



CITY COUNCIL AGENDA REPORT

MEETING DATE: OCTOBER 21, 2008

ITEM NUMBER:

SUBJECT: AMENDMENTS TO COOPERATIVE AGREEMENTS 12-540 AND 12-541 BETWEEN THE CITY OF COSTA MESA AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

DATE: OCTOBER 9, 2008

FROM: PUBLIC SERVICES DEPARTMENT - TRANSPORTATION SERVICES DIVISION

**PRESENTATION BY: PETER NAGHAVI, DIRECTOR,
DEPARTMENT OF PUBLIC SERVICES**

**FOR FURTHER INFORMATION CONTACT: RAJA SETHURAMAN, TRANSPORTATION SERVICES
MANAGER, 714-754-5032**

RECOMMENDATION:

1. Approve Amendment No. 1 to 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 Freeway interchange (Attachment 1);
2. Approve Amendment No. 1 to Cooperative Agreement 12-541 between the City of Costa Mesa and Caltrans for the construction of improvements at Harbor Boulevard/I-405 Freeway interchange (Attachment 2); and
3. Authorize the Mayor and City Clerk to execute the amendments to the two agreements.

BACKGROUND:

The Fairview Road/I-405 Freeway Interchange Widening and Harbor/I-405 Freeway Interchange Improvement Projects have been under construction since January 2008. The two projects are briefly described below:

- Fairview Road/I-405 Interchange – This project includes widening of the Fairview Road bridge over I-405 Freeway to provide a third southbound left-turn lane from Fairview Road to the southbound I-405 Freeway and the associated widening of the southbound I-405 Freeway onramp,
- Harbor Boulevard/I-405 –This project includes improvements to the east side of Harbor Boulevard between Gisler Avenue and South Coast Drive, and includes removal of the existing embankment under the I-405 freeway bridge, construction of the northbound new onramp behind the bridge columns; and reconstruction of the southbound onramp “gore” area from southbound Harbor Boulevard. This will result in four continuous through lanes in each direction on Harbor Boulevard under the I-405 Freeway, as well as improved freeway access.

The areas of construction are within the State of California Department of Transportation (Caltrans) jurisdiction. 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. The agreement 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.

During the regular meeting of December 5, 2006, the City Council approved Cooperative Agreements 12-540 and 12-541, for construction of the Fairview Road/I-405 and Harbor Boulevard/I-405 projects.

ANALYSIS:

The cooperative agreements executed between the City and Caltrans expire on December 31, 2008. The construction of the projects is expected to be completed by March 2009. In order to maintain the terms of the agreement, the agreements will need to be extended. The attached amendments to Cooperative Agreements 12-540 and 12-541 allow for the agreements to remain valid until December 31, 2010.

Staff recommends approval of the amendments to both agreements to maintain validity during the project construction phase.

ALTERNATIVES CONSIDERED:

One alternative would be to not approve the amendments to the cooperative agreements. However, this alternative would preclude the City's ability to receive Caltrans' oversight during construction phase and would impact the acceptance of the projects by Caltrans.

FISCAL REVIEW:

There is no fiscal impact with approval of the amendments to the Caltrans cooperative agreements.

LEGAL REVIEW:

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

CONCLUSION:

The cooperative agreements executed between the City and Caltrans for the Fairview Road/I-405 Freeway and Harbor Boulevard/I-405 Freeway Improvement Projects will expire on December 31, 2008. The attached amendments to the cooperative agreements will extend the term of the agreements to December 31, 2010. Staff recommends that the City Council approve the amendments and authorize the Mayor and the City Clerk to sign the attached amendments to cooperative agreements between the City of Costa Mesa and Caltrans.

RAJA SETHURAMAN, Manager
Transportation Services Division

PETER NAGHAVI, Director
Department of Public Services

ATTACHMENT: 1 [Amendment No. 1 to Cooperative Agreement 12-540](#)
 2 [Amendment No. 1 to Cooperative Agreement 12-541](#)

DISTRIBUTION: City Manager
 Assistant City Manager
 City Attorney
 City Clerk
 Deputy City Manager – Dev. Svcs. Director

Director of Public Services
Staff
File

/ch

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10-7-08

9:30 a.m.