



# *CITY COUNCIL AGENDA REPORT*

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MEETING DATE: DECEMBER 5, 2006

ITEM NUMBER:

**SUBJECT: COOPERATIVE AGREEMENT 12-540 BETWEEN THE CITY OF COSTA MESA AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS AT FAIRVIEW ROAD/I-405 INTERCHANGE**

**DATE: NOVEMBER 21, 2006**

**FROM: PUBLIC SERVICES DEPARTMENT - TRANSPORTATION SERVICES DIVISION**

**PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES**

**FOR FURTHER INFORMATION CONTACT: PETER NAGHAVI, TRANSPORTATION SERVICES MANAGER, 714-754-5182**

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## **RECOMMENDATION:**

1. Approve Cooperative Agreement 12-540 between the City of Costa Mesa and the State of California Department of Transportation (Caltrans) for the construction of improvements at Fairview Road/I-405 interchange (Attachment 1); and
2. Authorize the Mayor and Deputy City Clerk to execute the agreement.

## **BACKGROUND:**

Over the past 2 years, the City has been working with the State of California Department of Transportation (Caltrans) in finalizing design plans for the Fairview Road/I-405 Interchange Widening project. This project involves widening of the Fairview Road bridge over I-405 Freeway to provide a third southbound left-turn lane from Fairview Road to southbound I-405 Freeway and the associated widening of the southbound I-405 Freeway onramp.

The improvements at Fairview Road/I-405 Southbound ramps interchange were required as part of the "Home Ranch Development" Environmental Impact Report (EIR) and corresponding Development Agreement, which were certified by the City Council in November 2001 and December 2001, respectively. At the October 6, 2003, City Council meeting, a design and environmental services contract for the Project was awarded to Parsons Brinkerhoff Quade Douglas, Inc.

The project is nearing final design with final approvals and permits expected by early 2007. All work will be completed within the available public right-of-way.

## **ANALYSIS:**

The Streets and Highways Code Section 130 requires that a cooperative agreement be executed for improvements to facilities that are within the jurisdiction of Caltrans. Since the subject improvements at Fairview Road/I-405 Freeway interchange are within Caltrans right-of-way, a cooperative agreement needs to be executed to establish responsibilities for oversight of the construction activities.

The attached cooperative agreement, District Agreement No. 12-540, defines the terms and conditions under which the Project is to be developed. The agreement addresses the construction phase, and designates responsibilities whereby the City will develop the Project through its fiscal allocations. Caltrans will provide quality assurance and necessary encroachment permits at no cost to the City. Staff recommends execution of the agreement to enable the commencement of Project construction.

**ALTERNATIVES CONSIDERED:**

One alternative would be to not approve the cooperative agreement. However, this alternative would preclude the City's ability to commence with the construction phase of the subject improvements. This will result in loss of the Measure M grant funding for the Project as well as being in non-compliance with the mitigation requirements for the Home Ranch project.

**FISCAL REVIEW:**

The construction phase of the project is estimated to cost approximately \$4 million. The City has secured OCTA grant funding from the Measure M Regional Interchange Program (RIP) in the amount of approximately \$2.3 million. The remaining funds will be derived from recently secured Bicycle Transportation Account (BTA) grant in the amount of \$450,000, and the Home Ranch Development Mitigation account. The required funds have been appropriated for the project's construction phase in the City's budget.

**LEGAL REVIEW:**

The City Attorney's office has reviewed the attached cooperative agreement. All comments have been incorporated and the City Attorney has approved the document relative to form.

**CONCLUSION:**

In order to allow the commencement of construction activities for the Fairview Road/I-405 interchange improvements, staff recommends that the City Council approve, and authorize the Mayor and the Deputy City Clerk to sign, the attached cooperative agreement between the City of Costa Mesa and Caltrans.

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**PETER NAGHAVI**

Transportation Services Manager

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**WILLIAM J. MORRIS**

Director of Public Services

DISTRIBUTION: City Manager  
Assistant City Manager  
City Attorney  
City Clerk  
Deputy City Manager – Dev. Svcs. Director  
Director of Public Services  
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File

ATTACHMENT: 1 [Cooperative Agreement](#)

