proposed along the rail alignment and Pomona Avenue within the project area. The proposed project would not affect implementation of future bikeway plans. During construction, temporary closures or rerouting of sidewalks and pedestrian access may be needed, but the effects would be short-term and temporary.

XVI. Utilities and Service Systems

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- A. No Impact.** No residential, commercial, industrial, or other sewage-generating uses are proposed as part of the project. Therefore, no demand for wastewater disposal and treatment would be created by the proposed project.
- B. No Impact.** No residential, commercial, industrial, or other land uses, which may generate a demand for water or sewage disposal services are proposed as part of the project. The proposed project is not expected to require or result in the construction of new water or wastewater treatment facilities.
- C. Less than Significant Impact.** The project site currently drains to the Fullerton Creek Channel either directly or through the City's Municipal Separate Storm Sewer System (MS4). Prior to approval of grading permits, an appropriate drainage control plan that controls construction and operational on-site and off-site runoff and drainage in a manner acceptable to SCRRA and Santa Ana RWQCB for the specific project site shall be implemented. Additional requirements may be required by ACOE, RWQCB and/or CDFG if a Section 404 Permit, Section 401 Certification and/or Section 1602 Streambed Alteration Agreement are required.
- D. No Impact.** The proposed project would not result in any long-term water use. Water may be used during construction and for cleaning equipment and other purposes. However, these uses would be short-term and are not expected to require new water entitlements. Therefore, no impacts to water supplies are anticipated to occur from the project.
- E. No Impact.** The proposed improvements would not generate any domestic sewage. Therefore, no impacts to wastewater treatment facilities are anticipated to occur as part of the proposed project.

F. Less than Significant Impact. It is anticipated that construction would generate a small amount of construction debris and spoil. Some of the spoil may need to be disposed of at a facility that can handle hazardous materials/wastes if any hazardous material/waste is identified during grading and demolition. The disposal of spoil generated during construction is not expected to exceed the capacity of area landfills.

G. Less than Significant Impact. The proposed project is expected to generate some amount of construction debris. A construction management plan would be implemented for the proposed project that would address routing and methods of disposal in relationship to federal, state, and local statutes and regulations for compliance.

XVII. Mandatory Findings of Significance

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A. No Impact. The proposed project is not expected to degrade the quality of the environment. The project site is urban in nature and no known rare or endangered plant or animal species on federal or state lists, and archaeological resources are known to exist on the proposed project site. Although, the California Native Plant Society (CNPS) identified the many stemmed dudleya (*Dudleya multicaulis*) as potentially present, the highly disturbed nature of the project area makes its presence unlikely. No special status plant or animal species are anticipated to be present in the project area.

B. Less Than Significant Impact. The proposed project would not alter current uses that would have a limited affect on the environment and is not expected to result in a cumulative impact.

C. Less Than Significant Impact. Construction of the proposed project may have temporary air quality, hazards and hazardous materials, noise, and traffic and circulation impacts. Potential air quality and noise impacts may arise from the operation of construction equipment. Potential hazards and hazardous materials impacts may arise during construction or transport of spoil if contaminated soil or groundwater is identified. Additional potential hazards and hazardous materials impacts may occur due to interference with emergency response vehicles and evacuation plans. However, the project includes mitigation measures, which would reduce these short-term, temporary impacts to less than significant.

The long-term operation of the proposed project is not expected to result in substantial adverse effects on human beings, either directly or indirectly.

ATTACHMENT A
RESPONSES TO COMMENTS
ON THE DRAFT ENVIRONMENTAL DOCUMENT

The purpose of Attachment A is to address comments received from the public and public agencies in response to a request for public comments regarding the Draft IS/MND. A Notice of Intent to Adopt a Negative Declaration was issued on December 24, 2008 and was printed in the *Orange County Register* on January 30, 2008. It was also translated into Spanish and published in the *Excelsior* on February 8, 2008. The Draft IS/ND was circulated beginning on December 24, 2008 and extended to February 20, 2008 with a request for public comments. OCTA received a total of three comment letters from the Public Utilities Commission (PUC), the Department of Toxic Substances Control (DTSC), and California Department of Transportation (Caltrans). The comment letters and the responses to the comments are attached. Original letters are on file with OCTA. A summary of the comments and responses are provided below.

- The PUC comment letter, dated January 16, 2008, discussed a need for coordination with the PUC Rail Crossings Engineering Section, Metrolink, and BNSF Railway for safety issues and authority to alter the station platform and the Orangethorpe crossing. On April 17, 2008, OCTA sent a letter to the PUC, acknowledging that coordination with these agencies are necessary to the development of this project. Metrolink and BNSF have been actively involved with this project. These agencies as well as the PUC have been included as other public agencies whose approval is required on page 2, item 10 of the Initial Study/ Environmental Checklist Form.
- In their letter dated January 16, 2008, the DTSC requested additional information on the current or historic uses at the project area that may have resulted in any releases of hazardous wastes/substances and clarification on mechanisms for any site contamination. In the letter from April 17, 2008, OCTA responded that an Initial Site Assessment (ISA) was prepared for the project and was included was included in the technical appendix for the IS/MND. The IS/MND discusses potential for encountering both expected and unexpected contaminants and the measures to be implemented to safeguard human health and sensitive receptors during construction and demolition activities. The ISA provides detail on potential contaminant sources that may adversely affect the project and a review of historical land uses and environmental databases for records of hazardous materials/waste incidences. The project is not anticipated to pose a threat to human health or the environment. A copy of the ISA was sent to the DTSC.
- Caltrans commented that the optional Anaheim Layover Facility, located in the vicinity of SR-91, may require an encroachment permit and coordination with Caltrans. In a letter dated February 26, 2008, OCTA responded that should the Anaheim Layover Facility be carried forward, an encroachment permit from Caltrans would be required if State right-of-way is affected. This potential impact to Caltrans property will be confirmed based on the final approved design engineering plan. The proposed Anaheim Layover Facility will not impact traffic on SR-91. Caltrans is included as a potential responsible agency on page 1, item 10 of the Environmental Checklist Form, and discussion of necessary coordination with Caltrans is provided in the IS/MND on page 26.

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

**RECEIVED**

JAN 22 2008

January 16, 2008

PLANNING & PROGRAMMING

Kia Mortazavi
Orange County Transportation Authority
550 South Main Street
Orange, CA 92863

Dear Mr. Mortazavi:

Re: SCH# 2007121129; Fullerton Turnback Facility

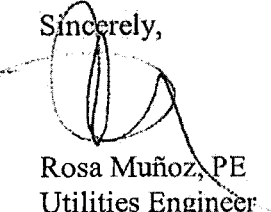
The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Mit Neg Dec* from the State Clearinghouse. The project description mentions the additional construction of a second track at the Fullerton Metrolink Station between Harbor Boulevard and Orangethrope Avenue. The document also mentions an optional improvement of an additional track line extending just south of the SR-91 freeway. Currently, the Orangethrope Avenue crossing (PUC ID 101OR - 166.20, DOT# 026640A) is at grade.

Orange County Transportation Authority should arrange a meeting with RCES, Metrolink and BNSF Railway to discuss relevant safety issues and in advance for authority to alter the station platform and the Orangethorpe crossing for the proposed work and additional track.

If you have any questions, please contact Varouj Jinbachian, Senior Utilities Engineer at 213-576-7081, vsj@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,



Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Ron Harris, SCRRA
John Shurson, BNSF



Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

January 16, 2008

RECEIVED
JAN 22 2008
PLANNING & PROGRAMMING

Ms. Kia Mortazavi
Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, California 92863

INITIAL STUDY AND NEGATIVE DECLARATION (ND) FOR FULLERTON TURNBACK FACILITY (SCH# 2007121129)

Dear Ms. Mortazavi:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "OCTA with Metrolink propose construction of a second track at the Fullerton Transportation Center (Fullerton Metrolink Station) between Harbor Boulevard and Orangethorpe Avenue. The purpose of this project is to provide a turn-around location for Metrolink trains providing 30-minute intra-Orange County service. Project includes: terminal track, storage track, modification of the platform at Fullerton Metrolink Station, and relocation of a communications building. The terminal track is a stub end track along Walnut Ave. The construction of this track will require modification of the south passenger platform, ending just east of the pedestrian overpass. An optional additional track line, the Anaheim Layover Facility, is proposed as an overnight layover and storage facility for trains between Orangethorpe and SR-91".

Based on the review of the submitted document DTSC has the following comments:

- 1) The ND should identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances.
- 2) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

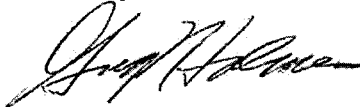
- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Site Mitigation Program Property Database (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control.
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.

Ms. Kia Mortazavi
January 16, 2008
Page 3

- 4) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 5) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 6) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 7) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.

If you have any questions regarding this letter, please contact Mr. Al Shami, Project Manager, at (714) 484-5472 or "ashami@DTSC.ca.gov".

Sincerely,



Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: See next page

Ms. Kia Mortazavi
January 16, 2008
Page 4

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #2001

DEPARTMENT OF TRANSPORTATION

District 12
3337 Michelson Drive, Suite 380
Irvine, CA 92612-8894
Tel: (949) 724-2267
Fax: (949) 724-2592



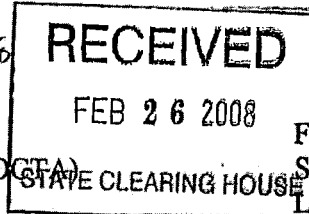
*Flex your power!
Be energy efficient!*

FAX & MAIL

January 22, 2008

Kia Mortazavi
Orange County Transportation Agency (OCTA)
550 South Main Street P.O. Box 14184
Orange, California 92863-1584

Clear
1-22-08
late
e



File: IGR/CEQA
SCH #: None 2007121129
Log #: 1963
I-5, SR-74

Subject: Fullerton Turnback Facility and Anaheim Layover Facility, Cities of Fullerton and Anaheim

Dear Mr. Mortazavi,

Thank you for the opportunity to review and comment on the **Draft Initial Study and Mitigated Negative Declaration (MND) for the Fullerton Turnback Facility and Anaheim Layover Facility**. OCTA, in cooperation with Metrolink, proposes the construction of a turn back facility between Pomona Avenue and Orangethorpe Avenue at Fullerton Transportation Center to facilitate intra-Orange County service. This requires that the facility have the ability to accommodate crew changes and train layovers for periods of up to approximately two hours during operation hours. The proposed project features include one terminal track, one storage track, additional crossover and turnouts near Orangethorpe Avenue, modification of southern platform at the Fullerton Transportation Center, relocation of existing communications buildings. The nearest State routes to the project site are I-5, SR-57, and SR-91.

Caltrans District 12 is a responsible agency on this project and we have the following comments:

Page-4, Optional Improvements- If the proposed siding track south of SR-91 is included as part of this project, early coordination with Caltrans Right of Way and Headquarters Structures is required. Detailed plans should be submitted for review and comments.

All entities other than Caltrans forces working within State right of way must obtain a Caltrans Encroachment Permit prior to commencement of work. A fee may apply. If the cost of work within the State R/W is below one Million Dollars, the Encroachment Permit process will be handled by Caltrans Permits Branch, otherwise the permit should be authorized through Caltrans Project Development. Allow 2 to 4 weeks for a complete submittal to be reviewed and for a permit to be issued. When applying for Encroachment Permit, please incorporate Environmental Documentation, SWPPP/ WPCP, Hydraulic Calculations, Traffic Control Plans, Geotechnical Analysis, R/W certification and all relevant design details including design exception approvals. For specific details on Caltrans Encroachment Permits procedure, please refer to Caltrans Encroachment Permits Manual. The latest edition of the Manual is available on the web site: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please continue to keep us informed of this project and any future developments, which could potentially impact the State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2267.

Sincerely,

Maryam Molavi for

Ryan Chamberlain, Branch Chief
Local Development/Intergovernmental Review



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CHIEF EXECUTIVE OFFICE

Arthur T. Leahy
Chief Executive Officer

April 16, 2008

Rosa Munoz, PE
Utilities Engineer, Rail Crossings Engineering Section
Consumer Protection & Safety Division
Public Utilities Commission
320 West 4th Street, Suite 500
Los Angeles, CA 90013

**Re: Fullerton Turnback Facility and Anaheim Layover Facility in the
Cities of Fullerton and Anaheim, CA**

Dear Ms. Munoz,

Thank you for your comments, dated January 16, 2008, on the Initial Study/
Proposed Mitigated Negative Declaration (IS/MND) for the Fullerton
Turnback Facility and Anaheim Layover Facility. The proposed turnback
facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton
Transportation Center would facilitate intra-Orange County service and help
advance the goals of the Metrolink Service Expansion Program. An optional
additional track line, known as the Anaheim Layover Facility, is proposed for
use as an overnight layover and storage facility for Metrolink trains. The
optional siding track would be located south of Orangethorpe and would
extend just north of the SR-91 freeway.

In response to your comments regarding meeting with RCES, Metrolink, and
BNSF Railway for safety issues and authority to alter the station platform
and the Orangethorpe crossing, we understand that coordination with these
agencies is necessary to the development of this project. Metrolink and
BNSF have been actively involved with this project. These agencies, as well
as RCES, have been included as other public agencies whose approval is
required on page 2, item 10 of the Initial Study/ Environmental Checklist
Form. We look forward to further discussion with RCES, Metrolink, and
BNSF for this project.

If you have any questions, contact me at (714) 560-5740.

Sincerely,

Dinah Minter
Project Manager, Metrolink Service Expansion
Orange County Transportation Authority



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Arthur T. Leahy
Chief Executive Officer

April 16, 2008

Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch-Cypress Office
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630

**Re: Fullerton Turnback Facility and Anaheim Layover Facility in the
Cities of Fullerton and Anaheim, CA**

Dear Mr. Holmes,

Thank you for your comments, dated January 16, 2008, on the Initial Study/
Proposed Mitigated Negative Declaration (IS/MND) for the Fullerton
Turnback Facility and Anaheim Layover Facility. The proposed turnback
facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton
Transportation Center would facilitate intra-Orange County service and help
advance the goals of the Metrolink Service Expansion Program. An optional
additional track line, known as the Anaheim Layover Facility, is proposed for
use as an overnight layover and storage facility for Metrolink trains. The
optional siding track would be located south of Orangethorpe and would
extend to just north of the SR-91 freeway.

The following are responses to your comments on the IS/MND.

Response to Comment #1: An Initial Site Assessment (ISA) was prepared
for the project and was included in the technical appendix for
the IS/MND. Section 4 of the ISA evaluated whether current or historic uses
of the project area may have resulted in any release of hazardous
waste/substances. The ISA is enclosed for your reference.

Response to Comment #2: The ISA provides details on any known or
potentially contaminated sites within the proposed project area. The ISA
reviewed several databases, including those mentioned in your letter. The
databases searched are listed in Section 3.1. Section 6 of the ISA
examined properties identified as being adjacent to the project that handle,
use, and/or store hazardous materials/waste. The project is not anticipated
to pose a threat to human health or the environment. Measures have been
included as part of the project to minimize potential impacts.

Response to Comment #3: In Section VII B, the IS/MND describes
measures required to fully evaluate potential environmental liabilities and the
need for further site investigation for acquisition properties.

Response to Comment #4: Section VII A of the IS/MND discusses potential soil contamination. Measure HAZ-1 has been included as part of the project, which contain specific procedures for soil contaminant management.

Response to Comment #5, 6, 7: Section VII A of the IS/MND discusses potential for encountering both expected and unexpected contaminants. The project includes measures to be implemented by the contractor under the oversight of OCTA to safeguard human health and sensitive receptors during construction and demolition activities. The ISA, prepared for the project, provides detail on potential contaminant sources that may adversely affect the project and a review of historical land uses and environmental databases for records of hazardous materials/waste incidences.

If you have any questions, contact me at (714) 560-5740.

Sincerely,



Dinah Minter
Project Manager, Metrolink Service Expansion
Orange County Transportation Authority

Enclosure: Initial Site Assessment



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CHIEF EXECUTIVE OFFICE

Arthur T. Leahy
Chief Executive Officer

February 26, 2008

Ryan Chamberlain
Chief, Local Development / Intergovernmental Review
Caltrans District 12
3337 Michelson Dr, Suite 380
Irvine, CA 92612

**Re: Fullerton Turnback Facility and Anaheim Layover Facility in the
Cities of Fullerton and Anaheim, CA**

Dear Mr. Chamberlain,

Thank you for your comments, dated January 22, 2008, on the Initial Study/ Proposed Mitigated Negative Declaration (IS/MND) for the Fullerton Turnback Facility and option for an Anaheim Layover Facility. The proposed turnback facility between Pomona Avenue and Orangethorpe Avenue at the Fullerton Transportation Center would facilitate intra-Orange County service and help advance the goals of the Metrolink Service Expansion Program. An optional additional track line, known as the Anaheim Layover Facility, is under consideration for use as an overnight layover and storage facility for Metrolink trains. The optional siding track if included with the project would be located south of Commonwealth and may extend just south of the SR-91 freeway.

In response to your comments (IGR Log# 1963) regarding the optional Anaheim Layover Facility, we understand that should the Anaheim Layover facility be carried forward, an encroachment permit from Caltrans would be required if Caltrans property is affected. This potential impact to Caltrans property will be confirmed based on the final approved design engineering plan.

The proposed Anaheim Layover Facility will not impact traffic on SR-91. Caltrans is included as a potential responsible agency on page 1, item 10 of the Environmental Checklist Form, and discussion of necessary coordination with Caltrans is provided in the IS/MND on page 26.

If you have any questions with regard to this response, please contact me at (714) 560-5740.

Sincerely,

Dinah Minter
Project Manager, Metrolink Service Expansion Program
Orange County Transportation Authority

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
Lean NOx or diesel oxidation catalysts on the off-road diesel equipment and aqueous diesel fuel shall be utilized.	AIR-1.	Contractor	Construction					
To mitigated PM10 burdens during construction, the contractor shall apply soil stabilizers, replace ground cover in disturbed areas quickly, and water exposed surfaces and haul roads 2 to 3 times a day. In addition, all applicable construction rules and regulations, including standard mitigation practices will be followed.	AIR-2.	Contractor	Construction					
An asbestos study of all structures slated for demolition shall be conducted prior to issuance of the grading permit. SDAPCD's Rule 361.145 - Asbestos standards for demolition/renovation activities shall be followed for all relevant activities, and any asbestos containing material shall be properly disposed of.	AIR-3.	OCTA	Pre-Construction					
Coordination with ACOE, Santa Ana RWQCB, and CDFG shall be conducted prior to final design. The project is subject to the requirements of the resource agency permits.	BIO-1.	OCTA	Pre-Construction					
A preconstruction survey for nesting birds shall be conducted by a qualified biologist if clearing and grubbing work is conducted within the bird nesting season (March 15 to September 15). Should active nests be found during surveys or during construction, work in the vicinity of the nest shall be halted and the California Department of Fish and Game shall be contacted.	BIO-2.	OCTA	Pre-Construction					
Removal and replacement of street trees shall occur in coordination with the City of Fullerton prior to construction.	BIO-3.	OCTA	Pre-Construction					
Services from a certified archaeologist and paleontologist shall be retained to salvage and catalogue fossils and artifacts, as necessary. If major archaeological or paleontological resources are discovered, which require long-term halting or redirecting of grading, the archaeologist or	CUL-1.	OCTA	Construction					

Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
paleontologist shall report such findings to OCTA. The archaeologist or paleontologist shall determine appropriate actions, in cooperation with OCTA, which ensure proper exploration and/or salvage.								
In accordance with Public Resources Code 5097.94, if human remains are found, the Orange County Coroner must be notified within 24 hours of the discovery.	CUL-2.	Contractor	Construction					
A health and safety plan, soil and groundwater contaminant management plan and a contingency plan shall be developed prior to construction.	HAZ-1.	OCTA/ Contractor	Pre- Construction					
Prior to construction, a CERCLA "due diligence" Phase I Environmental Site Assessment (ESA) shall be conducted for each acquisition property.	HAZ-2.	OCTA	Pre- Construction					
Construction runoff needs to be intercepted and conveyed away from the surface waters. All construction and project activities shall be limited to the project footprint.	WQ-1.	Contractor	Construction					
The flood capacity of existing drainage or water conveyance features within the project study area shall not be reduced in a way that causes ponding or flooding during storm events.	WQ-2.	OCTA/ Metrolink	Final Design					
Excavated materials should not be deposited or stored along side watercourses where materials can be washed away by high water or storm runoff.	WQ-3.	Contractor	Construction					
Remediation should be required at maintenance facilities and vehicle storage areas, where a potential exists for grease and oil contamination to flow into storm drains.	WQ-4.	Contractor	Construction					
Treatment control BMPs shall be considered into the project design.	WQ-5.	OCTA/ Metrolink	Final Design					
Crossovers shall be relocated approximately 75 feet away from residential areas. If the crossovers cannot be relocated to a sufficient distance away from the residential areas, use of a moveable point frog at the turnout would eliminate the gap in the track at the turnouts.	NOI-1.	OCTA/ Metrolink	Final Design					
Construction shall consider use of natural and artificial barriers as shields against construction noise.	NOI-2.	Contractor	Construction					

Task and Brief Description	Ref.	Responsible Party	Timing / Phase	Task Completed	Date	Remarks	Environmental Compliance Initial	Date
Alternative construction methods shall be considered, such as the use of vibration or hydraulic insertion in the case of pile driving.	NOI-3.	Contractor	Construction					
The contractor shall comply with all local sound control and noise level rules, regulations and ordinances that apply. No internal combustion engine shall be operated on the project without a muffler.	NOI-4.	Contractor	Construction					
Noisier activities involving large machinery shall be limited to daytime hours. Nighttime construction would require a variance.	NOI-5.	Contractor	Construction					



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Consultant Cost Negotiation for Preparation of a Feasibility Study for Improvements to the Riverside Freeway (State Route 91)

Highways Committee Meeting of May 5, 2008

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

Committee Vote

This item was passed by all Committee Members present.

Director Rosen was not present to vote on this matter.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1360 with RMC, Inc., in an amount not to exceed \$297,021.



May 5, 2008

To: Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Consultant Cost Negotiation for Preparation of a Feasibility Study for Improvements to the Riverside Freeway (State Route 91)

Overview

The Renewed Measure M Early Action Plan calls for preparation of conceptual engineering for a segment of the Riverside Freeway (State Route 91), between the Costa Mesa Freeway (State Route 55) and the Orange Freeway (State Route 57). On February 11, 2008, the Board of Directors authorized staff to request a price proposal from RMC, Inc., and negotiate an agreement for services. Staff was directed to return to the Board of Directors with the agreement when negotiations were completed.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1360 with RMC, Inc., in an amount not to exceed \$297,021.

Background

The Renewed Measure M Early Action Plan includes preparation of conceptual engineering for a segment of the Riverside Freeway (State Route 91). The scope of analysis includes nearby local interchanges such as Tustin Avenue and Lakeview Avenue, as well as the addition of freeway capacity between the Costa Mesa Freeway (State Route 55) and Orange Freeway (State Route 57). A feasibility study is being initiated to scope the range of improvements that can be implemented within the project area. The feasibility study will provide the scope of improvements that will be considered in a future project study report.

On February 11, 2008, the Board of Directors (Board) approved the selection of RMC, Inc., (RMC) as the top ranked firm to prepare a feasibility study

and authorized staff to request a price proposal from RMC, as well as negotiate an agreement. Staff was directed to return to the Board with the agreement upon completion of the negotiations with RMC.

Discussion

As directed by the Board on February 11, 2008, the Contracts Administration and Materials Management Department (CAMP) requested a price proposal from RMC. RMC submitted an initial price proposal, in the amount of \$356,562, which exceeded the independent cost estimate of \$300,000 prepared by the project manager in September 2007.

On February 26, 2008, in compliance with Board-approved Procurement Policies and Procedures for Architectural and Engineering Services, CAMP requested a pre-award audit of RMC's price proposal from the Internal Audit Department to ensure that the proposed labor rates, overhead rates, and other direct costs are fair and reasonable, and that the pricing or cost data submitted is current, accurate, and complete.

On March 10, 2008, the Internal Audit Department provided a price review of RMC's price proposal. The price review identified the need to slightly reduce RMC's and its subconsultant's labor rates. The Orange County Transportation Authority (Authority) staff also worked to reduce the cost of the overall proposal by leveraging work previously prepared by the California Department of Transportation. This work consists of aerial photography, topographic data, and geometric drawings used for other efforts that can be applied to the current feasibility study. As a result of the changes to the scope of work, RMC's price proposal was reduced to \$299,022 from the original \$356,562 price proposal. Changes in the scope of work and the incorporation of the Internal Audit Department's recommended changes to the labor rates resulted in a new negotiated maximum obligation for the agreement of \$297,021, which represents a \$59,541 reduction in price from RMC's original \$356,562 price proposal. The agreement is for a firm fixed price agreement that will include agreed upon fixed prices for each task, which limits the risk to the Authority.

Fiscal Impact

This project was approved in the Authority's Fiscal Year 2007-08 Budget, Development Division, Account 0017-7519-FI101-N3K, and is funded with Renewed Measure M funds.

Summary

Staff negotiated Agreement No. C-7-1360 with RMC to prepare a feasibility study for improvements to the State Route 91, between State Route 55 and State Route 57, in an amount not to exceed amount \$297,021.

Attachment

- A. Agreement No. C-7-1360 Between Orange County Transportation Authority and RMC, Inc.

Prepared by:



Dan Phu
Section Manager, Project Development
(714) 560-5907

Approved by:



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

AGREEMENT NO. C-7-1360

BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

RMC, INC.

THIS AGREEMENT is effective as of this ____ day of _____, 2008, by and between the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, CA 92863-1584, a public corporation of the state of California (hereinafter referred to as "AUTHORITY"), and RMC, Inc., 6 Hutton Centre Drive, Suite 1270, Santa Ana, CA 92707 (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, AUTHORITY requires assistance from CONSULTANT to provide support services for a feasibility study for Riverside Freeway (SR-91) improvements from the Orange Freeway (SR-57) to the Costa Mesa Freeway (SR-55) interchange area; and

WHEREAS, said work cannot be performed by the regular employees of AUTHORITY; and

WHEREAS, CONSULTANT has represented that it has the requisite personnel and experience, and is capable of performing such services; and

WHEREAS, CONSULTANT wishes to perform these services;

WHEREAS, AUTHORITY's Board of Directors has reviewed and approved the selection of CONSULTANT on February 11, 2008;

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

/

/

/

1 /

2 **ARTICLE 1. COMPLETE AGREEMENT**

3 A. This Agreement, including all exhibits and documents incorporated herein and made
4 applicable by reference, constitutes the complete and exclusive statement of the term(s) and
5 condition(s) of the agreement between AUTHORITY and CONSULTANT and it supersedes all prior
6 representations, understandings and communications. The invalidity in whole or in part of any term or
7 condition of this Agreement shall not affect the validity of other term(s) or condition(s).

8 B. AUTHORITY's failure to insist in any one or more instances upon the performance of any
9 term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment of
10 AUTHORITY's right to such performance by CONSULTANT or to future performance of such terms or
11 conditions and CONSULTANT obligation in respect thereto shall continue in full force and effect.
12 Changes to any portion of this Agreement shall not be binding upon AUTHORITY except when
13 specifically confirmed in writing by an authorized representative of AUTHORITY by way of a written
14 Amendment to this Agreement and issued in accordance with the provisions of this Agreement.

15 **ARTICLE 2. AUTHORITY DESIGNEE**

16 The Chief Executive Officer of AUTHORITY, or designee, shall have the authority to act for and
17 exercise any of the rights of AUTHORITY as set forth in this Agreement.

18 **ARTICLE 3. SCOPE OF WORK**

19 A. CONSULTANT shall perform the work necessary to complete in a manner satisfactory to
20 AUTHORITY the services set forth in Exhibit A, entitled "Scope of Work," which is attached to and, by
21 this reference, incorporated in and made a part of this Agreement. All services shall be provided at the
22 times and places designated by AUTHORITY.

23 B. CONSULTANT shall provide the personnel listed below to perform the above-specified
24 services, which persons are hereby designated as key personnel under this Agreement.

25 /

26 /

1 /

<u>Names</u>	<u>Functions</u>
Tony Rahimian, P.E.	Project Manager
Jamal Salman, P.E.	QA/QC Manager
Joe Sawtelle, P.E.	Alternatives Development
Terry Austin, T.E.	Traffic Analysis
Adrian Anderson, P.E.	Geometrics
Michael Han, P.E.	Geometrics
Lisa Williams	Environmental

C. No person named in paragraph B of this Article, or his/her successor approved by AUTHORITY, shall be removed or replaced by CONSULTANT, nor shall his/her agreed-upon function or level of commitment hereunder be changed, without the prior written consent of AUTHORITY. Should the services of any key person become no longer available to CONSULTANT, the resume and qualifications of the proposed replacement shall be submitted to AUTHORITY for approval as soon as possible, but in no event later than seven (7) calendar days prior to the departure of the incumbent key person, unless CONSULTANT is not provided with such notice by the departing employee. AUTHORITY shall respond to CONSULTANT within seven (7) calendar days following receipt of these qualifications concerning acceptance of the candidate for replacement.

ARTICLE 4. TERM OF AGREEMENT

This Agreement shall commence upon execution by both parties, and shall continue in full force and effect through March 31, 2009, unless earlier terminated or extended as provided in this Agreement.

ARTICLE 5. PAYMENT

A. For CONSULTANT's full and complete performance of its obligations under this Agreement and subject to the maximum cumulative payment obligation provision set forth in Article 6, AUTHORITY shall pay CONSULTANT on a firm fixed price basis in accordance with the following provisions.

1 /
 2 B. The following schedule shall establish the firm fixed payment to CONSULTANT by
 3 AUTHORITY for each work task set forth in the Scope of Work.

<u>Task</u>	<u>Description</u>	<u>Firm Fixed Price</u>
1	Project Management and Coordination	\$61,266.00
2	Data Collection	\$25,030.00
3	Preliminary Alternatives Concept Development	\$144,408.00
4	Final Alternatives Concept	<u>\$66,317.00</u>
TOTAL FIRM FIXED PRICE PAYMENT		<u>\$297,021.00</u>

10 C. CONSULTANT shall invoice AUTHORITY on a monthly basis for payments corresponding
 11 to the work actually completed by CONSULTANT. Percentage of work completed shall be documented
 12 in a monthly progress report prepared by CONSULTANT, which shall accompany each invoice
 13 submitted by CONSULTANT. CONSULTANT shall also furnish such other information as may be
 14 requested by AUTHORITY to substantiate the validity of an invoice. At its sole discretion, AUTHORITY
 15 may decline to make full payment for any task listed in paragraph B of this Article until such time as
 16 CONSULTANT has documented to AUTHORITY's satisfaction, that CONSULTANT has fully
 17 completed all work required under the task. AUTHORITY's payment in full for any task completed shall
 18 not constitute AUTHORITY's final acceptance of CONSULTANT's work under such task; final
 19 acceptance shall occur only when AUTHORITY's release of the retention described in paragraph D.

20 D. As partial security against CONSULTANT's failure to satisfactorily fulfill all of its obligations
 21 under this Agreement, AUTHORITY shall retain five percent (5%) of the amount of each invoice
 22 submitted for payment by CONSULTANT. All retained funds shall be released by AUTHORITY and
 23 shall be paid to CONSULTANT within sixty (60) calendar days of payment of final invoice, unless
 24 AUTHORITY elects to audit CONSULTANT's records in accordance with Article 16 of this Agreement.
 25 If AUTHORITY elects to audit, retained funds shall be paid to CONSULTANT within thirty (30) calendar
 26 days of completion of such audit in an amount reflecting any adjustment required by such audit.

1 /
2 E. Invoices shall be submitted by CONSULTANT on a monthly basis and shall be submitted in
3 duplicate to AUTHORITY's Accounts Payable office. Each invoice shall be accompanied by the
4 monthly progress report specified in paragraph C of this Article. AUTHORITY shall remit payment
5 within thirty (30) calendar days of the receipt and approval of each invoice. Each invoice shall include
6 the following information:

- 7 1. Agreement No. C-7-1360;
- 8 2. Specify the task number for which payment is being requested;
- 9 3. The time period covered by the invoice;
- 10 4. Total monthly invoice (including project-to-date cumulative invoice amount); and
11 retention;
- 12 5. Monthly Progress Report;
- 13 6. Weekly certified payroll for personnel subject to prevailing wage requirements;
- 14 7. Certificate signed by the CONSULTANT or his/her designated alternate that a) The
15 invoice is a true, complete and correct statement of reimbursable costs and progress; b) The invoice is
16 a true, complete and correct statement of reimbursable costs; c) The backup information included with
17 the invoice is true, complete and correct in all material respects; d) All payments due and owing to
18 subcontractors and suppliers have been made; e) Timely payments will be made to subcontractors and
19 suppliers from the proceeds of the payments covered by the certification and; f) The invoice does not
20 include any amount which CONSULTANT intends to withhold or retain from a subcontractor or supplier
21 unless so identified on the invoice.
- 22 8. Any other information as agreed or otherwise requested by AUTHORITY to
23 substantiate the validity of an invoice.

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ARTICLE 6. MAXIMUM OBLIGATION

Notwithstanding any provisions of this Agreement to the contrary, AUTHORITY and CONSULTANT mutually agree that AUTHORITY's maximum cumulative payment obligation (including obligation for CONSULTANT's profit) shall be Two Hundred Ninety-Seven Thousand and Twenty One Dollars (\$297,021.00) which shall include all amounts payable to CONSULTANT for its subcontracts, leases, materials and costs arising from, or due to termination of, this Agreement.

ARTICLE 7. NOTICES

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

To CONSULTANT:

RMC, Inc.

6 Hutton Centre Drive, Suite 1270

Santa Ana, CA 92707

ATTENTION: Tony Rahimian, P.E.

Project Manager

Tele (714) 662 – 3020 ; Fax (714) 662 – 3025

email: trahimian@4rmcinc.com

To AUTHORITY:

Orange County Transportation Authority

550 South Main Street

P.O. Box 14184

Orange, CA 92863-1584

ATTENTION: Susan A. Holt

Senior Contract Administrator

(714) 560 – 5660; Fax (714) 560 – 5792

email: sholt@octa.net

ARTICLE 8. INDEPENDENT CONTRACTOR

CONSULTANT's relationship to AUTHORITY in the performance of this Agreement is that of an independent CONTRACTOR. CONSULTANT's personnel performing services under this Agreement shall at all times be under CONSULTANT's exclusive direction and control and shall be employees of CONSULTANT and not employees of AUTHORITY. CONSULTANT shall pay all wages, salaries and

1 other amounts due its employees in connection with this Agreement and shall be responsible for all
2 reports and obligations respecting them, such as social security, income tax withholding, unemployment
3 compensation, workers' compensation and similar matters.

4 **ARTICLE 9. INSURANCE**

5 A. CONSULTANT shall procure and maintain insurance coverage during the entire term of this
6 Agreement. The following coverage shall be full coverage and not subject to self-insurance provision.
7 CONSULTANT shall provide the following insurance coverage:

8 1. Commercial General Liability, to include Products/Completed Operations,
9 Independent CONSULTANTs', Contractual Liability, and Personal Injury with a minimum limit of
10 \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate.

11 2. Automobile Liability to include owned, hired and non-owned autos with a combined
12 single limit of \$1,000,000.00 each accident;

13 3. Workers' Compensation with limits as required by the State of California including a
14 waiver of subrogation in favor of AUTHORITY, its officers, directors, employees and agents;

15 4. Employers' Liability with minimum limits of \$1,000,000.00; and

16 5. Professional Liability with minimum limits of \$1,000,000.00 per claim.

17 B. Proof of such coverage, in the form of an insurance company issued policy endorsement
18 and a broker-issued insurance certificate, must be received by AUTHORITY prior to commencement of
19 any work. Proof of insurance coverage must be received by AUTHORITY within ten (10) calendar days
20 from the effective date of this Agreement with AUTHORITY, its officers, directors, employees and
21 agents designated as additional insured on the general and automobile liability. Such insurance shall
22 be primary and non-contributive to any insurance or self-insurance maintained by AUTHORITY.
23 Furthermore, AUTHORITY reserves the right to request certified copies of all related insurance
24 policies.

25 C. CONSULTANT shall include on the face of the certificate of Insurance the Agreement
26 Number C-7-1360; and, the Contract Administrator's Name, Senior Contract Administrator.

1 /
2 D. CONSULTANT shall also include in each subcontract agreement the stipulation that
3 subcontractors shall maintain insurance coverage in the amounts required from CONSULTANT as
4 provided in this Agreement.

5 **ARTICLE 10. ORDER OF PRECEDENCE**

6 Conflicting provisions hereof, if any, shall prevail in the following descending order of
7 precedence: (1) the provisions of this Agreement, including all exhibits; (2) the provisions of RFP 7-
8 1360; (3) CONSULTANT's technical proposal dated December 20, 2007; (4) CONSULTANT's cost
9 proposal dated March 13, 2008; and (5) all other documents, if any, cited herein or incorporated by
10 reference.

11 **ARTICLE 11. CHANGES**

12 By written notice or order, AUTHORITY may, from time to time, order work suspension and/or
13 make changes in the general scope of this Agreement, including, but not limited to, the services
14 furnished to AUTHORITY by CONSULTANT as described in the Scope of Work. If any such work
15 suspension or change causes an increase or decrease in the price of this Agreement or in the time
16 required for its performance, CONSULTANT shall promptly notify AUTHORITY thereof and assert its
17 claim for adjustment within ten (10) days after the change or work suspension is ordered, and an
18 equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONSULTANT
19 from proceeding immediately with the Agreement as changed.

20 **ARTICLE 12. DISPUTES**

21 A. Except as otherwise provided in this Agreement, any dispute concerning a question of fact
22 arising under this Agreement which is not disposed of by supplemental agreement shall be decided by
23 AUTHORITY's Director, Contracts Administration and Materials Management (CAMM)), who shall
24 reduce the decision to writing and mail or otherwise furnish a copy thereof to CONSULTANT. The
25 decision of the Director, CAMM, shall be final and conclusive.

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2 B. The provisions of this Article shall not be pleaded in any suit involving a question of fact
3 arising under this Agreement as limiting judicial review of any such decision to cases where fraud by
4 such official or his representative or board is alleged, provided, however, that any such decision shall
5 be final and conclusive unless the same is fraudulent or capricious or arbitrary or so grossly erroneous
6 as necessarily to imply bad faith or is not supported by substantial evidence. In connection with any
7 appeal proceeding under this Article, CONSULTANT shall be afforded an opportunity to be heard and
8 to offer evidence in support of its appeal.

9 C. Pending final decision of a dispute hereunder, CONSULTANT shall proceed diligently with
10 the performance of this Agreement and in accordance with the decision of AUTHORITY's Director,
11 Contracts Administration and Materials Management. This "Disputes" clause does not preclude
12 consideration of questions of law in connection with decisions provided for above. Nothing in this
13 Agreement, however, shall be construed as making final the decision of any AUTHORITY official or
14 representative on a question of law, which questions shall be settled in accordance with the laws of the
15 state of California.

16 **ARTICLE 13. TERMINATION**

17 A. AUTHORITY may terminate this Agreement for its convenience any time, in whole or part,
18 by giving CONSULTANT written notice thereof. Upon said notice, AUTHORITY shall pay
19 CONSULTANT its allowable costs incurred to date of termination and those allowable costs determined
20 by AUTHORITY to be reasonably necessary to effect such termination. Thereafter, CONSULTANT
21 shall have no further claims against AUTHORITY under this Agreement.

22 B. AUTHORITY may terminate this Agreement for CONSULTANT's default if a federal or state
23 proceeding for the relief of debtors is undertaken by or against CONSULTANT, or if CONSULTANT
24 makes an assignment for the benefit of creditors, or if CONSULTANT breaches any term(s) or violates
25 any provision(s) of this Agreement and does not cure such breach or violation within ten (10) calendar
26 days after written notice thereof by AUTHORITY. CONSULTANT shall be liable for any and all

1 reasonable costs incurred by AUTHORITY as a result of such default, including but not limited to,
2 reprocurement costs of the same or similar services that were to be provided by CONSULTANT under
3 this Agreement.

4 **ARTICLE 14. INDEMNIFICATION**

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

11 **ARTICLE 15. ASSIGNMENTS AND SUBCONTRACTS**

12 A. Neither this Agreement nor any interest herein nor claim hereunder may be assigned by
13 CONSULTANT either voluntarily or by operation of law, nor may all or any part of this Agreement be
14 subcontracted by CONSULTANT, without the prior written consent of AUTHORITY. Consent by
15 AUTHORITY shall not be deemed to relieve CONSULTANT of its obligations to comply fully with all
16 terms and conditions of this Agreement.

17 B. AUTHORITY hereby consents to CONSULTANT's subcontracting of portions of the Scope
18 of Work to the parties identified below for the functions described in CONSULTANT's proposal.
19 CONSULTANT shall include in the subcontract agreement the stipulation that CONSULTANT, not
20 AUTHORITY, is solely responsible for payment to the subcontractor for the amounts owing and that the
21 subcontractor shall have no claim, and shall take no action, against AUTHORITY, its officers, directors,
22 employees or sureties for nonpayment by CONSULTANT.

<u>Subcontractor Name/Address</u>	<u>Subcontractor Amounts</u>
1. RBF Consulting, 14725 Alton Parkway, Irvine, CA 92618	\$54,467.00

1	2. LSA Associates, 20 Executive Park, Suite 200, Irvine, CA 92614	\$11,203.00
3	3. Austin-Foust Associates, 2223 Wellington Avenue, Suite 300, Santa Ana, CA 92701	\$11,236.00
5	4. Leighton, 17781 Cowan, Irvine, CA 92614	\$6,996.00

ARTICLE 16. AUDIT AND INSPECTION OF RECORDS

CONSULTANT shall provide AUTHORITY, or other agents of AUTHORITY, such access to CONSULTANT's accounting books, records, work data, documents and facilities as AUTHORITY deems necessary. CONSULTANT shall maintain such books, records, data and documents in accordance with generally accepted accounting principles and shall clearly identify and make such items readily accessible to such parties during CONSULTANT's performance hereunder and for a period of four (4) years from the date of final payment by AUTHORITY. AUTHORITY's right to audit books and records directly related to this Agreement shall also extend to all first-tier subcontractors identified in Article 15 of this Agreement. CONSULTANT shall permit any of the foregoing parties to reproduce documents by any means whatsoever or to copy excerpts and transcriptions as reasonably necessary.

ARTICLE 17. FEDERAL, STATE AND LOCAL LAWS

CONSULTANT warrants that in the performance of this Agreement, it shall comply with all applicable federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations promulgated thereunder.

ARTICLE 18. EQUAL EMPLOYMENT OPPORTUNITY

In connection with its performance under this Agreement, CONSULTANT shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. CONSULTANT shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or

1 national origin. Such actions shall include, but not be limited to, the following: employment, upgrading,
2 demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other
3 forms of compensation; and selection for training, including apprenticeship.

4 **ARTICLE 19. PROHIBITED INTERESTS**

5 CONSULTANT covenants that, for the term of this Agreement, no director, member, officer or
6 employee of AUTHORITY during his/her tenure in office/employment or for one (1) year thereafter shall
7 have any interest, direct or indirect, in this Agreement or the proceeds thereof.

8 **ARTICLE 20. OWNERSHIP OF REPORTS AND DOCUMENTS**

9 A. The originals of all letters, documents, reports and other products and data produced under
10 this Agreement shall be delivered to, and become the property of AUTHORITY. Copies may be made
11 for CONSULTANT's records but shall not be furnished to others without written authorization from
12 AUTHORITY. Such deliverables shall be deemed works made for hire and all rights in copyright therein
13 shall be retained by AUTHORITY.

