

Council/Agency Meeting Held: _____	_____ City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: 7/5/2005	Department ID Number: PW 05-047

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: PENELOPE *Penelope Culbreth Graft* CULBRETH-GRAFT, CITY ADMINISTRATOR

Paul Emery **PREPARED BY:** PAUL EMERY, ACTING DIRECTOR OF PUBLIC WORKS

SUBJECT: **Approve Memorandum Of Understanding Among Huntington Beach, OCTA, Fountain Valley and Costa Mesa Regarding the Garfield/Gisler Bridge Study**

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 HUNTINGTON BEACH, CA
 CITY OF HUNTINGTON BEACH

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue: The Orange County Transportation Authority (OCTA) has initiated a process to complete preliminary engineering and supplemental environmental analyses of the potential Garfield Avenue/Gisler Avenue bridge over the Santa Ana River. OCTA has requested that the City of Huntington Beach participate in the process as an affected agency and formally approve that participation by executing a Memorandum of Understanding (MOU).

Funding Source: Staff resources needed to fulfill the MOU obligations can be provided within the current scope of duties and budget of the Public Works Department.

Recommended Action: Motion to:

1. Approve and authorize the Mayor to execute the Memorandum of Understanding among Cities of Costa Mesa, Fountain Valley and Huntington Beach and the Orange County Transportation Agency regarding Measure M Growth Management Area (GMA) Funding and Agency Responsibilities for the Garfield/Gisler Bridge Crossing over the Santa Ana River Preliminary Engineering and Supplemental Impact Report.

Alternative Action(s):

1. Do not approve the MOU and provide direction regarding official City participation in the study effort.
2. Request modifications to the MOU and direct staff to pursue the modifications with OCTA.

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Analysis: The Orange County Transportation Authority (OCTA) Master Plan of Arterial Highways (MPAH) currently designates two future crossings over the Santa Ana River between the cities of Huntington Beach and Costa Mesa, Fountain Valley and Newport Beach. These crossings are located at Garfield Avenue/Gisler Avenue and at Banning Avenue/19th Street. For more than 10 years, the cities of Costa Mesa and Huntington Beach have expressed their objections to these future crossings and have actively pursued their deletion from the MPAH. The City of Huntington Beach has adopted formal positions several times over the past 10 years confirming this opposition, including policies identified in the General Plan. As a result, there is substantial history on this project. Additional background, including Council resolutions on the Santa Ana River Crossing (SARX) project is provided in Attachment 2.

The affected cities and OCTA have undertaken a cooperative study process to complete an environmental evaluation of the potential deletion of the two bridges from the MPAH. A final draft environmental impact report (EIR) for the bridge removals was completed in April 2002. However, due to opposition from the cities of Fountain Valley and Newport Beach, OCTA did not attempt to certify the EIR. Since that time, the City of Fountain Valley has successfully obtained funding through OCTA grant programs to conduct a preliminary engineering and environmental analysis of the Garfield/Gisler Bridge. OCTA approved the funding of this effort with significant conditions imposed on the project. The key elements of the conditions are:

1. OCTA will act as the lead agency and will contract for the services to complete the preliminary engineering and environmental studies.
2. The environmental documents prepared for the Garfield/Gisler project will be supplemental to the April 2002 final draft SARX EIR.
3. The OCTA Board will only approve the environmental documents together as a Draft Environmental Impact Report (DEIR) and supplement. The supplement will not be considered by itself.
4. The OCTA Board will process the SARX DEIR independently should the completion of the supplemental studies for the Garfield/Gisler Bridge be delayed beyond June 30, 2006.

The conditional approval of the funding of the Garfield/Gisler study is essentially a compromise action intended to bring some resolution to this issue. By tying the environmental documents together, the participating cities are assured that the original DEIR for the SARX study will go before the OCTA Board for consideration. Should the document be certified, with or without the Garfield/Gisler supplement, it will establish a basis for continuing the pursuit of the deletion of the two bridges from the MPAH. Without certification of the DEIR, the status of the bridges will remain as they are today – retained on the MPAH as a future roadway.

OCTA has asked that the City of Huntington Beach enter into an MOU (Attachment 1), along with OCTA and the cities of Fountain Valley and Costa Mesa to define the roles and participation of the agencies in completing the supplemental studies. The MOU provides an opportunity to establish the City's role in the definition of the scope of the project, selection of

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the consultant and review of the technical documents. By participating in this process, staff can help to ensure that the results are an accurate reflection of actual conditions and that significant issues for City of Huntington Beach residents are addressed in the study. If the City chooses to not enter into the MOU, OCTA may limit our formal participation in the study process to that of a responsible agency with the circulation of the environmental document and limit our ability to positively affect the scope of the analysis. Participation in the process also helps staff to stay abreast of the activities and issues related to the project rather than attempting to monitor them from outside of the process.

