



# **MINUTES**

## ***Regional Planning and Highways Committee Meeting***

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### **Committee Members Present**

Mark A. Murphy, Chairman  
Barbara Delgleize, Vice Chair  
Doug Chaffee  
Joe Muller  
Richard Murphy  
Miguel Pulido

### **Staff Present**

Darrell E. Johnson, Chief Executive Officer  
Ken Phipps, Deputy Chief Executive Officer  
Laurena Weinert, Clerk of the Board  
Olga Prado, Assistant Clerk of the Board  
James Donich, General Counsel  
OCTA Staff and Members of the General Public

### **Committee Members Absent**

Lisa A. Bartlett

## **Call to Order**

The November 4, 2019 regular meeting of the Regional Planning and Highways (RP&H) Committee was called to order by Committee Chairman M. Murphy at 10:30 a.m.

## **Pledge of Allegiance**

Committee Vice Chair Delgleize led in the Pledge of Allegiance.

### **1. Public Comments**

No public comments were received.

## **Special Calendar**

There were no Special Calendar matters.

## **Consent Calendar (Items 2 through 7)**

### **2. Approval of Minutes**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to approve the minutes of the Regional Planning and Highways Committee meeting of October 7, 2019.

Directors Chaffee and Pulido were not present to vote on this item.



### **3. California Department of Transportation Freeway Service Patrol Program Fund Transfer Agreements**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1620 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2019-20 Freeway Service Patrol Program State Highway Account funding of approximately \$2,294,286.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1620 between the Orange County Transportation Authority and the California Department of Transportation for fiscal year 2019-20 Freeway Service Patrol Program Senate Bill 1 funding of approximately \$1,969,345.
- C. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreements between the Orange County Transportation Authority and the California Department of Transportation each year for fiscal years 2020-21 through 2028-29 Freeway Service Patrol Program State Highway Account funding in an amount not to exceed \$20,545,608, for the nine fiscal years.
- D. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreements between the Orange County Transportation Authority and the California Department of Transportation each year for fiscal years 2020-21 through 2028-29 Freeway Service Patrol Program Senate Bill 1 funding in an amount not to exceed \$17,635,726, for the nine fiscal years.

Directors Chaffee and Pulido were not present to vote on this item.



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### **4. Consultant Selection for the Safe Travels Education Program Campaign**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to:

- A. Approve the selection of Alta Planning + Design as the firm to develop the Safe Travels Education Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1433 between the Orange County Transportation Authority and Alta Planning + Design, in the amount of \$500,000, to develop the Safe Travels Education Program Campaign for a two-year term.

Directors Chaffee and Pulido were not present to vote on this item.

### **5. Cooperative Agreement with the California Department of Transportation for the Interstate 5 Widening Project Between Alicia Parkway and El Toro Road**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to:

- A. Authorize the use of \$4,728,000 in Highway Infrastructure Program funds in place of Measure M2 funds for the Interstate 5 widening project between Alicia Parkway and El Toro Road.
- B. Authorize the Chief Executive Officer to negotiate and execute Cooperative Agreement No. C-9-1600 between the Orange County Transportation Authority and California Department of Transportation, in the amount of \$136,615,000, comprised of a construction capital share of \$117,000,000, and a construction management services share of \$19,615,000, for Segment 3 of the Interstate 5 widening project between Alicia Parkway and El Toro Road.
- C. Authorize staff to process all necessary amendments to the Federal Transportation Improvement Program and execute or amend all necessary agreements to facilitate the above action.

Directors Chaffee and Pulido were not present to vote on this item.



**6. Amendment to Cooperative Agreement with the City of Costa Mesa for the Interstate 405 Improvement Project**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Cooperative Agreement No. C-5-3612 between the Orange County Transportation Authority and the City of Costa Mesa, in the amount of \$249,500, for additional city services for the Interstate 405 Improvement Project. This will increase the maximum obligation of the cooperative agreement to a total value of \$1,256,380.

Directors Chaffee and Pulido were not present to vote on this item.

**7. Contract Change Orders for the Interstate 405 Improvement Project from State Route 73 to Interstate 605**

A motion was made by Director Muller, seconded by Committee Vice Chair Delgleize, and declared passed by those present, to:

- A. Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 13.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$460,327, to design and construct additional improvements to support the installation of a permanent traffic signal at the intersection of Warner Avenue and Greenleaf Street in the City of Fountain Valley.
- B. Authorize the Chief Executive Officer to negotiate and execute supplemental Contract Change Order No. 27.1 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$353,106, to provide additional utility work to support Southern California Edison relocations on Milton Avenue in the City of Westminster.
- C. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 46 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$389,978, to extend water lines adjacent to the Talbert Avenue and Brookhurst Street overcrossing bridges in the City of Fountain Valley.



**7. (Continued)**

- D. Authorize the Chief Executive Officer to negotiate and execute Contract Change Order No. 47 to Agreement No. C-5-3843 between the Orange County Transportation Authority and OC 405 Partners, a joint venture, in the amount of \$266,828, to install additional water valves at the Talbert Avenue, Warner Avenue, and Brookhurst Street overcrossing bridges in the City of Fountain Valley.

Directors Chaffee and Pulido were not present to vote on this item.

**Regular Calendar**

There were no Regular Calendar items scheduled.