14 B. All ideas, memoranda, specifications, plans, manufacturing, procedures, drawings,
15 descriptions, and all other written information submitted to CONSULTANT in connection with the
16 performance of this Agreement shall not, without prior written approval of AUTHORITY, be used for any
17 purposes other than the performance for this project, nor be disclosed to an entity not connected with
18 the performance of the project. CONSULTANT shall comply with AUTHORITY's policies regarding such
19 material. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or becomes
20 generally known to the related industry shall be deemed confidential. CONSULTANT shall not use
21 AUTHORITY's name, photographs of the project, or any other publicity pertaining to the project in any
22 professional publication, magazine, trade paper, newspaper, seminar or other medium without the
23 express written consent of AUTHORITY.

24 C. No copies, sketches, computer graphics or graphs, including graphic art work, are to be
25 released by CONSULTANT to any other person or agency except after prior written approval by
26 AUTHORITY, except as necessary for the performance of services under this Agreement. All press

1 releases, including graphic display information to be published in newspapers, magazines, etc., are to
2 be handled only by AUTHORITY unless otherwise agreed to by CONSULTANT and AUTHORITY.

3 **ARTICLE 21. PATENT AND COPYRIGHT INFRINGEMENT**

4 A. In lieu of any other warranty by AUTHORITY or CONSULTANT against patent or copyright
5 infringement, statutory or otherwise, it is agreed that CONSULTANT shall defend at its expense any
6 claim or suit against AUTHORITY on account of any allegation that any item furnished under this
7 Agreement or the normal use or sale thereof arising out of the performance of this Agreement, infringes
8 upon any presently existing U. S. letters patent or copyright and CONSULTANT shall pay all costs and
9 damages finally awarded in any such suit or claim, provided that CONSULTANT is promptly notified in
10 writing of the suit or claim and given authority, information and assistance at CONSULTANT's expense
11 for the defense of same. However, CONSULTANT will not indemnify AUTHORITY if the suit or claim
12 results from: (1) AUTHORITY's alteration of a deliverable, such that said deliverable in its altered form
13 infringes upon any presently existing U.S. letters patent or copyright; or (2) the use of a deliverable in
14 combination with other material not provided by CONSULTANT when such use in combination infringes
15 upon an existing U.S. letters patent or copyright.

16 B. CONSULTANT shall have sole control of the defense of any such claim or suit and all
17 negotiations for settlement thereof. CONSULTANT shall not be obligated to indemnify AUTHORITY
18 under any settlement made without CONSULTANT's consent or in the event AUTHORITY fails to
19 cooperate fully in the defense of any suit or claim, provided, however, that said defense shall be at
20 CONSULTANT's expense. If the use or sale of said item is enjoined as a result of such suit or claim,
21 CONSULTANT, at no expense to AUTHORITY, shall obtain for AUTHORITY the right to use and sell
22 said item, or shall substitute an equivalent item acceptable to AUTHORITY and extend this patent and
23 copyright indemnity thereto.

24 **ARTICLE 22. REMOVED**

25 **ARTICLE 23. REQUIREMENTS FOR REGISTRATION OF DESIGNERS**

26 All design and engineering work furnished by CONSULTANT shall be performed by or under

1 the supervision of persons licensed to practice architecture, engineering or surveying (as applicable) in
2 the State of California, by personnel who are careful, skilled, experienced and competent in their
3 respective trades or professions, who are professionally qualified to perform the work in accordance
4 with the contract documents and who shall assume professional responsibility for the accuracy and
5 completeness of the design documents and construction documents prepared or checked by them.

6 **ARTICLE 24. FINISHED AND PRELIMINARY DATA**

7 A. All of CONSULTANT's finished technical data, including but not limited to illustrations,
8 photographs, tapes, software, software design documents, including without limitation source code,
9 binary code, all media, technical documentation and user documentation, photoprints and other graphic
10 information required to be furnished under this Agreement, shall be AUTHORITY's property upon
11 payment and shall be furnished with unlimited rights and, as such, shall be free from proprietary
12 restriction except as elsewhere authorized in this Agreement. CONSULTANT further agrees that it
13 shall have no interest or claim to such finished, AUTHORITY-owned, technical data; furthermore, said
14 data is subject to the provisions of the Freedom of Information Act, 5 USC 552.

15 B. It is expressly understood that any title to preliminary technical data is not passed to
16 AUTHORITY but is retained by CONSULTANT. Preliminary data includes roughs, visualizations,
17 software design documents, layouts and comprehensives prepared by CONSULTANT solely for the
18 purpose of demonstrating an idea or message for AUTHORITY's acceptance before approval is given
19 for preparation of finished artwork. Preliminary data title and right thereto shall be made available to
20 AUTHORITY if CONSULTANT causes AUTHORITY to exercise Article 11, and a price shall be
21 negotiated for all preliminary data.

22 **ARTICLE 25. GENERAL WAGE RATES**

23 A. CONSULTANT warrants that all mechanics, laborers, journeypersons, workpersons,
24 craftspersons or apprentices employed by CONSULTANT or subcontractor at any tier for any work
25 hereunder, shall be paid unconditionally and not less often than once a week and without any
26 subsequent deduction or rebate on any account (except such payroll deductions as are permitted or

1 required by federal, state or local law, regulation or ordinance), the full amounts due at the time of
2 payment, computed at a wage rate and per diem rate not less than the aggregate of the highest of the
3 two basic hourly rates and rates of payments, contributions or costs for any fringe benefits contained in
4 the current general prevailing wage rate(s) and per diem rate(s), established by the Director of the
5 Department of Industrial Relations of the state of California, (as set forth in the Labor Code of the state
6 of California, commencing at Section 1770 et. seq.), or as established by the Secretary of Labor (as set
7 forth in Davis-Bacon Act, 40 U.S.C. 267a, et. seq.), regardless of any contractual relationship which
8 may be alleged to exist between CONSULTANT or subcontractor and their respective mechanics,
9 laborers, journeypersons, workpersons, craftspersons or apprentices. Copies of the current General
10 Prevailing Wage Determinations and Per Diem Rates are on file at AUTHORITY's offices and will be
11 made available to CONSULTANT upon request. CONSULTANT shall post a copy thereof at each job
12 site at which work hereunder is performed.

13 B. In addition to the foregoing, CONSULTANT agrees to comply with all other provisions of the
14 Labor Code of the state of California, which is incorporated herein by reference, pertaining to workers
15 performing work hereunder including, but not limited to, those provisions for work hours, payroll records
16 and apprenticeship employment and regulation program. CONSULTANT agrees to insert or cause to
17 be inserted the preceding clause in all subcontracts which provide for workers to perform work
18 hereunder regardless of the subcontractor tier.

19 **ARTICLE 26. ALCOHOL AND DRUG POLICY**

20 AUTHORITY and CONSULTANT shall provide under this Agreement, a safe and healthy work
21 environment free from the influence of alcohol and drugs. Failure to comply with this Article may result
22 in nonpayment or termination of this Agreement.

23 **ARTICLE 27. FORCE MAJEURE**

24 Either party shall be excused from performing its obligations under this Agreement during the
25 time and to the extent that it is prevented from performing by an unforeseeable cause beyond its control,
26 including but not limited to: any incidence of fire, flood; acts of God; commandeering of material,

1 products, plants or facilities by the federal, state or local government; national fuel shortage; or a
2 material act or omission by the other party; when satisfactory evidence of such cause is presented to
3 the other party, and provided further that such nonperformance is unforeseeable, beyond the control
4 and is not due to the fault or negligence of the party not performing.

5 This Agreement shall be made effective upon execution by both parties.

6 **IN WITNESS WHEREOF**, the parties hereto have caused this Agreement No. C-7-1360 to be
7 executed on the date first above written.

8 **RMC, Inc.**

ORANGE COUNTY TRANSPORTATION AUTHORITY

9 By _____

By _____

10 Tony Rahimian, P.E.
11 Project Manager

Arthur T. Leahy
Chief Executive Officer

12 APPROVED AS TO FORM:

13 By _____

14 Kennard R. Smart, Jr.
15 General Counsel

16 APPROVED:

17 By _____

18 Kia Mortazavi
19 Executive Director, Development

20 Date _____



May 12, 2008

To: Members of the Board of Directors
From: Arthur T. Leahy, Chief Executive Officer
Subject: Measure M Quarterly Progress Report

Overview

Staff has prepared a Measure M progress report for the first quarter of 2008. This is a regular report that highlights the Measure M projects and programs currently under development.

Recommendation

Receive and file as an information item.

Background

Measure M Ordinance No. 2 requires quarterly reports to the Orange County Transportation Authority's (OCTA) Board of Directors (Board), which present the progress of implementing the Measure M Expenditure Plan. Quarterly reports highlight accomplishments for the freeway, streets and roads, and transit programs within Measure M. Reports also include summary financial information for the period and total program to date.

Discussion

This quarterly report updates progress in implementing the Measure M Expenditure Plan during the first quarter of 2008 (January through March). Highlights and accomplishments of work-in-progress for freeway, streets and roads, and transit programs, along with expenditure information are presented for Board review.

Freeway Program

Prior Measure M construction projects along the Santa Ana Freeway (Interstate 5), Costa Mesa Freeway (State Route 55), Orange Freeway (State Route 57), and the Riverside Freeway (State Route 91) are complete, with the California

Department of Transportation (Caltrans) continuing to negotiate final change orders and claims. The following are highlights and major accomplishments along each of the freeway corridors:

Interstate 5 (I-5), Gateway Project

The two-mile stretch of the I-5, from just north of the I-5/State Route 91(SR-91) interchange to the Los Angeles County line, is the last phase of the I-5 in Orange County to be improved.

On April 18, 2006, the freeway widening construction package was awarded to FCI Constructors/Balfour Beatty. Various construction activities continued during the report period, with the project currently 43 percent complete.

During this period, the construction of the Artesia Boulevard northbound bridge was completed. The on-ramp from Artesia Boulevard to the northbound I-5 was opened February 22, 2008. The Stanton Avenue bridge was also completed this quarter, with Stanton Avenue reopened to traffic on March 21, 2008. Additionally, the Beach Boulevard utility relocation work began and the retaining wall construction continued to progress along the Union Pacific Railroad right-of-way. The Buena Park City Council and local businesses have been kept well informed of the many construction transformations that have and will take place. Traffic alerts have been issued weekly to assist the community in negotiating the various project detours.

Garden Grove Freeway (State Route 22)

The State Route 22 (SR-22) project is essentially complete with the contractor closing out final punch list items in anticipation of project acceptance by Caltrans in late April 2008. During the report period, the landscape and irrigation work was completed, and the plant establishment period began on February 11, 2008. The contractor is responsible for maintaining the landscape and irrigation systems for next three years.

State Route 57 (SR-57)

In November 1992, OCTA completed the Measure M carpool lane project on the SR-57, between the I-5 and Lambert Road. In September 2007, the Board approved amending the Measure M Expenditure Plan to include additional projects along the SR-57 that are currently included in Project J in the Renewed Measure M. The amendment allocated \$22 million in Measure M freeway program savings to pay for design and right-of-way related pre-construction costs to add a new northbound lane along the SR-57 from Orangewood Avenue to Lambert Road.

Several projects to provide the additional freeway capacity are currently underway. Environmental clearance for the project from Orangethorpe Avenue to Lambert Road is complete. Due to the overall size of this project, it has been segregated into two design/construction projects. The design contracts for the two projects, Orangethorpe Avenue to Yorba Linda Boulevard and Yorba Linda Boulevard to Lambert Road, have been executed with the Notice to Proceed issued on February 18, 2008, for each contract. The design duration for each project is approximately 22 months.

Work is also underway on the SR-57 project between Katella Avenue and Lincoln Avenue. To expedite project delivery, OCTA issued a request for proposals that combined both environmental and design services into a single contract. The Board approved the consultant selection on November 26, 2007. Contract negotiations are complete and the Notice to Proceed will be issued in early April 2008. The combined environmental and design activities are scheduled to be completed in 31 months.

Street and Roads Programs

Substantial additional funding to cities and the County is provided by the various programs within the Measure M Local and Regional Streets and Roads Programs through OCTA's Combined Transportation Funding Program (CTFP). The CTFP encompasses Measure M streets and roads competitive programs, as well as federal sources such as the Regional Surface Transportation Program. Funds are awarded on a competitive basis within the guidelines of each program and are used to fund a wide range of transportation projects.

In the first quarter of 2008, the CTFP contributed \$9.8 million towards streets and roads projects throughout the County. This includes the commencement of \$8.3 million in new projects and the closeout of \$1.6 million in existing projects. There were three projects of significance during the report period. The City of Costa Mesa's Harbor Boulevard Corridor project was issued \$1.4 million toward the construction phase; two La Habra Smart Street projects were issued \$2.6 million toward the engineering and right-of-way phases; and the County of Orange was issued over \$1 million for efforts in the widening of Irvine Boulevard.

Transit Programs

Rail Program

The OCTA rail program is comprised mainly of the Metrolink Commuter Rail Program and the associated capital improvements intended to support existing service as well as future service expansion.

Metrolink Service Expansion Program

On November 14, 2005, the Board authorized the implementation of the Metrolink Service Expansion Program (Expansion). The Expansion includes all of the capital and operational improvements necessary to accomplish 30-minute service between the stations located in Fullerton and Laguna Niguel/Mission Viejo. Not all improvements associated with the Expansion are funded by Measure M. When feasible and appropriate, local, state, and federal funds are used to fund program elements. Only those elements supported by Measure M funding are discussed here.

A cooperative agreement is in place between the Southern California Regional Rail Authority (SCRRA) and OCTA. Under the agreement, SCRRA is the lead for the design, construction, and construction management effort necessary for the Expansion. OCTA is responsible for the environmental analysis and approval, right-of-way acquisition, utility relocation, as well as providing funding to SCRRA for construction. The value of the agreement is \$87.8 million.

In accordance with the cooperative agreement, SCRRA issued a Notice to Proceed to its design team in July 2007. Preliminary engineering was completed at the end of March 2008. Staff intends to report to the Board on April 28, 2008, and provide recommendations to update the list of capital infrastructure improvements and associated cost estimates, based on preliminary engineering efforts. The proposed new cost estimate is \$95 million for the rail infrastructure improvements. Construction is projected to start in the first quarter of 2009.

Preparation of required environmental documentation was initiated by OCTA in June 2007. A categorical exemption was obtained for the parking and rail improvements at the Laguna Niguel/Mission Viejo station on November 9, 2007. An initial study and proposed mitigated negative declaration have been prepared for the Fullerton turnback facility and will be considered by the Board on May 12, 2008. The environmental clearance will allow OCTA staff to move forward with the acquisition of properties needed for the Expansion as previously authorized by the Board. Staff continues to meet with individual station cities in order to develop conceptual plans for expansion of parking facilities necessary to support the Metrolink service expansion.

City-Initiated Transit Extensions to Metrolink

All 34 Orange County cities are participating in Step One of the Go Local Program. To date, \$3.4 million has been allocated to cities for Step One work. In addition, the Board approved a plan for use of the remaining funds to

advance projects into Step Two. Funds will be used for more detailed analysis and environmental review of fixed-guideway projects, as well as for service planning for bus and shuttle projects that extend the reach of Metrolink. During the report period, OCTA received four Go Local Step One final reports summarizing Step One activities and requesting Step Two funding consideration. The four final reports will be considered by the Board in May.

Financial Status

As required in Measure M, all Orange County eligible jurisdictions receive 14.6 percent of the sales tax revenue based on population ratio, Master Plan of Arterial Highways miles, and total taxable sales. There are no competitive criteria to meet, but there are administrative requirements such as having a growth management plan. This money can be used for local projects as well as ongoing maintenance of local streets and roads. The total amount of Measure M turnback funds distributed since program implementation is \$481.5 million. Distributions to individual agencies, from inception-to-date and for the report period, are detailed in Attachment A.

Net Measure M expenditures through March 31, 2008, total \$3.022 billion. Net expenditures include project specific reimbursements to Measure M from cities, local agencies, and Caltrans. Total net tax revenues consist primarily of Measure M sales tax revenues and non-bond interest minus estimated non-project related administrative expenses through 2011. Net revenues, expenditures, estimates at completion, and summary project budgets, per the Measure M Expenditure Plan, are presented in Attachment B. The basis for project budgets within each of the Measure M Expenditure Plan programs is identified in the notes section of Attachment B. Additional details and supporting information to the Measure M Revenue and Expenditure Summary are provided under Attachment C.

Budget Variances

Project budget versus estimate at completion variances relate to freeway and transitway elements as these programs have defined projects. Other programs, such as regional and local streets and roads, assume all net tax revenues will be spent on existing or yet to be defined future projects.

The project budget and estimate at completion for the SR-22, between State Route 55 and Valley View Street, was increased during the report period by approximately \$3.7 million. These increases were for additional costs associated with the program management contract for additional design services and support through the three-year plant establishment period, increased California Highway Patrol services, and out-of-scope construction change orders to the contractor.

The \$39.3 million settlement and release agreement reached between OCTA and the SR-22 contractor will be discussed and reflected in the second quarter 2008 Measure M report.

Summary

As required in Measure M Ordinance No. 2, a quarterly report is provided to update progress in implementing the Measure M Expenditure Plan. This report covers freeways, streets and roads, transit program highlights, and accomplishments from January through March 2008.

Attachments

- A. Measure M Local Turnback Payments
- B. Measure M Revenue and Expenditure Summary as of March 31, 2008
- C. Supporting Information to Measure M Revenue and Expenditure Summary

Prepared by:



Norbert Lippert
Project Controls Manager
(714) 560-5733

Approved by:



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

MEASURE M LOCAL TURNBACK PAYMENTS

Agency	First Quarter 2008	Total Apportionment as of 03/31/08
Aliso Viejo	\$ 173,355	\$ 2,884,175
Anaheim	1,584,086	52,822,652
Brea	258,398	8,601,410
Buena Park	418,324	12,890,210
Costa Mesa	671,103	22,735,834
Cypress	259,800	8,467,110
Dana Point	157,312	5,396,831
Fountain Valley	298,076	10,390,647
Fullerton	600,390	20,729,052
Garden Grove	693,758	23,603,296
Huntington Beach	894,209	30,957,705
Irvine	1,143,276	33,549,671
Laguna Beach	122,043	4,041,722
Laguna Hills	171,104	5,685,335
Laguna Niguel	320,932	10,233,922
Laguna Woods	66,016	1,414,192
La Habra	251,935	8,071,347
Lake Forest	367,637	10,515,635
La Palma	85,540	2,697,433
Los Alamitos	62,113	2,270,689
Mission Viejo	456,558	14,975,052
Newport Beach	499,696	14,803,431
Orange	760,235	24,997,097
Placentia	221,653	7,470,995
Rancho Santa Margarita	204,590	3,774,892
San Clemente	261,970	7,554,227
San Juan Capistrano	185,146	5,943,270
Santa Ana	1,364,551	47,373,841
Seal Beach	114,638	3,797,343
Stanton	141,234	4,746,804
Tustin	377,275	12,987,299
Villa Park	25,103	867,335
Westminster	414,579	14,214,147
Yorba Linda	274,911	8,922,359
County Unincorporated	816,156	31,073,600
Total County:	\$ 14,717,702	\$ 481,460,562

**Measure M Revenue and Expenditure Summary
as of March 31, 2008**

Project Description <i>(\$ in thousands, escalated to year of expenditure/revenue)</i>	Total	Project	Estimate at	Variance	Variance	To Date Net	Percent	Notes
	Net Tax			Budget	Total Net Tax			
	Revenues	Budget	Completion	Revenues to Est	Budget to Est	Project Cost	Budget	
	A	B	C	at Completion	at Completion	D	Expended	
				(A - C)	(B - C)		(D / B)	
Freeways (43%)								
I-5 between I-405 and I-605	\$ 1,003,928	\$ 810,010	\$ 804,897	\$ 199,031	\$ 5,113	\$ 687,826	84.9%	1
I-5 between I-5/I-405 Interchange and San Clemente	71,808	57,836	60,030	11,778	(2,194)	59,815	103.4%	1
I-5/I-405 Interchange	91,141	72,802	73,075	18,066	(273)	73,075	100.4%	1
SR-55 between I-5 and SR-91	60,761	44,511	50,196	10,565	(5,685)	49,183	110.5%	1
SR-57 between I-5 and Lambert Road	52,475	46,128	44,596	7,879	1,532	22,910	49.7%	1
SR-91 between Riverside Co. line & Los Angeles Co. line	131,188	116,136	105,666	25,522	10,470	105,333	90.7%	1
SR-22 between SR-55 and Valley View Street	418,420	249,325	253,991	164,429	(4,666)	249,648	100.1%	1, 4
Subtotal Projects	\$ 1,829,721	\$ 1,396,748	\$ 1,392,451	\$ 437,270	\$ 4,297	\$ 1,247,790	89.3%	
Net (Bond Revenue)/Debt Service		310,148	310,148	(310,148)	-	304,434		
Total Freeways	\$ 1,829,721	\$ 1,706,896	\$ 1,702,599	\$ 127,122	\$ 4,297	\$ 1,552,224	90.9%	3
Expenditures as a Percent of Total Program						51.4%		
Regional Street and Road Projects (11%)								
Smart Streets	\$ 160,481	\$ 158,085	\$ 158,085	\$ 2,396	\$ -	\$ 136,382	86.3%	2
Regionally Significant Interchanges	93,614	93,614	93,614	-	-	49,624	53.0%	2
Intersection Improvement Program	133,734	133,734	133,734	-	-	64,183	48.0%	2
Traffic Signal Coordination	66,867	66,867	66,867	-	-	39,634	59.3%	2
Transportation Systems and Transportation Demand Mgmt	13,373	13,373	13,373	-	-	7,022	52.5%	2
Subtotal Projects	\$ 468,069	\$ 465,673	\$ 465,673	\$ 2,396	\$ -	\$ 296,845	63.7%	
Net (Bond Revenue)/Debt Service		2,396	2,396	(2,396)	-	2,352		
Total Regional Street and Road Projects	\$ 468,069	\$ 468,069	\$ 468,069	\$ -	\$ -	\$ 299,197	63.9%	2
Expenditures as a Percent of Total Program						9.9%		

ATTACHMENT B

**Measure M Revenue and Expenditure Summary
as of March 31, 2008**

Project Description	Total Net Tax Revenues	Project Budget	Estimate at Completion	Variance Total Net Tax Revenues to Est at Completion	Variance Project Budget to Est at Completion	To Date Net Project Cost	Percent Budget Expended	Notes
<i>(\$ in thousands, escalated to year of expenditure/revenue)</i>	A	B	C	(A - C)	(B - C)	D	(D / B)	
Local Street and Road Projects (21%)								
Master Plan of Arterial Highway Improvements	\$ 174,949	\$ 174,949	\$ 174,949	\$ -	\$ -	\$ 71,554	40.9%	2
Streets and Roads Maintenance and Road Improvements	618,636	618,636	618,636	-	-	481,525	77.8%	2
Growth Management Area Improvements	100,000	100,000	100,000	-	-	65,375	65.4%	2
Subtotal Projects	\$ 893,585	\$ 893,585	\$ 893,585	\$ -	\$ -	\$ 618,454	69.2%	
Net (Bond Revenue)/Debt Service						-		
Total Local Street and Road Projects	\$ 893,585	\$ 893,585	\$ 893,585	\$ -	\$ -	\$ 618,454	69.2%	
Expenditures as a Percent of Total Program						20.5%		
Transit Projects (25%)								
Pacific Electric Right-of-Way	\$ 20,590	\$ 15,000	\$ 14,000	\$ 6,590	\$ 1,000	\$ 13,784	91.9%	
Commuter Rail	384,928	373,522	383,110	1,818	(9,588)	289,622	77.5%	
High-Technology Advanced Rail Transit	466,696	452,868	464,580	2,116	(11,712)	54,008	11.9%	
Elderly and Handicapped Fare Stabilization	20,000	20,000	20,000	-	-	16,010	80.1%	
Transitways	171,579	146,381	126,081	45,498	20,300	123,597	84.4%	1
Subtotal Projects	\$ 1,063,793	\$ 1,007,771	\$ 1,007,771	\$ 56,022	\$ -	\$ 497,021	49.3%	
Net (Bond Revenue)/Debt Service		56,022	56,022	(56,022)	-	54,990		
Total Transit Projects	\$ 1,063,793	\$ 1,063,793	\$ 1,063,793	\$ -	\$ -	\$ 552,011	51.9%	
Expenditures as a Percent of Total Program						18.3%		
Total Measure M Program	\$ 4,255,168	\$ 4,132,343	\$ 4,128,046	\$ 127,122	\$ 4,297	\$ 3,021,886	73.1%	

Notes:

1. Project Budget based on escalated value of 1996 Freeway Strategic Plan plus subsequent Board approved amendments.
2. Project Budget and Estimate at Completion equal to Total Net Tax Revenues as all funds collected will be expended on future projects.
3. Due to a change in reporting practices, Estimates at Completion now include approximately \$10 million of OCTA direct project labor not included in Project Budgets.
4. Project Budget and Estimate at Completion increased by \$3.7 million for construction and construction management associated with the SR-22 project.

Supporting Information to Measure M Revenue and Expenditure Summary

Schedule 1

<i>(\$ in thousands)</i>	Quarter Ended Mar 31, 2008	Year to Date Mar 31, 2008	Period from Inception to Mar 31, 2008
	(A)	(A)	(B)
Revenues:			
Sales taxes	\$ 67,126	\$ 195,461	\$ 3,268,135
Other agencies share of Measure M costs			
Project related	(1,877)	(772)	381,413
Non-project related	517	517	614
Interest:			
Operating:			
Project related	67	140	752
Non-project related	9,651	21,785	215,742
Bond proceeds	-	-	136,067
Debt service	3,380	4,534	75,072
Commercial paper	26	102	6,013
Orange County bankruptcy recovery	-	-	42,268
Capital grants	720	1,900	131,573
Right-of-way leases	244	457	4,232
Miscellaneous	-	-	801
Total revenues	<u>79,854</u>	<u>224,124</u>	<u>4,262,682</u>
Expenditures:			
Supplies and services:			
State Board of Equalization (SBOE) fees	689	1,983	48,282
Professional services:			
Project related	4,443	7,655	143,744
Non-project related	844	1,583	26,556
Administration costs:			
Project related	331	1,427	15,226
Non-project related	1,485	4,021	71,180
Orange County bankruptcy loss	-	-	78,618
Other:			
Project related	10	43	1,120
Non-project related	83	160	15,206
Payments to local agencies:			
Turnback	14,718	28,175	481,509
Competitive projects	12,764	30,418	459,055
Capital outlay	11,954	31,831	1,847,394
Debt service:			
Principal payments on long-term debt	71,290	71,290	767,400
Interest on long-term debt and commercial paper	8,865	17,782	533,822
Total expenditures	<u>127,476</u>	<u>196,368</u>	<u>4,489,112</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(47,622)</u>	<u>27,756</u>	<u>(226,430)</u>
Other financing sources (uses):			
Transfers out:			
Project related	(152)	(1,152)	(251,520)
Non-project related	-	-	(5,116)
Transfers in project related	561	609	2,277
Proceeds on sale of capital assets	537	1,610	19,208
Bond proceeds	-	-	1,169,999
Advance refunding escrow	-	-	(931)
Payment to refunded bond escrow agent	-	-	(152,930)
Total other financing sources (uses)	<u>946</u>	<u>1,067</u>	<u>780,987</u>
Excess (deficiency) of revenues over (under) expenditures and other sources (uses)	<u>\$ (46,676)</u>	<u>\$ 28,823</u>	<u>\$ 554,557</u>

Measure M
Schedule of Calculations of Net Tax Revenues and Net Bond Revenues (Debt Service)

<i>(\$ in thousands)</i>	Quarter Ended Mar 31, 2008 (actual)	Year Ended Mar 31, 2008 (actual)	Period from Inception through Mar 31, 2008 (actual)	Period from April 1, 2008 through March 31, 2011 (forecast)	Total
	<i>(C.1)</i>	<i>(C.1)</i>	<i>(D.1)</i>	<i>(E.1)</i>	<i>(F.1)</i>
Tax revenues:					
Sales taxes	\$ 67,126	\$ 195,461	\$ 3,268,135	\$ 938,208	\$ 4,206,343
Other agencies share of Measure M costs	517	517	614	-	614
Operating interest	9,651	21,785	215,742	24,758	240,500
Orange County bankruptcy recovery	-	-	20,683	-	20,683
Miscellaneous	-	-	801	-	801
Total tax revenues	<u>77,294</u>	<u>217,763</u>	<u>3,505,975</u>	<u>962,966</u>	<u>4,468,941</u>
Administrative expenditures:					
SBOE fees	689	1,983	48,282	8,560	56,842
Professional services, non-project related	825	1,510	17,791	4,891	22,682
Administration costs, non-project related	1,485	4,021	71,180	17,210	88,390
Operating transfer out, non-project related	-	-	5,116	-	5,116
Orange County bankruptcy loss	-	-	29,792	-	29,792
Other, non-project related	83	160	6,107	4,844	10,951
	<u>3,082</u>	<u>7,674</u>	<u>178,268</u>	<u>35,505</u>	<u>213,773</u>
Net tax revenues	<u><u>\$ 74,212</u></u>	<u><u>\$ 210,089</u></u>	<u><u>\$ 3,327,707</u></u>	<u><u>\$ 927,461</u></u>	<u><u>\$ 4,255,168</u></u>
Bond revenues:					
Proceeds from issuance of bonds	\$ -	\$ -	\$ 1,169,999	\$ -	\$ 1,169,999
Interest revenue from bond proceeds	-	-	136,067	-	136,067
Interest revenue from debt service funds	3,380	4,534	75,072	9,837	84,909
Interest revenue from commercial paper	26	102	6,013	-	6,013
Orange County bankruptcy recovery	-	-	21,585	-	21,585
Total bond revenues	<u>3,406</u>	<u>4,636</u>	<u>1,408,736</u>	<u>9,837</u>	<u>1,418,573</u>
Financing expenditures and uses:					
Professional services, non-project related	19	73	8,765	-	8,765
Payment to refunded bond escrow	-	-	153,861	-	153,861
Bond debt principal	71,290	71,290	767,400	236,555	1,003,955
Bond debt interest expense	8,865	17,782	533,822	28,811	562,633
Orange County bankruptcy loss	-	-	48,826	-	48,826
Other, non-project related	-	-	9,099	-	9,099
Total financing expenditures and uses	<u>80,174</u>	<u>89,145</u>	<u>1,521,773</u>	<u>265,366</u>	<u>1,787,139</u>
Net bond revenues (debt service)	<u><u>\$ (76,768)</u></u>	<u><u>\$ (84,509)</u></u>	<u><u>\$ (113,037)</u></u>	<u><u>\$ (255,529)</u></u>	<u><u>\$ (368,566)</u></u>

Measure M
Schedule of Revenues and Expenditures Summary
as of March 31, 2008

Project Description (G)	Net Tax Revenues Program to date Actual (H)	Total Net Tax Revenues (I)	Project Budget (J)	Estimate at Completion (K)	Variance Total Net Tax Revenues to Est at Completion (L)	Variance Project Budget to Est at Completion (M)	Expenditures through Mar 31, 2008 (N)	Reimbursements through Mar 31, 2008 (O)	Net Project Cost (P)	Percent of Budget Expended (Q)
Freeways (43%)										
I-5 between I-405 (San Diego Fwy) and I-605 (San Gabriel Fwy)	\$ 785,110	\$ 1,003,928	\$ 810,010	\$ 804,897	\$ 199,031	\$ 5,113	\$ 767,531	\$ 79,705	\$ 687,826	84.9%
I-5 between I-5/I-405 Interchange and San Clemente	56,157	71,808	57,836	60,030	11,778	(2,194)	70,173	10,358	59,815	103.4%
I-5/I-405 Interchange	71,276	91,141	72,802	73,075	18,066	(273)	98,157	25,082	73,075	100.4%
S.R. 55 (Costa Mesa Fwy) between I-5 and S.R. 91 (Riverside Fwy)	47,517	60,761	44,511	50,196	10,565	(5,685)	55,355	6,172	49,183	110.5%
S.R. 57 (Orange Fwy) between I-5 and Lambert Road	41,038	52,475	46,128	44,596	7,879	1,532	25,769	2,859	22,910	49.7%
S.R. 91 (Riverside Fwy) between Riverside Co. line & Los Angeles Co. line	102,594	131,188	116,136	105,666	25,522	10,470	123,939	18,606	105,333	90.7%
S.R. 22 (Garden Grove Fwy) between S.R. 55 and Valley View St.	327,220	418,420	249,325	253,991	164,429	(4,666)	535,806	286,158	249,648	100.1%
Subtotal Projects	1,430,912	1,829,721	1,396,748	1,392,451	437,270	4,297	1,676,730	428,940	1,247,790	
Net (Bond Revenue)/Debt Service			310,148	310,148	(310,148)	-	304,434		304,434	
Total Freeways	\$ 1,430,912	\$ 1,829,721	\$ 1,706,896	\$ 1,702,599	\$ 127,122	\$ 4,297	\$ 1,981,164	\$ 428,940	\$ 1,552,224	
%				41.2%					51.4%	
Regional Street and Road Projects (11%)										
Smart Streets	\$ 125,502	\$ 160,481	\$ 158,085	\$ 158,085	\$ 2,396	\$ -	\$ 139,871	\$ 3,489	\$ 136,382	86.3%
Regionally Significant Interchanges	73,210	93,614	93,614	93,614	-	-	49,770	146	49,624	53.0%
Intersection Improvement Program	104,585	133,734	133,734	133,734	-	-	64,239	56	64,183	48.0%
Traffic Signal Coordination	52,293	66,867	66,867	66,867	-	-	39,766	132	39,634	59.3%
Transportation Systems Management and Transportation Demand Management	10,459	13,373	13,373	13,373	-	-	7,171	149	7,022	52.5%
Subtotal Projects	366,049	468,069	465,673	465,673	2,396	-	300,817	3,972	296,845	
Net (Bond Revenue)/Debt Service			2,396	2,396	(2,396)	-	2,352		2,352	
Total Regional Street and Road Projects	\$ 366,049	\$ 468,069	\$ 468,069	\$ 468,069	\$ -	\$ -	\$ 303,169	\$ 3,972	\$ 299,197	
%				11.3%					9.9%	

Measure M
Schedule of Revenues and Expenditures Summary
as of March 31, 2008

Project Description (G)	Net Tax Revenues Program to date Actual (H)	Total Net Tax Revenues (I)	Project Budget (J)	Estimate at Completion (K)	Variance Total Net Tax Revenues to Est at Completion (L)	Variance Project Budget to Est at Completion (M)	Expenditures through Mar 31, 2008 (N)	Reimbursements through Mar 31, 2008 (O)	Net Project Cost (P)	Percent of Budget Expended (Q)
Local Street and Road Projects (21%)										
Master Plan of Arterial Highway Improvements	\$ 115,022	\$ 174,949	\$ 174,949	\$ 174,949	\$ -	\$ -	\$ 71,653	\$ 99	\$ 71,554	40.9%
Streets and Roads Maintenance and Road Improvements	483,797	618,636	618,636	618,636	-	-	481,525	-	481,525	77.8%
Growth Management Area Improvements	100,000	100,000	100,000	100,000	-	-	65,806	431	65,375	65.4%
Subtotal Projects	698,819	893,585	893,585	893,585	-	-	618,984	530	618,454	
Net (Bond Revenue)/Debt Service							-		-	
Total Local Street and Road Projects	\$ 698,819	\$ 893,585	\$ 893,585	\$ 893,585	\$ -	\$ -	\$ 618,984	\$ 530	\$ 618,454	
%				21.6%					20.5%	
Transit Projects (25%)										
Pacific Electric Right-of-Way	\$ 16,102	\$ 20,590	\$ 15,000	\$ 14,000	\$ 6,590	\$ 1,000	\$ 16,280	\$ 2,496	\$ 13,784	91.9%
Commuter Rail	296,669	384,928	373,522	383,110	1,818	(9,588)	350,175	60,553	289,622	77.5%
High-Technology Advanced Rail Transit	364,974	466,696	452,868	464,580	2,116	(11,712)	60,268	6,260	54,008	11.9%
Elderly and Handicapped Fare Stabilization	20,000	20,000	20,000	20,000	-	-	16,010	-	16,010	80.1%
Transitways	134,182	171,579	146,381	126,081	45,498	20,300	160,284	36,687	123,597	84.4%
Subtotal Projects	831,927	1,063,793	1,007,771	1,007,771	56,022	-	603,017	105,996	497,021	
Net (Bond Revenue)/Debt Service			56,022	56,022	(56,022)	-	54,990		54,990	
Total Transit Projects	\$ 831,927	\$ 1,063,793	\$ 1,063,793	\$ 1,063,793	\$ -	\$ -	\$ 658,007	\$ 105,996	\$ 552,011	
%				25.8%					18.3%	
Total Measure M Program	\$ 3,327,707	\$ 4,255,168	\$ 4,132,343	\$ 4,128,046	\$ 127,122	\$ 4,297	\$ 3,561,324	\$ 539,438	\$ 3,021,886	



MEMO

May 7, 2008

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

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

Thank you.



May 8, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Metrolink Ridership and On-Time Performance Report

Overview

A report on Metrolink ridership and on-time performance is presented. The report covers the third quarter of fiscal year 2007-08.

Recommendation

Receive and file as an information item.

Background

The Southern California Regional Rail Authority (SCRRA), a regional joint powers authority (JPA), operates seven lines throughout Southern California's five-county, 400-mile commuter rail system known as Metrolink. Metrolink's five-agency membership includes the Los Angeles County Metropolitan Transportation Authority, the Orange County Transportation Authority (OCTA), the Riverside County Transportation Commission (RCTC), the San Bernardino Associated Governments (SANBAG), and the Ventura County Transportation Commission. Metrolink operates 145 daily trains, serving 55 stations, and carries nearly 44,000 riders per day.

The Metrolink Orange County (OC) Line service began in 1994, followed by the Inland Empire – Orange County (IEOC) Line in 1995 and the 91 Line in 2002. Today, the three lines serving Orange County provide a total of 44 daily weekday trains to 11 Orange County stations. The Rail 2 Rail Program, which began in 2003, allows Metrolink monthly pass holders the option of riding Amtrak Pacific Surfliner trains at no additional charge, provided the pass holder travels within the designated stations identified on the pass holder's monthly pass.

The OC and IEOC lines' weekend services are in the second year of operation. The OC Line provides four round trips on Saturday and Sunday year-round and is funded by OCTA. The year-round IEOC Line weekend service operates three

round trips on Saturday and two round trips on Sunday. OCTA, RCTC, and SANBAG are partners in funding the IEOC Line weekend service.

Thirteen OCTA-operated StationLink bus routes serve seven Orange County Metrolink stations and operate Monday through Friday during peak commute hours, providing Metrolink passengers connecting bus service to major employment centers. One weekend shuttle operates on Saturday, Sunday, and holidays from the Irvine Station to the Irvine Spectrum; due to very low ridership, the Board of Directors (Board) recently approved canceling that service. In addition, Metrolink stations in Orange County can be accessed by 32 OCTA bus routes.

Discussion

This report provides the third quarter (January, February, March) fiscal year (FY) 2007-08 update of weekday and weekend ridership and on-time performance results. Detailed information regarding performance statistics is delineated in attachments A, B, and C.

Ridership and On-Time Performance Report

Weekday Ridership

Third quarter weekday daily average ridership is up by over 5 percent compared to the same period last year for all three lines serving Orange County, including Rail 2 Rail passengers. The average daily weekday ridership for each line is increasing; with the OC Line at 6,770 per day, the IEOC Line at 4,743 per day, the 91 Line at 2,283 per day, and Rail 2 Rail at 1,420 per day. Combined weekday daily average ridership on the OC, IEOC, and 91 lines is 15,216 including Rail 2 Rail riders. Daily average ridership by line is detailed further in Attachment A.

Weekend Ridership

Metrolink weekend service carried a total of 24,985 Orange County riders during the third quarter of FY 2007-08. Average daily Saturday service ridership on the OC Line has increased by over 70 percent compared to last year. Attachment B shows daily average as well as monthly figures. Average Saturday service ridership on the IEOC Line is up 37 percent over last year. Sunday service average riders on the OC Line increased by over 11 percent, while Sunday IEOC Line riders have decreased by nearly 15 percent compared to last year.

Although ridership ended the third quarter below the goals of 100 passengers per train on the OC Line and 125 passengers per train on the IEOC Line, overall weekend ridership is showing growth compared to the third quarter of the first year of service, which began in 2006.

Total third quarter FY 2007-08 ridership for all three lines, including weekend service, is 921,109 passengers, which is an overall increase of 51,398 riders compared to last year. This equates to a total overall ridership growth of 5.9 percent. Weekday daily average and overall total year to date Orange County ridership is showing positive growth on all three lines.

An onboard survey is due to be conducted next month. The survey will provide an understanding of factors contributing to the increasing ridership trend.

StationLink Rail Feeder Ridership

StationLink Rail Feeder ridership increased by 3.2 percent during the third quarter of FY 2007-08 compared to last year. Metrolink riders are also using local fixed-route buses to get to and from Metrolink train stations, as well as to other destinations throughout Orange County. This is most common during peak period commute hours. Local fixed-route transfers, including the weekends, increased by 13.1 percent the third quarter of FY 2007-08 compared to last year. Combined StationLink and all local fixed-route transfers showed an increase of 3.7 percent in the third quarter of FY 2007-08 compared to the statistics from last year.

On-Time Performance Report

Growth in ridership is an important indicator of the success of commuter rail service, and on-time performance is a central component of providing quality service. Metrolink provides weekly systemwide on-time performance reports followed by monthly on-time performance reports by line. A train is considered to be on time if it arrives within five minutes of the scheduled arrival.

Of the seven Metrolink routes, three operate in Orange County, accounting for approximately 33 percent of the Metrolink ridership. The OC Line weekday trains averaged 95 percent on-time performance this quarter, while the IEOC Line had 95.8 percent on-time performance and the 91 Line had 96.9 percent on-time performance. Overall, 95.9 percent of all trains serving Orange County have been within five minutes of the scheduled time compared to the systemwide average of 96.4 percent (Attachment C).

Weekend trains operated on average 91.5 percent on time during the third quarter of FY 2007-08, compared to 95.8 percent systemwide. Weekend on-time performance is lower than weekday on-time performance due to maintenance and construction work that occur primarily on the weekends, particularly in February and March, and because of several scheduled work periods for grade crossing rehabilitation in Anaheim at Ball Road, and the Jeffrey Road Grade Separation Project. This Jeffrey Road Grade Separation Project will provide a roadway undercrossing for Jeffrey Road in Irvine at the Metrolink railroad tracks. Construction involves a temporary track detour, which is slightly impacting on-time performance on the OC and IEOC lines.

Service Changes

Beginning September 4, 2007, three additional trains were extended further south from the Irvine Station to the Laguna Niguel/Mission Viejo Station. Once the service was expanded, monthly pass sales immediately increased for the Laguna Niguel/Mission Viejo Station. In addition, morning peak boardings at the Laguna Niguel/Mission Viejo Station have increased by 7.9 percent in the six months since this service change.

On September 4, 2007, the Buena Park Station opened with full service provided by 19 OC Line and nine 91 Line trains. The station is well used and OCTA and the City of Buena Park are working on short-term and long-term parking solutions.

Other Matters

Promotions/Events

Most Metrolink trains run at full seating capacity during peak commute periods. OCTA marketing staff is implementing different types of outreach to promote weekend and off-peak ridership. Beginning this summer, the Metrolink Weekends Friends and Family 4 Pack will be available for a discounted price, allowing groups of four to ride all day on a Saturday or Sunday on all Metrolink lines. Upcoming 'free station of the month' events include the Riverside Station in May (to promote the IEOC Line from the Riverside Station to Orange County locations) and the Laguna Niguel/Mission Viejo Station in June.