Public Works Commission Action: Not required

Environmental Status: Not applicable

Attachment(s):

City Clerk's Page Number	No.	Description
4	1	Proposed Memorandum of Understanding
10	2	Background Information Regarding the Santa Ana River Crossings

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ATTACHMENT #1

Memorandum of Understanding
among
Cities of Costa Mesa, Fountain Valley and Huntington Beach
and
The Orange County Transportation Agency
regarding
Measure M Growth Management Area (GMA) Funding and Agency Responsibilities for the
Garfield/Gisler Bridge Crossing over the Santa Ana River
Preliminary Engineering and Supplemental Environmental Impact Report
June 2, 2005

This Memorandum of Understanding (MOU) is entered into among the Orange County Transportation Authority, hereinafter referred to as the OCTA, and the Cities of Fountain Valley, Costa Mesa and Huntington Beach, hereinafter referred to as Cities. Consistent with Measure M and the Combined Transportation Funding Programs, OCTA allocates funds to local jurisdictions for projects which will benefit a Growth Management Area (GMA). The cities of Fountain Valley and Costa Mesa have applied for and received allocations of \$250,000 in GMA 6 funds and \$100,000 in GMA 8 funds, respectively, for the Garfield/Gisler Bridge Crossing over the Santa Ana River Preliminary Engineering and Supplemental Environmental Impact Report, hereinafter referred to as PE/SEIR. The City of Huntington Beach would be affected by proposed improvements to the Garfield/Gisler Bridge Crossing and is, therefore, a party to this agreement given its status as an "affected jurisdiction". The purpose of this MOU is to provide an initial understanding of each of party's responsibilities with respect to funding and preparing the PE/SEIR.

This document establishes obligations on all parties, and constitutes an exchange of promises. A separate cooperative agreement between the City of Fountain Valley and OCTA will be prepared relative to the City of Fountain Valley's commitment to provide an additional \$100,000 in Measure M turnback funds for preparation of the PE/SEIR.

Section 1. GMA Funding Allocation

1.1 OCTA Responsibilities

1.1.1 Establish Separate Account Codes for GMA Funds Allocated for Report Preparation

OCTA shall establish separate account codes for the \$250,000 in GMA 6 funds, \$100,000 in GMA 8 funds, and \$100,000 in City of Fountain Valley Measure M turnback funds which have been allocated for preparation of the PE/SEIR. OCTA shall draw down these funds to pay Consultant invoices prepared consistent with the requirements set forth in the Agreement which OCTA and the selected Consultant enter into. Upon completion of the PE/SEIR, OCTA will return unexpended funds, if any, to the GMA 6 fund, GMA 8 fund, and City of Fountain Valley on a pro-rated basis.

1.1.2 Prepare Final Report

After the PE/SEIR has been completed, OCTA shall prepare a final report which describes the work performed, the consulting firm(s) involved in the project, and all costs billed to the project.

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1.2 Cities' Responsibilities

1.2.1 No Reallocation of GMA Funds Allocated for Report Preparation

The cities of Fountain Valley and Costa Mesa shall ensure that the \$250,000 in GMA 6 funds and \$100,000 in GMA 8 funds which have been allocated to the project are not withdrawn from the Project or reallocated to any other project(s) by either GMA.

Section 2. Report Preparation

2.1 OCTA Responsibilities

2.1.1 OCTA Responsibilities during the Procurement Process

OCTA shall lead the procurement process to select a firm to prepare the PE/SEIR. Responsibilities include:

- a. Establish the procurement schedule.
- b. Work cooperatively with the Cities to develop the scope of work for the Request for Proposals (RFP).
- c. Prepare and issue the RFP.
- d. Appoint members to the Evaluation Committee. The Evaluation Committee to select the firm/consultant who will prepare the PE/SEIR. The Evaluation Committee shall be composed of representatives from the cities of Costa Mesa, Fountain Valley, and Huntington Beach as well as OCTA.
- e. Schedule and host a pre-proposal conference.
- f. Schedule and participate in interviews.
- g. Prepare reports and recommendations for the OCTA Board of Directors.
- h. Negotiate and enter into a contract with the Consultant selected to prepare and develop the PE/SEIR to be completed no later than June 30, 2006. The negotiated amount of said contract shall not be greater than the approved budget for the PE/SEIR (*i.e.*, \$450,000).

2.1.2 OCTA Responsibilities as Lead Agency

OCTA shall act as the lead agency for the PE/SEIR. As such, OCTA shall:

- a. Prepare the Initial Study/Notice of Preparation (IS/NOP) for the PE/SEIR.
- b. Host a public open house prior to release of the IS/NOP.
- c. Host a public scoping meeting during circulation of the IS/NOP.
- d. Review and analyze the draft and final versions of the PE/SEIR, associated technical reports, and the Mitigation Monitoring and Reporting Program (MMRP) for scope, content, and adequacy.
- e. Issue a Notice of Availability (NOA) and Notice of Completion (NOC) when the draft PE/SEIR is ready for public review and comment.
- f. Host a public open house prior to finalizing the draft PE/SEIR.
- g. Host at least one public hearing at a regularly scheduled OCTA Board of Directors meeting after the NOA and NOC have been filed, to receive public comments on the draft PE/SEIR.

