



November 5, 2018

To: Regional Planning and Highways Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: California Department of Transportation Freeway Service Patrol Program Fund Transfer Agreements

Overview

The Orange County Transportation Authority is the administering agency for the Freeway Service Patrol program in Orange County. Funding for the Freeway Service Patrol program is provided annually from the California Department of Transportation through the State Highway Account. The Road Repair and Accountability Act of 2017, also known as Senate Bill 1, established additional funding for the Freeway Service Patrol program. The estimated funding to be available for fiscal years 2017-18 and 2018-19 is \$7,328,377. Funding agreements are necessary to facilitate the transfer of funds to the Orange County Transportation Authority for the continuance of the Freeway Service Patrol program.

Recommendations

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-2011 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2018-19 Freeway Service Patrol Program State Highway Account funding in the amount of \$2,472,405.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-1871 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2017-18 Freeway Service Patrol Program Senate Bill 1 funding in the amount of \$2,619,972.

- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-8-2012 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2018-19 Freeway Service Patrol Program Senate Bill 1 funding of approximately \$2,236,000.

Discussion

The Orange County Freeway Service Patrol (FSP) program is a partnership between the California Department of Transportation (Caltrans), California Highway Patrol (CHP), and the Orange County Transportation Authority (OCTA). In November 1992, the FSP program began providing peak-hour assistance to stranded motorists along Orange County freeways to reduce congestion. The FSP program is designed to provide timely assistance to motorists with disabled vehicles and timely response to other incidents that leave debris on the freeways.

In addition to peak-hour service on all freeways, FSP provides midday service on Interstate 5 (I-5), Interstate 405, State Route 22 (SR-22), State Route 55 (SR-55), State Route 57 (SR-57), and State Route 91 (SR-91) in central Orange County. The FSP program also provides weekend service on SR-91 from SR-55 to the Riverside County Line, on SR-22 from Harbor Boulevard to SR-55, including the I-5/SR-57 interchange, and on I-5 in South Orange County, as well as off-peak hour service in certain designated construction zones.

OCTA is the administering agency for the FSP program in Orange County and is responsible for procuring services necessary for the operation of the FSP program. Caltrans allocates \$25 million to statewide FSP programs annually, through the State Highway Account (SHA). After applying a deduction for required CHP oversight, SHA funds are allocated to each local FSP agency based on a formula defined in California Streets and Highways Code, section 2562.1. Allocation percentages change from year to year based on calculations used to measure congestion within the region, the number of active FSP programs statewide, and FSP program ability to provide matching funds to accept the entire allocation.

Local programs are required to provide a 25 percent local funding match to the state program funding using local funds. Local match funds are provided using Orange County Service Authority for Freeway Emergency (SAFE) funds and Measure M2 (M2) funds. SAFE is funded through a one dollar California Department of Motor Vehicles fee for all vehicles registered in Orange County. M2 is funded through a one-half cent sales tax on goods purchased in Orange

County. To provide the FSP service outlined above, OCTA provides a higher match than is required.

The SHA allocation for the Orange County FSP program for fiscal year (FY) 2018-19 is \$2,472,405, requiring a local match of \$618,102 from OCTA. Total FY 2018-19 funding, including both the SHA allocation and the local match, is \$3,090,507, and OCTA will have until June 30, 2021, to be reimbursed from this funding source for program expenditures.

In April 2017, the Governor of California signed the Road Repair and Accountability Act of 2017 (SB1) into law. The SB1 legislative package provides an additional \$25 million annually for California FSP programs. SB1 funding can be used to support FSP program activities in three specific categories: inflation relief, new or expanded service, and for CHP support.

The Orange County FSP program SB1 allocation for FY 2017-18 is \$1,244,321 for inflation relief, \$991,890 for new or expanded service, and \$383,761 for CHP support. Inflation relief and new or expanded service funds require a 25 percent local match, \$559,053, which will be provided from local SAFE funds. CHP support funding is provided as a pass-through to the CHP for FY 2017-18. Future SB1 CHP support funding will be provided through a direct agreement between Caltrans and the CHP. Total FY 2017-18 SB1 funding, including the local match, is \$3,178,025. OCTA will have until June 30, 2020, to be reimbursed from this source for program expenditures.

The Orange County FSP program SB1 allocation for FY 2018-19 is still being determined, but is expected to be approximately \$2,236,000 for combined inflation relief and new or expanded service funding. The required 25 percent match for inflation relief and new or expanded service is approximately \$559,000, and will be funded from local SAFE and M2 funds. Total FY 2018-19, SB1 funding, including the local match, will be approximately \$2,795,000. OCTA will have until June 30, 2021, to be reimbursed from this source for program expenditures.

A history of funding for FSP from FY 2008-09 through FY 2018-19, including match requirements and contributions made to FSP from the Orange County local SAFE funds, as well as annual SHA funding and local match funds utilized for the FSP program, is shown in Attachment A.

Beginning in December 2018, the Orange County FSP program will deploy new expanded service on the east end of SR-91 and on SR-57 using SB1 funds for new or expanded service. This expanded service is fully funded for a period of four years, through SB1. Should these funds become unavailable for future use

on the FSP program, staff will return to the Board of Directors (Board) with a recommendation for service modification and/or programming of alternative funding sources.

To access the funding outlined above, new agreements between OCTA and Caltrans are required. Staff has developed these agreements in coordination with Caltrans and is seeking Board approval to allow the Chief Executive Officer to negotiate and execute three separate agreements for FY 2017-18 and FY 2018-19 allocations.

Summary

The FSP program provides valuable services by assisting motorists with disabled vehicles and removing congestion-causing debris from freeway traffic lanes. Funding for the FSP program is provided through a combination of sources, including Caltrans directed SHA funds, newly available SB1 funds, local SAFE funds, and M2 funds. New funding agreements are required to continue the program.

Attachment

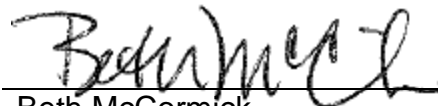
- A. California Department of Transportation (Caltrans) Freeway Service Patrol (FSP) Funding, Fiscal Year 2008-09 to Fiscal Year 2018-19

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