The Los Angeles Angels of Anaheim's (Angels) baseball season is being kicked off by OCTA with a fan train promotion for all Friday home games. Round trip train tickets are being offered at a discounted price for fans to enjoy a pre-game party (including a live AM 830 Angels radio broadcast, provided by the Angels) at Roscoe's Deli and Bar in Fullerton, then take Metrolink to the Angel Stadium

of Anaheim for the baseball game and return to Fullerton on an Amtrak Pacific Surfliner train. OCTA, Metrolink, Amtrak, and Roscoe's Deli and Bar are partnering to offer a discounted train ticket rate of \$5 to be sold at the pre-game event.

Buena Park Station Shuttle

Within the first week of service, all 300 parking spaces at the Buena Park Station were occupied. On April 14, 2008, the OCTA Board approved a cooperative agreement with the City of Buena Park to establish roles and responsibilities for the implementation of shuttle bus service between the Buena Park Metrolink Station and the Fullerton Park-and-Ride facility during peak commute hours for a one-year demonstration period. This OCTA-funded, city-managed and operated service should help alleviate the overcrowding resulting from the immediate success of the new station. The City of Buena Park is expected to review and approve the OCTA cooperative agreement on May 13, 2007, and to begin operation by the end of May.

Related Bus Service Changes

On April 28, 2008, the Board approved a package of fixed-route bus service improvements and service changes, including the realignment and renumbering of StationLink Rail Feeder routes 470 and 471 (to become routes 473 and 472, respectively), to be effective June 9, 2008, and the cancellation of Route 686, the weekend shuttle from the Irvine Station to the Irvine Spectrum, to be effective June 8, 2008.

Summary

This report provides an update on the OCTA commuter rail ridership and on-time performance. Weekday ridership is increasing on all three lines serving Orange County. Weekend ridership is showing growth on the OC Line and on the IEOC Line Saturday service compared to the same quarter last year. Weekday on-time performance is within the systemwide goal of 95 percent for the OC Line and slightly below the goal for the IEOC Line.

Attachments

- A. Weekday Ridership
- B. Weekend Ridership
- C. On-Time Performance

Prepared by: 

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Approved by: 

Kia Mortazavi
Executive Director, Development
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WEEKDAY RIDERSHIP

Daily Average Weekday Ridership Third Quarter Fiscal Year (FY) 2007-08

Third Quarter Average Weekday Ridership	Orange County (OC) Line Daily Average	Inland Empire - Orange County (IEOC) Line Daily Average	91 Line Daily Average	Rail 2 Rail Daily Average	Total Weekday Average
2006-07	6,426	4,610	2,153	1,295	14,484
2007-08	6,770	4,743	2,283	1,420	15,216
Change	5.4%	2.9%	6.0%	9.7%	5.1%

Total FY Ridership

FY Total Ridership	OC Line	IEOC Line	91 Line	Rail 2 Rail South of Los Angeles	Total Year-to-date (YTD)
2002-03	1,360,631	795,511	391,078		2,547,220
2003-04	1,422,770	913,528	428,572	240,272	3,005,142
2004-05	1,485,342	918,057	473,820	324,983	3,202,202
2005-06	1,597,992	1,066,558	531,930	351,217	3,547,697
2006-07	1,677,978	1,218,638	572,756	371,887	3,841,259
YTD Jul-Mar 2007-08	1,306,388	933,154	417,671	303,849	2,961,062

WEEKEND RIDERSHIP

Daily Average Weekend Ridership Third Quarter FY 2007-08

Third Quarter Average Weekend Ridership	OC Line (Saturday)	OC Line (Sunday)	IEOC Line (Saturday)	IEOC Line (Sunday)
2006-07	426	445	326	269
2007-08	729	496	448	230
Change	71.1%	11.4%	37.3%	-14.6%

Monthly Metrolink Weekend Ridership FY 2007-08

	OC Line (Saturday)	OC Line (Sunday)	IEOC Line (Saturday)	IEOC Line (Sunday)
July	2,049	1,954	4,619	3,557
August	2,397	1,573	5,065	2,591
September	2,649	1,999	2,287	2,298
October	2,881	1,817	1,824	1,596
November	2,665	2,240	1,637	962
December	2,495	2,257	1,781	980
January	2,240	1,514	1,678	749
February	3,444	1,963	1,631	948
March	3,831	3,087	2,577	1,323
Subtotal	24,651	18,404	23,099	15,004
Total YTD Ridership Per Line	43,055		38,103	
Total YTD Ridership	81,158			

Weekend Ridership Average Per Day/Train

	OC Line (Saturday)	OC Line (Sunday)	IEOC Line (Saturday)	IEOC Line (Sunday)
1st Quarter Average Per Day	599	421	999	650
2nd Quarter Average Per Day	618	486	406	279
3rd Quarter Average Per Day	729	496	448	230
1st Quarter Average Per Train	84	61	166	162
2nd Quarter Average Per Train	77	61	67	67
3rd Quarter Average Per Train	91	63	75	58

ON-TIME PERFORMANCE

Weekday On-Time Performance Third Quarter FY 2007-08

Percentage of ALL Trains Arriving Within 5 Minutes of Scheduled Time				
Month	OC Line	IEOC Line	91 Line	System Total *
Jan-08	97.1%	96.3%	96.0%	95.8%
Feb-08	94.0%	96.4%	95.7%	96.9%
Mar-08	94.0%	94.6%	98.9%	96.5%
Total Line Average	95.0%	95.8%	96.9%	96.4%

* System total includes the Ventura, Antelope Valley, San Bernardino, Riverside, OC, IEOC, and 91 lines.

Weekend On-Time Performance

Percentage of Weekend Trains Arriving Within 5 Minutes of Scheduled Time				
Month	OC Line	IEOC Line	91 Line	System Total **
Jan-08	91.9%	100.0%	N/A	97.7%
Feb-08	87.3%	87.5%	N/A	95.2%
Mar-08	86.3%	96.0%	N/A	94.4%
Total Line Average	88.5%	94.5%	N/A	95.8%

** System total includes Antelope Valley, San Bernardino, OC, and IEOC lines. Summary of Saturday and Sunday service.



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WK}
Subject: Agreement for Public Outreach Consultant to Support the Environmental and Design Phases of the Riverside Freeway (State Route 91) Improvement Projects

Legislative and Communications Committee Meeting of May 1, 2008

Present: Directors Bates, Brown, Buffa, Cavecche, Glaab, Mansoor, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Directors Bates and Rosen were not present to vote on this item.

Committee Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1433 between the Orange County Transportation Authority and Westbound Communications, in an amount not to exceed \$589,000 over a three-year term, for comprehensive public outreach services in support of the environmental, design and/or pre-construction phases of three projects on the Riverside Freeway (State Route 91).



May 1, 2008

To: Legislative and Communications Committee

From: Arthur T. Leahy, ^{ATL/ep} Chief Executive Officer

Subject: Agreement for Public Outreach Consultant to Support the Environmental and Design Phases of the Riverside Freeway (State Route 91) Improvement Projects

Overview

Three improvements to the Riverside Freeway (State Route 91), identified as Project H and Project J, are in the Renewed Measure M Early Action Plan. Consultant services are needed to support the public outreach effort during the environmental, design, and pre-construction phases of these three projects. Proposals have been received and evaluated in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-7-1433 between the Orange County Transportation Authority and Westbound Communications, in an amount not to exceed \$589,000 over a three-year term, for comprehensive public outreach services in support of the environmental, design and/or pre-construction phases of three projects on the Riverside Freeway (State Route 91).

Background

On August 13, 2007, subsequent to the passage of the Renewed Measure M (M2), the Board of Directors (Board) approved a five-year Early Action Plan (EAP), covering the years 2007 to 2012, to advance the implementation of several key M2 projects. Input on the plan was secured from city officials and key stakeholders and recommendations on financing and budget needs were added before approval.

Included in the final EAP were the following three Riverside Freeway (State Route 91) Improvement Projects: 1) Eastbound Lane Addition Project on State

Route 91 (SR-91) from Eastern Toll Road (State Route 241) to Chino Valley Freeway (State Route 71); 2) Fifth General Purpose Lane Project on SR-91 from Costa Mesa Freeway (State Route 55) to State Route 241 (SR-241); and 3) Westbound Lane Project on SR-91 from Orange Freeway (State Route 57) to Santa Ana Freeway (Interstate 5).

Currently, these projects are in the environmental or design phase, which will be completed over the next three years. As such, consultant services are needed to develop and implement a public outreach program that will adequately engage leadership, stakeholders, and the public during the development process. Consultant services will also serve the Orange County Transportation Authority's (OCTA) efforts to communicate the purpose, progress, benefits, and impacts of the projects. As a note, Project I, the link on SR-91, between State Route (SR-57) and SR-55, is not included in this procurement because it is in the preliminary stages of project development. In the next three years outreach on this link will be modest and can be accommodated with existing internal resources.

Discussion

The public outreach program will use a variety of methods and tools, including briefings and one-on-one meetings to inform elected officials and their staff of status, achievements, challenges, and remaining objectives. Neighborhood and community meetings, as well as speaker bureau presentations, will be organized to update and engage residents, stakeholders, and community organizations. Notices will be developed, advertised, and distributed to invite the public to scoping meetings, open houses, and/or community meetings. In addition, project fact-sheets, project advisories/alerts, newsletters and web-based information will help communicate each project's status, progress, and benefits to larger target audiences on an ongoing basis. Similarly, presentations and other collateral materials will be created for corporate and media communications.

Given the inter-related aspects of the corridor and proximity of projects, the three projects have been packaged together for public outreach purposes, thus increasing opportunities for the selected consultant to coordinate communications, streamline work tasks, as well as deliver cost-efficiencies.

The basis of the proposed contract is time and materials, thus allowing for expenditures to be made only if and when necessary. While the total contract amount is not to exceed \$589,000 over three years, individual budgets have been identified for each project and each fiscal year. These budgets are linked

Agreement for Public Outreach Consultant to Support the Environmental and Design Phases of the Riverside Freeway (State Route 91) Improvement Projects

to project schedules and several factors were considered in developing them including the anticipated phase(s) of development, the project size and scope, projected and type of target audiences, as well as anticipated and potential outreach and communication activities. More specifically, staff reviewed project schedules and identified each phase of development associated with each project during each fiscal year. In addition, fiscal year (FY) 2007-08 estimates were reduced due to the assumption that a consultant notice to proceed would occur late in the year.

Attachment A identifies outreach tactics used by staff and consultants in project development. These projects are in various stages of development, from environmental phase through design, right-of-way acquisition, and stages of construction. A table summarizing budgets and phases of each project are identified below.

Budget				
Project	FY 07/08	FY 08/09	FY 09/10	Total Budget
SR-241 to SR-71	\$40,000	\$155,000	\$125,000	\$320,000
Assumed Phase	Design, Right-of-Way	Design, Right-of-Way Pre-Construction	Construction	
SR-55 to SR-241	\$42,000	\$82,000	\$40,000	\$164,000
Assumed Phase	Environmental	Environmental, Design, Right-of-Way	Design, Right-of-Way	
SR-57 to I-5	\$25,000	\$25,000	\$55,000	\$105,000
Assumed Phase	Environmental	Environmental	Environmental, Design	
Fiscal Year Totals	\$107,000	\$262,000	\$220,000	\$589,000

This procurement was conducted and managed in accordance with OCTA's procedures for professional services. The project was advertised in a newspaper of general circulation on December 26, 2007 and January 4, 2008. On December 26, 2007, an electronic notice of the request for proposals was sent to

1,758 firms registered on CAMM NET. A pre-proposal meeting was held on January 2, 2008, and was attended by 13 consultants.

On Monday, January 21, 2008, nine offers were received by OCTA. A five-member evaluation committee consisting of staff from OCTA's Development, Marketing, Planning, Public Communications, and Contracts Administration and Materials Management (CAMM) departments met to review the proposals. The proposals were evaluated consistent with Board-adopted policies and procedures. The proposals were evaluated based on the following criteria:

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

Due to the bundling of three distinct, yet adjacent and likely overlapping projects, the work plan criteria was weighted at 30 percent. To accommodate this adjusted increase, the cost and price criteria was weighted at 20 percent.

After evaluating all written proposals, the evaluation committee short-listed the three highest ranked firms, Westbound Communications, Consensus Planning Group, and Frank Wilson and Associates, Inc., and conducted interviews on January 28, 2008. The remaining six firms did not qualify for interviews due to less competitive proposals and resulting lower scores.

Based on its evaluation of the proposals and interviews, the evaluation committee unanimously recommends the selection of the following firm:

Firm and Location

Westbound Communications
Orange, California

The following is a discussion of the four evaluation criteria categories.

Qualifications of Firm

Based in the City of Orange, Westbound Communications has designed and implemented community outreach programs for a variety of projects, including transportation and public interest projects led by the California Department of Transportation (Caltrans), the San Bernardino Association of Governments

(SANBAG), and the Southern California Air Quality Management District (SCAQMD). Additionally, Westbound Communications' personnel has provided community outreach services on the OCTA's Garden Grove Freeway (State Route 22) Improvement Project Community Outreach Program and on the Interstate 5 (I-5) Gateway Project in Buena Park.

Staffing and Project Organization

The evaluation committee highly rated Westbound Communications in this category. The team possesses the knowledge and experience with the environmental, design, and construction phases that are scheduled to occur during this recommended agreement. Similarly, the team also is proven and capable in a broad range of required work categories, including community outreach, public communications, meeting/event management, and media relations. Moreover, the team demonstrated a clear and extensive understanding of the SR-91 projects, the corridor, and the communities.

The evaluation committee also found that Westbound Communications' team and staffing organization was structured and positioned to meet project requirements. At the executive level, senior staff will focus itself on providing counsel, quality control, and overall program accountability. The project manager, who has previously worked on OCTA and Caltrans sponsored projects, will serve as the primary contact, manage the outreach program, and guide the team throughout the outreach process. At the project level, two junior staff members, both with knowledge and complementary experience on transportation projects, will be assigned to coordinate and perform outreach tasks and activities.

Work Plan

The purpose of the work plan is to present a program approach for how public outreach services will be performed. Westbound Communications presented a work plan that was comprehensive, multi-faceted, and accounted for the individual as well as overlapping aspects of the three projects.

On a project-by-project basis, the work plan included target audiences, task timelines, project challenges, and aerial maps color coded to identify project limits, land uses, and other points of interest. The work plan also identified ways to combine and/or streamline tasks, thereby recognizing the importance of maximizing resources, reducing costs, and increasing value. On a strategic and tactical level, the work plan presented a rationale and method for developing and performing the identified tasks. Throughout this section,

Westbound Communications included past work examples, or created and illustrated original examples to demonstrate its capability to produce a relevant and valuable task. The work plan also featured the required breadth and quality of work.

As a whole, the evaluation committee concluded that the work plan would effectively meet its objective of informing, engaging, and communicating the status, progress, and benefits of the projects to the public, stakeholders, and leadership throughout this process.

Cost and Price

As with all other proposals received, CAMM performed an independent evaluation and rating of the fully burdened rates provided for all key personnel. Although Westbound Communications project manager rates were higher than the next two highest ranked project managers, senior consultant, and administration staffing costs were comparable.

Overall, Westbound Communications maintained a higher total score than competing firms. The proposal evaluation criteria matrix provides a detailed and comparative summary of the cost and price scoring performed by CAMM (Attachments B and C).

Fiscal Impact

The project was approved in the OCTA's M2 EAP Fiscal Year 2007-2008 Budget, External Affairs, Account 0017-7519-FJ102-N2W, and is funded through M2 funds. In fiscal year 2007-2008, a budget of \$107,000 has been established. During fiscal year 2008-2009, \$262,000 will be budgeted, and \$220,000 will be budgeted in fiscal year 2010-2011. Project continuance will be contingent on Board of Directors' approval of each fiscal year budget.

Summary

Based on the information provided, the evaluation committee unanimously recommends award of time and materials Agreement No. C-7-1433 to Westbound Communications, in an amount not to exceed \$589,000 over a three-year term, for public outreach services for the SR-91 improvement projects.

Attachments

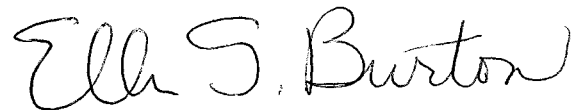
- A. Project Development/Construction Outreach Activities by Phase
- B. RFP 7-1433 Riverside Freeway (SR-91) Improvement Projects Proposal Evaluation Criteria Matrix
- C. Riverside Freeway (SR-91) Improvement Projects Community Outreach for Environmental and Design Phase, Review of Proposals – RFP 7-1433

Prepared by:



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Community Relations Officer
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Approved by:



Ellen S. Burton
Executive Director, External Affairs
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Project Development / Construction Outreach Activities By Phase

	Feasibility	MIS	PSR	Environ	Design	Right of Way	Construction
Project Management/Strategic Planning							
• Team Meetings (monthly/bi-weekly)	X	X	X	X	X		X
• Outreach Plan Development	X	X	X	X	X		X
• Strategic Planning/Communications	X	X	X	X	X	X	X
• Issues Management	X	X	X	X	X	X	X
• Board Relations							
Ascertainment							
• Research	X	X	X	X	X		X
• Database Development	X	X	X	X	X		X
Outreach Activities							
• Scoping Meetings/Public Hearings		X		X			
• Open Houses/Community Meetings	X	X	X	X	X		X
• Direct Mail	X	X	X	X	X	X	X
• Speakers Bureau	X	X	X	X	X	X	X
• Stakeholders Group		X	X	X			
• Coalition Building	X	X	X	X	X		
• Minority Outreach	X	X	X	X	X		X
• Community Liaison							X
• Neighborhood Meetings							X
• Business/Chamber Outreach							X
• Community Events							X
• Special Event Planning (milestone)							X
• Construction Alerts							X
• Door Hangers							X
• Job Site Tours							X
Copywriting/Graphics/Production/ Mail House/Postage							
• Newsletters	X	X	X	X	X	X	X
• Fact Sheets	X	X	X	X	X	X	X
• Website (ongoing)	X	X	X	X	X	X	X
• Public Notices/Ads		X		X			X
• Translations	X	X	X	X			X
• Lobby Displays							X
Comments/Responses							
• Surveys	X	X	X	X			X
• Issue Resolution/Mitigation	X	X	X	X	X	X	X

PROPOSAL EVALUATION CRITERIA MATRIX

Firm: Westbound Communications						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualification of Firm	5.00	5.00	3.50	4.00	5.00	5	22.50
Staffing/Project Organization	4.50	4.00	4.00	4.00	4.00	5	20.50
Work Plan	5.00	4.50	4.00	4.00	5.00	6	27.00
Cost and Price	3.50	3.50	3.50	3.50	3.50	4	14.00
Overall Score	91.50	86.00	75.50	78.00	89.00		84

Firm: Consensus Planning Group						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualifications of Firm	4.50	4.50	3.50	4.00	5.00	5	21.50
Staffing/Project Organization	4.50	3.50	3.50	3.50	3.50	5	18.50
Work Plan	4.50	4.00	4.00	4.00	4.00	6	24.60
Cost and Price	4.00	4.00	4.00	4.00	4.00	4	16.00
Overall Score	88.00	80.00	75.00	77.50	82.50		81

Firm: Frank Wilson and Associates, Inc.						Weights	Criteria Score
Evaluation Number	1	2	3	4	5		
Qualification of Firm	5.00	4.00	4.00	4.00	5.00	5	22.00
Staffing/Project Organization	4.50	3.50	4.00	3.50	4.00	5	19.50
Work Plan	4.50	4.00	4.00	4.00	4.00	6	24.60
Cost and Price	3.50	3.50	3.50	3.50	3.50	4	14.00
Overall Score	88.50	75.50	78.00	75.50	83.00		80

Riverside Freeway (SR-91) Improvement Projects Community Outreach for Environmental And Design Phase

Review of Proposals - RFP 7-1433

PRESENTED TO THE LEGISLATIVE & COMMUNICATION COMMITTEE - May 1, 2008

9 proposals were received, 3 firms interviewed and 1 firm recommended for award

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Proposed Hourly Rates
1	84	Westbound Communications Orange, CA	Toledo Public Relations Placentia, CA	Excellent proposal. Excellent work plan with an in-depth approach to public involvement. Broad transportation and outreach experience. Comprehensive understanding of the SR-91 issues. Proposed team demonstrated cohesive approach. Proposed higher project manager labor rate. Proposed overall competitive labor rates, including lower administrative support labor rate.	Project Manager: \$155.00 Senior Consultant: \$155.00 Administrative Support: \$60.00
2	81	Consensus Planning Group Irvine, CA	None	Very good proposal. Extensive transportation experience. Good outreach experience. Proposed staffing had good experience, but appeared to be at capacity and did not demonstrate a complete understanding of SR-91 project. Proposed competitive labor rates.	Project Manager: \$128.36 Senior Consultant: \$168.48 Administrative Support: \$72.29
3	80	Frank Wilson and Associates, Inc. San Juan Capistrano, CA	Conexus North Tustin, CA DSO Los Angeles, CA T. Michael Ward Design Costa Mesa, CA Anne Warde Huntington Beach, CA	Very good proposal. Extensive outreach experience in public relations. Work plan addressed RFP requirements and acknowledged project deliverables. Proposed higher labor rate for administrative support.	Project Manager: \$140.00 Senior Consultant: \$150.00 Administrative Support: \$100.00

<u>Evaluation Panel</u>	<u>Proposal Criteria</u>	<u>Weight Factors</u>
Marketing	Qualification of the Firm	25%
Development	Staffing and Project Organization	25%
Public Communications	Work Plan	30%
Planning	Cost and Price	20%
Contract Administration and Material Management		

ATTACHMENT C



MEMO

May 7, 2008

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

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

Thank you.



May 8, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Heating, Ventilation, and Air Conditioning Replacement at the Garden Grove Base Annex Building

Overview

The main heating, ventilation, and air conditioning unit at the Garden Grove Base annex building is beyond its useful life and requires replacement. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0441 between the Orange County Transportation Authority and Air-Ex Air Conditioning, Inc., the lowest responsive, responsible bidder, in the amount of \$298,048, for heating, ventilation, and air conditioning replacement at the Garden Grove Base annex building.

Background

The Orange County Transit District, predecessor to the Orange County Transportation Authority (Authority), completed construction of the Garden Grove Base in 1977. The main heating, ventilation, and air conditioning (HVAC) system in the annex building was installed during the construction of the building in 1987. Many of the pneumatic variable air volume (VAV) boxes are not functioning; the HVAC unit is not energy efficient and beyond its useful life. On October 24, 2007, the Authority executed Contract Task Order C-6-0086-9 with STV, Inc., to provide design and construction support services for the HVAC replacement in the annex building at the Garden Grove Base.

The project consists of replacing the existing main HVAC unit and replacing the pneumatic VAV boxes with electronic control boxes. The annex building accommodates the Authority's Transit Police Services, Central Communications, Bus Operations, and Operations Training departments. The new HVAC system will reduce system operation and maintenance costs, increase energy efficiency, and provide a better working environment for the staff.

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. The project was advertised on February 29 and March 11, 2008, in a newspaper of general circulation, and on CAMM NET. An electronic notification was sent to 780 firms. A pre-bid conference was held on March 12, 2008, and was attended by 18 contractors. Addendum No. 1 was issued on March 26, 2008, to address administrative issues, respond to questions, and provide clarifications to the plans and specifications. On April 10, 2008, three bids were received. All bids were reviewed by staff from the Transit Project Delivery and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Air-Ex Air Conditioning, Inc. Pomona, California	\$298,048
Los Angeles Air Conditioning, Inc. La Verne, California	\$354,000
Thomco Construction, Inc. Anaheim, California	\$357,939

Fiscal Impact

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

Summary

Staff has reviewed all bids received and recommends the approval of Agreement No. C-8-0441, in the amount of \$298,048, with Air-Ex Air Conditioning, Inc., the lowest responsive, responsible bidder for HVAC replacement at the Garden Grove Base annex building.

Attachment

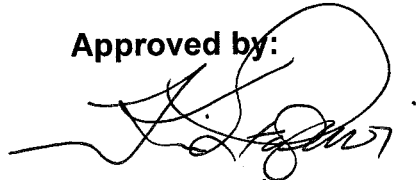
None.

Prepared by:



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Approved by:



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



MEMO

May 7, 2008

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

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

Thank you.



May 8, 2008

To: Transit Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Agreement for Bus Wash Building Refurbishment at the Garden Grove Base

Overview

Refurbishment of the bus wash building at the Garden Grove Base is necessary to repair deteriorating operational conditions and to extend the life of the bus wash facility at the operation and maintenance base. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. The project is ready for construction and Board of Directors' authorization is requested.

Recommendation

Authorize the Chief Executive Officer to execute Agreement No. C-8-0377 between the Orange County Transportation Authority and Thomco Construction, Inc., the lowest responsive, responsible bidder, in an amount not to exceed \$123,448, for the refurbishment of the bus wash building at the Garden Grove Base.

Background

The Orange County Transit District completed construction of the Garden Grove Base in 1977. After over 30 years of continuous operation, the two-bay bus wash building's structural steel, metal decking, conduit, and piping has deteriorated and requires replacement due to the constant wet environment inside the building.

Discussion

This procurement was handled in accordance with the Orange County Transportation Authority's (Authority) 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. The project was advertised on February 28 and March 11, 2008, in a newspaper of general circulation and on CAMM NET. A pre-bid conference was held on March 12, 2008, and was attended by 18 contractors. Addendum No. 1 was issued on March 26, 2008, to address administrative issues and respond to questions. On April 8, 2008, four bids were received. All bids were reviewed by staff from the Transit Project Delivery and Contracts Administration and Materials Management departments to ensure compliance with the terms and conditions, specifications, and drawings. Listed below are the three lowest bids received. State law requires award to the lowest responsive, responsible bidder.

<u>Firm and Location</u>	<u>Bid Price</u>
Thomco Construction, Inc. Anaheim, California	\$123,448
VR Mason, Inc. Huntington Beach, California	\$124,658
Avi-Con Inc., dba CA Construction Riverside, California	\$150,000

Fiscal Impact

The project was approved in the Authority's Fiscal Year 2007-08 Budget, Development, Account 1722-9022-D3122-FY1, and is funded through the Orange County Transit District.

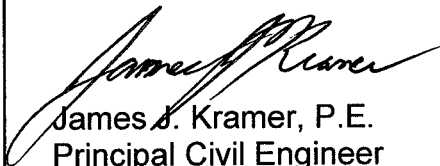
Summary

Staff has reviewed all bids and recommends the approval of Agreement No. C-8-0377, in the amount of \$123,448, with Thomco Construction, Inc., the lowest responsive, responsible bidder for the refurbishment of the bus wash building at the Garden Grove Base.

Attachment

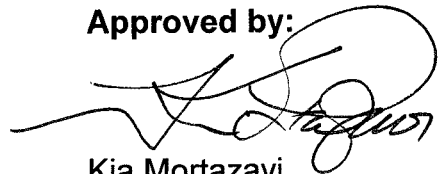
None.

Prepared by:



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

Approved by:



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



BOARD COMMITTEE TRANSMITTAL

May 23, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board
Subject: Bus Customer Satisfaction Survey

Transit Committee Meeting of May 8, 2008

Present: Directors Bates, Brown, Buffa, Cavecche, Glaab, Mansoor, and Rosen
Absent: None

Committee Vote

This item was passed by all Committee Members present.

Director Rosen was not present to vote on this item.

Committee Recommendation

Receive survey results for discussion and possible action as deemed appropriate by the Board of Directors.



May 1, 2008

To: Legislative and Communications Committee
From: Arthur T. Leahy^{AL}, Chief Executive Officer
Subject: Bus Customer Satisfaction Survey

Overview

To gauge bus customer usage patterns, satisfaction, attitudes and awareness, as well as to gather customer demographic information, a bus customer satisfaction survey was conducted in November 2007. Results from the survey are expected to play a key role in helping the Orange County Transportation Authority better understand bus customer needs and perceptions, as well as provide insight to improve the bus service. This staff report summarizes the results from the survey.

Recommendation

Receive survey results for discussion and possible action as deemed appropriate by the Board of Directors.

Background

As part of an ongoing effort to deliver quality bus service, Orange County Transportation Authority (OCTA) periodically conducts customer satisfaction surveys. R&R Partners created and implemented the 2007 Bus Customer Satisfaction Survey (Survey). The proposed survey methodology and questionnaire were submitted to the Legislative and Communications Committee for review on May 17, 2007. Using intercept interviews, a random sample of 1,400 OCTA bus customers were surveyed in November 2007. This countywide survey was conducted in both English and Spanish and included a random sample of gender, ethnicity, and age. (As a note, the initial date for the Survey was June 2007. However, due to the coach operator strike in July 2007, it was postponed until November 2007.)

Discussion

OCTA's bus service is operated out of four bases throughout Orange County: Anaheim, Garden Grove, Irvine, and Santa Ana, and provides four types of bus service. These route types are:

- Local – Routes that operate on major arterials serving multiple bus stops between one-quarter to one-third of a mile apart. These routes are the most heavily used and form the major framework for the service network.
- Express – Higher-speed routes, operating point-to-point during weekday commuter hours, carrying passengers very long distances, and operating on freeway and carpool lanes making relatively few stops.
- Community – Shorter distance routes or routes inaccessible with big buses that provide connections to the higher demand local and express bus network.
- StationLink – Also called rail feeder routes, these are designed to shuttle Metrolink passengers to and from activity centers.

In addition to providing information on the individual route types, the Survey also provided information about the following categories:

- Contract Services – Services that are operated by private providers and include OCTA's StationLink, OC Express (service between the Inland Empire and Orange County), and other small bus operations.
- OCTA-Operated Services – Services that are provided by OCTA coach operators and include big bus local, community, and express services.

The goals and key findings for the Survey are listed below.

Goals

- Determine customer satisfaction with OCTA's overall bus system, as well as various aspects of the bus system, such as service attributes and public information
- Assess general travel behavior of bus patrons in Orange County including trip purpose, city origination and destination, routes used, and numbers of transfers
- Compare and contrast OCTA-operated routes with contract-operated routes
- Collect information within each route type
- Collect demographic information on OCTA bus patrons such as age, gender, ethnicity, household income, and education level
- Track changes of customer satisfaction over time (e.g., bi-annually)

Key Findings

- Eight out of ten customers were satisfied with the current bus service, with satisfaction levels slightly higher on OCTA-operated services versus contract services.
- Nearly half of customers on OCTA-operated routes felt the bus service was better than a year ago, whereas only 39 percent on contract-operated routes felt the service was better.
- On average, three quarters of customers felt most satisfied with driver courtesy, information in the Bus Book, and driver knowledge and were least satisfied with the availability of evening and weekend service.
- Frequency of service remained the single most important area customers felt OCTA should make improvements.
- The majority of customers were frequent riders, and on average rode the bus four to seven days a week. Work was the most common trip purpose.
- The most popular source for getting information was the Bus Book and customers preferred to get information on board the bus. Eighty percent of customers also indicated they would be willing to pay up to \$1.00 for continued use of the Bus Book.
- There was a high level of awareness of OCTA bus passes, with the prepaid one-day and 30-day pass at the highest levels; however, cash continues to be the most common way to pay for the current trip.
- The majority of customers have used a bus pass. Those who did not use bus passes attributed it to not having a need, not wanting to pay in advance, or not being aware of where to purchase the passes.
- A large percentage of OCTA customers had some level of post-high school education, were employed full- or part-time, had an average annual household income of \$31,800, with nearly half working in the service industry.
- The majority of OCTA customers were between 18-44 years old; 67 percent were non-Caucasian with 54 percent bilingual, but preferring to receive information in English.

The executive summary of the Survey is included as Attachment A. The full Survey results are available upon request either on a CD or booklet.

Summary

As part of an ongoing effort to deliver quality customer service to bus riders, a Bus Customer Satisfaction Survey was conducted in November 2007. Results from the Survey help OCTA better understand its bus customer needs and perceptions, as well as provide insight to continuously improve bus service.

Attachment

- A. OCTA Bus Customer Satisfaction Survey Executive Summary of Results, November 2007

Prepared by:



Jennifer O'Connor
Marketing Program Administrator
(714) 560-5369

Approved by:



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



OCTA Bus Customer Satisfaction Survey
Executive Summary of Results
November 2007





University of California
Transportation Center

Goals

- Determine bus customer satisfaction levels
- Assess general travel behavior of bus customers
- Compare contracted routes with OCTA-Operated routes
- Collect information on: Local, Community, Express, and StationLink routes
- Collect demographic information on bus customers



Methodology

- Intercept interviews
 - Random sample of 1,400 OCTA bus customers
 - 900 high ridership routes
 - Various sample sizes for each service type
 - Mix of gender, ethnicity and age
 - Conducted in English and Spanish
 - Overall survey margin of error of $\pm 3.25\%$



International Relations

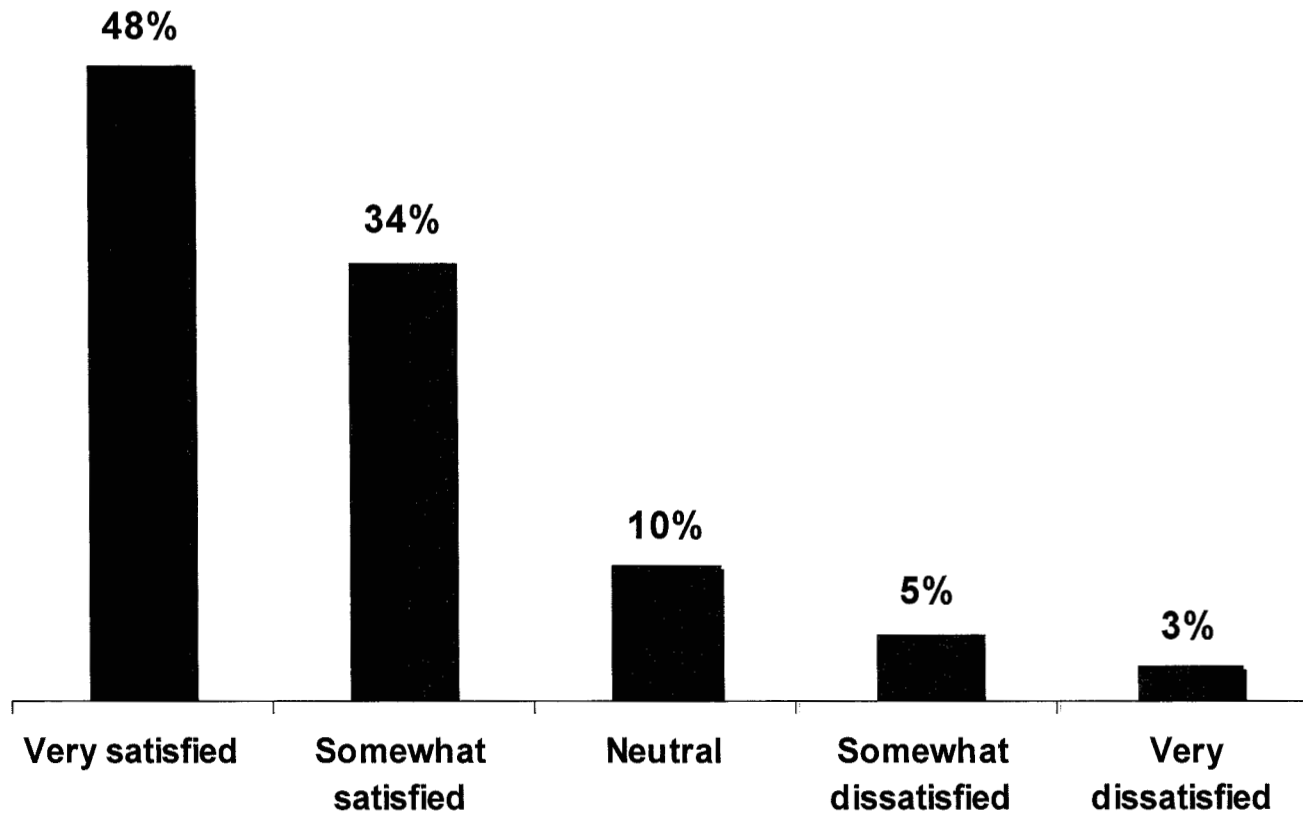
Satisfaction Findings





Overall Ridership – Satisfaction

The majority of customers (82%) are satisfied with bus service. In fact, almost half of customers say they are very satisfied.



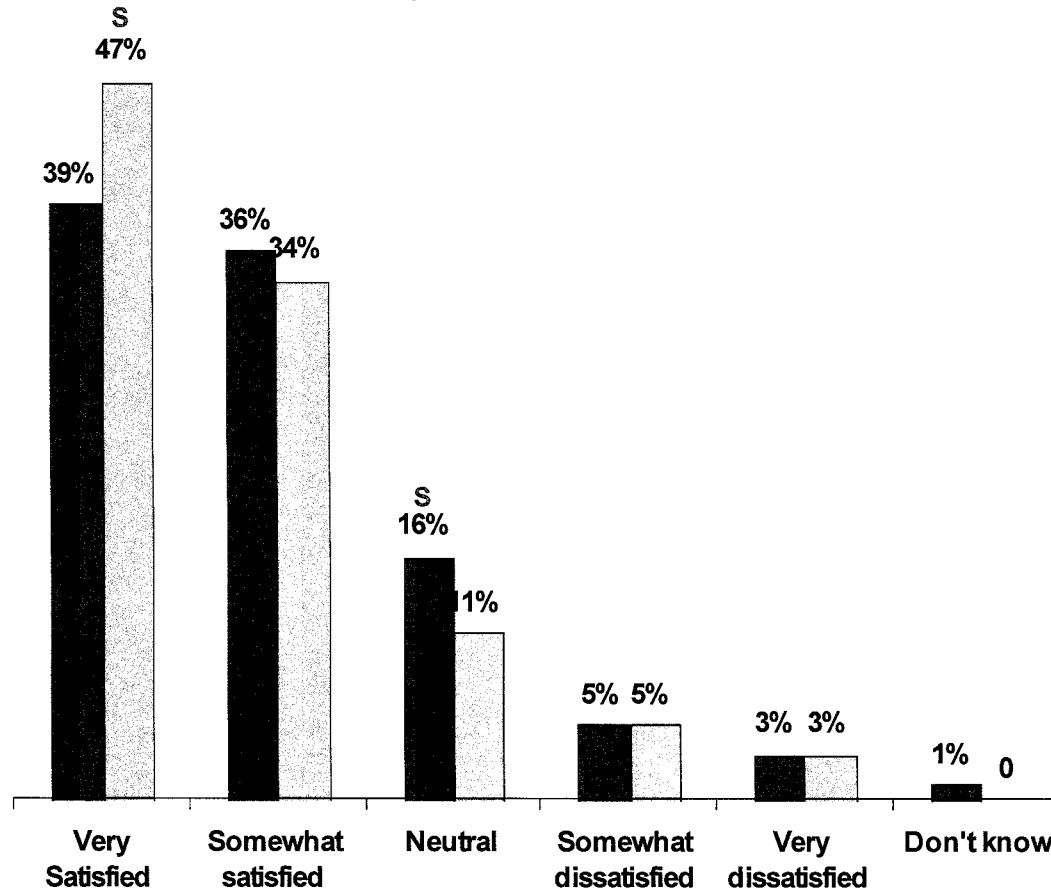
N (customers) = 902

Q1. Overall, how satisfied are you with current bus transportation services?



Contract vs. OCTA-Operated Routes – Satisfaction

Customers on OCTA-Operated routes are more satisfied than customers on Contract routes (81% vs. 75%). They are also more likely to say they are “Very satisfied” (47% vs. 39%).



S = Significant difference

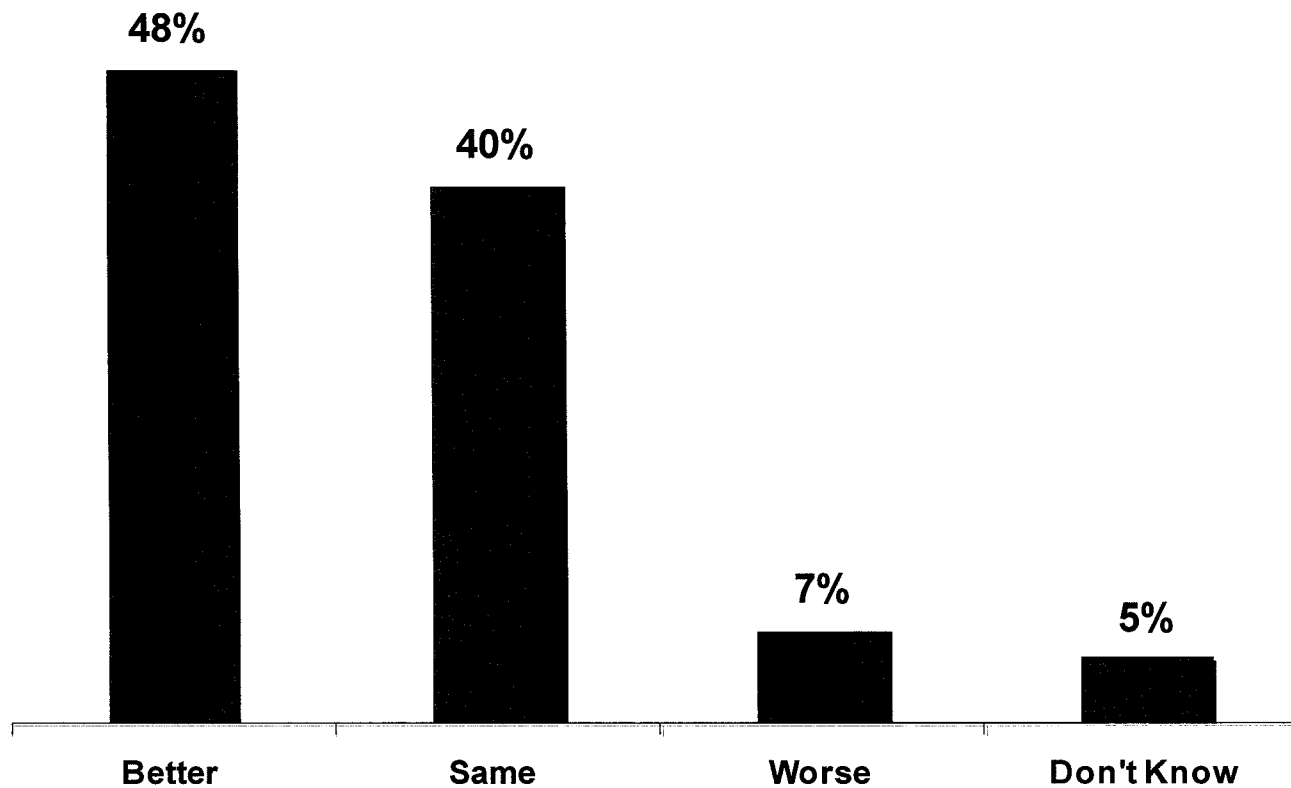
■ Contract □ OCTA-Operated

Q1. Overall, how satisfied are you with current bus transportation services?



Overall Ridership – Satisfaction

Almost half of customers say bus service is better than one year ago.