- h. Certify the PE/SEIR only after certification of the existing Program Level EIR in accordance with OCTA's *Guidance for Administration of the Master Plan of Arterial Highways* document, as amended April 1998, and only upon unanimous consensus reached by all affected jurisdictions. For the purposes of the PE/SEIR, the affected jurisdictions are the cities of Costa Mesa, Fountain Valley and Huntington Beach.
- i. If the PE/SEIR is delayed beyond June 30, 2006, certify the existing Program Level EIR in accordance with OCTA's *Guidance for Administration of the Master Plan of Arterial Highways* document, as amended April 1998, which states, "MPAH deletions and downgrades may be allowed if affected jurisdictions can reach agreement regarding the proposed amendment and the increased traffic volume in the affected jurisdictions does not result in the unmitigated intersection level of service (LOS) exceeding LOS "D" or the General Plan standard adopted by the respective jurisdiction". For the purposes of the existing Program Level DEIR, the affected jurisdictions are the cities of Costa Mesa, Fountain Valley, Huntington Beach and Newport Beach who have defined "agreement" to mean unanimous consensus among all affected jurisdictions.
- j. Ensure that costs for the PE/SEIR remain within the approved budget (\$450,000).

2.1.3 OCTA Responsibilities for Project Management

OCTA shall, through its designated agent, act as Project Manager for the Consultant contract. Representative duties include:

- a. Prepare the scope of work, schedule, and budget for the PE/SEIR. Convene at least two meetings with the Cities during preparation of these items.
- b. Provide direction to and information for the Consultant selected to prepare the PE/SEIR.
- c. Coordinate and communicate with the Cities and Responsible Agencies (i.e., resource agencies such as the U.S. Army Corps of Engineers or California Department of Fish and Game), if applicable.
- d. Convene a Garfield/Gisler Bridge Crossing Technical Advisory Committee (TAC) and schedule monthly meetings thereof. The TAC shall be composed of one staff representative each from the Affected Agencies as well as OCTA. Staff representatives from the City of Newport Beach and the County of Orange shall be invited to participate in the TAC as interested parties.
- e. Convene a Garfield/Gisler Bridge Crossing Policy Advisory Committee (PAC) and schedule quarterly meetings thereof. The PAC shall be composed of one city manager and one elected official each from the each of the Affected Agencies and the Chief Executive Officer of OCTA. The city manager and one elected official from the City of Newport Beach and Executive Director and one elected official from the County of Orange shall be invited to participate in the PAC to represent their agencies' interests.
- f. Prepare quarterly progress reports to the OCTA Board of Directors; provide copies to the Cooperating Agencies.
- g. Schedule public meetings and a public hearing, as discussed above.

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2.2 Cities' Responsibilities

2.2.1 Cities' Responsibilities during the Procurement Process

The Cities shall participate in the procurement process to select a Consultant to prepare the PE/SEIR. Responsibilities include:

- a. Cooperatively working with OCTA to develop the scope of work for the RFP.
- b. Participating in Evaluation Committee meetings and interviews to select the Consultant to prepare the PE/SEIR.

2.2.2 Cities' Responsibilities as Cooperating Agencies

The Cities shall act as "cooperating agencies" for the PE/SEIR. As such, the Cities shall:

- a. Review and provide comments on the draft Initial Study/Notice of Preparation (IS/NOP) for the PE/SEIR.
- b. Attend and participate in all public meetings, including one open house prior to release of the IS/NOP, one public scoping meeting during circulation of the IS/NOP, one open house prior to completion of the draft PE/SEIR, and one public hearing at a regularly scheduled OCTA Board of Directors meeting after the NOA and NOC have been filed, to receive public comments on the draft PE/SEIR.
- c. Review and provide comments on the draft and final versions of the PE/SEIR, associated technical reports, and the Mitigation Monitoring and Reporting Program (MMRP).

2.2.3 Cities' Responsibilities during PE/SEIR Preparation

The Cities shall assist with PE/SEIR preparation and review. Representative duties include:

- a. Assist OCTA with preparation of the scope of work, schedule, and budget for the PE/SEIR. Participate in at least two meetings with OCTA and other cooperating agencies during preparation of these items.
- b. Provide information to the firm selected to prepare the PE/SEIR, as requested.
- c. Designate a City representative to the Garfield/Gisler Bridge Crossing Technical Advisory Committee (TAC) and ensure that the designated representative attends monthly meetings thereof.
- d. Designate a City representative to the Garfield/Gisler Bridge Crossing Policy Advisory Committee (PAC) and ensure that the designated representative and City Manager attend quarterly meetings thereof.
- e. Provide input for quarterly progress reports to the OCTA Board of Directors.
- f. Attend and participate in all public meetings, as discussed above.
- g. Provide City Council recommendations to the OCTA Board of Directors regarding certification of the Program EIR and accompanying PE/SEIR prior to the date established for certification of these documents.

