



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 5, 2014

ITEM NUMBER: NB-1

SUBJECT: I-405 IMPROVEMENT PROJECT UPDATE, ADOPTION OF RESOLUTION OF CITY POSITION AND CONSIDERATION OF ADOPTION OF RESOLUTIONS TO PUT ADVISORY VOTE MEASURE ON BALLOT

DATE: JULY 23, 2014

FROM: PUBLIC SERVICES DEPARTMENT - TRANSPORTATION SERVICES DIVISION

**PRESENTATION BY: RAJA SETHURAMAN, TRANSPORTATION SERVICES MANAGER
MAYOR JIM RIGHEIMER**

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

RECOMMENDATION:

The recommendation is for the City Council to:

Consider adopting the following resolution (Attachment 1) relating to toll lanes on Orange County freeways:

A. Resolution No. 14-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, OPPOSING IMPLEMENTATION OF TOLL LANES ON I-405 AND ALL OTHER ORANGE COUNTY FREEWAYS WITHOUT A VOTE OF THE ENTIRE ORANGE COUNTY ELECTORATE; and

Consider adopting the following resolutions (Attachments 2, 3 and 4) submitting to the voters at the November 4, 2014 general municipal election an Advisory Vote Measure Relating to the Establishment of Toll Lanes on the I-405 Freeway:

B. 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.; and

C. Resolution No. 14-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING AN ADVISORY VOTE MEASURE RELATING TO THE ESTABLISHMENT OF TOLL LANES ON THE I-405 FREEWAY IN ORANGE COUNTY; AND, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR THE SAME CITY MEASURE; and

D. Resolution No. 14 - 58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.

BACKGROUND:

The Orange County Transportation Authority (OCTA) has been in the process of planning improvements to the I-405 freeway for almost 10 years. A Major Investment Study was prepared that encouraged public participation from the local agencies. In 2006, the voters of Orange County voted to extend the Measure M Program (1990-2010) for another 30 years as Measure M2. One of the projects committed to the voters on the Measure M2 was the improvement project on the I-405 freeway.

ANALYSIS:

Under the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA), public agencies are required to prepare environmental documents for actions that may potentially affect the environment. Currently, an environmental document and analysis has been prepared for the I-405 Improvement Project. The Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed improvements located on the I-405 (San Diego) Freeway between State Route 73 (SR-73) on the south and the I-605 Freeway on the north has gone through the public comment period (May 18, 2012 through July 17, 2012), and also had a Traffic Supplement document prepared to address comments from the City of Long Beach.

In participation with the CEQA and the NEPA processes, the City of Costa Mesa has submitted formal comments during both comment periods. Additionally, the City of Costa Mesa has sent numerous letters of correspondence and spoken publicly at numerous public meetings to effectively convey concerns regarding the toll alternative of the I-405 Improvement Project.

Additionally, the City of Costa Mesa has participated in the Corridor Cities Group. The Group comprised of the Cities of Costa Mesa, Huntington Beach, Fountain Valley, Westminster, Los Alamitos, and Seal Beach have together sent numerous correspondences to the OCTA to represent the desires of the residents that live along the proposed improvements.

The project has three (3) alternatives which are summarized as follows:

Alternative 1: Add One General Purpose Lane

Alternative 2: Add Two General Purpose Lanes

Alternative 3: Add One General Purpose Lane, and one High Occupancy Vehicle (HOV) Lane, and conversion of the two (2) High Occupancy Vehicle Lanes to High Occupancy Toll (HOT) Lanes.

On October 22, 2012, the OCTA Board of Directors selected Alternative 1 as the Locally Preferred Alternative for the I-405 Improvement Project. On September 23, 2013, the OCTA Board of Directors again reaffirmed that Alternative 1 is the Locally Preferred Alternative for the project. Once the EIR/EIS is certified, the project can move forward.

A decision still has not been made regarding the preferred alternative from the State of California Department of Transportation (Caltrans). The City of Costa Mesa and the Corridor Cities Group remain committed to HOT lanes being unacceptable on the I-405 Freeway. Caltrans has indicated that an announcement will be made on the I-405 Improvement Project in late July. The announcement may indicate that Alternative 3 is the Preferred Alternative.

Staff requests City Council's approval of the attached resolution opposing the consideration of the toll lane alternative on the I-405 freeway and other freeways and requiring a vote of Orange County electorate for implementation of toll lanes. The corridor cities are working together and have approved similar resolutions that reaffirm this same position on the project.

Mayor James M. Rigeimer has requested that the City Council consider placing an advisory vote measure on the November 4, 2014 ballot. The Advisory Vote measure seeks the advice of the electorate as to whether they agree with a portion of the City Council's position as set forth in the Resolution "A" (Attachment 1). Resolutions "B," "C" and "D" (Attachments 2, 3 and 4) have been included in this report for that purpose.

ALTERNATIVES CONSIDERED:

No alternatives other than those proposed as part of this project are presented.

FISCAL REVIEW:

If the proposed Measure is placed on the November 2014 ballot, the additional cost is estimated at \$12,880.00.

LEGAL REVIEW:

The City Attorney has reviewed and approved the Resolution as to form.

CONCLUSION:

The Orange County Transportation Authority (OCTA) Board of Directors selected Alternative 1 that adds one general purpose lane in each direction as the locally preferred alternative for the I-405 Improvement Project. However, Caltrans, which has jurisdiction of this facility, has to make a final determination of the alternative and may consider Alternative 3 which includes toll lanes. Staff requests City Council's adoption of the attached Resolution opposing High Occupancy Toll Lanes for the I-405 Improvement Project. Similar resolutions were also approved by other cities along the I-405 corridor.

RAJA SETHURAMAN
Transportation Services Manager

ERNESTO MUNOZ
Public Services Director

ATTACHMENT: 1 - [Resolution 14-55](#)
 2 - [Resolution 14-56](#)
 3 - [Resolution 14-57](#)
 4 - [Resolution 14-58](#)