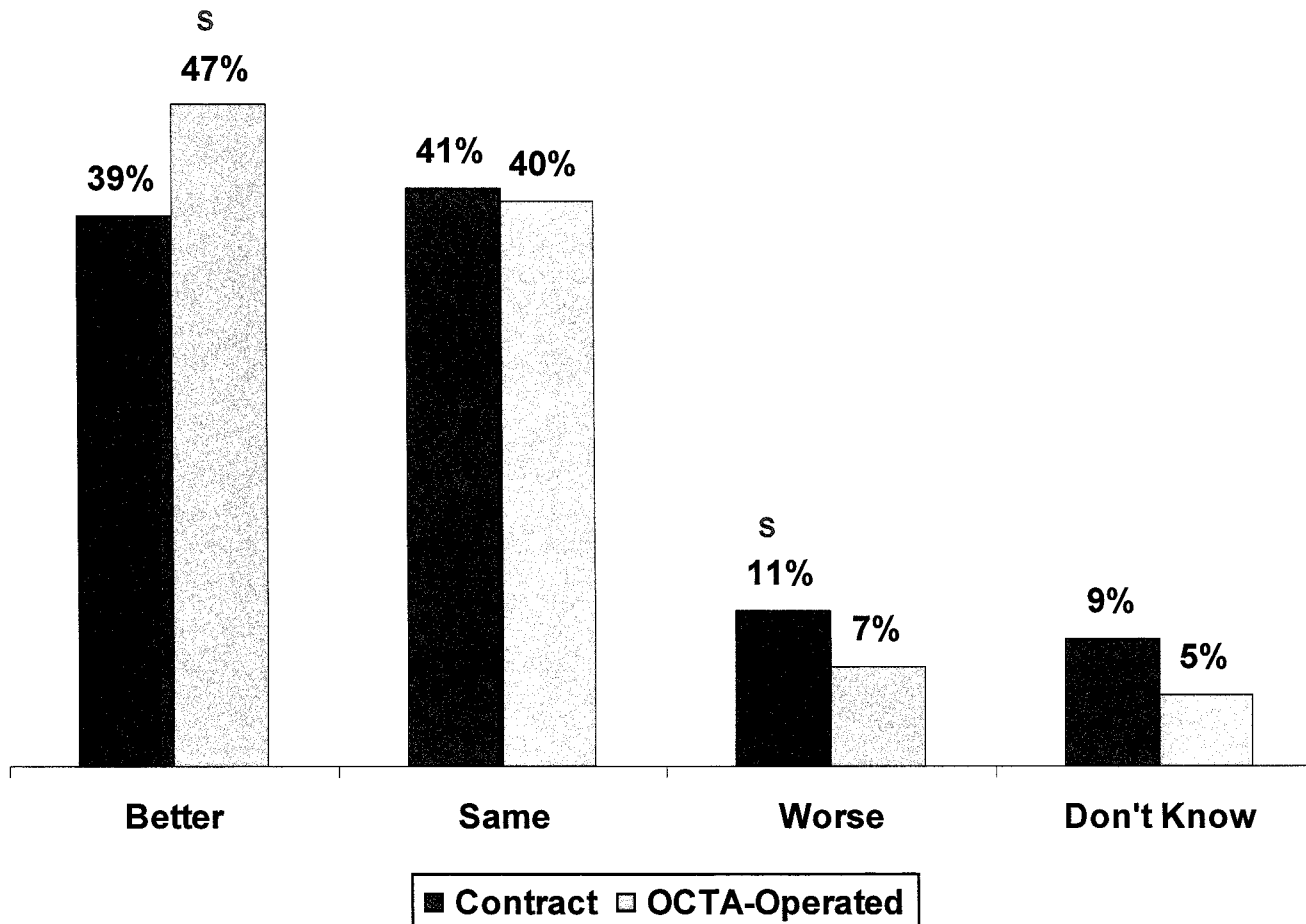
N (customers) = 902

Q2. Would you say bus transportation services are better, worse or the same as 12 months before?



Contract vs. OCTA-Operated Routes – Satisfaction

Customers on OCTA-Operated routes are significantly more likely (8 points) than customers on Contract routes to say service is better than 12 months ago.



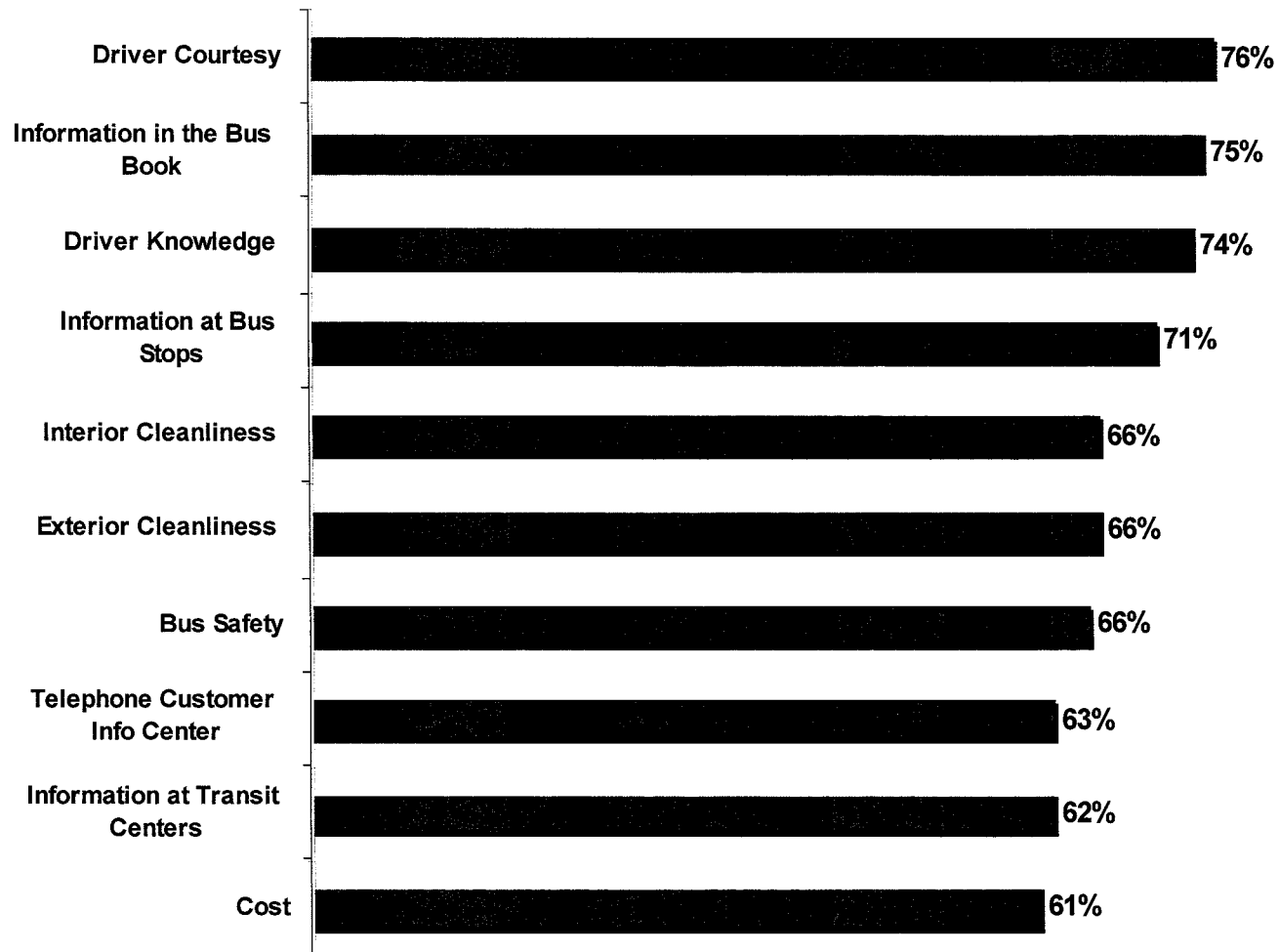
S = Significant difference

Q2. Would you say bus transportation services are better, worse or the same as 12 months before?



Overall Ridership – Satisfaction by Attribute

Customers are most satisfied with bus driver courtesy (76%), information in the bus book (75%), bus driver knowledge (74%) and information at bus stops (71%).



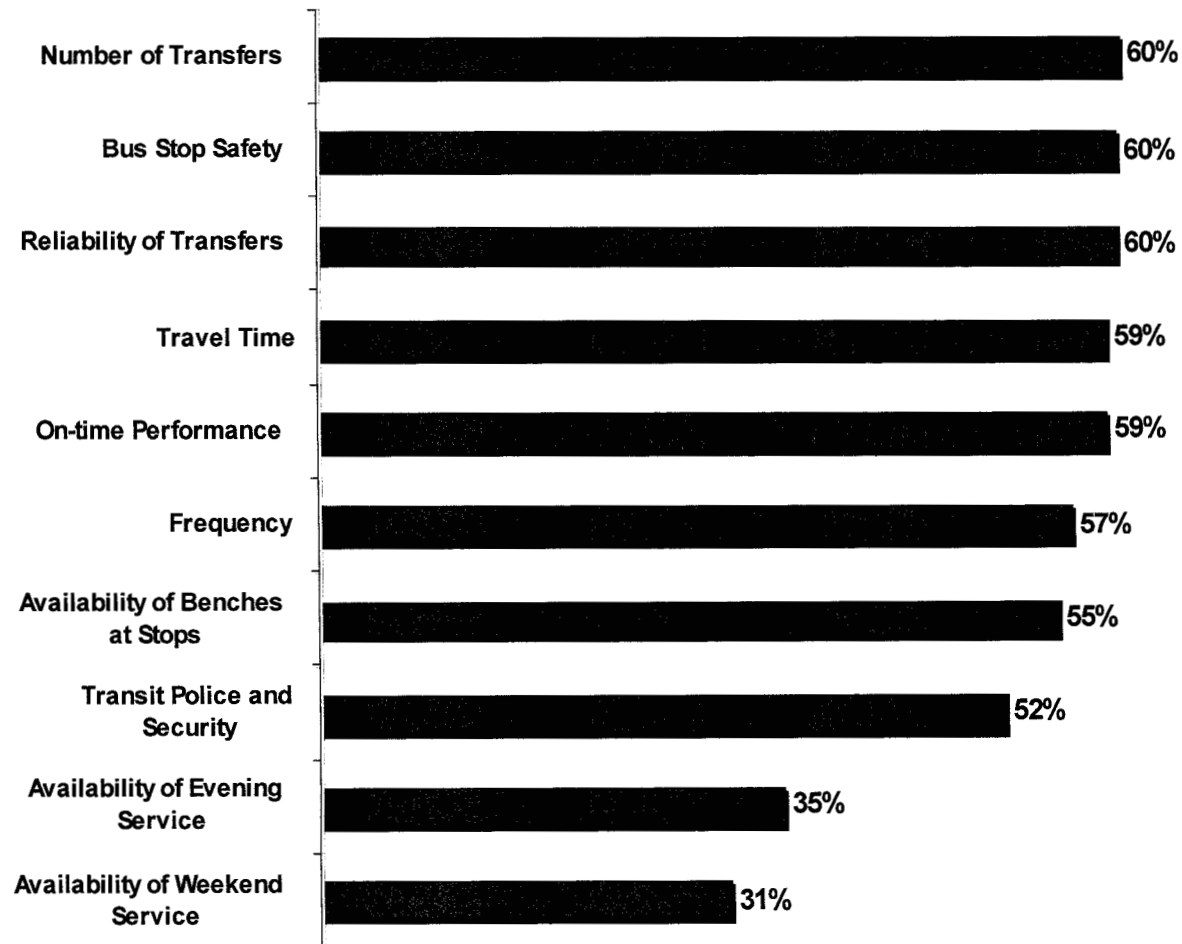
N (customers) = 902

Q3. Satisfaction with . . . on your most recent bus trips:



Overall Ridership – Satisfaction by Attribute

They are least satisfied with the availability of evening service (35%) and the availability of weekend service (31%).



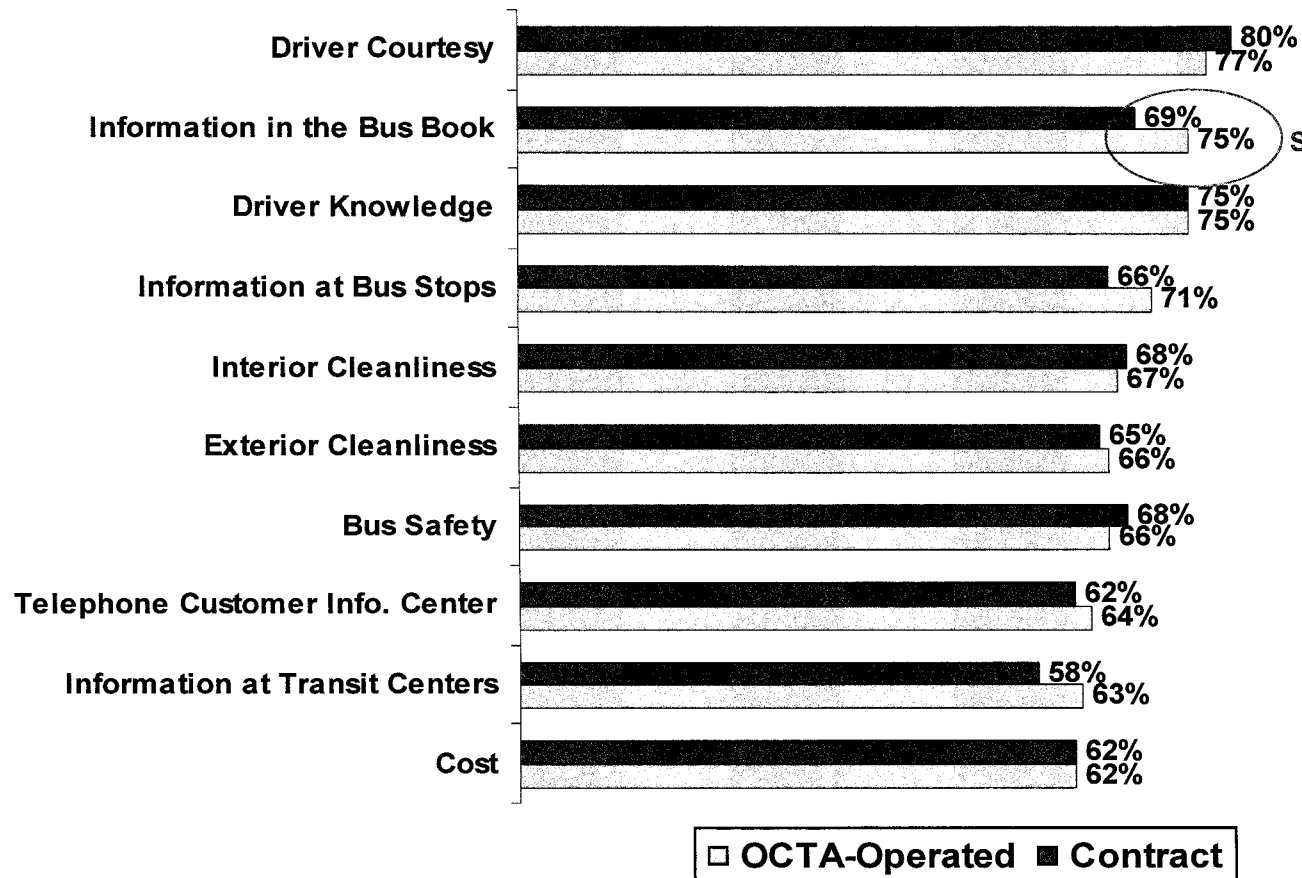
N (customers) = 902

Q3. Satisfaction with . . . on your most recent bus trips:



Contract vs. OCTA-Operated Routes – Satisfaction by Attribute

Customers on OCTA-Operated routes are significantly more satisfied than customers on Contract routes with information in the Bus Book, reliability of transfers, transit security and availability of evening service.

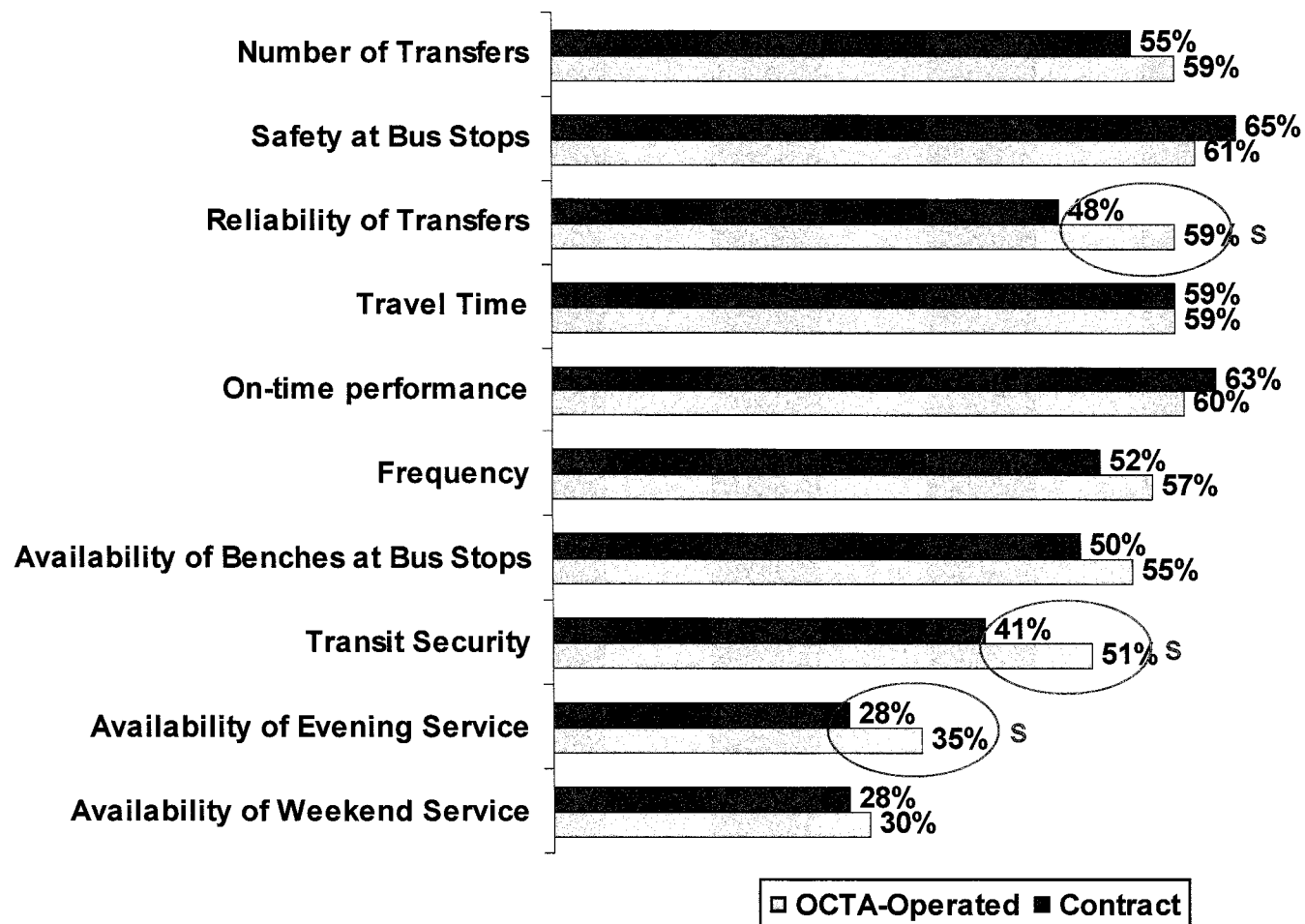


S = Significant difference

Q3. Satisfaction with . . . on your most recent bus trips:



Contract vs. OCTA-Operated Routes – Satisfaction by Attribute



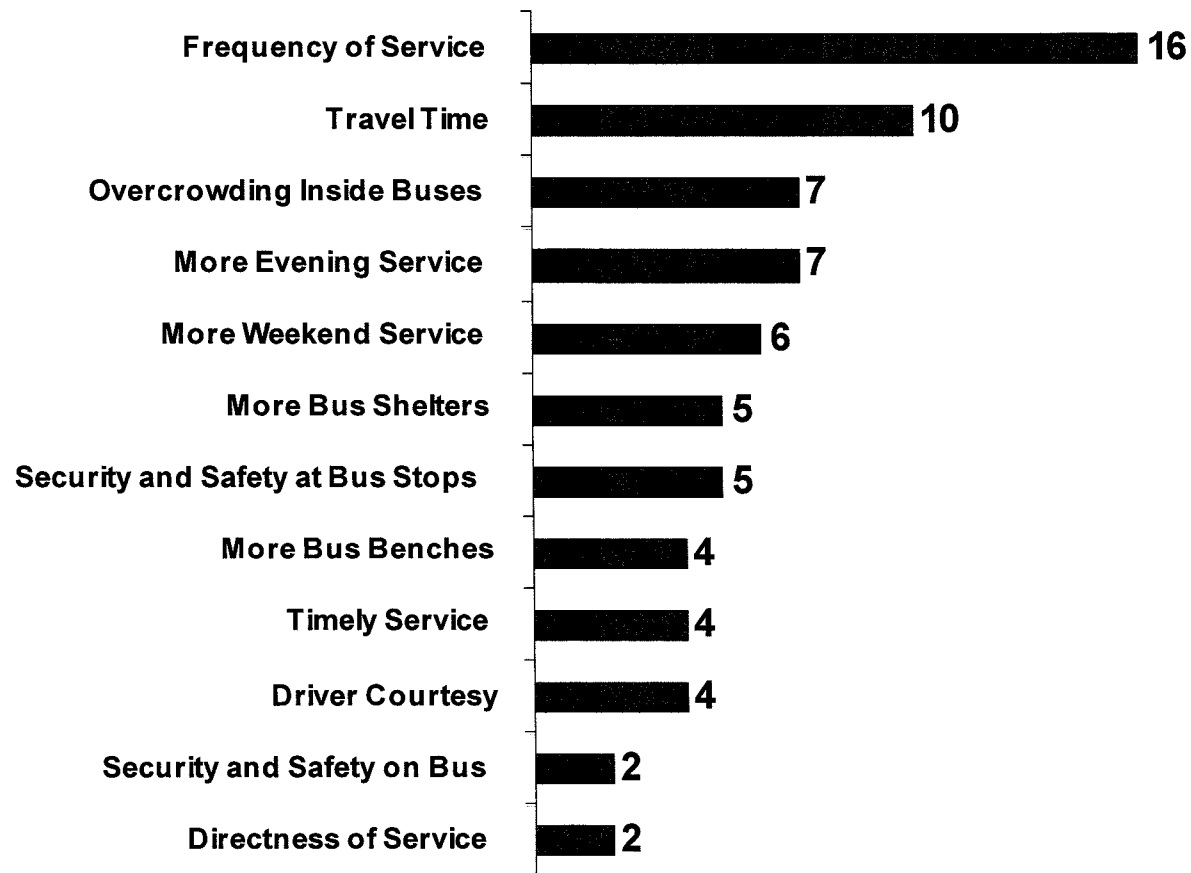
S = Significant difference

Q3. Satisfaction with . . . on your most recent bus trips:



Overall Ridership – Area of Improvement

Customers feel that frequency of service is the most important area in which OCTA should make improvements. Other customers were divided among a mix of areas.



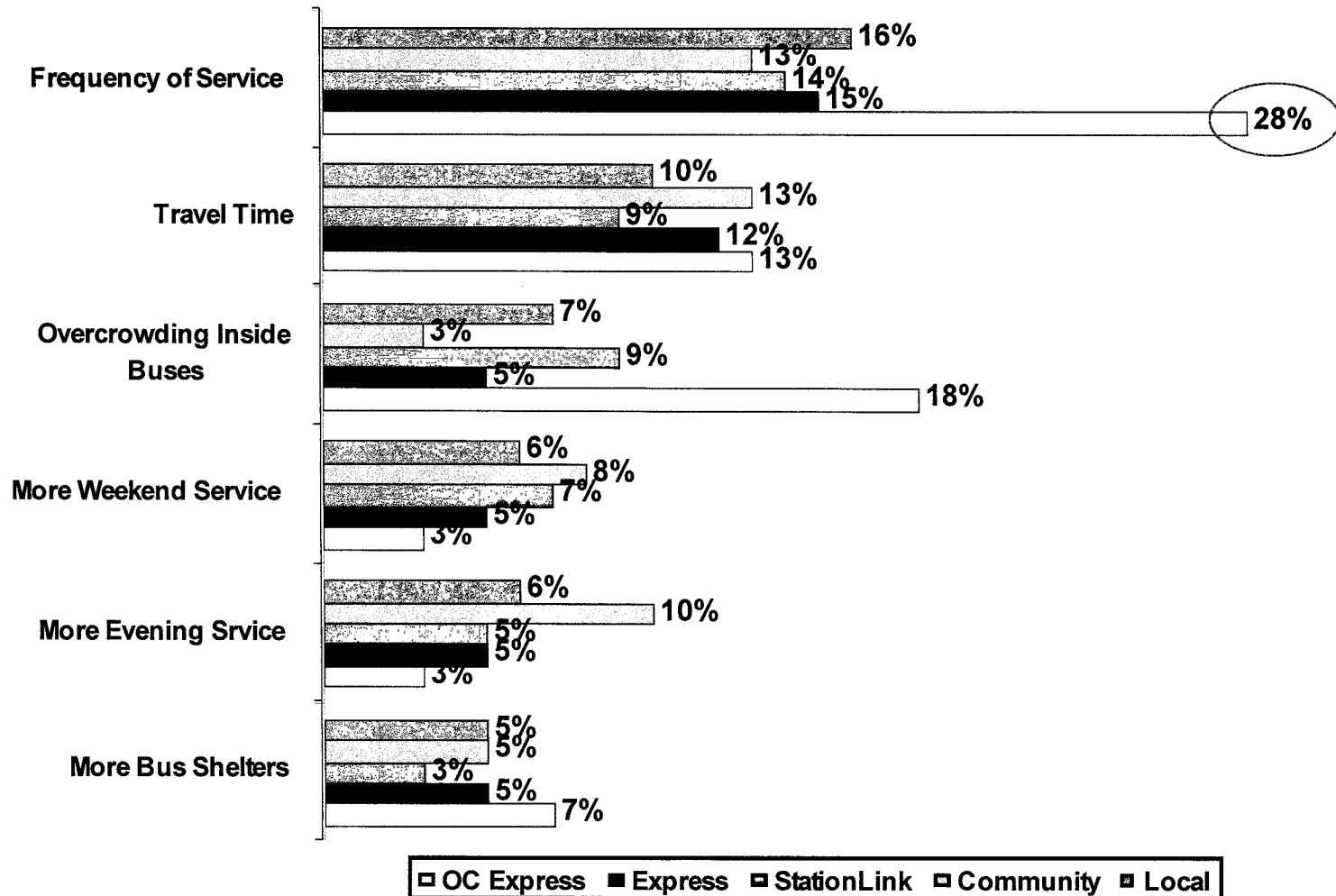
N (customers) = 902 “Don’t Know” answers and Issues less than 2% not represented.

Q4. Besides price, what is the single most important area in which OCTA should make improvements?



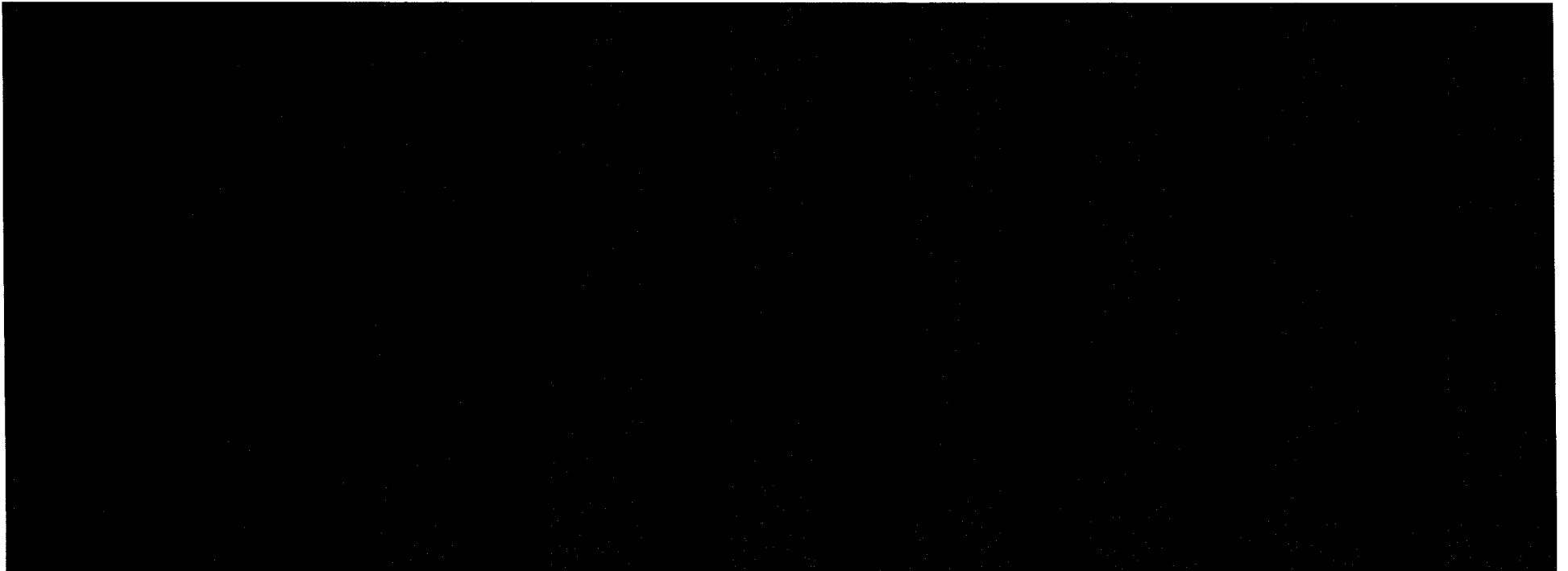
Specific Route Types – Area of Improvement

Over one-fourth of OC Express customers think frequency of service is the most important area in which OCTA should make improvements.



Q4. Besides price, what is the single most important area in which OCTA should make improvements?

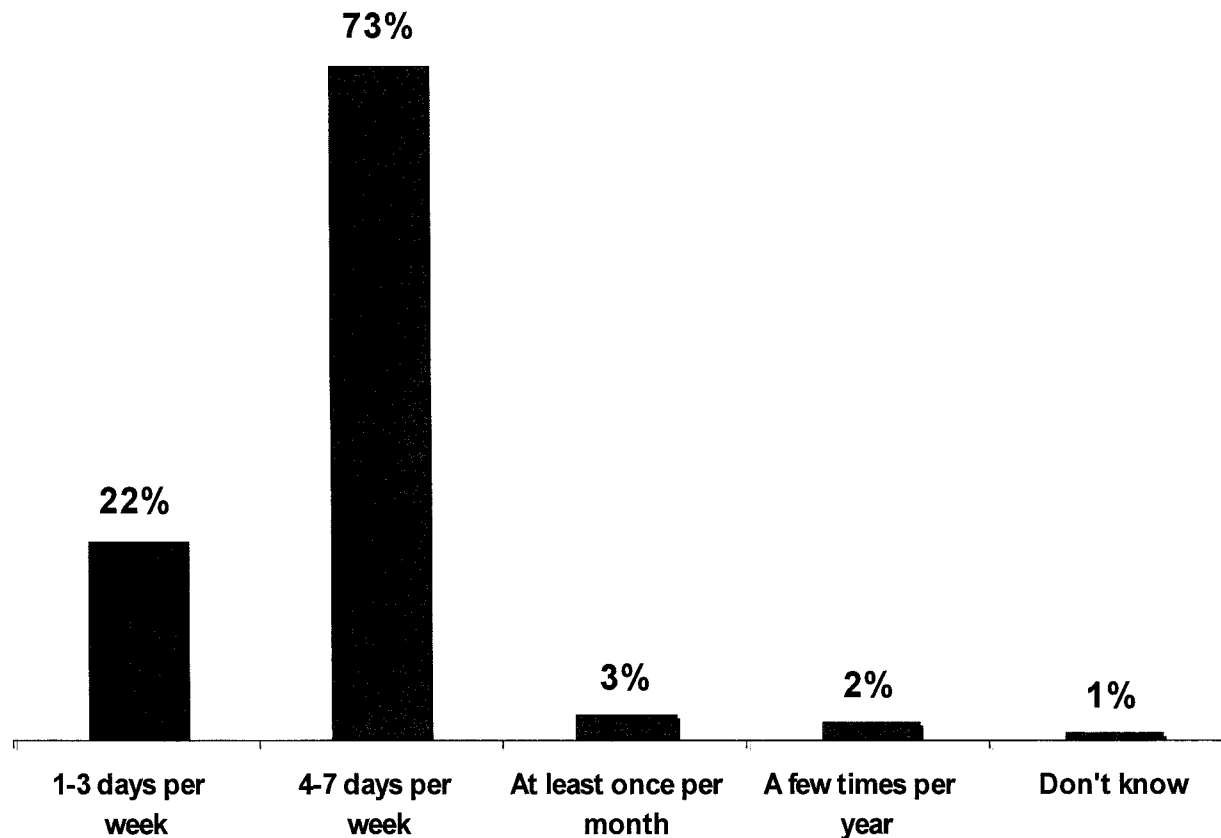
Service Usage Findings





Overall Ridership – Frequency

The majority of customers (73%) are riding the bus 4-7 days per week. Ninety-five percent of customers are riding the bus at least one day per week.



N (customers) = 902

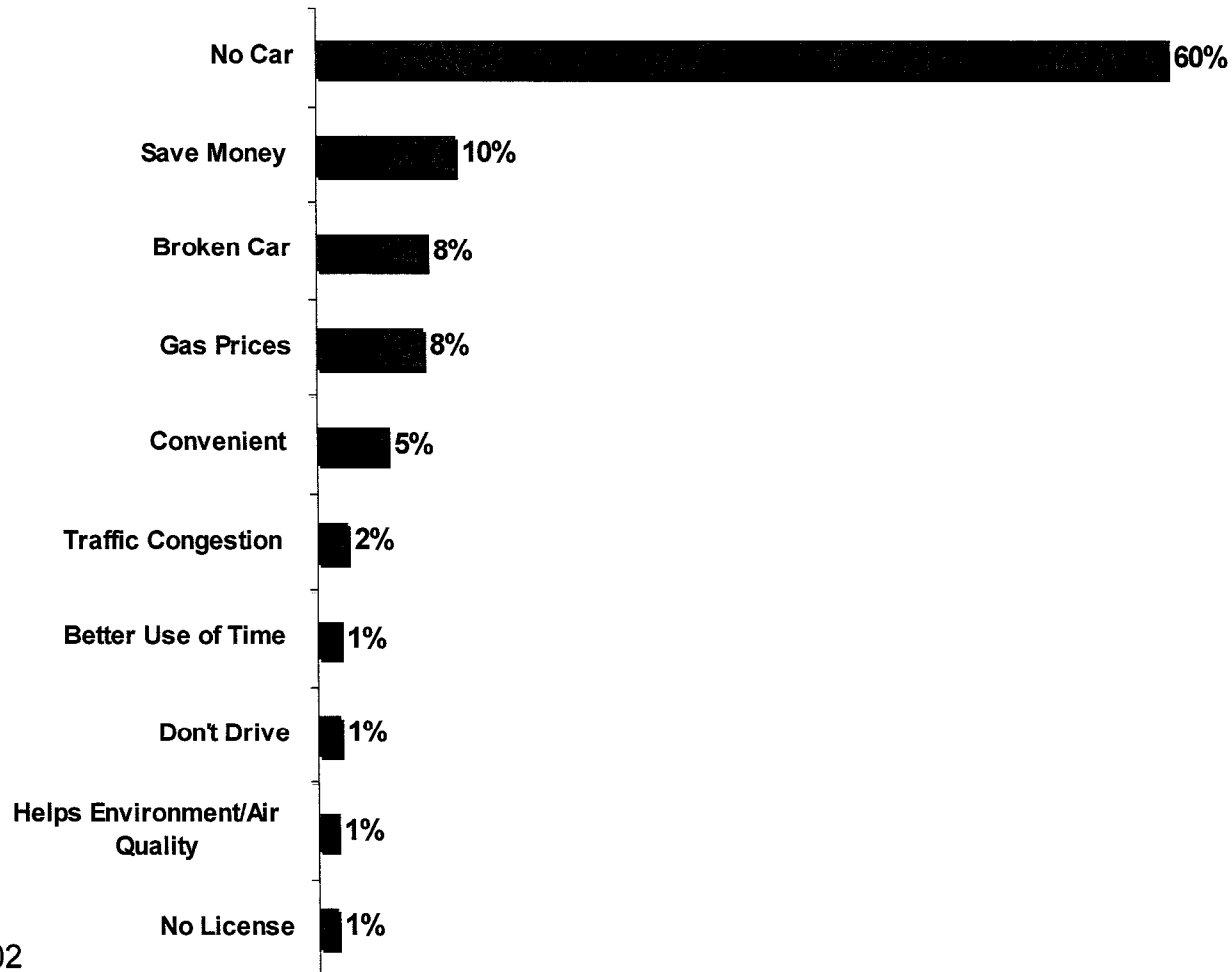
Q5. How often do you currently ride an OCTA bus?



www.octa.net

Overall Ridership – Primary Purpose

Sixty percent of customers are riding the bus because they do not have a car. The second most common reason is to save money (10%), followed by broken car (8%) and gas prices (8%).



N (customers) = 902

Q6. What is the primary purpose you ride the OCTA bus instead of using other means of transportation?



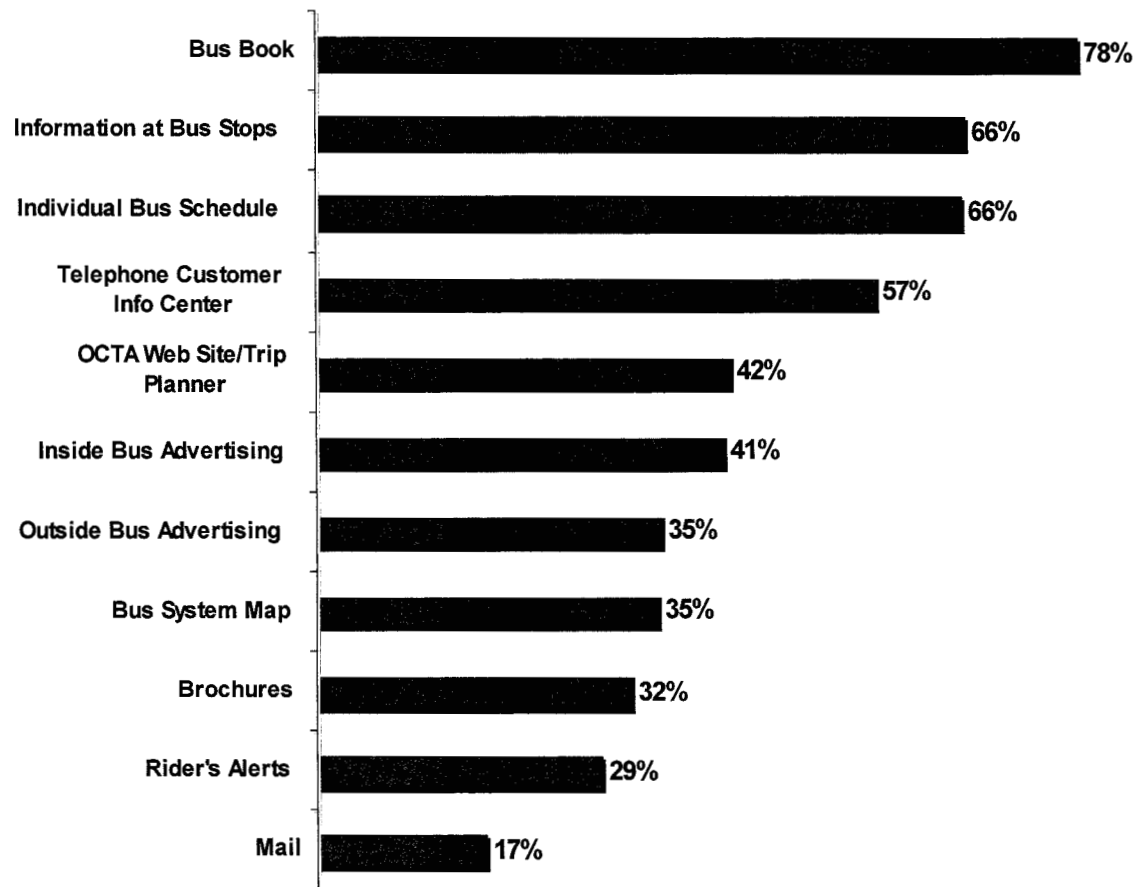
Public Information Findings





Overall Ridership – Sources Used

The most popular source for information about bus service is the Bus Book (78%). Information at bus stops (66%) and individual bus schedules (66%) are the next most popular sources for information, followed by the telephone customer information center (57%).



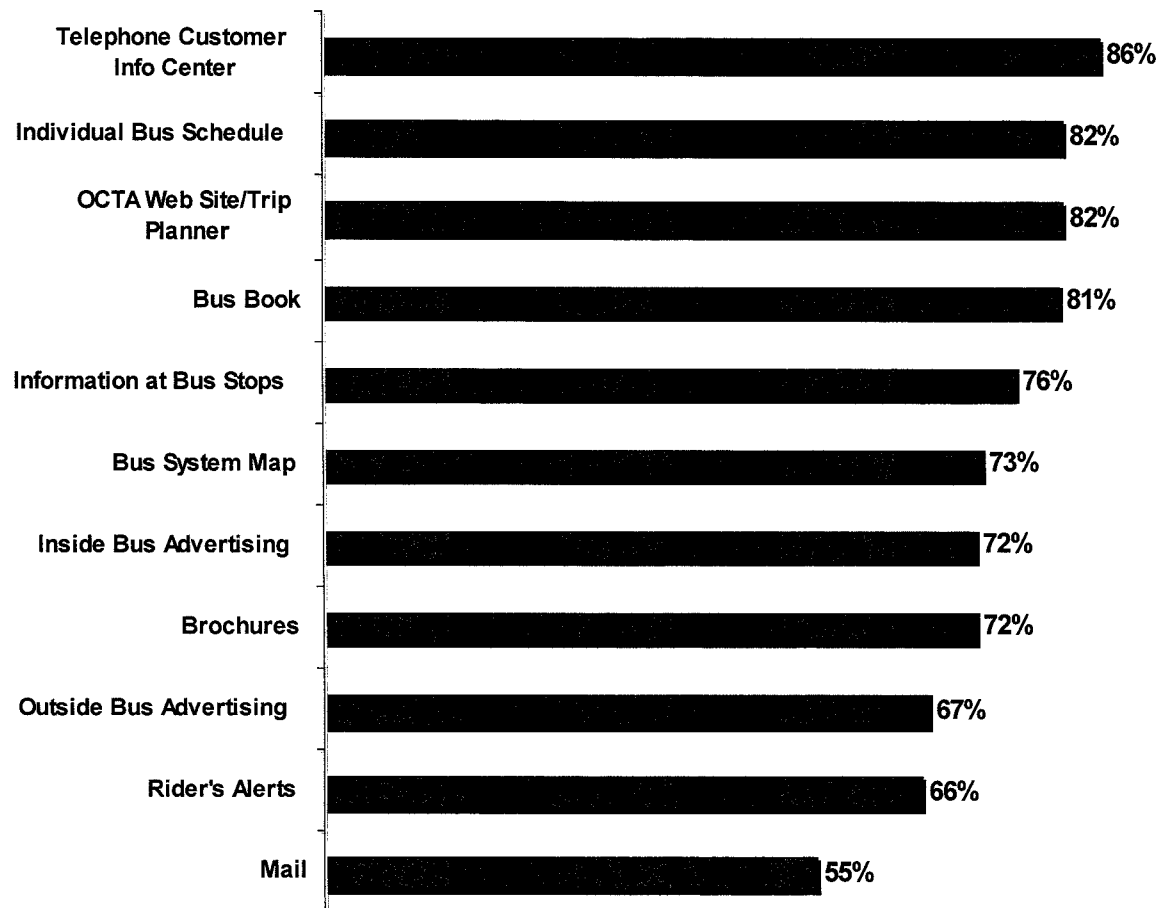
N (customers) = 902

Q8. Which of the following sources have you used for getting information about OCTA bus service?



