

**RESOLUTION NO. 14-56**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ORDERING THE SUBMISSION TO THE VOTERS OF THE CITY OF COSTA MESA, CALIFORNIA AN ADVISORY VOTE MEASURE RELATING TO THE ESTABLISHMENT OF TOLL LANES ON THE I-405 FREEWAY IN ORANGE COUNTY, AS CALLED BY RESOLUTION NO. 14-26

WHEREAS, a General election on Tuesday, November 4, 2014 has been called by Resolution No. 14-26, adopted on May 20, 2014; and

WHEREAS, the Orange County Transportation Authority (OCTA), in association with the State of California Department of Transportation (Caltrans) and the cities adjacent to the I-405 Freeway Corridors between the SR-73 and I-605 freeways, has been working on the I-405 Freeway Improvement Project; and

WHEREAS, there continues to be a strong push to implement High Occupancy Toll (HOT) lanes by converting existing High Occupancy Vehicle (HOV) lanes to HOT Lanes, requiring the paying of tolls to use previously non-toll lanes; and

WHEREAS, toll lanes only increase vehicle throughput in the Express toll lanes at the expense of vehicle capacity in the general purpose or mixed flow lanes; and

WHEREAS, the voters of Orange County approved Measure M2 without approving conversion of existing freeway facilities to toll lanes; and

WHEREAS, polling of the voters of Orange County prior to placing Measure M2 on the ballot indicated that Measure M2 would not have passed had it included toll lanes or conversion of existing freeway facilities to toll lanes; and

WHEREAS, any construction of new toll lanes or conversion of existing freeway lanes to toll lanes should be required to be placed on a ballot to allow the voters of Orange County to voice their opinion regarding toll lanes; and

WHEREAS, the City agrees with OCTA that this is possibly the only chance in decades to improve the I-405 corridor between SR-73 and I-605, and because of this rare opportunity, the City believes the socially, economically, and politically responsible action is to construct the greatest transportation improvements that best utilizes taxpayer funds without requiring motorists to pay tolls to use portions of the improvements constructed.

WHEREAS, the City Council desires to submit to the voters of the City, pursuant to this Resolution, an advisory vote ballot measure relating to the establishment of toll lanes on the I-405 freeway in Orange County;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

Measure __ : Advisory Vote Only	Response	Vote
Do you agree with the Costa Mesa City Council, which unanimously opposes the establishment of toll lanes on the I-405 Freeway in Orange County?	Yes	
	No	

SECTION 2. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law and that the election will be held and conducted in accordance with the provisions of law regulating the statewide election.

SECTION 3. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON August 5, 2014.

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James M. Righeimer, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda Green, City Clerk

\_\_\_\_\_  
Thomas Duarte, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing Resolution No. 14-56 was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 5<sup>th</sup> day of August, 2014, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:  
ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 6<sup>th</sup> day of August, 2014.

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BRENDA GREEN, CITY CLERK