**Discussion Items**

**8. Measure M2 Interstate 5 Corridor Improvements**

Kurt Brotcke, Director of Strategic Planning, provided an overview of the Measure M2 (M2) Interstate 5 (I-5) corridor projects and a PowerPoint presentation for this item as follows:

- I-5 Comprehensive Improvements;
- M2 I-5 – Project A:
  - State Route (SR) 55 to SR-57;
- M2 I-5 – Project B:
  - Interstate 405 to SR-55;
- M2 I-5 – Projects C/D:
  - State Route 73 to El Toro Road;
- M2 I-5 – Project D:
  - El Toro Road Interchange,
  - I-5/Ortega Highway Interchange;
- M2 I-5 – Projects C/D:
  - Avenida Pico to San Juan Creek Road;
- M2 I-5 Schedule;
- Public Outreach; and
- Summary.



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### **8. (Continued)**

A discussion ensued as follows:

- Director Muller stated the following:
  - Expressed his concern about the California Department of Transportation (Caltrans) converting high-occupancy vehicle (HOV) lanes to high-occupancy toll (HOT) lanes.
  - If Caltrans were to make the determination to convert Project A's carpool lanes to HOT lanes, can the Orange County Transportation Authority (OCTA) ask Caltrans to refund the M2 dollars spent to build them?
  - Staff needs to communicate with Caltrans and ask if they are considering adding HOT lanes in the Project B area.
  - At Monday's Board of Directors (Board) meeting, Caltrans made it very clear what the State's position is on HOT lanes and who owns and operates those roads.
- Committee Vice Chair Delgleize stated the following:
  - A lot of the plans for these projects started a long time ago and one should probably assume conversion to HOT lanes would be in future plans.
  - OCTA does a terrific job of communicating with the residents of Orange County regarding M2, and it would be a good idea for OCTA and Caltrans to work together.
- Ryan Chamberlain, Caltrans District 12 Director, stated the following:
  - Caltrans has a plan for managed lanes and express lanes in Orange County. The managed lane study was completed a couple of years ago and identifies four near-term corridors to explore express lanes or HOT lanes.
  - In some of the segments in the PowerPoint, Caltrans does not identify a conversion from HOV to HOT lanes near term.
  - The segment north of the SR-55 on the I-5, was Caltrans' number one priority for exploring a conversion from HOV to HOT lanes.
  - Caltrans understands M2 and the commitments made to the voters and believes a discussion about what is consistent with those commitments should happen and would be happy to engage in a dialogue with OCTA.
  - Explained the different functionality between HOT lanes and pure express lanes or a toll facility.
  - OCTA staff can share Caltrans' managed lane network study with the Board to see Caltrans vision in the documents.
  - He would be happy to give a presentation to the RP&H Committee.



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### **8. (Continued)**

- Darrell E. Johnson, Chief Executive Officer (CEO), and Mr. Brotcke responded as follows:
  - OCTA does not have a recourse, from a contractual standpoint, to ask Caltrans to reimburse M2 dollars.
  - When Caltrans approves the environmental document, they also approve a project, known as project approval.
  - There is a reasonable expectation that “project approval” has a 20 year horizon on it, and Caltrans switching midstream is of concern to OCTA.
  - There are situations where HOT lanes should be considered, however, the responsibility for that discussion sits with the OCTA Board.
  - The Next 10 Delivery Plan, approved by the Executive Committee and going to the Board for approval, includes recommendation to advance Project B into final design, and staff believes the project can be delivered on schedule and fully funded.
  - Caltrans has a project study report (PSR) nearing completion that is looking at HOT lanes on the I-5, north of the SR-55, to the Los Angeles County line.
  - OCTA staff is not aware that Caltrans has any PSRs that look at HOT lanes between the SR-73 and the SR-55 on the I-5.
  - Every four years, OCTA prepares a long-range transportation plan (LRTP) that feeds the Southern California Association of Governments (SCAG) Regional Transportation Plan.
  - In 2014, staff discussed the role of HOT lanes with the Board, and the Board felt that HOT lanes should not be included in the LRTP.
  - In 2018, the Board was again presented with options for future HOT lanes in the County and these were included in the LRTP, as a future strategy that is seen to be beyond the M2 horizon.
  - Staff’s concern is not being able to deliver what was in the Measure M voter pamphlet.
  - Next month, staff will bring forward to the RP&H Committee OCTA’s network phasing study and can incorporate what Caltrans has done so far.
  - At the RP&H Committee’s request, staff will invite Caltrans to present its countywide managed lanes/HOT lanes study.
  - SCAG, as the metropolitan planning organization, also has some assumptions in its regional transportation plan about future HOT lanes, and staff will bring some of that information to the RP&H Committee in December.

No action was taken on this discussion item.



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### **9. Chief Executive Officer's Report**

Darrell E. Johnson, CEO, reported the following:

Veterans Appreciation Event -

- On Thursday, November 7th, OCTA will be hosting its annual Veterans Appreciation event to honor OCTA employees who have served in the United States Armed Forces, as well as recognize employees who have a child or grandchild in the military.
- The event will take place at 2:00 p.m. at the Garden Grove bus base.
- The Committee Members were invited to participate in the event.

### **10. Committee Members' Reports**

There were no Committee Members' reports.

### **11. Closed Session**

There were no Closed Session items scheduled.

### **12. Adjournment**

The meeting adjourned at 10:58 a.m.

The next regularly scheduled meeting of this Committee will be held at **10:30 a.m. on Monday, December 2, 2019**, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Board Room - Conference Room 07, Orange, California.

ATTEST

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Mark A. Murphy  
Committee Chairman

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Olga Prado  
Assistant Clerk of the Board