Overall Ridership – Effectiveness of Sources

Most sources were considered effective. Telephone customer information center (86%) was considered most effective, followed by individual bus schedules (82%), OCTA Web site/trip planner (82%) and the Bus Book (81%).



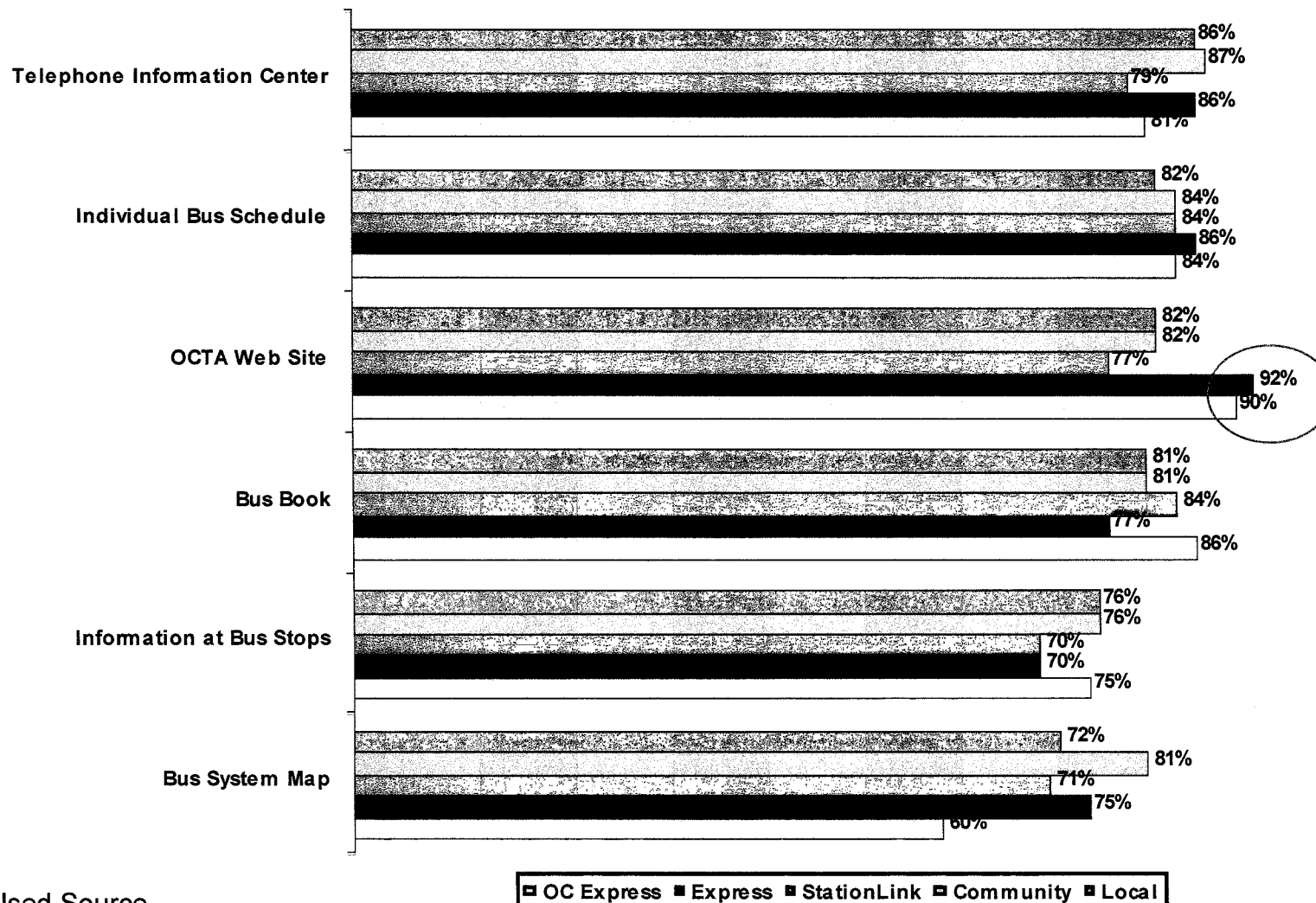
N sizes vary. Base: Used Source

Q9. Effectiveness of source at getting information about OCTA bus service?



Specific Route Types – Effectiveness of Sources

Express customers rate the OCTA Web Site highly effective.



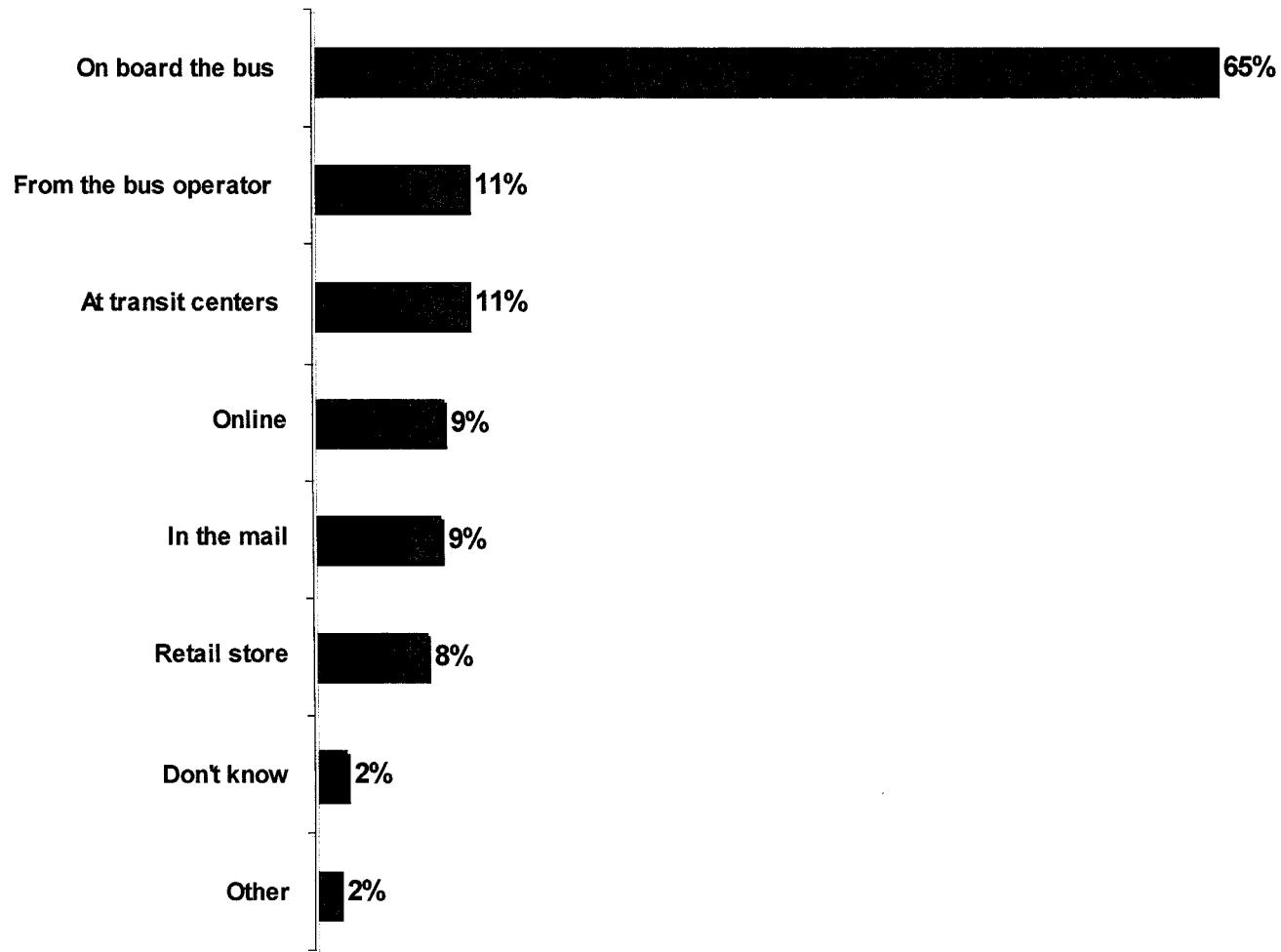
Base: Used Source

Q9. Effectiveness of source at getting information about OCTA bus service?



Overall Ridership – Bus Book

The majority of customers would prefer to get the bus book or individual bus schedule on board the bus (65%).



N (customers) = 902

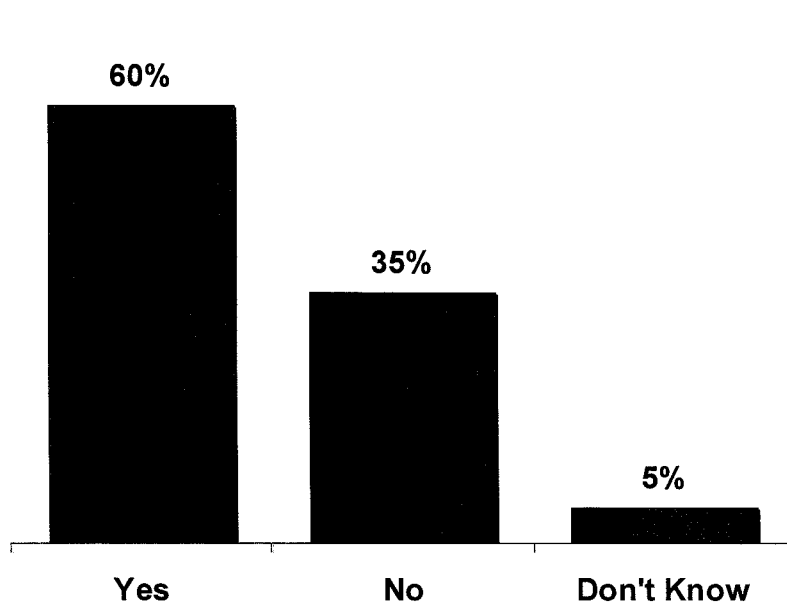
Q10. Which of the following sources would you prefer to get your bus book or individual bus schedule?



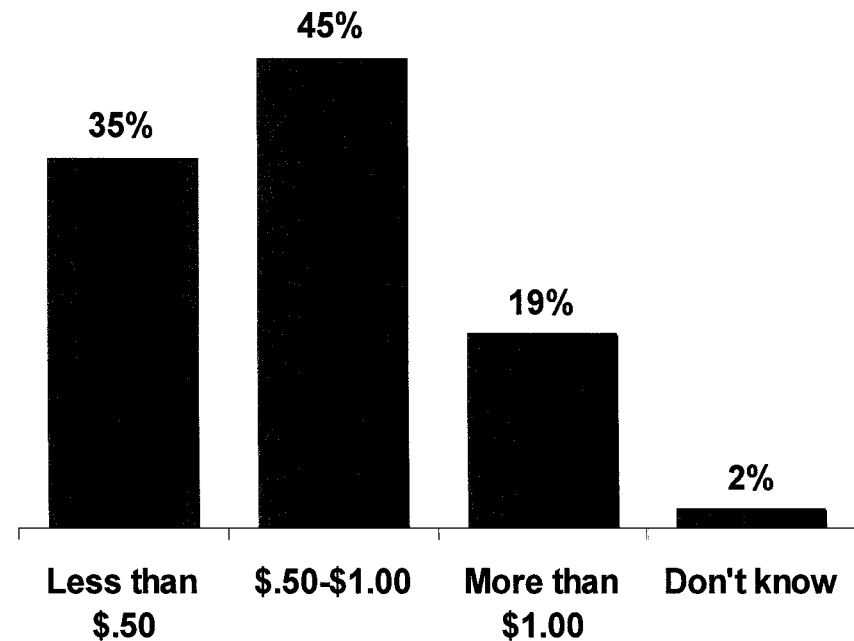
TRANSIT

Overall Ridership – Bus Book Cost

Sixty percent of customers would continue to use the Bus Book if there were a cost for purchasing the book.



n (customers) = 627. Base: Used the bus book



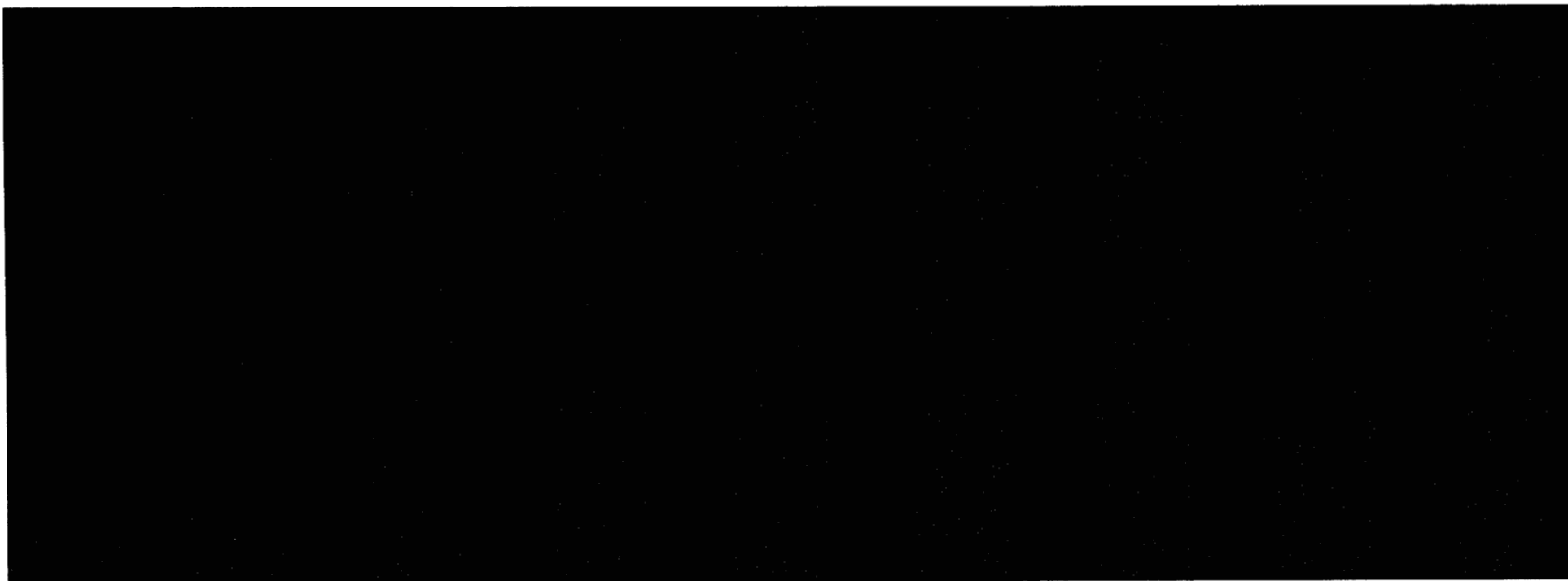
n (customers) = 379. Base: Would continue

- Q11a. Would you continue using the Bus Book for information if there were a cost for purchasing the book?
Q11b. If there were a cost for purchasing the book, what would you consider a reasonable price for it?



RESEARCH REPORT

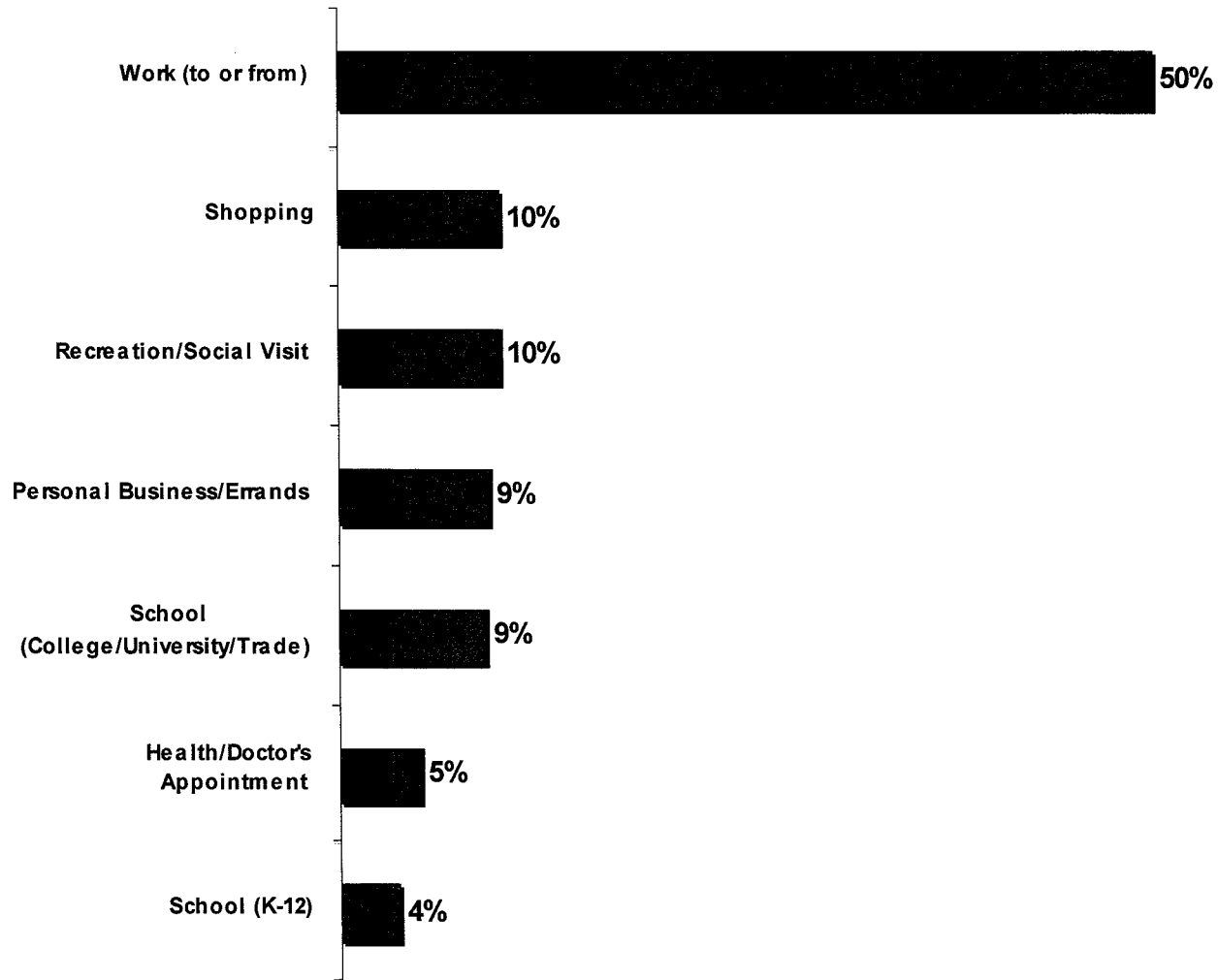
Trip Information Findings





Overall Ridership - Purpose of Trip

For half of the customers, the purpose of the current trip was work.



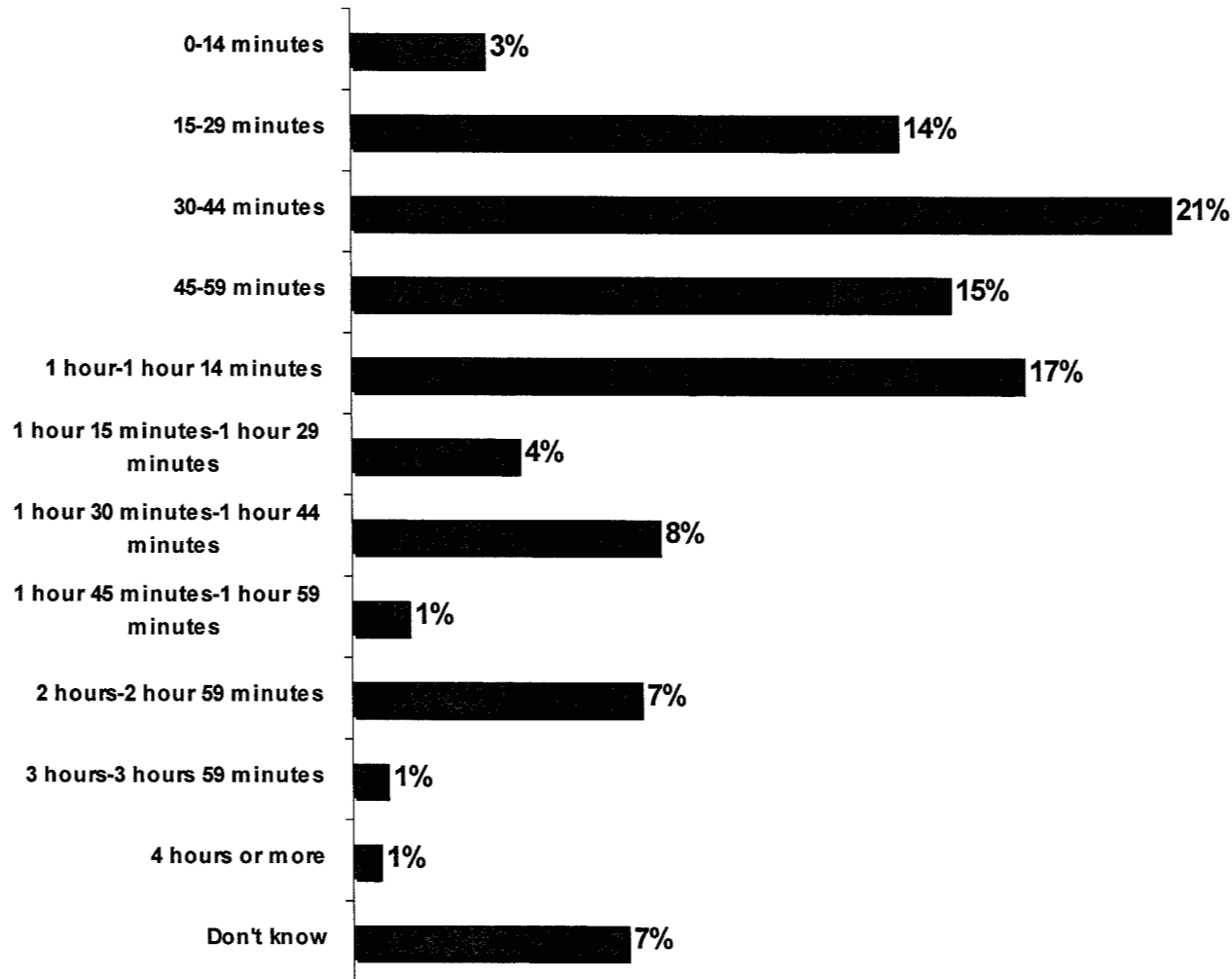
N (customers) = 902

Q13. What is the primary purpose of this trip?



Overall Ridership – Time Spent

Total average time spent completing the current trip was one hour (mean score).



N (customers) = 902

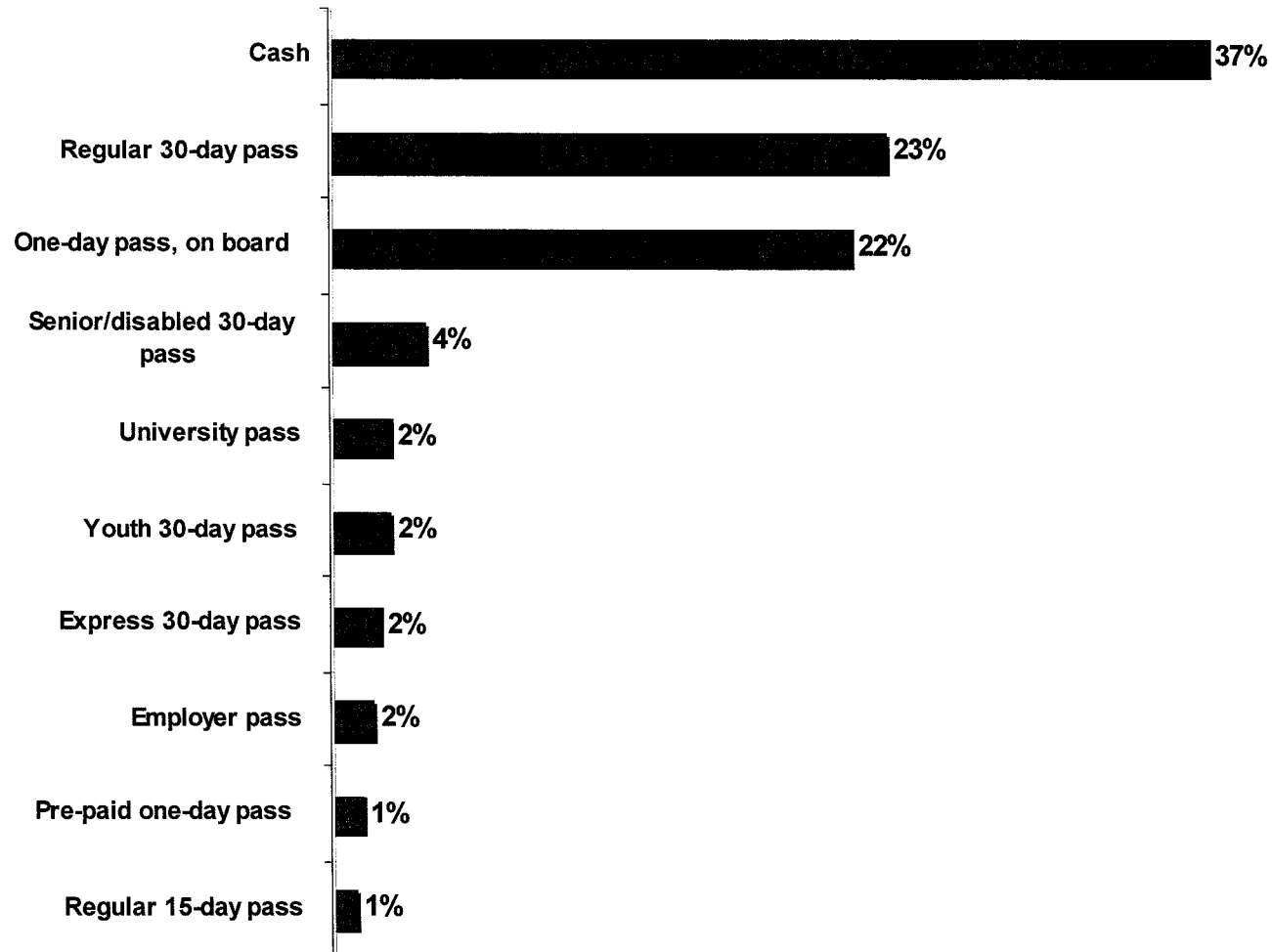
Q15. How much time would you estimate you will spend completing this trip?

Mean = 1.0



Overall Ridership – Method of Payment

Thirty-seven percent of customers paid cash for the current bus trip. The regular 30-day pass (23%) and one day pass on board (22%) were the next most common methods used to pay for the current bus trip.



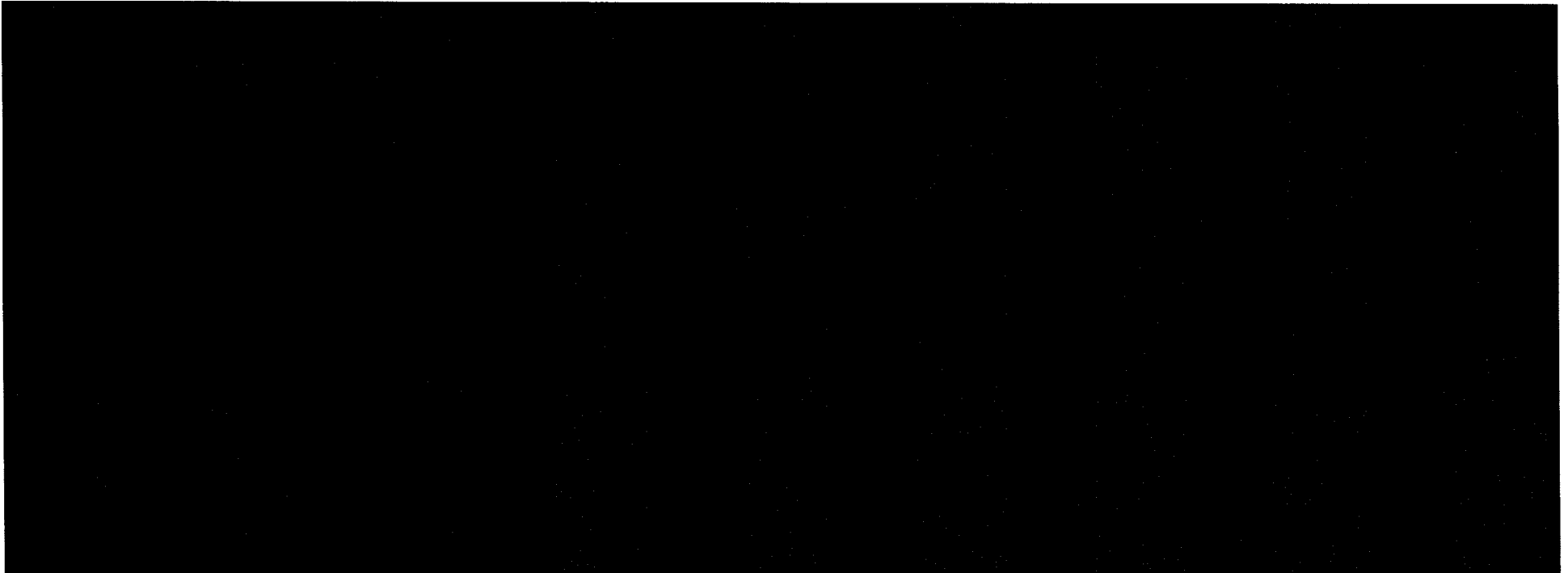
N (customers) = 902

Q16. How did you pay for this trip?

Not all passes shown due to very small %.



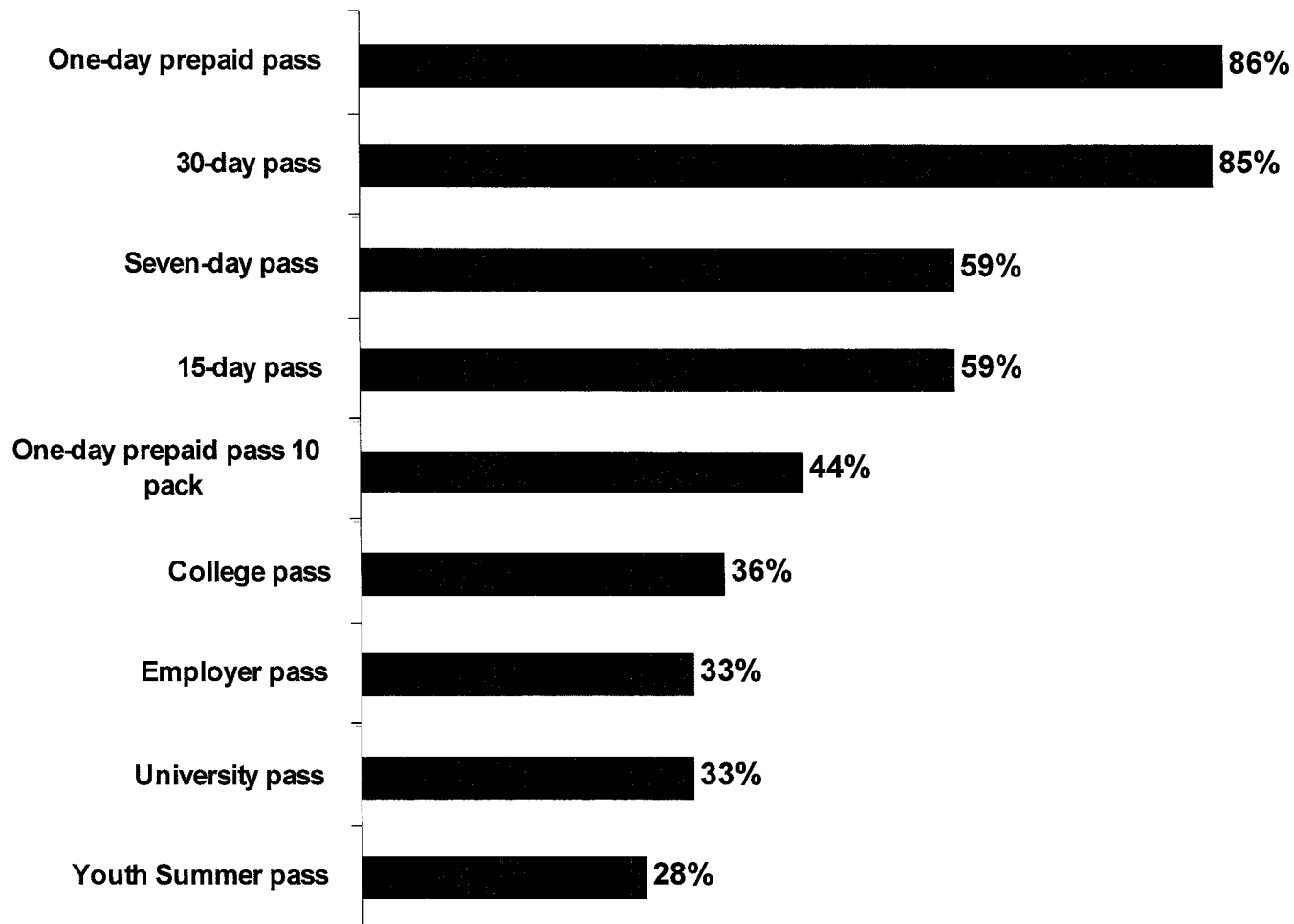
Bus Pass Information Findings





Overall Ridership – Pass Awareness

The one-day prepaid pass and the 30-day pass have the highest awareness.



N (customers) = 772

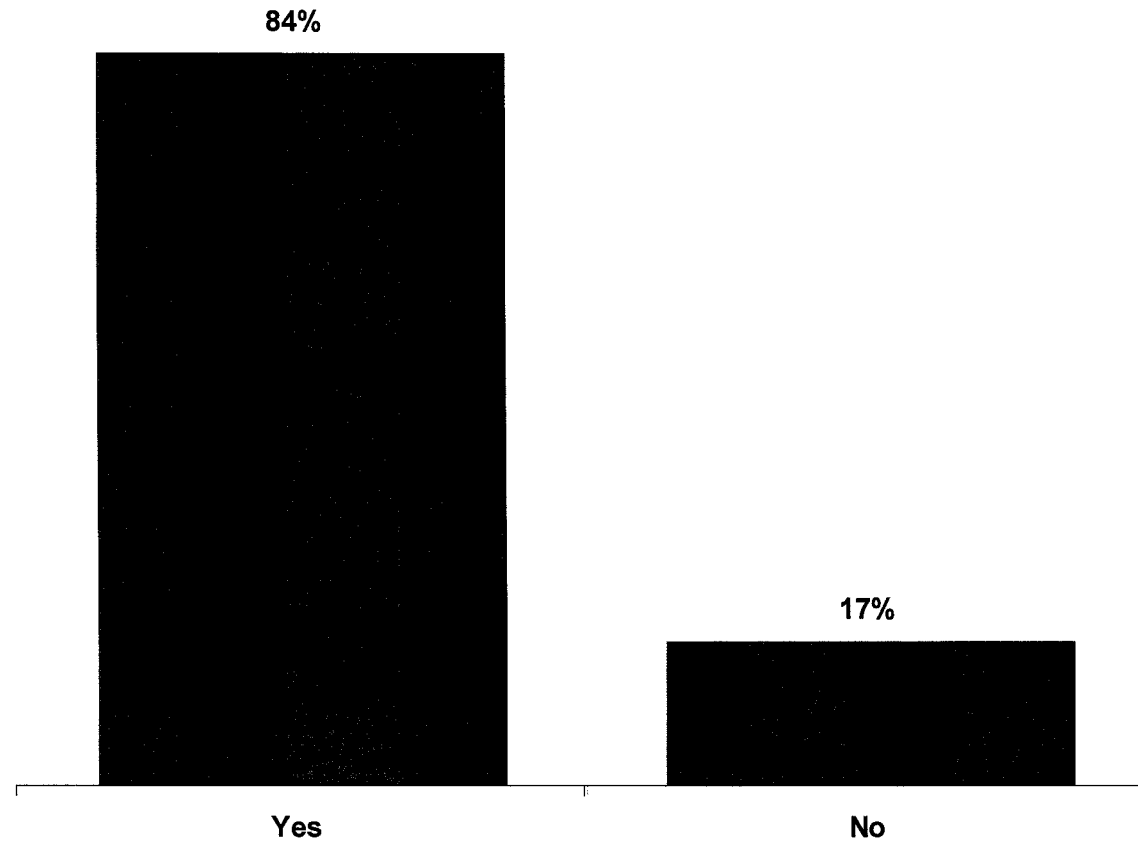
Q17a. Are you aware of the following bus passes?



REGIONAL
TRANSIT
AUTHORITY

Overall Ridership – Pass Usage

The majority of customers (84%) use or have used an OCTA bus pass.



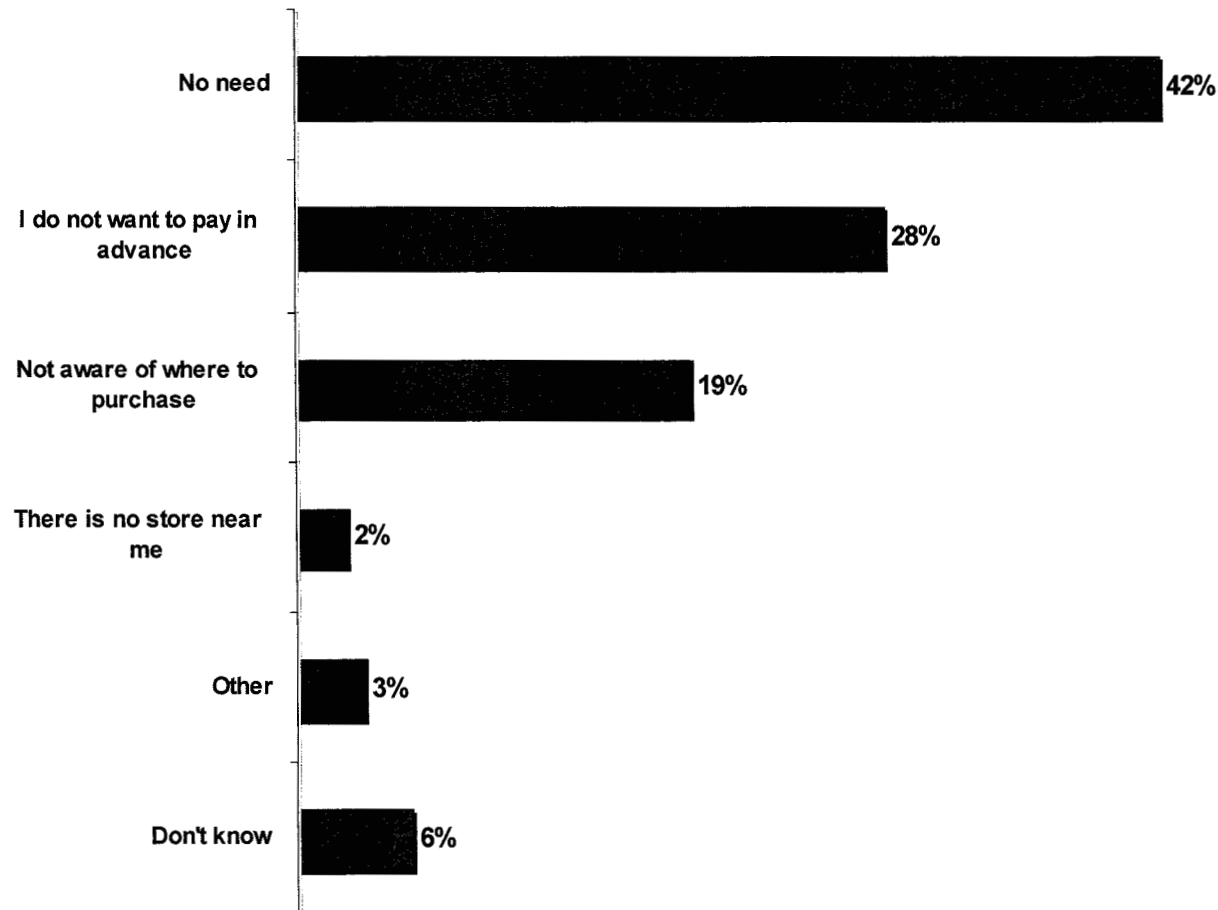
N (customers) = 772

Q17b. Do you or have you ever used any of these OCTA passes?



Overall Ridership – Pass Usage

Forty-two percent of those who do not use OCTA bus passes say it is because they have no need. Twenty-eight percent do not want to pay in advance and 19% say they are not aware of where to purchase the passes.



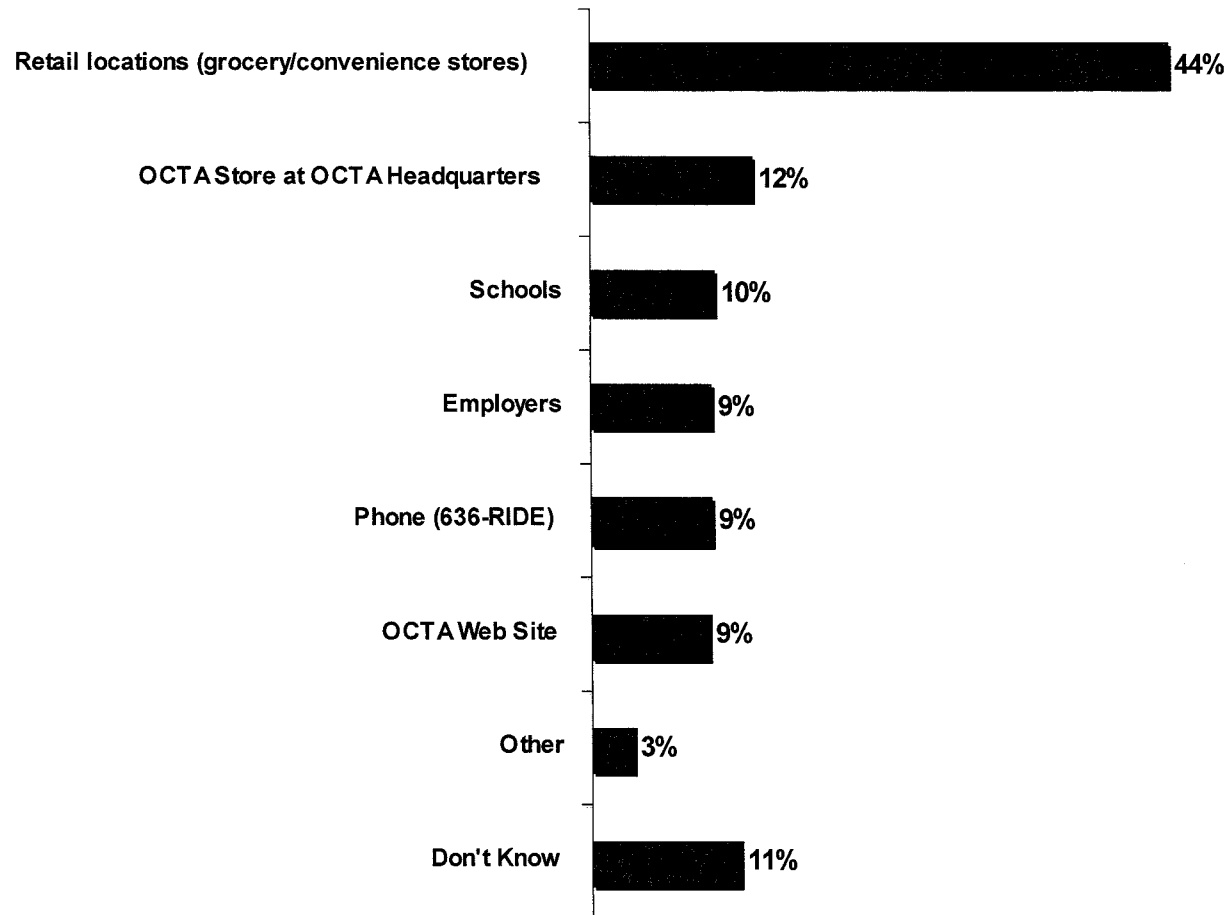
N (customers) = 127. Base: Aware/Never used OCTA bus pass
Q17c. Why haven't you used any of these OCTA bus passes?



Overall Ridership – Pass Purchase Preference

www.octa.net

Forty-four percent of customers would prefer to purchase their OCTA bus pass at retail locations. The other customers were divided among a mix of locations/options.



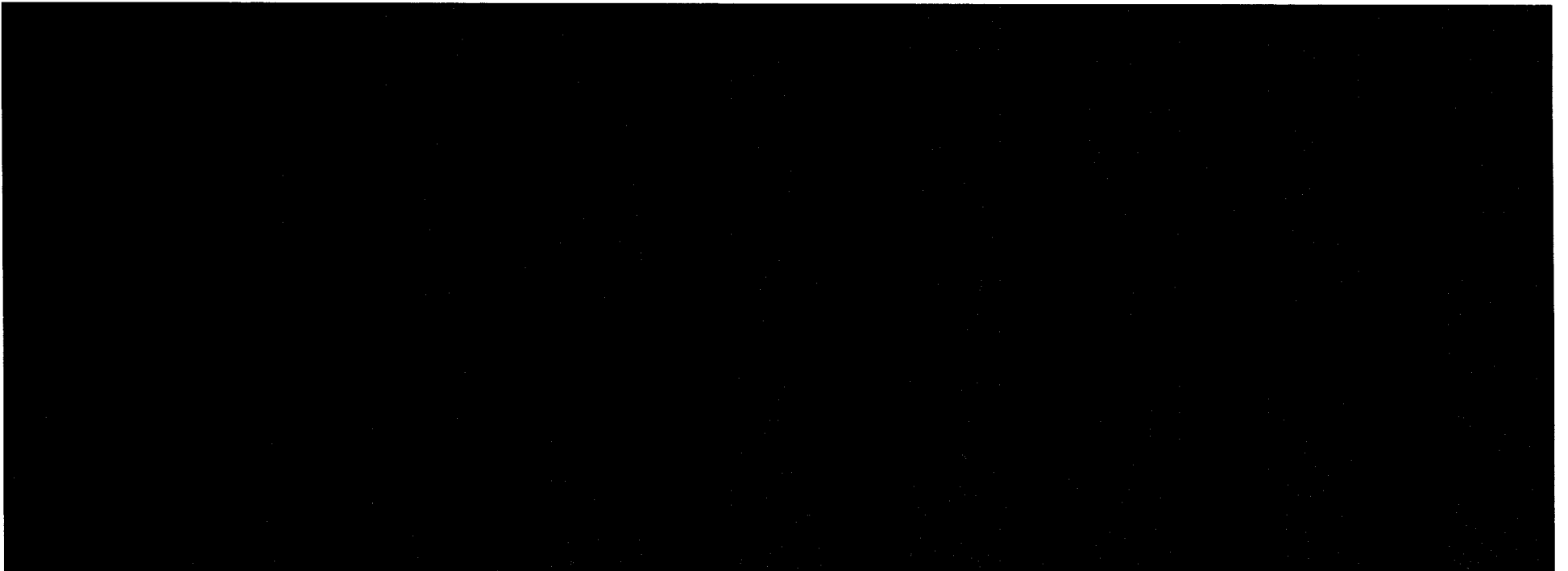
N (customers) = 902

Q17d. Where would you prefer to purchase your OCTA bus pass?



RESEARCH

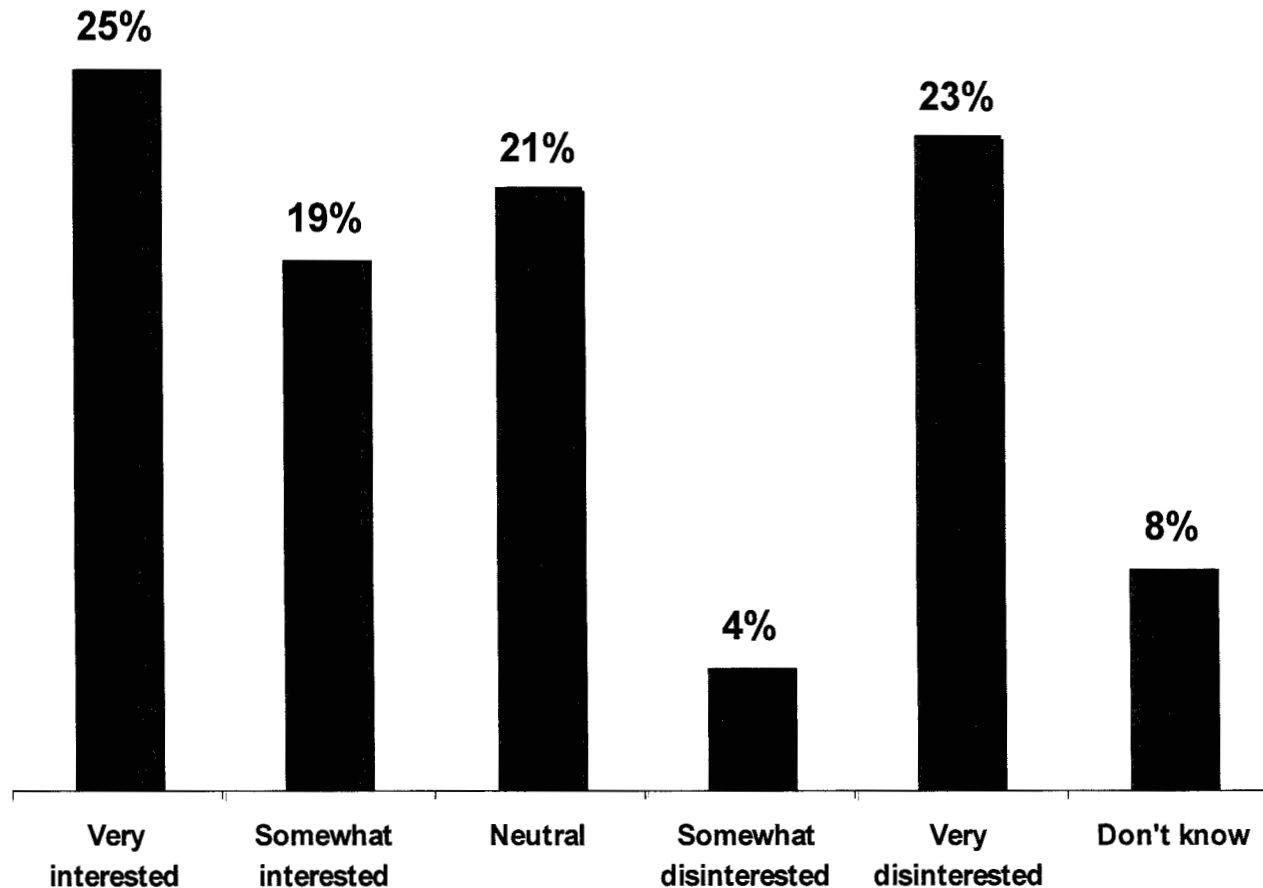
Other Findings





Overall Ridership – Wireless Internet

Forty-four percent of customers say they are interested in having wireless Internet access available to them.



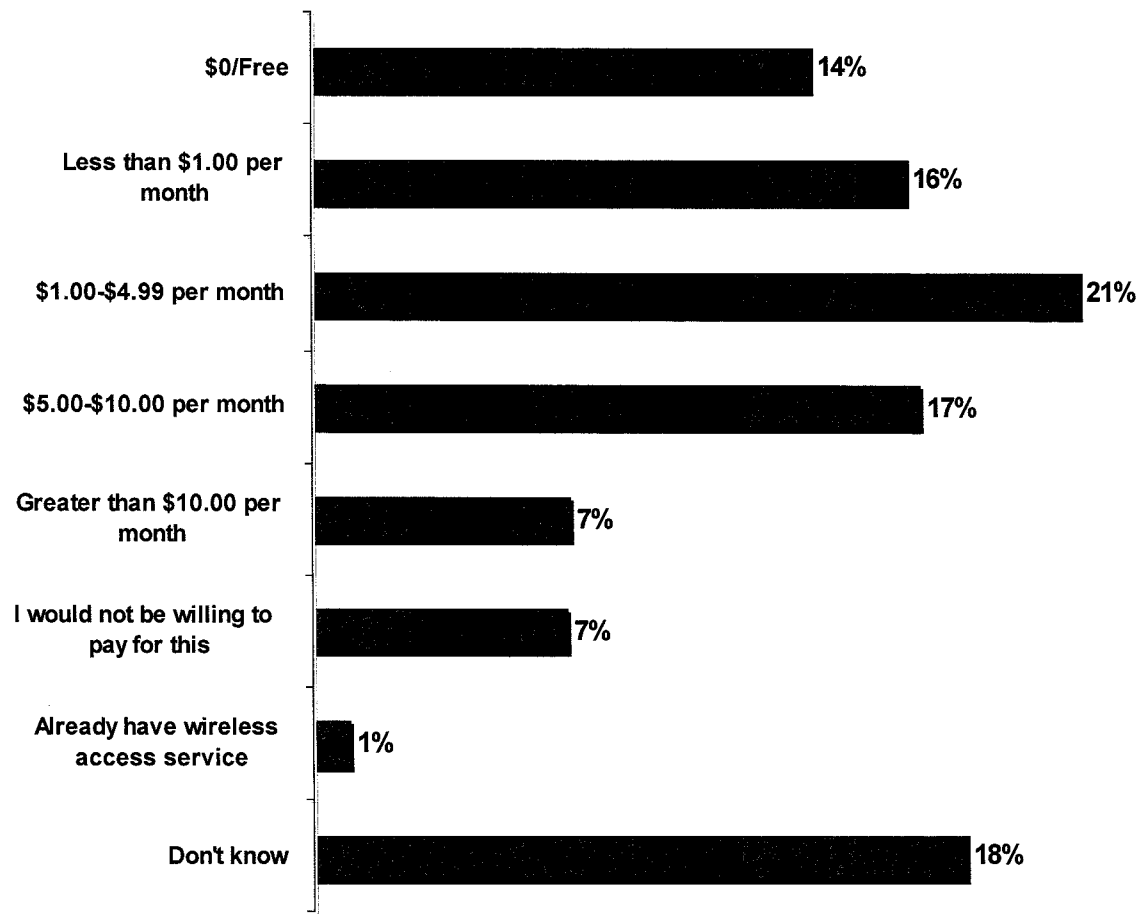
N (customers) = 902

Q21a. How interested are you in having wireless Internet access available to you while riding the bus?



Overall Ridership – Wireless Internet Cost

Twenty-one percent of customers think Internet access should be free or say they would not be willing to pay for it. Another 21% think a reasonable price is \$1.00 – \$4.99 per month and 17% think a reasonable price is \$5.00 – \$10.00.

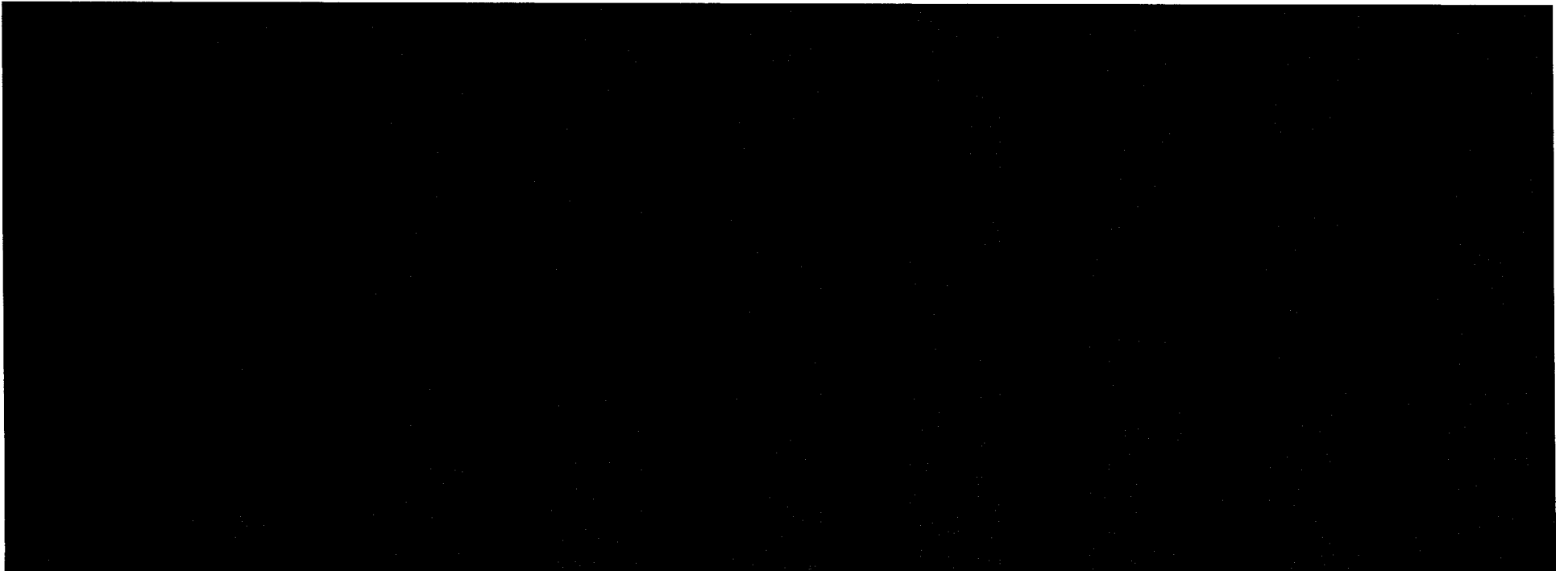


N (customers) = 625. Base: Excludes Very disinterested in Q21a.

Q21b. What would you consider a reasonable price per month for wireless Internet access on an OCTA bus?



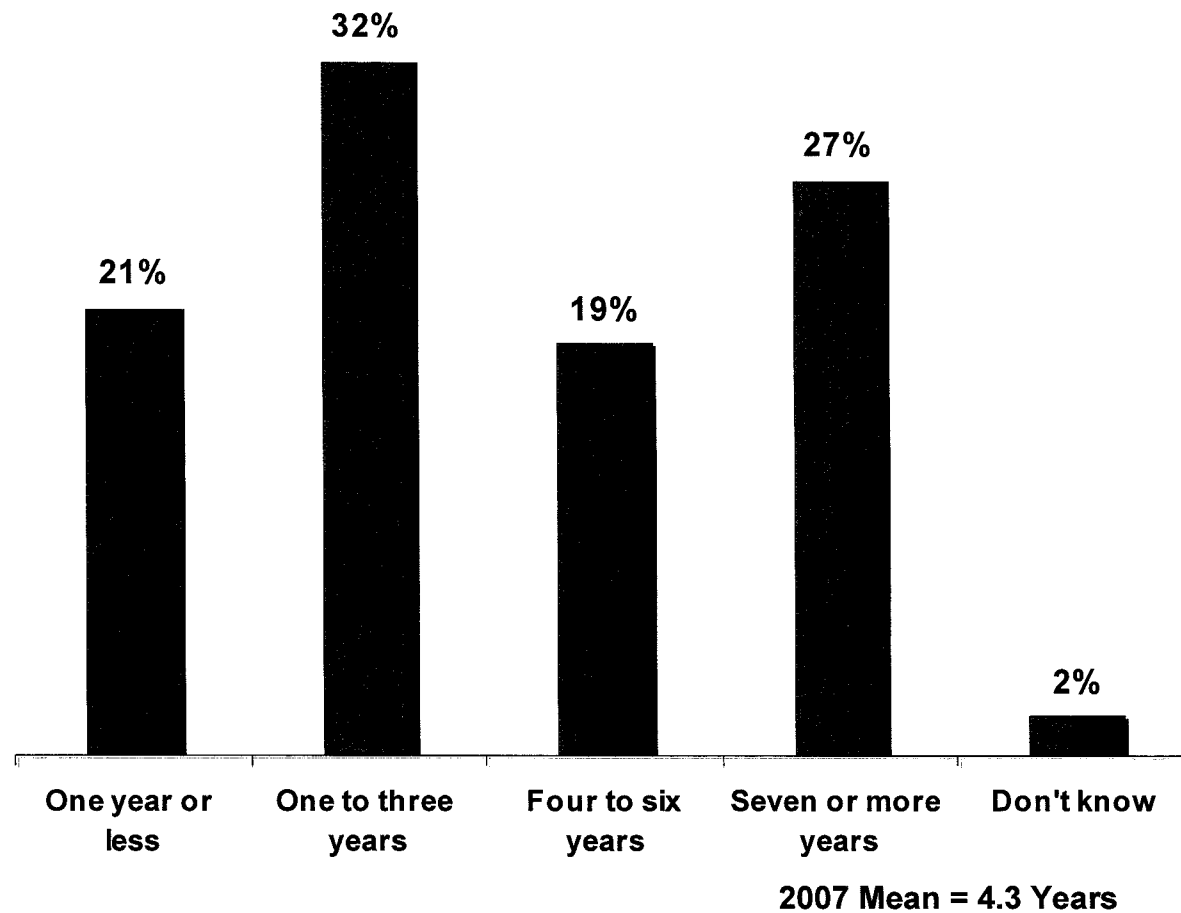
Demographic Information





Overall Ridership – Length of Ridership

Average length of time using OCTA bus service is 4.3 years (mean score).



N (customers) = 902

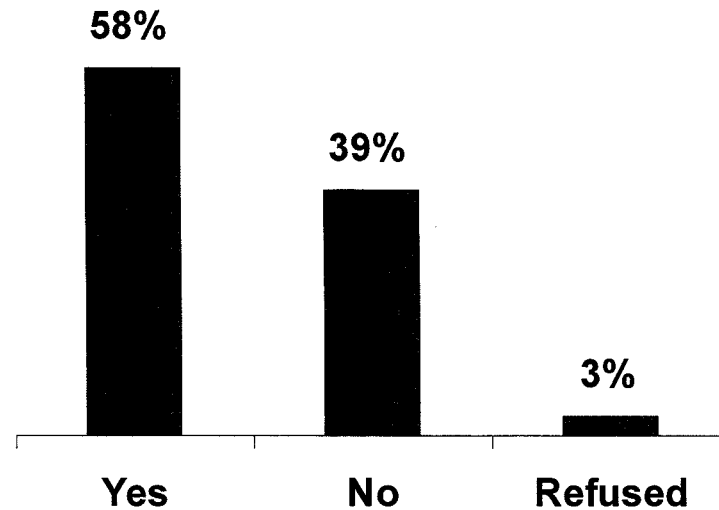
Q22. How long have you used OCTA bus service?



www.ir.com

Overall Ridership – Internet Access

The majority of customers (58%) currently have access to the Internet.



N (customers) = 902

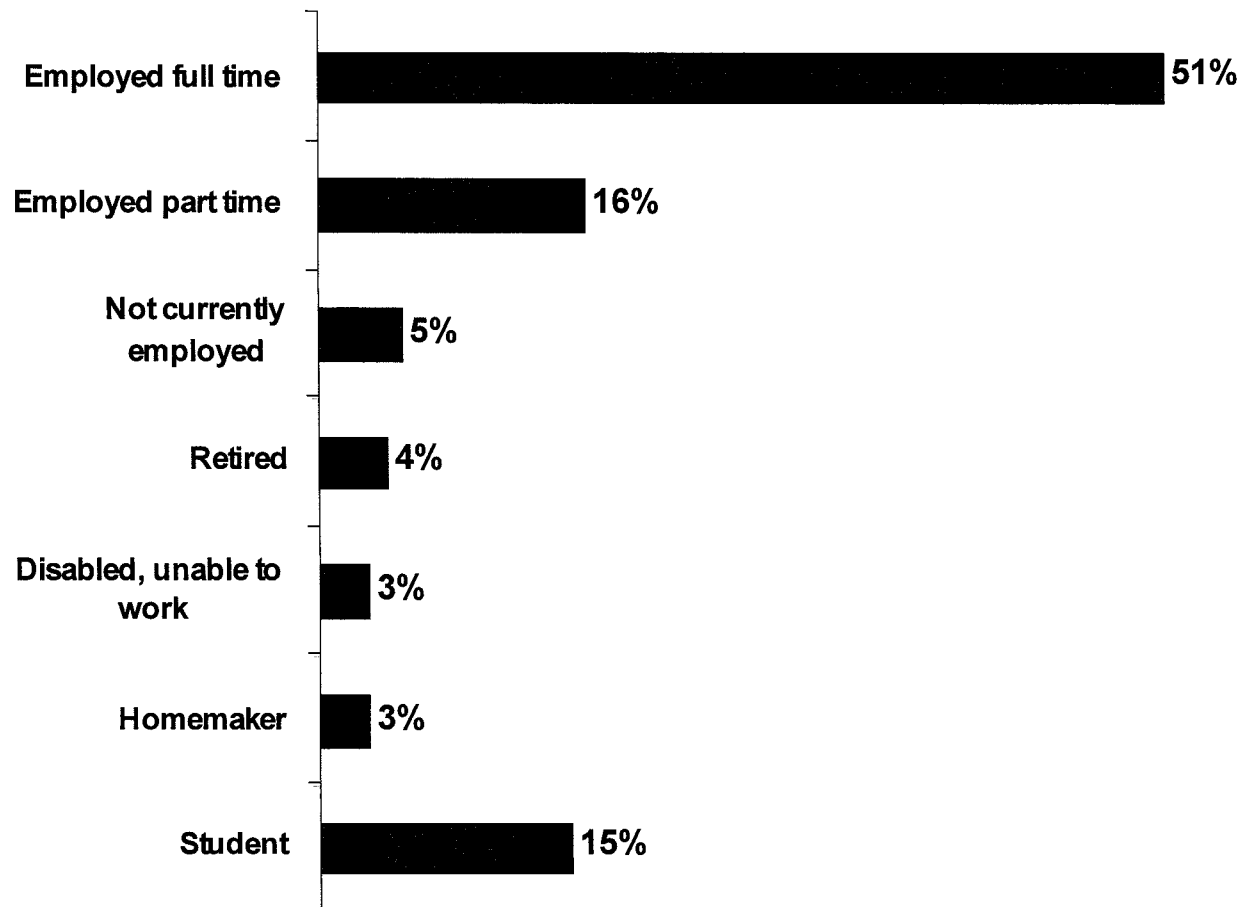
Q23. Do you currently have access to the Internet?



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Overall Ridership – Employment Status

The majority of customers are employed full or part time.



N (customers) = 902

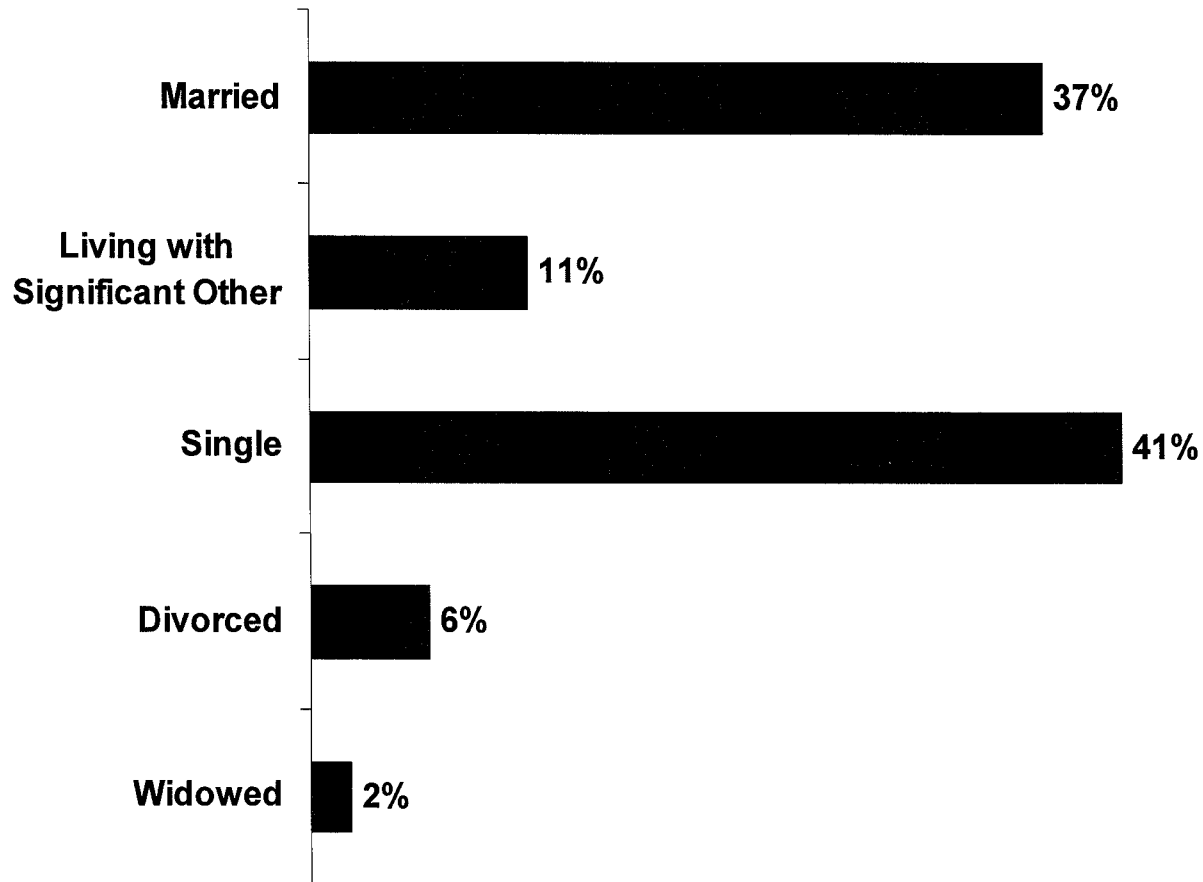
Q27. Which of the following categories best describes your employment status?



TRANSIT RISK

Overall Ridership – Marital Status

Forty-one percent of customers are single. Just under half (48%) are married or living with significant other.



N (customers) = 902

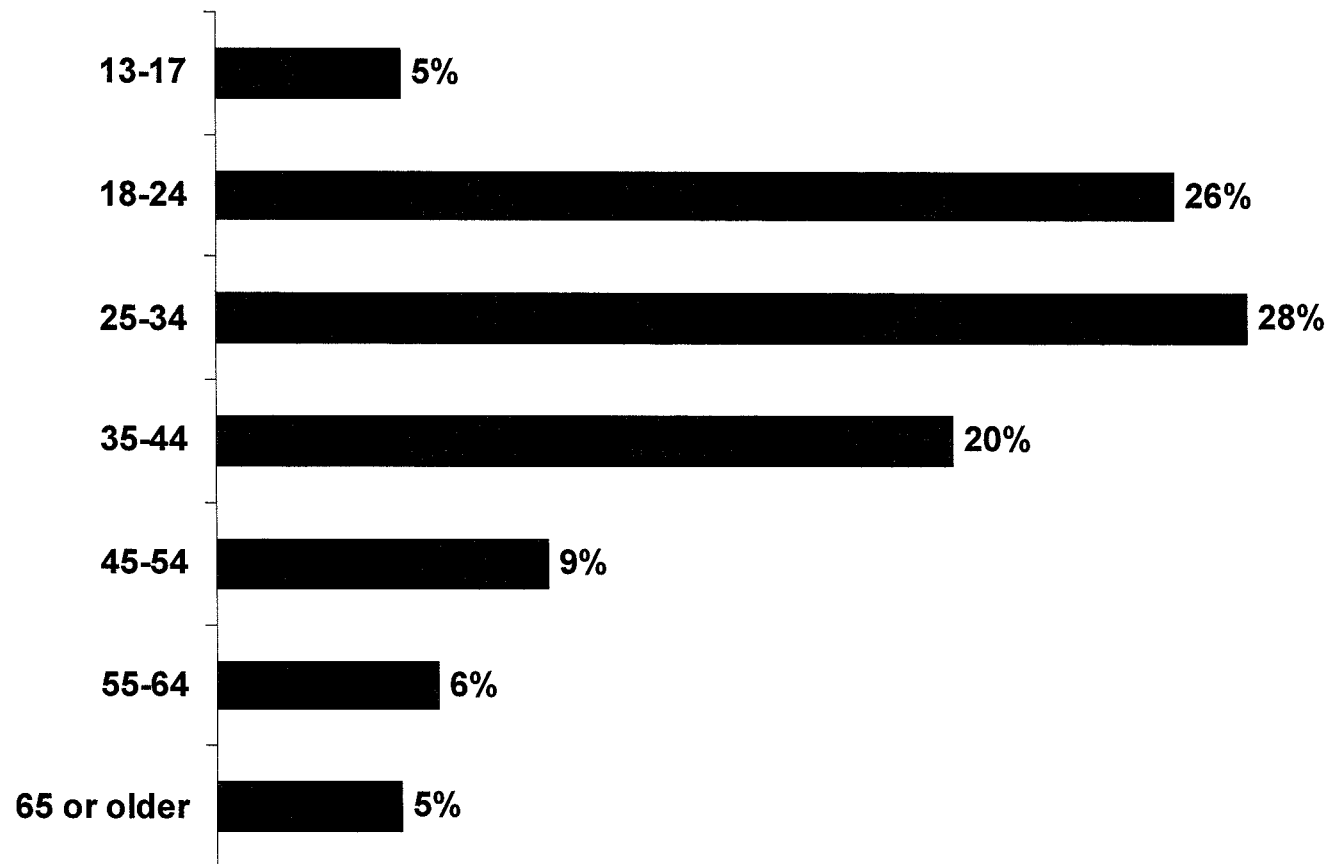
Q29. What is your current marital status?



www.tr.com

Overall Ridership – Age

The majority of customers (almost 75%) are between the ages of 18 – 44. Almost half are between the ages of 25 – 44.



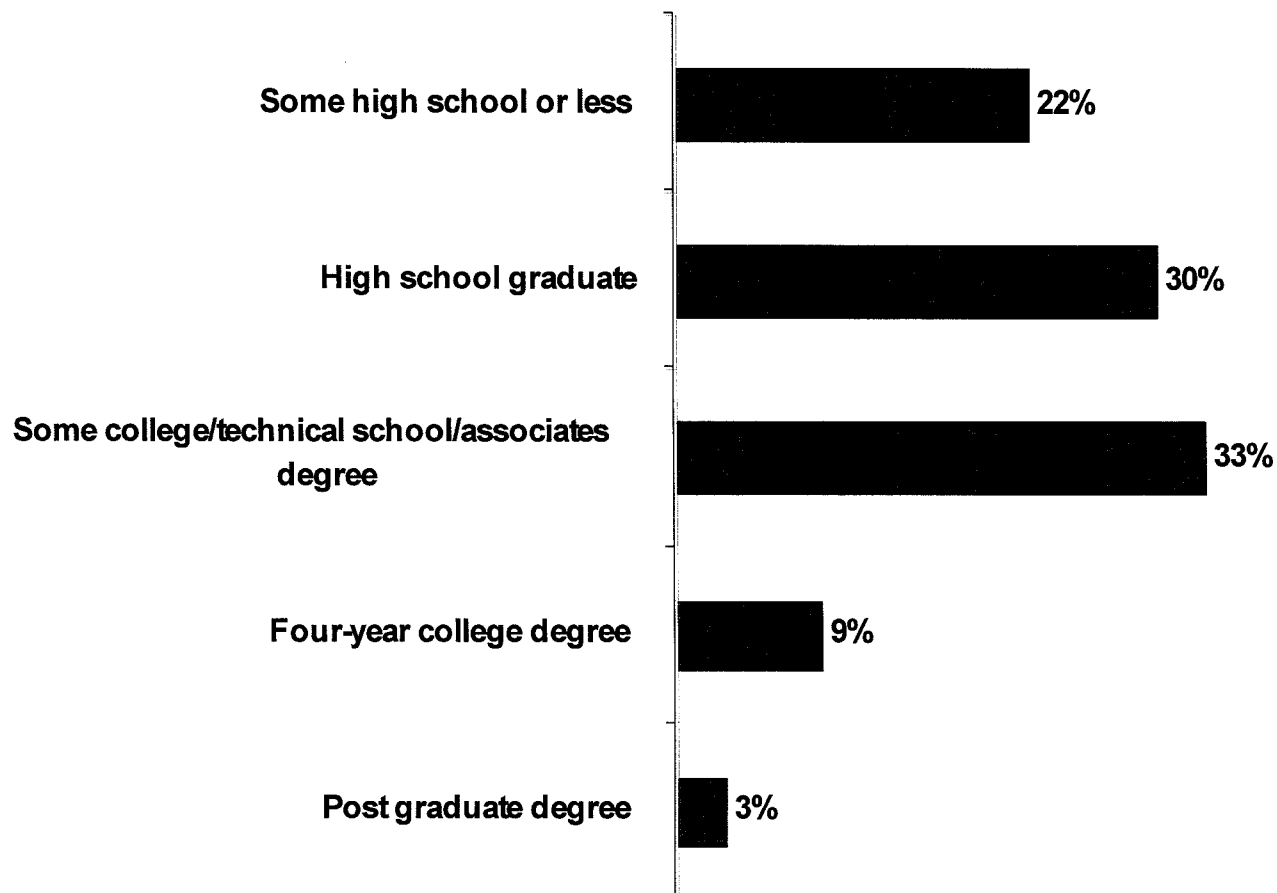
N (customers) = 902

Q30. What is your age?



Overall Ridership – Education Level

Forty-five percent of customers had **at least** some college/technical school/ associates degree.



N (customers) = 902

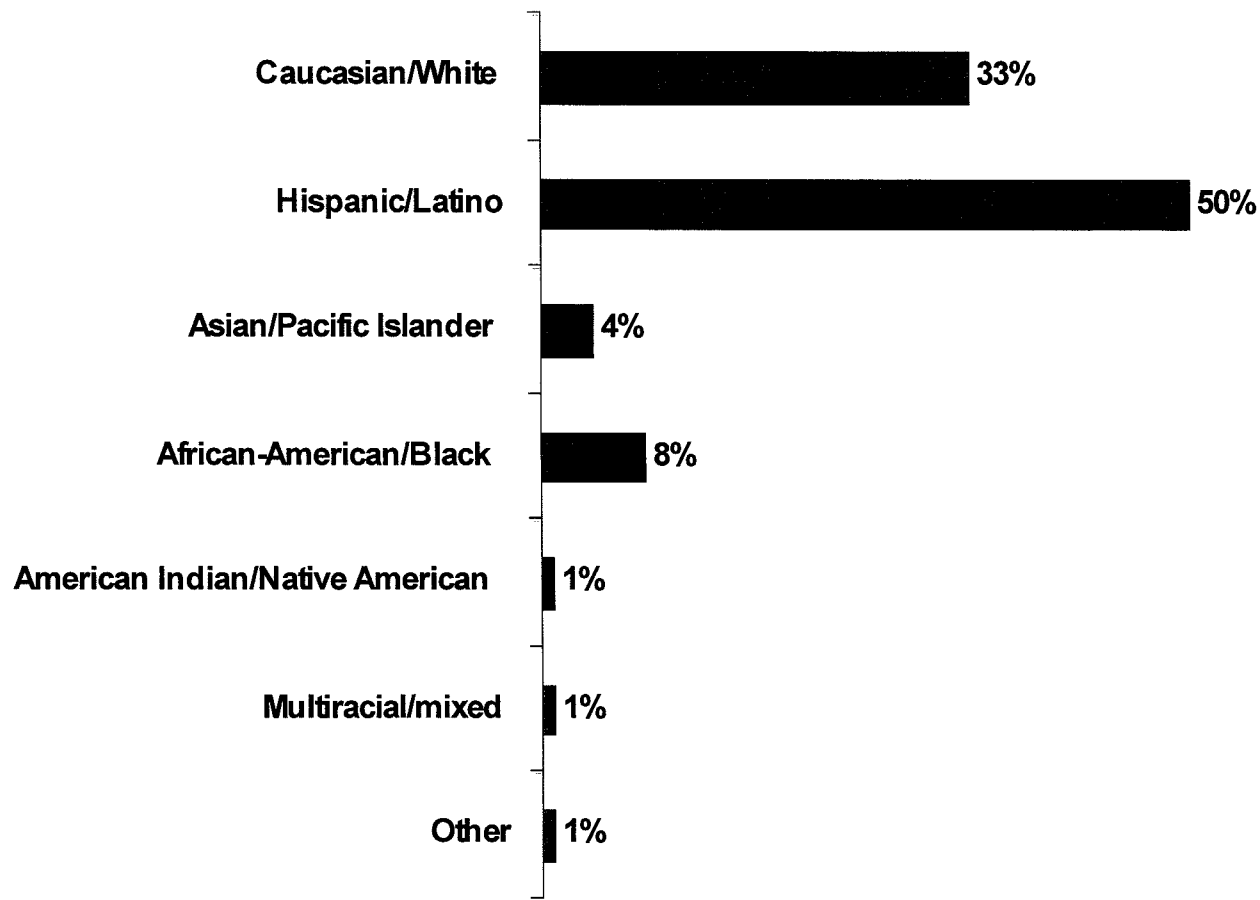
Q31. What is the highest level of education you completed?



www.rtr.com

Overall Ridership – Ethnicity

Half of customers are Hispanic/Latino; one-third are Caucasian/White; 8% are African-American/Black; 4% are Asian/Pacific Islander.



N (customers) = 902

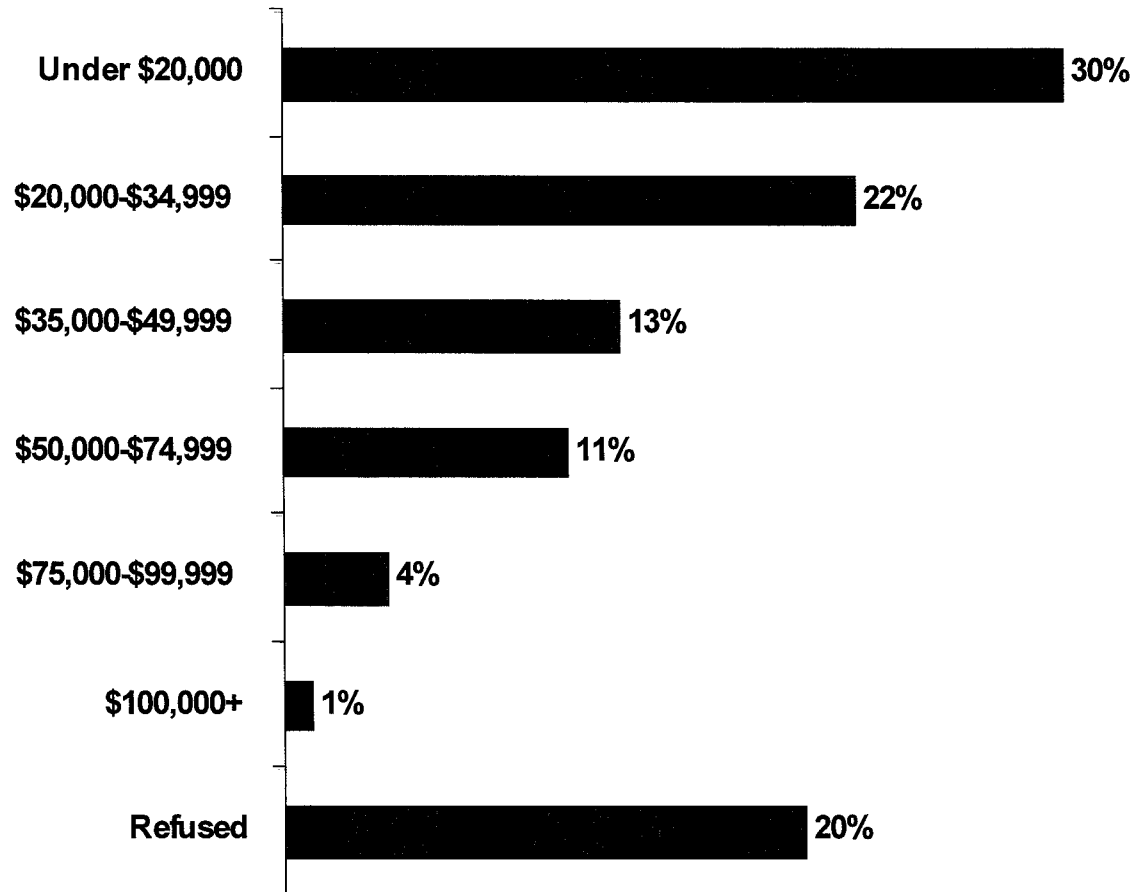
Q32. Ethnic origin



6000 DVA 2/1/04

Overall Ridership – Income

Average household income is \$31,800.



Mean Income = \$31,800

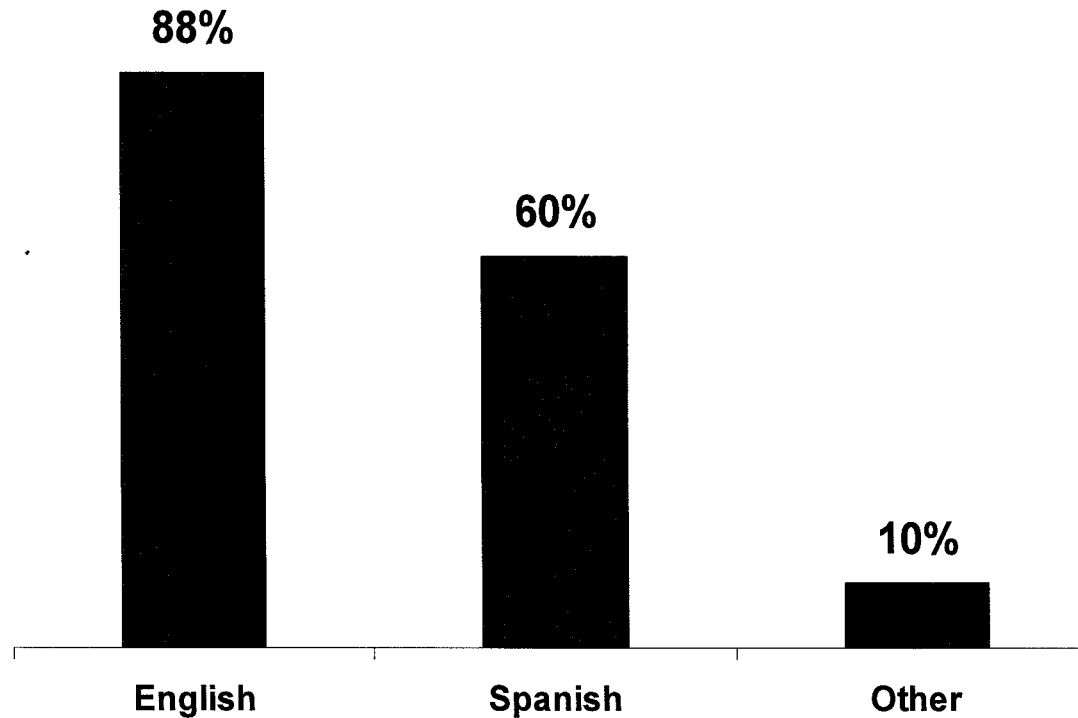
N (customers) = 902

Q33. Annual household income



Overall Ridership – Languages Spoken

Eighty-eight percent of customers speak English; 60% of customers speak Spanish; 10% speak another language.



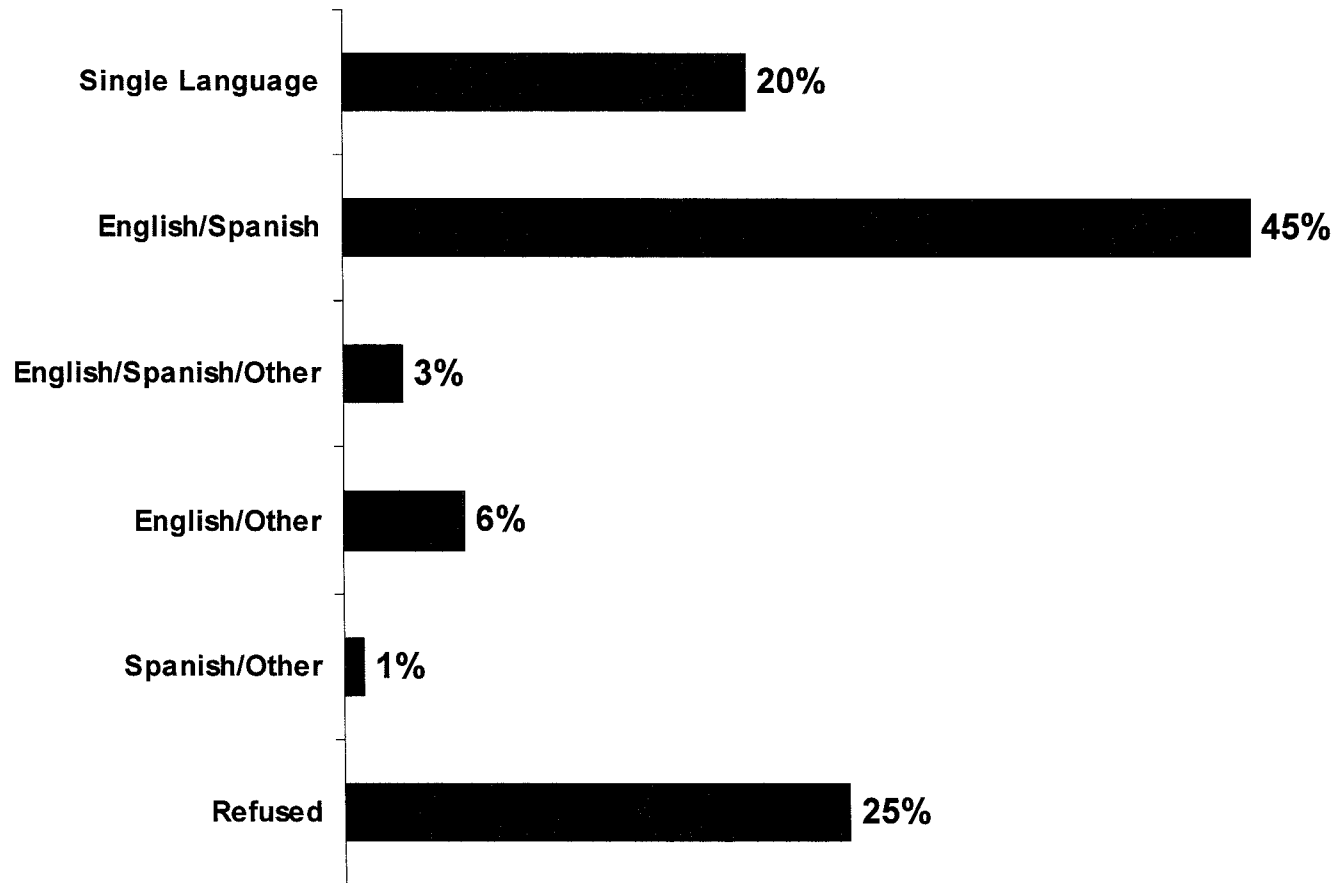
N (customers) = 902
Q34a. Languages spoken

Language not mutually exclusive.



Overall Ridership – Languages Spoken

The majority of customers are bilingual.

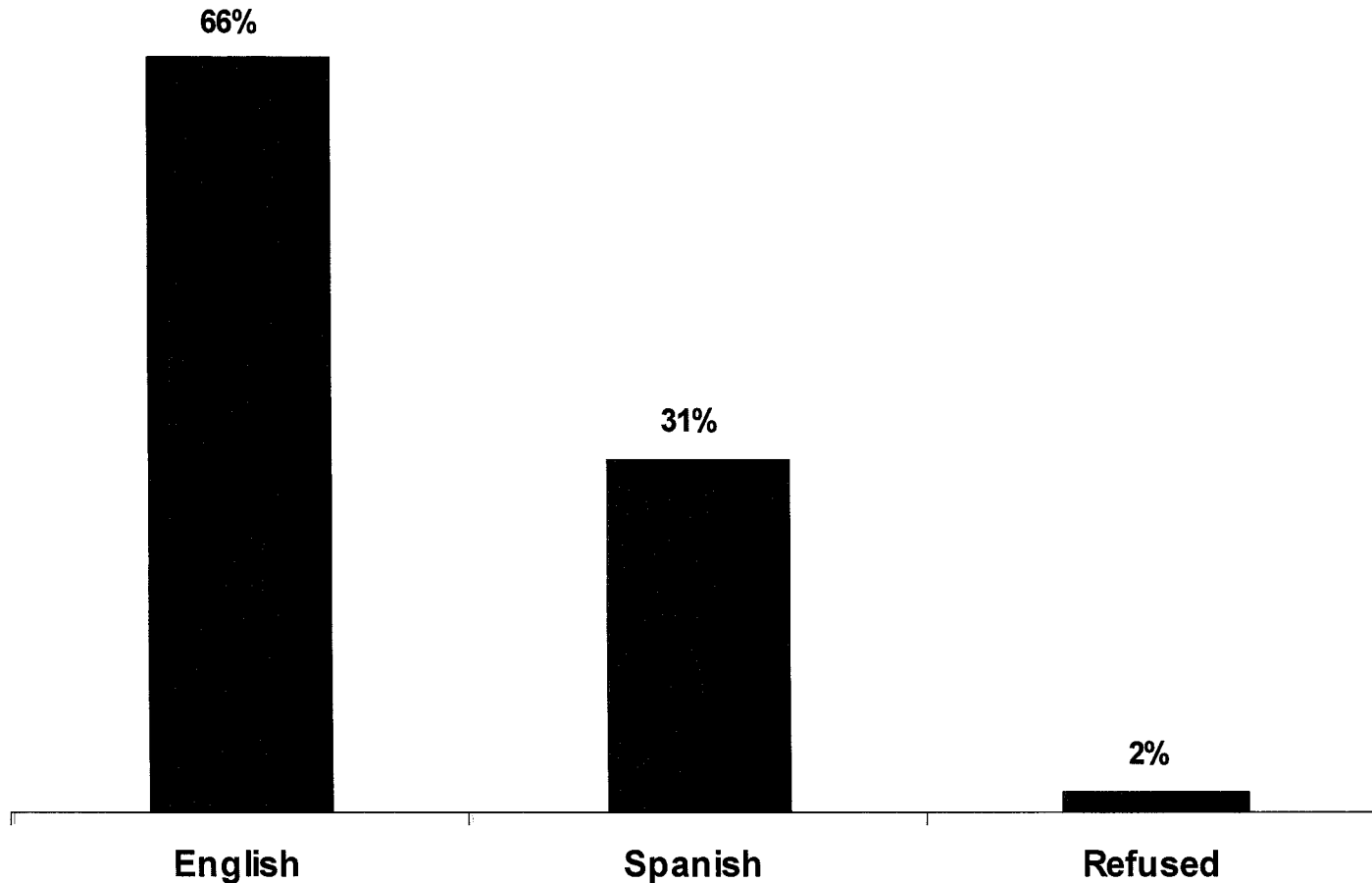


N (customers) = 902
Q34a. Languages spoken



Overall Ridership – Language Preference

Sixty-six percent of customers prefer receiving bus information in English; 31% prefer receiving it in Spanish.



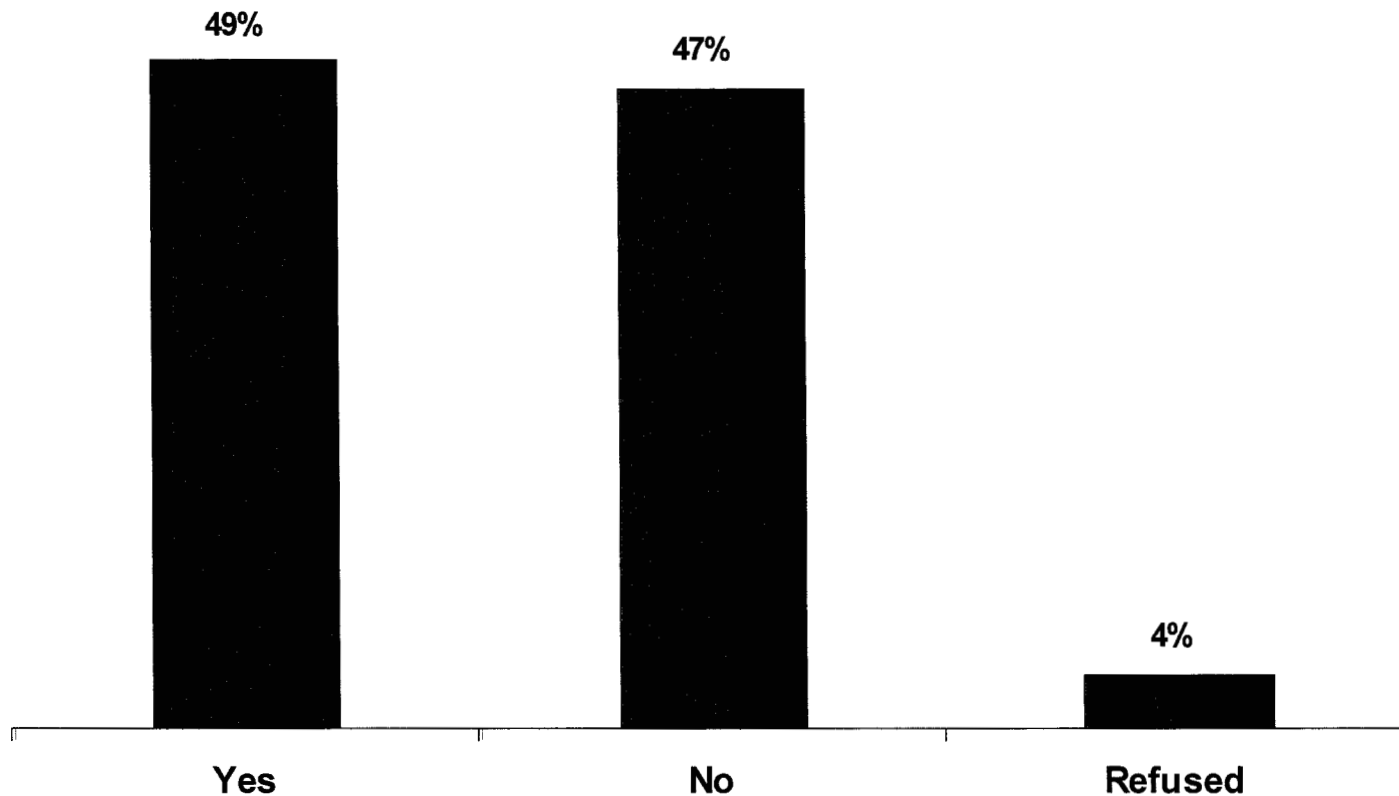
N (customers) = 902
Q34b. Language prefer receiving bus information in



Overall Ridership – Voter Registration

2013 MARKET RESEARCH

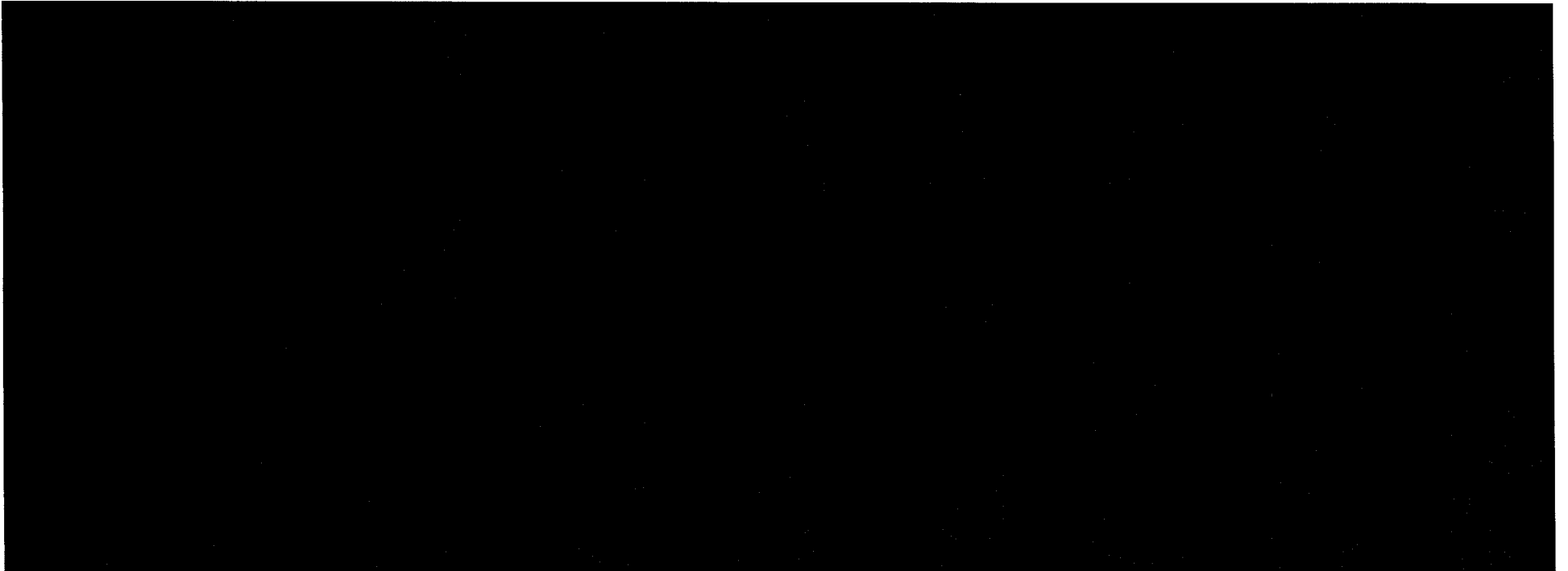
Almost half of customers are registered to vote.



N (customers) = 902

Q35. Are you registered to vote?

Summary/Conclusions





Summary/Conclusions

- Total satisfaction is high with half of customers very satisfied.
 - Riders contact with the bus driver is a key part of their overall experience and is a likely influencer in overall satisfaction.
 - Areas of least satisfaction are with the availability of evening and weekend service and frequency of service.
- The website appears to be a highly used and effective tool for providing information.
- A high percentage of customers are using or have used a bus pass, however there is room for growth in the types of passes used.
- Awareness of bus passes and other OCTA programs were lower among Hispanics. With 50% representation, will need to strengthen awareness in this demographic.
- The majority of customers prefer to receive their information from the Bus Book and would pay up to \$1.00 to continue using the Bus Book.



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board *WK*
Subject: Approval of the Fiscal Year 2008-09 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Finance and Administration Committee meeting of April 23, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, Moorlach, and Nguyen

Absent: None

Committee Vote

This item was passed by all Committee Members present.

Committee Chairman Campbell was not present to vote on this item.


Committee Recommendation

Approve the Orange County Transit District Fiscal Year 2008-09 Local Transportation Fund Claim for public transportation services, in the amount of \$98,226,084, and for community transit services, in the amount of \$5,227,300, for a total claim amount of \$103,453,384, and authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.



April 23, 2008

To: Finance and Administration Committee

From:  Arthur T. Leahy, Chief Executive Officer

Subject: Approval of the Fiscal Year 2008-09 Local Transportation Fund Claim for Public Transportation and Community Transit Services

Overview

The Orange County Transit District is eligible to receive funding from the Local Transportation Fund for providing public transportation and community transit services throughout Orange County. To receive the funds, the Orange County Transit District must file a claim against the Local Transportation Fund with the Orange County Transportation Authority.

Recommendation

Approve the Orange County Transit District Fiscal Year 2008-09 Local Transportation Fund Claim for public transportation services, in the amount of \$98,226,084, and for community transit services, in the amount of \$5,227,300, for a total claim amount of \$103,453,384, and authorize the Chief Executive Officer to issue allocation/disbursement instructions to the Orange County Auditor-Controller in the full amount of the claims.

Background

The Transportation Development Act (TDA) of 1971 established a funding source dedicated to public transit and transit-related projects. The TDA created a Local Transportation Fund (LTF) in each county for transportation purposes specified in the TDA. Revenues are derived from 1/4 cent of the current retail sales tax.

The LTF revenues are collected by the State Board of Equalization and returned to local jurisdictions based on the volume of sales during each month. As required by the TDA, LTF receipts are deposited with the Orange County Treasury (Fund 182) and are administered by the Orange County Auditor-Controller. The Orange County Transportation Authority (OCTA) is the

transportation planning agency responsible for the allocation of the LTF. Upon instructions from OCTA, LTF receipts are distributed by the Auditor-Controller among the various administrative, planning, public transportation, and bicycle and pedestrian facilities and bus stop accessibility improvement program apportionments, as specified in the TDA.

On March 10, 2008, the OCTA Board of Directors approved the LTF fiscal year (FY) 2008-09 apportionments. A total of \$103,453,384 was approved for Orange County Transit District (OCTD), consisting of \$98,226,084 for Article 4 (public transportation services) and \$5,227,300 for Article 4.5 (community transit services) of the TDA. On April 28, 2008, it is anticipated that the OCTD Board of Directors will adopt a resolution authorizing the filing of a LTF claim for a total of \$103,453,384, for funding public transportation and community transit services during FY 2008-09.

Discussion

Section 6630 of the California Code of Regulations requires OCTD to file a claim with OCTA in order to receive an allocation from the LTF for providing public transportation and community transit services under Articles 4 and 4.5 of the TDA. The amount being claimed for FY 2008-09 equals \$103,453,384, and consists of \$98,226,084 for Article 4 transit services and \$5,227,300 for Article 4.5 transit services.

TDA regulations limit the allocation of LTF sales taxes to claimants to the lower of the amount of the apportionment or the amount the claimant is eligible to receive, based on the claims, budgets, financial statements, audits, and other information available to the transportation planning agency. Unallocated apportionments are retained in the LTF for later allocation only to claimants in the same area under terms and conditions determined by the transportation planning agency.

As the transportation planning agency for Orange County, OCTA is authorized to approve claims and to make payments from the Orange County LTF through written instructions to the Auditor-Controller.

Summary

The Orange County Transportation Authority's approval of Orange County Transit District claim against the Local Transportation Fund, in the amount of \$103,453,384, will enable the Orange County Transit District to continue

**Approval of the Fiscal Year 2008-09 Local Transportation
Fund Claim for Public Transportation and Community Transit
Services**

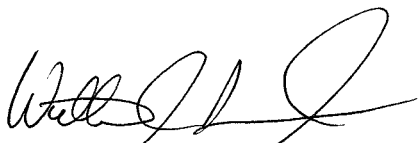
Page 3

providing public transportation and community transit services throughout Orange County in fiscal year 2008-09.

Attachments

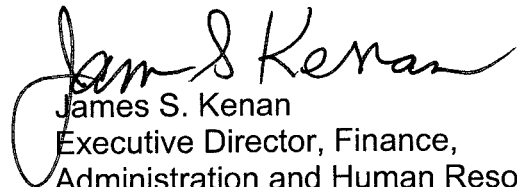
None.

Prepared by:



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Financial Planning and Analysis
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Approved by:



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



MEMO

May 7, 2008

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

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

Thank you.



BOARD COMMITTEE TRANSMITTAL
DRAFT

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Go Local Step One Screening Results and Step Two Recommendations

Transportation 2020 Committee Meeting of April 21, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Cavecche, and Pringle
Absent: Director Dixon

Committee Vote

This item was passed by all Committee Members present.

Director Amante opposed this matter.

Committee Recommendations

- A. Allocate \$5.9 million to the City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector.
- B. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.



BOARD COMMITTEE TRANSMITTAL
DRAFT

Page Two

- C. Allocate \$5.9 million to the City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance of the Santa Ana Fixed-Guideway Project.
- D. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the Santa Ana Fixed-Guideway Project, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.
- E. Direct staff to return to the Board of Directors after all Go Local Step One final reports have been submitted with a recommended approach for funding consideration of all station, parking, bicycle, pedestrian, and remaining Go Local Step One projects.
- F. Refer policy discussion on using Renewed Measure M funds for operations and maintenance to the Renewed Measure M Transit Strategic Plan effort, and direct staff to return by June 2008 with a draft strategic plan that evaluates options for funding operations and maintenance.

Committee Discussion

The item was presented to the Transportation 2020 Committee (Committee) meeting on April 21, 2008 (Transmittal Attachment A). The Committee approved the item and requested to be provided with more detailed information on the projects recommended for funding.

Staff has provided the requested information regarding the fixed-guideway projects submitted by the cities of Anaheim, Santa Ana, and Irvine (Transmittal Attachment B). Included in the attachment are detailed descriptions of each of the fixed-guideway projects according to the Board of Directors (Board)-approved Go Local Program evaluation criteria. Also included in the attachment are the results of the Go Local Screening Panel's qualitative analysis if the project exceeded, met, or did not meet the intent of each of the 12 Board-approved criteria.



BOARD COMMITTEE TRANSMITTAL
DRAFT

The Go Local Screening Panel screened each of the 21 Go Local Step One projects in the context of the four-step planning and implementation process approved by the Board:

- Step One: \$100,000 grants for initial needs assessment for interested cities to develop its own future transit vision.
- Step Two: Detailed planning and alternatives analysis of the concepts emerging from Step One for interested cities, with projects qualifying through a competitive process.
- Step Three: Project development/implementation (preliminary engineering through construction) of those projects, which qualify through a competitive process for continued funding.
- Step Four: Additional work on the Metrolink corridor to transform stations into transportation centers.

It should be noted that a recommendation to advance a Go Local Step One project proposal into Step Two denotes that the concept has merits for further study, however, it does not imply approval of a specific project as more information is needed to make such a decision.

Staff has also provided a breakdown of the timeframe for the tasks expected to be completed in Step Two, including detailed planning, alternatives analysis, conceptual engineering, and state and federal environmental clearance (Transmittal Attachment C).


Transmittal Attachments

- A. Go Local Step One Screening Results and Step Two Recommendations Staff Report
- B. Go Local Program – Step One Final Reports Synopsis: Fixed- Guideways
- C. Go Local Step Two- Fixed-Guideway Project Development Timetable



April 21, 2008

To: Transportation 2020 Committee

From:  Arthur T. Leahy, Chief Executive Officer

Subject: Go Local Step One Screening Results and Step Two Recommendations

Overview

On February 25, 2008, the Orange County Transportation Authority Board of Directors directed staff to screen the submission of Go Local Step One final reports in accordance with the approved Go Local Step One Final Reports Screening Checklist. As of preparation of this report, the cities of Anaheim, Irvine, Santa Ana, (acting as lead agency with Garden Grove) and San Clemente, (acting as lead agency with Dana Point and San Juan Capistrano) have submitted final reports summarizing the cities' Step One results and requests for Step Two funding consideration. Staff has screened 21 projects in total, seven from Anaheim, ten from Irvine, three from Santa Ana, and one from San Clemente, and are presenting the results for the Board of Directors' consideration.

Recommendations

- A. Allocate \$5.9 million to the City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector.
- B. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Anaheim for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the fixed-guideway Anaheim Regional Transportation Intermodal Center to The Platinum Triangle to Anaheim Resort Connector, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.

-
- C. Allocate \$5.9 million to the City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance of the Santa Ana Fixed-Guideway Project.
 - D. Authorize the Chief Executive Officer to negotiate a cooperative agreement with City of Santa Ana for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance for the Santa Ana Fixed-Guideway Project, subject to a maximum Orange County Transportation Authority obligation of \$5.9 million.
 - E. Direct staff to return to the Board of Directors after all Go Local Step One final reports have been submitted with a recommended approach for funding consideration of all station, parking, bicycle, pedestrian, and remaining Go Local Step One projects.
 - F. Refer policy discussion on using Renewed Measure M funds for operations and maintenance to the Renewed Measure M Transit Strategic Plan effort, and direct staff to return by June 2008 with a draft strategic plan that evaluates options for funding operations and maintenance.

Background

In October 2005, the Orange County Transportation Authority (OCTA) Board of Directors (Board) approved a five-year program to improve public transportation in Orange County. The program envisioned using the existing Metrolink commuter rail corridor as the backbone of the County's transit system as nearly two-thirds of Orange County residents and jobs are within four miles of this core rail system.

A key component of the five-year program was to expand Metrolink service between Laguna Niguel and Fullerton. The Metrolink Service Expansion Program (MSEP) was subsequently approved in November 2005 and permitted the addition of 36 more Metrolink trains serving Orange County every 30 minutes, seven days a week. Another component of the five-year program was to extend commuter rail service by allowing cities to develop extensions that would connect the corridor to major destinations or activity centers currently not being served. On February 27, 2006, the OCTA Board approved the Go Local Program, a four-step process for city-initiated rapid transit planning. Both the MSEP and Go Local Program are funded through the

Measure M (M1) High-Technology Advanced Rail Transit Program, funds that were previously allocated to the former CenterLine Project. The deferring of funds to the Go Local Program and the MSEP comply with the M1 transit project description to provide for improvements to the Los Angeles – San Diego – San Luis Obispo rail corridor and increase access between the primary rail system and employment centers. Providing connections from Metrolink to population and employment centers in Orange County as part of the Go Local Program will complement the increase in the number of trains and frequency of service in Orange County, as designed in the MSEP.

As of March 10, 2008, all 34 Orange County cities are participating in the Go Local Program and have entered into cooperative agreements with OCTA to study transit extensions to Metrolink as part of the Go Local Program. On February 25, 2008, the Board approved the programmatic allocation of \$25.4 million of Go Local funds for development of the fixed-guideway and bus shuttle project types as follows:

- \$15.0 million for fixed-guideway projects
- \$ 3.0 million for mixed-flow bus/shuttle projects
- \$ 5.2 million in reserve for design of fixed-guideway projects
- \$ 2.2 million for future planning

The Board also directed that qualifying station and parking improvement projects submitted under Go Local Step One could compete for \$1 million of Commuter Urban and Rail Endowment (CURE) funds, and qualifying bicycle and pedestrian projects could be considered for Transportation Demand Management (TDM) funding. As part of Go Local Step Two, all fixed-guideway, mixed-flow, and station and parking improvement projects would be subject to a 10 percent project cost local match, up to \$100,000.

The Board has directed that the selection of Go Local projects to enter into Step Two commence by March 1, 2008. Staff has conducted multiple outreach efforts, including sending email blasts, participating in city team meetings, and attending city council meetings to ensure all cities are aware of the Go Local Step One deadlines, as well as the Board's recent policy decisions on the program.

As of preparation of this report, OCTA has received four final reports from the cities of Anaheim, Irvine, Santa Ana teamed with Garden Grove, and San Clemente teamed with Dana Point and San Juan Capistrano.

Discussion

As the MSEP progresses toward implementation in 2010, the Go Local Program development maintains a similar course of development through Step Two and Step Three.

In order to advance qualifying projects from Step One to Step Two, the Board directed that a panel, comprised of OCTA staff, a Citizens Advisory Committee (CAC) member, and two Technical Advisory Committee (TAC) members screen Step One final reports. The CAC is comprised of Board-appointed members of the community while the TAC includes a city technical representative from each Orange County city. The Go Local screening panel assessed whether the project exceeds, meets, or does not meet the Board-approved evaluation criteria for the Go Local Program (Attachment A). After conducting the screening process, the panel made a determination depending upon the level of fit to the criteria. Staff used the screening results to develop recommendations for which projects should advance into Step Two of the Go Local Program.

City of Anaheim

The City of Anaheim's Go Local study was initiated in January 2007, in partnership with the cities of Orange and Villa Park. The study was designed to improve transit access to Anaheim Canyon Station and to/from key employment areas to both Orange and the Anaheim Regional Transportation Intermodal Center (ARTIC) stations. While the needs assessment study was conducted between the three cities, Anaheim submitted a separate Go Local Step One final report. The cities of Orange and Villa Park are expected to submit final reports under separate cover.

In total, the City of Anaheim has requested Step Two funding consideration for a fixed-guideway project, two bus rapid transit (BRT) projects, three rubber-tire shuttle projects, and one station improvement project. Attachment B presents a summary of the projects submitted by the City of Anaheim, including project descriptions, Step Two funding requests, anticipated uses of Step Two funds, and screening results.

Based upon the screening results, staff recommends that the ARTIC to The Platinum Triangle to Anaheim Resort Connector be advanced to Step Two with a commitment from OCTA of \$5.9 million for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance. With the local match requirement of \$100,000, the

cost to complete Step Two for the ARTIC to The Platinum Triangle to Anaheim Resort Connector is \$6 million.

Staff also recommends that the City of Anaheim's two BRT services be advanced into Step Two for additional service planning. The City of Anaheim, in conjunction with Anaheim Resort Transit, is requesting funds for capital and operating expenses for the three shuttle projects. These activities have been deemed more suitable for Step Three of the Go Local Program. Steps three and four of the Go Local Program will be funded through \$1 billion made available through Renewed Measure M (M2) Project S - Transit Extensions to Metrolink. Further direction on the use of M2 funds for capital and operating expenses will be addressed as part of the M2 Transit Strategic Plan, a draft of which will be considered by the Board in June 2008. In the interim, given the approved Go Local four-step process, it is staff's recommendation that the three shuttle services undergo additional service planning to allow for further refinement of service proposals as part of Step Two. Shuttle services would be considered for Step Three funds once program guidelines have been developed and evaluated according to OCTA's service planning guidelines. Staff will return to the Board in May 2008 with a recommended approach on a process for conducting service planning for the proposed bus/shuttle projects.

The Go Local screening panel determined that the Anaheim Canyon Station Improvement Project did not meet the minimum screening threshold for the Go Local Program. It is staff's recommendation that, consistent with previous Board direction, the project be directed to compete for the \$1 million in project development funds available through CURE. Further consideration of this project would be deferred until all Step One final reports have been submitted. Considering that staff expects multiple station improvement projects to be submitted based upon interim meetings conducted with cities in December 2007, deferring until Summer 2008 would allow the Board to review the full range of projects proposed within this project type and for staff to present more comprehensive funding and delivery options to the Board for consideration.

City of Irvine

The City of Irvine submitted ten projects as part of their Go Local Step One final report. Attachment C presents a summary of the projects submitted, including a project description, Step Two funding request, anticipated use of Step Two funds, and Step One screening results. Consistent with Board direction, the Irvine Guideway Demonstration Project was screened and formally included as a Go Local project, although Step Two for the project has already been funded through \$5.2 million, OCTA participation of federal

Congestion Mitigation and Air Quality funds, and \$1.3 million of City of Irvine funding. The City of Irvine is not requesting any additional Step Two funds, but will be seeking \$155 million in Step Three funds for final design and construction of the Irvine Guideway Demonstration Project. Staff recommends that further direction on this project be deferred until the results of the fixed-guideway's alternatives analysis are provided upon completion of Step Two.

The Board has previously awarded the City of Irvine \$5.5 million for the procurement of the Irvine Business Complex (IBC) shuttle vehicles. The expenditure plan for these funds was approved by the Board as part of the BRT Implementation Plan in June 2007. As part of the initial project concept, the City of Irvine proposed to improve traffic circulation in the IBC by providing a shuttle system that will serve as a direct connection from the IBC to the Tustin Metrolink Station. The City of Irvine is requesting operations and maintenance funds for the IBC Shuttle for its Go Local Step One final report. Similar to the City of Anaheim's request for operating funds for shuttle projects, staff is recommending that the consideration of the IBC's operations and maintenance costs be deferred until further discussion on the use of M2 funds for capital and operating expenses as part of the M2 Transit Strategic Plan.

Staff is recommending that the Spectrum Shuttle Study undergo additional service planning that is consistent with existing OCTA service planning guidelines. Further discussion on the proposed service planning process will be brought to the Board in May 2008.

The Go Local screening panel determined that the North Irvine and Great Park shuttles fell significantly below the minimum screening threshold for advancement to Go Local Step Two. A contributing factor to the projects' low results are that the projects are in preliminary stages and minimal data was provided on how the proposed services met each of the criteria. Staff recommends that these projects seek other funding sources to refine the project concepts.

The Go Local screening panel determined that the Irvine Station and Irvine Station Parking projects received low ratings; however, considering that the station and parking improvement projects are being proposed to accommodate the development of the Irvine Guideway Demonstration Project, it is staff's recommendation that consideration of these projects be deferred until the results of the Irvine Guideway Demonstration Project's alternatives analysis are released upon completion of Step Two.

The Go Local screening panel determined that the IBC Sidewalk Gap Closures, IBC Bikeways, and Irvine Station Bikeway Connections projects did not meet the minimum screening threshold for the Go Local Program. Previously, the Board recommended that all pedestrian and bikeway projects be redirected to the TDM program; however, certain TDM guidelines, such as funding limits and eligible project phases, have precluded some pedestrian and bicycle projects submitted under Go Local to be eligible for TDM funds. Staff expects to receive additional pedestrian and bicycle projects from other cities and; therefore, recommends that all pedestrian and bicycle projects presented under Go Local Step One, and not submitted for TDM consideration, be deferred until summer 2008 for the Board to review the full range of projects proposed within this project type and for staff to present more comprehensive funding and delivery options to the Board for consideration.

Cities of Santa Ana and Garden Grove

The City of Santa Ana partnered with the City of Garden Grove to study connections to the regional transportation network via Metrolink and the Garden Grove Freeway (State Route 22). Attachment D presents a summary of the Go Local Step One study efforts, including project descriptions, Step Two funding requests, anticipated uses of Step Two funds, and Step One screening results. Based upon the screening results, staff recommends that the Santa Ana Fixed-Guideway Project be advanced to Step Two with a commitment from OCTA of \$5.9 million for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance. With the local match requirement of \$100,000, the cost to complete Step Two for the Santa Ana Fixed Guideway Project is \$6 million.

Similar to the Irvine Station improvement projects, staff recommends that because the expansion of Santa Ana Regional Transportation Center and the multi-modal use of the Pacific Electric Right-of-Way (PEROW) are linked to the development of Santa Ana and Garden Grove's fixed-guideway proposal, consideration of the two projects be deferred until the results of the fixed-guideway alternatives analysis are provided, upon completion of Step Two.

Cities of San Clemente, Dana Point, and San Juan Capistrano

In November 2006, San Clemente, in partnership with Dana Point and San Juan Capistrano, initiated a study to assess ways to provide an easy access link from the San Clemente and San Juan Capistrano stations to various destinations throughout the three cities for residents, visitors, and

commuters. The result of this needs assessment was a mixed-flow Tri-City Trolley proposal. Attachment E presents a summary of the project submitted, including a project description, Step Two funding request, anticipated use of Step Two funds, and Step One screening results.

Based upon the panel's evaluation of the Tri-City Trolley proposal according to the criteria, it is staff's recommendation that the proposed shuttle undergo additional service planning as part of Step Two and be considered for Step Three funds once program guidelines have been developed.

Next Steps

Due to the significant lead time required to conduct further development of a fixed-guideway project, staff recommends that the alternatives analysis process commence upon Board approval. Staff will return to the Board with negotiated cooperative agreements with the cities of Anaheim and Santa Ana/Garden Grove for detailed planning, alternatives analysis, financial planning, conceptual engineering, and state and federal environmental clearance work to be completed as part of Step Two of its respective fixed-guideway projects.

For the mixed-flow bus/shuttle projects, staff will return to the Board in May 2008 to identify multiple options for conducting the service planning and provide the Board a recommendation on which approach will ensure that OCTA can maintain an integrated and cohesive transit system with the future development of multiple bus/shuttle projects countywide.

Staff will return to the Board in summer 2008, after all Go Local Step One final reports have been submitted, for further direction on considering all station, parking, bicycle, pedestrian, and remaining Go Local Step One projects at a programmatic level. Staff will also continue with development of Step Three and Step Four program guidelines.

Fiscal Impact

The funds allocated for the cooperative agreements with the City of Anaheim and the City of Santa Ana have been included in the proposed OCTA Fiscal Year 2008-09 Budget, Development Division, Account 0010-7831/T5410-400.

Summary

OCTA has received four Go Local Step One final reports from the cities of Anaheim, Irvine, Santa Ana, (in partnership with Garden Grove), and San Clemente, (in partnership with San Juan Capistrano and Dana Point). The four reports represent 21 projects encompassing three fixed-guideway projects, ten mixed-flow bus/shuttles, four station and/or parking improvement projects, three pedestrian and bicycle projects, and the proposal for the multi-modal use of the PEROW. All the projects have been screened according to the Board-approved evaluation criteria and recommendations for which projects should advance to Step Two for further planning, and which should be deferred for consideration after all final reports have been submitted are presented for the Board's approval.

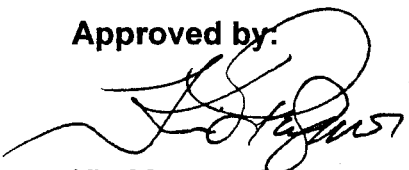
Attachments

- A. Board-Approved (August 8, 2006) Evaluation Criteria Go Local Program – Final Version
- B. Go Local Program – Step One Final Report Synopsis – City of Anaheim
- C. Go Local Program – Step One Final Report Synopsis – City of Irvine
- D. Go Local Program – Step One Final Report Synopsis – Cities of Santa Ana and Garden Grove
- E. Go Local Program – Step One Final Report Synopsis – Cities of San Clemente, Dana Point, and San Juan Capistrano

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Approved by:


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Board-Approved (August 8, 2006) Evaluation Criteria Go Local Program – Final Version

This criteria will evaluate results of the Step One effort as documented in the city's Final Report that will serve as the city's Step Two funding application.

Criterion	Priority	Purpose	Performance Measures
1. Local Jurisdiction Funding Commitments	High	To appropriately invest scarce Measure M resources and ensure that the project is a high priority for the host cities.	<ul style="list-style-type: none"> • Proof of local funding commitments (e.g. City council actions, city budgets, grant applications, memorandums of understanding [MOUs], etc.) • Level of local funding match
2. Proven Ability to Attract Other Financial Partners	High	To ensure that Measure M dollars are being invested in areas which others have determined warrants investment and to ensure that Measure M dollars are being leveraged to maximize their return to the public.	<ul style="list-style-type: none"> • Cooperative agreements, MOUs, council actions, grants • Funding agreements with private parties, if any, to demonstrate private sector financial participation in the proposed project related to the area served or affected by the project • Projected increase in land values of lands affected by the proposed project • Percent of proposed project funding not from Measure M • Action plan for obtaining commitments in Step Two • Employer rideshare commitments from employers along the route
3. Proximity to Jobs and Population Centers	High	Coordinated planning of transit and land use to increase pedestrian safety and access to Metrolink	<ul style="list-style-type: none"> • Recommendations for policies, general plan amendments, etc. applied within 1500' of station • Recommendations for short or long-term local transit strategies coordinated with land use • Increase the number of people who can get to work/home from Metrolink in 15 minutes using transit or 10 minutes walking (total transit travel time includes walk + wait + in vehicle time)

Criterion	Priority	Purpose	Performance Measures
<p>4.</p> <p>Regional Benefits</p>	<p>High</p>	<p>Effectively deliver Metrolink riders to regional employment and activity destinations utilizing convenient locally-oriented transit.</p> <p>Expand transit's appeal to those who own autos.</p>	<ul style="list-style-type: none"> • Number of cities served by the proposed project. • Number of existing and planned "regional" employment and activity centers within 15 minutes total transit travel time or 10 minutes walking time of the nearest Metrolink station. Definition of regional activity center to be determined, but examples are California State University Fullerton, Disneyland, UCI Medical Center, Civic Center, John Wayne Airport, regional malls such as South Coast Plaza, Orange Coast College, etc. • Agreements regarding intent to pursue program to develop cooperative ridership development programs (or letters of intent to pursue same in Step Two) etc. with activity centers and/or employers
<p>5.</p> <p>Ease and Simplicity of Connections</p>	<p>High</p>	<p>To close gaps between existing transit services especially during peak demand hours</p> <p>To maximize ridership by making sure the project includes the optimum number, ease and user-friendly design considerations regarding connections between the project and Metrolink.</p>	<ul style="list-style-type: none"> • Linkage assessment within project area • Number of new transit connections • Number and clarity of transfers required to travel 15 minutes of total transit travel time to/from the nearest Metrolink station • Attention devoted to customer service planning • Ease of access from the Metrolink platform to boarding location of proposed new service or to new land uses • Amount of integration between Metrolink fares and fares of proposed project. • Apply sample trips for comparative purposes • Evaluate the amount and type of research done or proposed, and/or considerations given to site design to make connections easy
<p>6.</p> <p>Cost-Effectiveness</p>	<p>Medium</p>	<p>Assess the benefit for each public dollar spent</p>	<ul style="list-style-type: none"> • Total cost per new rider • Measure M cost per new rider • Total cost per passenger-mile • Measure M cost per passenger-mile. • Private investment attracted per passenger mile. • Non-transit funding attracted per passenger mile

Criterion	Priority	Purpose	Performance Measures
7. Traffic Congestion Relief	Medium	Reduce congestion so streets and freeways can work better, especially in the local community/project area.	<ul style="list-style-type: none"> • Projected number of "new" transit riders • Estimated reduction in daily vehicle miles of travel (VMT) • Projected ridership in year 2015 (or 2030?; or year of opening?) • Projected number of new pedestrian-oriented uses within ½ mile • Projected reduction in parking requirements • Projected benefits to local street network • Complementary congestion relief efforts (signal synchronization, etc.) are proposed for the project to make it work better with the transit connection(s) in place
8. Right-of-Way (ROW) Availability	Medium	To accurately assess what is needed to build a project and thereby maximize the likelihood of cost effective, timely project delivery.	<ul style="list-style-type: none"> • Proof of ROW availability (if required). Appropriate letters of agreement, contracts or ownership records (public ROWs, easements, property donations, etc.) • Action plan and schedule for obtaining the necessary commitments in step two.
9. Sound Long-Term Operating Plan	Medium	Experience elsewhere has shown that early operations planning can be overlooked and is a high priority. The framework of an operating plan can and must be established early to ensure public funds are invested well.	<ul style="list-style-type: none"> • 5+year operating plan • Projected farebox recovery compared with OCTA or other relevant operation's history • Qualitative assessment of the proposed funding sources • Demonstrations of partnering agreements (letters of intent, MOUs, etc) or intent to pursue same in step two for sustained cooperative agreements to utilize service as a connection to Metrolink for employees, etc.
10. Compatible and Approved Land Use	Medium	Ensure that transportation and land use are working in concert to maximize the return on transit investment and land values	<ul style="list-style-type: none"> • Qualitative assessment of the transit supportiveness of land uses served by the proposed project (e.g. pedestrian friendly, integration of transit stops with development, mixed uses, etc.) • Qualitative assessment of ease of pedestrian connectivity to transit stops of proposed new service and/or to the Metrolink station • Letters of support from affected interests (e.g. homeowner associations, community associations, chambers of commerce, developers)

Criterion	Priority	Purpose	Performance Measures
11. Project Readiness	Low	To assess when a project could reasonably benefit a community.	<ul style="list-style-type: none"> • Ability of proposed project or concept to be implemented within five years of submittal of the Go Local Step One final report, as documented in the proposed schedule of project development activities • The proposed implementation schedule will be compared to existing, similar projects from Orange County or other metro areas
12. Safe and Modern Technologies	Low	Increase the project's public appeal, increase ridership, and, reduce liability and maintenance costs	<ul style="list-style-type: none"> • Actual experience from existing operations or manufacturer's data • Qualitative assessment of the safety of proposed technology • Qualitative assessment of the reliability of the proposed technology

Go Local Program - Step One Final Report Synopsis

City of Anaheim

April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
City of Anaheim						
Fixed-Guideway (rail or bus)						
Ana - 1	<p>ARTIC to The Platinum Triangle to Anaheim Resort Connector: Elevated fixed-guideway system along a high-volume corridor to connect ARTIC to the two key centers of interest, the Anaheim Resort and the Platinum Triangle. This system will operate as a high-capacity, collector-distributor system, providing convenient and efficient transfers to Metrolink, Amtrak, BRT, local bus, and future high-speed train services connecting at ARTIC.</p> <p>Route Length: 2.9-3.4 miles Capital Cost: \$240-\$270 million</p>	Anaheim	Medium	\$5.9 million	<ul style="list-style-type: none"> • Planning, alternative analysis (AA), environmental, conceptual engineering 	<ul style="list-style-type: none"> • Allocate \$5.9 million to City of Anaheim for detailed planning, AA, financial planning, conceptual engineering and state and federal environmental clearance • Negotiate cooperative agreement with City of Anaheim and return to Board to execute agreement
Mixed-Flow Traffic Bus/Shuttle						
Ana - 2	<p>ARTIC to Downtown Anaheim to Fullerton Transportation Center Connector: BRT system operating in mixed traffic, will allow residents and workers in downtown Anaheim to reach ARTIC, either to commute to jobs outside of the city or to reach other points of interest near ARTIC. It will also allow people in the Platinum Triangle to reach downtown Anaheim.</p>	Anaheim Fullerton	Medium	\$675,000	<ul style="list-style-type: none"> • Project Definition Study 	<ul style="list-style-type: none"> • Advance to Step Two service planning
Ana - 3	<p>ARTIC to Anaheim Canyon Station Connector: BRT system which connects the Anaheim Canyon station to ARTIC, eliminating the need for people to make a transfer at the Orange Station.</p>	Anaheim Anaheim Canyon	Medium		<ul style="list-style-type: none"> • Project Definition Study 	
Ana - 4	<p>ARTIC to Platinum Triangle to Anaheim Resort Shuttle Bus Connector: Bus-based system to jumpstart the elevated fixed-guideway system by operating an at-grade transit connection along the high-volume corridor between ARTIC and the Anaheim Resort.</p>	Anaheim	High	\$2.6 million (bus capital)	<ul style="list-style-type: none"> • Bus capital & operating funds to expand Anaheim Resort Transit (ART) 	<ul style="list-style-type: none"> • Advance to Step Two service planning • Request for capital and operating funds to be deferred to M2 Transit Strategic Plan effort that will address the use of M2 funds for capital and operating expenses
Ana - 5	<p>West Anaheim Commuter Shuttles: Bus-based system to allow transit riders in the west and northwest portions of the City to have a direct link to the Anaheim Resort and to ARTIC.</p>	Anaheim	Medium	\$1.4 million (annual operations and maintenance)	<ul style="list-style-type: none"> • Bus capital & operating funds to expand ART 	
Ana - 6	<p>Anaheim Canyon Feeder Shuttles: Two new shuttle routes to circulate between Anaheim Canyon Station and within the Anaheim Canyon Business Center. A third shuttle route would ensure continuation of the ART-operated service between Anaheim Canyon Station and Downtown Anaheim.</p>	Anaheim Canyon	Medium	<ul style="list-style-type: none"> • Bus capital & operating funds to expand ART 		

Go Local Program - Step One Final Report Synopsis

City of Anaheim

April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
Station or Parkland Improvements						
Ana - 7	<p>Advancing the Anaheim Canyon Station Master Site Plan Improvements: Initial step in positioning the station to serve as an anchor in the neighborhood, by introducing new pedestrian access routes to the station that will allow it to better integrate with the surrounding land uses.</p>	Anaheim Canyon	Low	\$13.9 million	<ul style="list-style-type: none"> • Final design and environmental clearance for Phase I 	<ul style="list-style-type: none"> • Defer until summer 2008 pending submission of all Step One final reports

Go Local Program - Step One Final Report Synopsis

City of Irvine

April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
City of Irvine						
Fixed-Guideway (Rail or BRT)						
Irv - 1	Irvine Guideway Demonstration Project: System (both rubber-tired vehicles and modern streetcar) links Irvine Station to the Irvine Spectrum and future Lifelong Learning District, Great Park, and Transit-Oriented Development District.	Irvine	High	n/a	<ul style="list-style-type: none"> Previously funded: \$5.2M from CMAQ program for environmental impact report/environmental assessment/AA and conceptual engineering 	<ul style="list-style-type: none"> Formally included in Go Local Step Two Request for final design and construction funds deferred until the results of the fixed-guideway's alternatives analysis are provided, upon completion of Step Two
Mixed-Flow Traffic Bus/Shuttle						
Irv - 2	Irvine Business Complex (IBC) Shuttle: The IBC shuttle will meet peak period and midday trains arriving at and departing from Tustin Station, and will also provide local circulator service within the IBC.	Tustin	High	n/a	<ul style="list-style-type: none"> Previously funded: \$5.5 million from BRT Implementation Plan 2007 for vehicle procurement 	<ul style="list-style-type: none"> Request for operations funds deferred to M2 Transit Strategic Plan effort that will address the use of M2 funds for capital and operating expenses
Irv - 3	Spectrum Shuttle Study: Complementing and building directly off of the Irvine Guideway Demonstration Project, the shuttle system will provide flexible, convenient local circulator service throughout the many distinct areas within the Irvine Spectrum including newer apartment villages and a variety of corporate offices, retailers, and local businesses.	TBD	Medium	\$50K	<ul style="list-style-type: none"> Prepare operating/financial plan Conduct public outreach 	<ul style="list-style-type: none"> Advance to Step Two service planning
Irv - 4	North Irvine Transit Study: The northern part of the City of Irvine is not served by transit. The City of Irvine would like to investigate alternative transit opportunities for this area.	TBD	Low	\$75K	<ul style="list-style-type: none"> Prepare implementation plan, operating/financial plan, and conduct public outreach 	<ul style="list-style-type: none"> Concepts are too preliminary Recommend projects seek other funding sources to refine ideas
Irv - 5	Great Park Shuttle System: The future Orange County Great Park is anticipated to be visited by three million visitors per year. Circulation in the park will be provided by bikeways, trains, pedestrian paths, and a shuttle system, which is being planned to provide connection between uses into the park and the Irvine station.	Irvine	Low	\$50K	<ul style="list-style-type: none"> Prepare implementation plan and operating/financial plan 	

Go Local Program - Step One Final Report Synopsis

City of Irvine

April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
Station or Parking Improvements						
Irv - 6	Irvine Station Master Plan: The Irvine Station is one of the busiest transportation centers in Orange County. As Metrolink and Amtrak services expand and as OCTA adds BRT service to Irvine station within the next few years, the site's importance and value as a regional gateway will increase.	Irvine	Low	\$7M	• Building design and environmental analysis	• Projects to be deferred until completion of Step Two concurrent with Irvine Guideway Demonstration Project
Irv - 7	Irvine Station Parking: Ridership on Metrolink and Amtrak service continues to exceed expectations at Irvine Station. Parking overflow prompted construction of a new 1,500-space parking structure that is scheduled to open in September 2008. Based on parking demand projections provided in the MSEP, additional parking is needed to meet future demand.	Irvine	Low			
Pedestrian Access or Bike Improvements						
Irv - 8	IBC Pedestrian Gap Closures: Because the IBC was initially designed for industrial uses, several streets within the IBC were constructed without sidewalks. To support local and regional bus service and encourage walking, the City of Irvine developed a sidewalk gap closure plan. The plan identifies 200, 185 linear feet of missing sidewalks in the IBC.	Shuttle Stations OCTA fixed-bus routes	Low	\$550K	• Prepare implementation plan, funding plan, and environmental analysis	• Defer until summer 2008 pending submission of all Step One final reports (projects not submitted under TDM)
Irv - 9	IBC Off-Street Bikeways: Planning study that will determine the feasibility, design, and costs associated with converting abandoned railroad tracks to walking and bicycle trails.	Tustin	Low	\$500K	• Preliminary engineering and environmental analysis	
Irv - 10	Irvine Station Bicycle Linkages: During the development of the City of Irvine's Bicycle Transportation Master Plan, the community identified needs for additional connections to Irvine Station and the future Orange County Great Park.	Irvine	Low	\$550K	• Prepare train connections to Irvine Station Plan, funding plan, and environmental analysis	

Go Local Program - Step Two Final Report Synopsis

Cities of Santa Ana and Garden Grove

April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	TEAM'S STEP TWO FUNDING REQUEST	TEAM'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
City of Santa Ana Team						
Fixed-Guideway (Modern Streetcar)						
SA - 1	<p>Santa Ana Regional Fixed-Guideway: Five-mile fixed-guideway system, which will close the existing gap for riders getting off Metrolink trains at the SARTC to reach their final destinations in Garden Grove and Santa Ana.</p> <p>Route Length: 5 miles</p> <p>Capital Cost: \$302 million</p>	Santa Ana	High	\$8.9 million	<ul style="list-style-type: none"> • Detailed planning, AA, environmental, conceptual engineering, financial strategy planning, public outreach, staff resources 	<ul style="list-style-type: none"> • Allocate \$5.9 million to City of Santa Ana for detailed planning, AA, financial planning, conceptual engineering, and state and federal environmental clearance • Negotiate cooperative agreement with City of Santa Ana and return to Board to execute agreement
Station and Parking Improvements						
SA - 2	<p>Expansion of SARTC: To accommodate the expansion of Metrolink services, the proposed fixed-guideway system (modern streetcar), and OCTA's planned BRT, a newly expanded SARTC will provide new station areas, additional parking and bus, pedestrian, and bicycle access all integrated into transit-oriented development on and adjacent to the existing SARTC site.</p>	Santa Ana	Medium	\$2.0 million	<ul style="list-style-type: none"> • Detailed planning/site design, environmental, conceptual engineering, funding analysis/financial strategy, public outreach, staff resources 	<ul style="list-style-type: none"> • Project to be deferred until completion of Step Two concurrent with Santa Ana Fixed-Guideway
Multi-Modal Use of PE ROW						
SA - 3	<p>The Missing Link in Central Orange County (Multi-modal use of PE ROW): Cities propose to transform the PE ROW from an abandoned linear corridor traversing the heart of Orange County into a dynamic multi-modal transportation facility integrating the fixed-guideway system (modern streetcar), BRT, autos, bicycles, and pedestrians.</p>	Santa Ana	Medium	\$3.0 million	<ul style="list-style-type: none"> • Detailed planning, conceptual engineering, environmental, funding analysis/financial strategy, public outreach, staff resources 	<ul style="list-style-type: none"> • Project to be deferred until completion of Step Two concurrent with Santa Ana Fixed-Guideway

Go Local Program - Step One Final Report Synopsis
 Cities of San Clemente, Dana Point, and San Juan Capistrano
 April 21, 2008

CODE	PROJECT DESCRIPTION	TARGET STATION	SCREENING RESULT	TEAM'S STEP TWO FUNDING REQUEST	TEAM'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	PROPOSED NEXT STEPS
City of San Clemente Team						
Mixed Flow Traffic Bus/Shuttle						
SC - 1	<p><i>Tri-City Trolley:</i> Bus-based trolley service which connects to Metrolink and Amtrak (San Clemente and San Juan Capistrano), links key destinations, reduces traffic congestion and parking demand, and enhances a pedestrian-friendly atmosphere throughout the three cities.</p>	<p>San Clemente San Juan Capistrano</p>	<p>Medium</p>	<p>\$100K</p>	<ul style="list-style-type: none"> • Work with OCTA on operation issues, funding strategy (contracted service), study lease vs. purchase of vehicles, identify maintenance/storage facility • Team anticipates selecting a consultant and leasing vehicles soon thereafter 	<ul style="list-style-type: none"> • Advance to Step Two Service Planning • Request for capital and operations funds deferred to M2 Transit Strategic Plan effort that will address the use of M2 funds for capital and operating expenses

**Go Local Program – Step One Final Reports Synopsis
Fixed-Guideways**

Go Local Program - Step One Final Report Synopsis: Fixed-Guideways

City of Anaheim

May 8, 2008

Fixed-Guideway (rail or bus)			
Target Station: Anaheim			
PROJECT DESCRIPTION	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	RECOMMENDATIONS FOR NEXT STEPS
<p>Anaheim Regional Transportation Intermodal Center (ARTIC) to Platinum Triangle to Anaheim Resort Connector:</p> <p>Elevated fixed-guideway system along a high-volume corridor to connect ARTIC to the two key centers of interest, the Anaheim Resort and the Platinum Triangle. This system will operate as a high-capacity, collector-distributor system, providing convenient and efficient transfers to Metrolink, Amtrak, bus rapid transit (BRT), local bus, and future high-speed train services connecting at ARTIC.</p> <p>Route Length: 2.9-3.4 miles Capital Cost: \$240-\$270 million Projected Ridership: 2.4-2.6 million annual riders (2030)</p>	<p>\$5.9 million</p>	<ul style="list-style-type: none"> • Planning, alternatives analysis, environmental, conceptual engineering. 	<ul style="list-style-type: none"> • Allocate \$ 5.9 million to the City of Anaheim for detailed planning, alternatives analysis, conceptual engineering, and state and federal environmental clearance. • Negotiate cooperative agreement with the City of Anaheim and return to the Board of Directors (Board) to execute agreement.

Evaluation Criterion Information			
	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	<p>1</p> <p>Local Jurisdiction Funding Commitments</p>	<p>Meets</p>	<ul style="list-style-type: none"> • The City of Anaheim will contribute \$100,000 towards the cost of Step Two to advance project through completion of alternatives analysis/environmental impact report/environmental impact statement/detailed conceptual engineering. In addition, the City of Anaheim will submit a \$400,000 grant application through the Orange County Transportation Authority's (OCTA) Measure M (M1) 2007 Combined Transportation Funding Programs Transportation Demand Management category to further develop the program. In-kind support will also be provided. • The City of Anaheim has already demonstrated its financial commitment to the Go Local Program, matching the \$100,000 grant received from OCTA for Step One with \$300,000 of its own funds.

*Source: Anaheim Go Local Program- Project Concept Final Report February 2008

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	2 Proven Ability to Attract Other Financial Partners	Exceeds	<ul style="list-style-type: none"> The City of Anaheim has proven track record of securing M1, state and federal funding for a number of its streets and highway projects. The City of Anaheim is committed to pursuing private-sector participation in the design, construction, and operation of the new Go Local transit systems, as it is currently doing with ARTIC. Some past successes include public-private partnerships to build/operate the Anaheim Convention Center, the Angel Stadium of Anaheim, the Grove Theatre, and the Honda Center. Discussions are underway with the City of Anaheim's key large employers in the resort and elsewhere, who have a demonstrated history of proactively tackling transportation problems. The City of Anaheim has received several written letters of support from key stakeholders. The City of Anaheim will commit to preparing a full-funding plan as part of Step Two work plan.
	3 Proximity to Jobs and Population Centers	Exceeds	<ul style="list-style-type: none"> Serves employment and population centers and major tourist attractions including, Disneyland, Angel Stadium of Anaheim, Anaheim Convention Center, the Platinum Triangle, ARTIC, Honda Center, Garden Walk.
	4 Regional Benefits	Exceeds	<ul style="list-style-type: none"> Serves the following regional activity centers: <ul style="list-style-type: none"> -ARTIC: Honda Center (1.7 million annual visitors); 3.3 million square feet of office and commercial uses -Platinum Triangle: Angel Stadium of Anaheim (3.4 million annual visitors); 820 acres mixed-use development; 37,100 jobs/22,400 residents -Anaheim Resort: Disney Resort and hotels (20,000 guest rooms); Anaheim Convention Center, 20 million annual visitors.
	5 Ease and Simplicity of Connections	Exceeds	<ul style="list-style-type: none"> OCTA local, StationLink, BRT routes. Anaheim Resort transit routes. Metrolink and Amtrak services. Future high-speed train services and elevated fixed-guideway. Fare structure will be integrated with Metrolink, OCTA local and proposed BRT service, and Amtrak to the fullest extent possible to ensure ease of use and sustainable revenue.
MEDIUM PRIORITY	6 Cost-Effectiveness	Meets	<ul style="list-style-type: none"> Capital cost: \$250 million. Net annualized cost per new rider: \$16.
	7 Traffic Congestion Relief	Exceeds	<ul style="list-style-type: none"> Annual ridership: 2.5 million. Estimated reduction in Vehicle Miles of Travel: 1.6 million. Significant reductions in parking requirements in the Anaheim Resort.

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
MEDIUM PRIORITY	8 Right-of-Way Availability	Meets	<ul style="list-style-type: none"> • May require right-of-way (ROW) acquisition at limited locations west of Haster Street. • Cost of specific ROW acquisition will be developed as part of Step Two. • ROW risk is low. Although it is a dedicated, elevated system and will require ROW for the running way and maintenance facility, the City of Anaheim has already taken steps to preserve ROW for this system. • The 1993 Anaheim Resort Specific Plan designated Clementine Street and Disney Way as future transit corridors. • Gene Autry Way has a 20-foot median planned, which can accommodate future guideway.
	9 Sound Long-Term Operating Plan	Meets	<ul style="list-style-type: none"> • Annual operating cost: \$3 million. • Farebox recovery: \$2.5 million (needs further evaluation). • In Step Two, the City of Anaheim will commit to developing a stable long-term plan for system operation, including aggressively pursuing public-private partnerships.
	10 Compatible and Approved Land Use	Exceeds	<ul style="list-style-type: none"> • Transit supportive land use in corridor. • Consistent with current plans. • Developed jointly with developers, stakeholders, the City of Anaheim's Planning Department, and other public entities.
	11 Project Readiness	Meets	<ul style="list-style-type: none"> • The City of Anaheim has established a transit division charged with developing and implementing the concepts. • City of Anaheim Council adopted Resolution No. 2007-243 approving the Transit Master Plan; received strong stakeholder support. • City of Anaheim is in active discussions with Walt Disney Corporation executives regarding alignment options and interface issues in the resort area.
	12 Safe and Modern Technologies	Meets	<ul style="list-style-type: none"> • Clean-fuel technologies: Monorail/automated guideway transit. • System is proposed to be automated and electrically powered.

Go Local Program - Step One Final Report Synopsis: Fixed-Guideways

City of Irvine

May 8, 2008

Fixed-Guideway (rail or bus)			
Target Station: Irvine			
PROJECT DESCRIPTION	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	RECOMMENDATIONS FOR NEXT STEPS
<p>Irvine Guideway Demonstration Project:</p> <p>The recommended system links Irvine Station to the Irvine Spectrum Center (Spectrum) and the future Lifelong Learning District, Orange County Great Park, and Transit-Oriented Development District. Irvine Station serves as the system's hub with connections to Amtrak, Metrolink, OCTA buses, future BRT services, and other future transportation services. A dual-technology system is proposed, including modern streetcar in the Transit-Oriented Development District, Orange County Great Park, and Lifelong Learning District, and modern transit (rubber-tired vehicles) in the Spectrum area.</p> <p>Route Length: 5 miles Projected Ridership: 1,458,600 million annual riders (Year 1) Capital Costs: \$285 million (2011 dollars)</p>	n/a	<ul style="list-style-type: none"> • Previously funded: \$5.2 million from Congestion Mitigation and Air Quality (CMAQ) Improvement program for environmental impact report/environmental assessment/alternatives analysis and conceptual engineering. 	<ul style="list-style-type: none"> • Formally included in Go Local Step Two. • Request for final design and construction funds deferred until the completion of Step Two.

Evaluation Criterion Information			
	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	1 Local Jurisdiction Funding Commitments	Exceeds	<ul style="list-style-type: none"> • The City of Irvine will match up to \$1.3 million. • Maximum OCTA obligation of \$5.2 million of CMAQ Improvement funds. • Possible funding sources Proposition 116 funds, up to \$3 million in City of Irvine funds, other possible sources to be identified by OCTA.

* Source: City of Irvine Go Local Report February 2008

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	<p style="text-align: center;">2</p> <p>Proven Ability to Attract Other Financial Partners</p>	Exceeds	<ul style="list-style-type: none"> • Land value (2007 dollars) estimated at \$4 million per acre. • Proposition 116: \$121 million eligible for development of the Irvine Guideway Demonstration Project (Irvine Guideway). • The City of Irvine is providing \$5.6 million. • The City of Irvine has set aside ROW. • Area is represented by a private, non-profit transportation management association called Spectrumotion. All employers contribute to the program, which provides transit information, rideshare matching, discounted Metrolink passes, guaranteed ride home, etc.
	<p style="text-align: center;">3</p> <p>Proximity to Jobs and Population Centers</p>	Exceeds	<ul style="list-style-type: none"> • Irvine Guideway's alignment is designed to link together the densest activity centers in the area. • System will provide convenient and frequent service within the 15-minute Go Local guideline. • On-board travel times from Irvine Station to the outermost stations is approximately 10.4 minutes, allowing up to 5 minutes for walking and vehicle waiting time.
	<p style="text-align: center;">4</p> <p>Regional Benefits</p>	Exceeds	<ul style="list-style-type: none"> • Irvine Station is a regional gateway attracting employees from throughout the Southern California region. • Irvine Guideway will serve the following key activity centers: Irvine Spectrum Center, Orange County Great Park, Transit-Oriented Development District, Lifelong Learning District, Planning Area 40 ,and Planning Area 12.
	<p style="text-align: center;">5</p> <p>Ease and Simplicity of Connections</p>	Exceeds	<ul style="list-style-type: none"> • Irvine Guideway alignment and stations are within a quarter of a mile of the existing and key activity centers. The planned system will have nine stations. • OCTA bus lines will be within 1,000 feet of proposed Irvine Guideway stations. • Irvine Guideway will interface with OCTA BRT. • On-board travel times from Irvine Station to the outermost stations are approximately 10.4 minutes. • The fare structure of the Irvine Guideway will be integrated with Metrolink, OCTA local and proposed OCTA's BRT service, and Amtrak. • Orange County Great Park: Approximately three million visitors per year are expected to visit the future 1,347 acre park. • Irvine Station will be the hub for the Irvine Guideway system. The Irvine Guideway headways and associated operating costs have been based on meeting all Metrolink trains.

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*																		
MEDIUM PRIORITY	6 Cost-Effectiveness	Meets	<ul style="list-style-type: none"> • Cost per rider: \$14.80. 																		
	7 Traffic Congestion Relief	Meets	<ul style="list-style-type: none"> • 2007 Project Definition Study estimated up to 5,300 new transit riders. • Reduction in daily Vehicle Miles of Travel: 9,000 (based upon 5,300 Irvine Guideway riders per day) • Projected ridership: 4,920 boardings per day in 2012 and 5,300 boardings per day in 2030. • Several new pedestrian-oriented uses are planned along alignment, most are less than a quarter-mile from a station. • Irvine Guideway may result in a reduction of parking requirements because it will prevent the need for station cars. • The intersections near the San Diego Freeway (Interstate 5)/Alton Parkway interchange, the Interstate 5/Bake Parkway interchange, and the San Diego Freeway (Interstate 5)/Irvine Center Drive interchange would experience the greatest potential benefit from regional automobile trip reductions. 																		
	8 Right-of-Way Availability	Meets	<ul style="list-style-type: none"> • Alton Parkway was designed with a transit easement in mind; additional ROW requirements in this area will be minimal. 																		
	9 Sound Long-Term Operating Plan	Meets	<p style="text-align: center;">Preliminary Operation and Maintenance Funding Assumptions</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>System Year 1</th> <th>System Year 3</th> </tr> </thead> <tbody> <tr> <td>• Annual Operating Cost</td> <td>\$7.0 million</td> <td>\$7.5 million</td> </tr> <tr> <td>• Annual Revenues</td> <td>\$7.0 million</td> <td>\$7.5 million</td> </tr> <tr> <td>• Projected Annual Ridership</td> <td>1,458,600</td> <td>1,488,500</td> </tr> <tr> <td>• Average Fare/Passenger</td> <td>\$1.50</td> <td>\$1.50</td> </tr> <tr> <td>• Fare Box Covered Revenue</td> <td>\$2.19 million</td> <td>\$2.23 million</td> </tr> </tbody> </table>		System Year 1	System Year 3	• Annual Operating Cost	\$7.0 million	\$7.5 million	• Annual Revenues	\$7.0 million	\$7.5 million	• Projected Annual Ridership	1,458,600	1,488,500	• Average Fare/Passenger	\$1.50	\$1.50	• Fare Box Covered Revenue	\$2.19 million	\$2.23 million
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10 Compatible and Approved Land Use	Exceeds	<ul style="list-style-type: none"> • The residential dwelling units have been designed to encourage walking to nearby employment, restaurant, and retail uses. Employees in the area are served by pedestrian linkages to the Irvine Spectrum Center. • Selection of station locations was based on connectivity to uses, as well as other transit services. 																			
11 Project Readiness	Meets	<ul style="list-style-type: none"> • Due to funding requirements of the Proposition 116 allocation, the project schedule assumes design build construction with construction commencing in July 2010 and service initiation in June 2012. 																			

Evaluation Criterion Information			
	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
	12 Safe and Modern Technologies	Meets	<ul style="list-style-type: none"> • The selected technologies are service-proven with long records of success throughout California, the United States, and internationally. • Input about safety was solicited from the California Public Utilities Commission, OCTA, California Department of Transportation, Southern California Rail Road Association, Irvine Police Department, and Orange County Fire Department during conceptual planning of the system.

Go Local Program - Step One Final Report Synopsis: Fixed-Guideways

City of Santa Ana
May 8, 2008

Fixed-Guideway (rail or bus)			
Target Station: Santa Ana			
PROJECT DESCRIPTION	CITY'S STEP TWO FUNDING REQUEST	CITY'S ANTICIPATED USE OF STEP TWO FUNDING REQUEST	RECOMMENDATIONS FOR NEXT STEPS
<p>Santa Ana Regional Fixed-Guideway:</p> <p>Five-mile fixed-guideway system, which will close the existing gap for riders getting off Metrolink trains at the Santa Ana Regional Transportation Center (SARTC) to reach their final destinations in the cities of Garden Grove and Santa Ana.</p> <p style="margin-left: 40px;"><u>SARTC to Harbor Boulevard</u></p> <p>Route Length: 5 miles Capital Cost: \$ 302 million Ridership: 4.2-4.8 million annual riders (2030)</p>	\$8.9 million	Detailed planning, alternatives analysis, environmental, conceptual engineering, financial strategy planning, public outreach.	<ul style="list-style-type: none"> ● Allocate \$ 5.9 million to the City of Santa Ana for detailed planning, alternatives analysis, conceptual engineering, and state and federal environmental clearance. ● Negotiate cooperative agreement with the City of Santa Ana and return to the Board to execute agreement.

Evaluation Criterion Information			
	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	1 Local Jurisdiction Funding Commitments	Exceeds	<ul style="list-style-type: none"> ● The City of Santa Ana has provided over \$400,000 in City funds to date to undertake the Step One activities. ● The cities will analyze potential revenue generation from several local funding mechanisms including: 1) public parking surcharges 2) Local Improvement Districts, Business Improvement Districts and other property assessments, and 3) ground leases of publicly-owned property.

* Source: Santa Ana and Garden Grove Go Local Project Concept Step One Final Report March 2008

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	2 Proven Ability to Attract Other Financial Partners	Meets	<ul style="list-style-type: none"> • The cities of Santa Ana and Garden Grove are pursuing an analysis of mechanisms to attract private sector financial partners, basing their approach on the success of private sector participation in funding recent streetcar projects in Portland, Oregon, Seattle, Washington, and Tampa, Florida. • The streetcar is within the City of Santa Ana's draft Renaissance Specific Plan area, which is already undergoing private reinvestment in the form of transit oriented, work-live loft developments. • The City of Garden Grove's ownership of the Willowick Golf Course within Santa Ana's city limits provides an opportunity for the two cities to partner on development of this site located along the Pacific Electric (PE) ROW portion of the proposed streetcar route.
	3 Proximity to Jobs and Population Centers	Exceeds	<ul style="list-style-type: none"> • Population densities along the proposed streetcar route are the highest in the County, with three distinct pockets of over 7,000 people per quarter square mile located just north and south of the downtown area, within one mile of the SARTC, and within less than a half mile walking distance of the proposed streetcar route. • Streetcar would connect Metrolink to the seat of County government, including local, state, county and federal offices, courthouses and related businesses. • The City of Santa Ana has major land use plans and policies in place to take advantage of, and complement, the streetcar. • The draft Renaissance Specific Plan promotes transit-oriented residential and commercial development through a mix of uses that will result in a pedestrian-friendly "transit village" served by Metrolink commuter rail service, OCTA's planned BRT, and the proposed modern streetcar fixed-guideway rail line. • Streetcar access and in-vehicle travel times between the Civic Center and Metrolink at the SARTCenter is under 15 minutes.
	4 Regional Benefits	Exceeds	<ul style="list-style-type: none"> • The streetcar would directly serve the Civic Center/draft Renaissance Specific Plan area and provide intermodal transfer connections to the planned Bristol/State College Boulevard BRT, which serves Santa Ana College and South Coast Metro (including the John Wayne Airport), the cities of Brea, Fullerton, Anaheim, Orange, Costa Mesa, and Irvine. • Cooperative ridership agreement opportunities to develop ridership exist with developers within draft Renaissance Specific Plan area, Santa Ana College (student pass programs), local, state, and Federal governments (i.e., employee and juror pass programs), and South Coast Metro and Main Place/City Place (shopper promotions local, state, Harbor Boulevard/Disney resort area hotels pass programs, and federal governments in the Civic Center area, and shopper transit discount promotions with local retailers). • The modern streetcar will also allow for a connection to the planned Harbor Boulevard BRT, further opening access to additional residents in Central Orange County.

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
HIGH PRIORITY	5 Ease and Simplicity of Connections	Exceeds	<ul style="list-style-type: none"> The modern streetcar will provide user-friendly curbside/sidewalk or street median stations. Vehicles will have low floors to facilitate access. Draft Renaissance Specific Plan land use policies provide for pedestrian-friendly development which encourages walk access to the streetcar. Connections at the SARTC will enable seamless transfers among the various modes of transportation at this hub, including Metrolink, Amtrak, local, regional, and intercity buses, OCTA's planned BRT, and the proposed five-mile modern streetcar. It is anticipated that fare levels and payment methods will be coordinated with the Metrolink and OCTA fixed-route bus system fare structures to offer passengers intermodal transit passes and transfer fares.
	6 Cost-Effectiveness	Meets	<ul style="list-style-type: none"> Entire system planned within publicly-owned ROW's with the modern streetcar sharing traffic lanes with autos on city streets or providing a creative and cost-effective multi-modal use of the PEROW by incorporating the modern streetcar into other modes of travel. Capital and operating cost estimates for the streetcar are based on existing successful, cost-effective streetcar systems in Portland, Tacoma, Tampa, Seattle, and elsewhere. Cost per rider analyses will be undertaken in Step Two using modeled ridership projections. Anticipated local and private funding contributions to the capital and operating cost of the streetcar will help stretch the Renewed Measure M (M2) funding dollars and reduce M2 cost per passenger.
MEDIUM PRIORITY	7 Traffic Congestion Relief	Meets	<ul style="list-style-type: none"> South and north Orange County generate by far the largest number of daily trips into central Santa Ana. The primary access for these trips, many of which are destined for the Santa Ana Civic Center, is along the I-5/Metrolink corridor. Ridership forecasts for the 30 minute Metrolink service expansion, plus existing Amtrak ridership, indicate that over 1.0 million boardings and alightings a year (between 1,350-1,650 daily) will occur at the Santa Ana Regional Transportation Center by 2030, contributing to reductions in vehicle miles traveled. Bridging the gap between the Santa Ana Regional Transportation Center and the Santa Ana Civic Center will complete the missing link to this regional activity center and capture more trips to Metrolink. The dual regional and local function of the streetcar will help reduce vehicle miles traveled and congestion on the region's freeway system (Orange Crush Interchange) as well as the city's local streets, including Bristol Street, Fairview Avenue, Harbor Boulevard and Westminster Avenue. Reductions in auto trips will also reduce parking demand and encourage pedestrian trips in central Santa Ana.

Evaluation Criterion Information

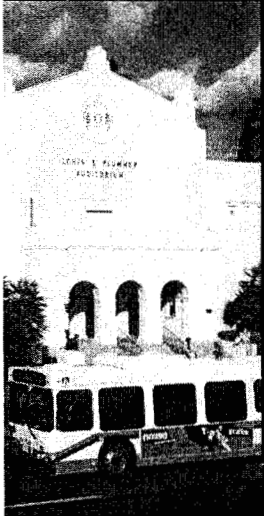
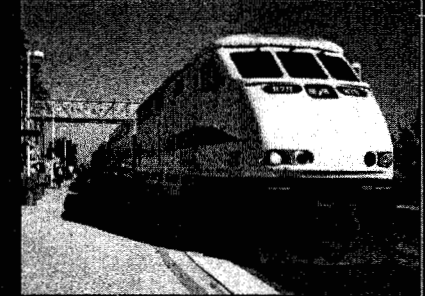
	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
MEDIUM PRIORITY	8 Right-of-Way Availability	Exceeds	<ul style="list-style-type: none"> ● Little or no ROW acquisition is required to implement the streetcar between the SARTC and beginning of the PEROW at Raitt Avenue. ● Since both streets and sidewalks are under the control of the cities of Santa Ana and Garden Grove, implementation of the streetcar can be timely and efficient. ● The modern streetcar segment between Raitt Avenue and Garden Grove Freeway (State Route 22) will use the PEROW, which is publicly-owned by OCTA.
	9 Sound Long-Term Operating Plan	Meets	<ul style="list-style-type: none"> ● At 10-minute all day or 10 - 15-minute mixed frequencies, estimated operating cost for the streetcar between the SARTC to Harbor Boulevard is \$4.1-\$4.7 million a year. ● Farebox recovery will be dependent on how the streetcar fare is integrated into the OCTA fixed-route bus service and Metrolink fare system; however, a 20 percent farebox recovery ratio would result in \$2.3-\$3.8 million SARTC to Harbor Boulevard operations. ● Operations could be undertaken directly by OCTA under contract. ● The cities of Santa Ana and Garden Grove are exploring potential recurring funding sources such as assessment districts, parking surcharges, and sponsorships as potential sources of ongoing operating funding contributions. ● Potential pass program partnerships with major employers, the court system (juror pass), and Santa Ana College could provide a source of operating revenue.
	10 Compatible and Approved Land Use	Exceeds	<ul style="list-style-type: none"> ● Santa Ana's Civic Center provides a downtown environment of transit supportive densities and land uses. ● The City of Santa Ana has major land use plans and policies in place to take advantage of, and complement, the streetcar and Santa Ana Regional Transportation Center expansion, including the draft Renaissance Specific Plan, which will reinvigorate several neighborhoods between the Santa Ana Regional Transportation Center and the Santa Ana Civic Center through transit-oriented residential and commercial development. ● Specifically, the cities of Santa Ana and Garden Grove are pursuing development of the Willowick Golf Course, which is owned by the City of Garden Grove but falls within the City of Santa Ana. ● Infill development, including major entertainment venues on the Willowick Golf Course site, are proposed along the Pacific Electric Right-of-Way by both the cities of Santa Ana and Garden Grove.

Evaluation Criterion Information

	CRITERIA	SCREENING CRITERIA RESULTS	KEY ELEMENTS*
	<p align="center">11 Project Readiness</p>	<p align="center">Meets</p>	<ul style="list-style-type: none"> • The cities of Santa Ana and Garden Grove anticipate a collaborative team approach with OCTA, the public owner of the PEROW. • Planning and design for the Portland Streetcar began in 1997 and the initial 2.4 mile project opened in 2001 – a five year implementation schedule. • Seattle implemented its recently opened 1.3 mile South Lake Union Streetcar in approximately four years. • The cities of Santa Ana and Garden Grove have strong political support from their City Councils and fully embrace this project. The City of Santa Ana has designated the Go Local projects as one of the its top three priority projects. • The City of Santa Ana controls the public streets on which the streetcar would operate between the SARTC and Raitt Street ensuring a smooth and efficient implementation process.
	<p align="center">12 Safe and Modern Technologies</p>	<p align="center">Exceeds</p>	<ul style="list-style-type: none"> • Streetcars are safe in pedestrian environments because they travel at relatively slow speeds and the rails and vehicles are highly-visible. • Modern streetcars are a proven, reliable technology currently in operation in cities throughout the U.S. and worldwide. • The Portland Streetcar operates 34,000 service hours a year and averages 25-30 minor accidents per year. This results in an accident rate of less than .09 percent per service hour; with no injury accidents during the system's 6.5 years of operation.

Go Local Step Two - Fixed Guideway Project Development Timetable

Task	Year 1												Year 2												Year 3											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
1 Detailed Planning	3 - 6 mos.						Detailed Planning																													
2 Alternative Analysis													12 - 18 mos. - Alternative Analysis																							
3 Conceptual Engineering													18 - 24 mos. - Conceptual Engineering																							
4 CEQA/NEPA Process																									18 - 24 mos. - CEQA/NEPA Process											



Go Local Step One Screening Results and Step Two Recommendations



Transit Committee Meeting
May 8, 2008



- Transportation 2020 Committee (T2020) approved staff recommendations
- T2020 requested that additional information on fixed-guideway proposals be presented to the Board of Directors (Board) on May 12
- Chairman directed that Transit Committee discuss T2020's recommendations prior to Board consideration

- Screened four final reports
 - Anaheim
 - Irvine
 - Santa Ana/Garden Grove
 - San Clemente/Dana Point/San Juan Capistrano
- Panel comprised of OCTA staff, two Technical Advisory Committee members, and one Citizens Advisory Committee member
- Panel screened projects against Board-approved evaluation criteria
 - Evaluated if projects had a low, medium, or high level of fit to criteria
- Results used to develop staff recommendations



Team	Fixed- Guideway (rail or bus)	Mixed- Flow Traffic Bus/ Shuttle	Station or Parking Improvements	Pedestrian Access or Bike Improvements	Multi- Modal Use of PE ROW	TOTAL PROJECTS SUBMITTED BY CITY/TEAM
Anaheim	1	5	1	0	0	7
Irvine	1	4	2	3	0	10
Santa Ana/ Garden Grove	1	0	1	0	1	3
San Clemente/ Dana Point/ San Juan Capistrano	0	1	0	0	0	1
PROJECTS SCREENED	3	10	4	3	1	21



Project	City's Step Two Funding Request (millions)	Proposed Funding Allocation (millions)	Proposed Use of Funding
Anaheim: Anaheim Regional Transportation Intermodal Center (ARTIC) to The Platinum Triangle to Anaheim Resort Connector	\$5.9	\$5.9	<ul style="list-style-type: none"> ▪ Detailed Planning ▪ Alternatives Analysis ▪ Conceptual Engineering ▪ State & Federal Environmental Clearance
Santa Ana/Garden Grove: Santa Ana Fixed-Guideway Project	\$8.9	\$5.9	
Irvine: Irvine Guideway Demonstration Project	N/A	N/A	*Step Two previously funded by \$5.2 million of federal Congestion Mitigation and Air Quality funds

Project	Proposed Action
Anaheim: ARTIC to Downtown Anaheim to Fullerton Transportation Center Connector (BRT)	<ul style="list-style-type: none"> ▪ Advance to Step Two service planning ▪ Requests for capital, operations and maintenance deferred to the Renewed Measure M (M2) Transit Strategic Plan effort that will address the use of M2 funds for capital and operating expenses
Anaheim: ARTIC to Anaheim Canyon Station Connector (BRT)	
Anaheim: ARTIC to The Platinum Triangle to Anaheim Resort Shuttle Bus Connector	
Anaheim: West Anaheim Commuter Shuttles	
Anaheim: Anaheim Canyon Feeder Shuttles	
Irvine: Spectrum Shuttle Study	
San Clemente/ Dana Point/San Juan Capistrano: Tri-City Trolley	
Irvine: Irvine Business Complex (IBC) Shuttle	Requests for operations and maintenance deferred to M2 Transit Strategic Plan effort that will address the use of M2 funds for capital and operating expenses
Irvine: North Irvine Transit Study	Concepts are too preliminary; recommend projects seek other funding sources to refine ideas
Irvine: Great Park Shuttle System	

Project	Proposed Action
Anaheim: Advancing the Anaheim Canyon Station Master Site Plan Improvements	Defer until summer 2008 pending submission of all Step One final reports
Irvine: Irvine Station Master Plan	Projects linked to cities' proposed fixed-guideway projects. Defer until completion of Step Two fixed-guideway project analysis.
Irvine: Irvine Station Parking	
Santa Ana/Garden Grove: Expansion of the Santa Ana Regional Transportation Center	
Santa Ana/Garden Grove: Multi-Modal Use of PE ROW	

Project	Proposed Action
Irvine: IBC Pedestrian Gap Closures	Defer until summer 2008 pending submission of all Step One final reports (projects not submitted under Transportation Demand Management)
Irvine: IBC Off-Street Bikeways	
Irvine: Irvine Station Bicycle Linkages	

- Recommend Anaheim and Santa Ana/Garden Grove fixed-guideway projects begin alternatives analysis
- Return with negotiated cooperative agreements with Anaheim and Santa Ana/Garden Grove
- Continue to monitor the progress of the Irvine Guideway Demonstration Project through Step Two
- Return in May with recommended approach for conducting service planning for bus/shuttle proposals
- Return by June 2008 with a draft M2 Transit Strategic Plan that evaluates options for funding operations and maintenance of M2 transit programs
- Return in summer 2008 for further direction on station, parking, bicycle, pedestrian, and remaining Go Local Step One projects



BOARD COMMITTEE TRANSMITTAL

May 12, 2008

To: Members of the Board of Directors
From: ^{WK} Wendy Knowles, Clerk of the Board
Subject: Orange County Transportation Authority Fiscal Year 2008-09
Budget Preview

Finance and Administration Committee meeting of April 23, 2008

Present: Directors Amante, Brown, Buffa, Campbell, Green, Moorlach,
and Nguyen

Absent: None

Committee Vote


This item was passed by all Committee Members present.

Committee Recommendation

Review the fiscal year 2008-09 budget in a workshop setting following the regularly scheduled Orange County Transportation Authority Board of Directors' meeting on May 12, 2008.



April 23, 2008

To: Finance and Administration Committee
From: Arthur T. Leahy,  Chief Executive Officer
Subject: Orange County Transportation Authority Fiscal Year 2008-09 Budget Preview

Overview

The Orange County Transportation Authority is developing the fiscal year 2008-09 budget, which identifies available revenues and the costs associated with providing transportation services and programs for Orange County commuters. Following the May 12, 2008, Orange County Transportation Authority Board of Directors' meeting, the proposed budget will be reviewed in detail in a two-hour informal workshop.

Recommendation

Review the fiscal year 2008-09 budget in a workshop setting following the regularly scheduled Orange County Transportation Authority Board of Directors' meeting on May 12, 2008.

Background

The preparation of Orange County Transportation Authority's (OCTA) annual budget began in January 2008 with the development of a service plan, program goals, and objectives for the upcoming fiscal year (FY). Revenue forecasts and an expenditure plan were developed and submitted by OCTA executive directors in January and February.

The revenue and expenditure plans underwent successive reviews, with results presented to executive management. The proposed budget has since been subject to continuous revisions to ensure a fiscally responsible and balanced financial plan.

Discussion

Staff will be presenting the FY 2008-09 budget in detail in an informal workshop setting on May 12, 2008. The presentation will include a discussion of program goals and objectives, a proposed staffing plan, and the sources of revenues and the uses of funds planned to meet program goals.

Summary

Staff will conduct a budget workshop for the Orange County Transportation Authority Board of Directors following the conclusion of the May 12, 2008, Board meeting.

Attachment

None.

Prepared by:



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