Section 3. Amendment/Termination

3.1 Amendment

This MOU may be amended by the written consent of all four parties which are signatories hereto.

3.2 Termination

This MOU may be terminated by any party which is a signatory hereto upon written notification to each of the other parties. However, prior to any such termination, the cities and OCTA agree to enter into a conflict resolution process for the specific purpose of keeping the PE/SEIR on schedule. Termination shall have no impact on the allocation of GMA funding provided herein, however, if funds have been expended on project-related activities up to the date of termination, pro-rata deductions shall be drawn from the GMA 6 fund, GMA 8 fund, and City of Fountain Valley Measure M local turnback allocation.

THE ORANGE COUNTY TRANSPORTATION AUTHORITY (Date)

CITY OF COSTA MESA (Date)

CITY OF FOUNTAIN VALLEY (Date)

CITY OF HUNTINGTON BEACH (Date)

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ATTACHMENT #2



Item 21.

BOARD COMMITTEE TRANSMITTAL

June 13, 2005

To: Members of the Board of Directors
From: ^{DK} Wendy Knowles, Clerk of the Board
Subject Selection of a Consultant for Garfield-Gisler Bridge Preliminary Engineering and Supplemental Environmental Impact Report

Regional Planning and Highways Committee

June 6, 2005

Present: Directors Norby, Cavecche, Rosen, Dixon, Brown, Green, Pringle, and Ritschel
Absent: Director Monahan

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Authorize staff to request a cost proposal from LSA Associates, Inc. based on their qualifications and negotiate an agreement for their services.
- B. Authorize the Chief Executive Officer to execute the final agreement.

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June 6, 2005

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Selection of a Consultant for Garfield-Gisler Bridge Preliminary Engineering and Supplemental Environmental Impact Report

Overview

On August 23, 2004, the Board of Directors directed staff to develop a Scope of Work and release a Request for Proposals for the preparation and development of a Preliminary Engineering and Supplemental Environment Impact Report to assess the feasibility of the Garfield-Gisler Bridge crossing over the Santa Ana River. Offers were received in accordance with the Orange County Transportation Authority's procurement procedures.

Recommendations

- A. Authorize staff to request a cost proposal from LSA Associates, Inc. based on their qualifications and negotiate an agreement for their services.
- B. Authorize the Chief Executive Officer to execute the final agreement.

Background

At the request of the Cities of Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach, the Orange County Transportation Authority (OCTA) had been the lead agency for a program level Environmental Impact Report (EIR) for the deletion of two proposed bridges across the Santa Ana River from the Master Plan of Arterial Highways (MPAH). The proposed bridges would connect Garfield Avenue in Huntington Beach with Gisler Avenue in Costa Mesa and Banning Avenue in Huntington Beach with 19th Street in Costa Mesa.

The request to delete these bridges from the MPAH was submitted by the City of Costa Mesa and was based on anticipated impacts to residential communities on or in the vicinity of 19th Street and Gisler Avenue.

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**Selection of a Consultant for Garfield-Gisler Bridge
Preliminary Engineering and Supplemental Environmental
Impact Report**

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The Draft Environmental Impact Report (DEIR) at the program level was completed in late May 2001 and was released to the public for review in June 2001. Over 500 comments were received by the end of the review period in August 2001. The Response to Comments and resultant revisions to the EIR were completed in April 2002.

The general conclusion of the DEIR was that deletion of the bridges would cause traffic impacts at a number of locations, but these impacts could be mitigated by street and intersection improvements. However, many of the impacted locations were in Fountain Valley and Newport Beach, the two cities supporting the eventual construction of the bridges. These cities believe they already carry their share of traffic across the Santa Ana River, and they are not supportive of constructing the mitigations necessary to allow removal of the bridges.

One of OCTA's policies in evaluating a request to amend the MPAH is that there must be a consensus among the cities affected by proposed deletions of facilities. This policy was adopted by the OCTA Board of Directors on April 13, 1998. Although a series of discussions have taken place over the last three years, no consensus was reached among the affected cities. Therefore, the City of Fountain Valley expressed the desire to further analyze the Garfield Avenue/Gisler Avenue Bridge, with an understanding that the project level environmental analysis would provide more detailed information upon which a final decision could be made on the DEIR.

On August 16, 2004, the OCTA Board of Directors with the concurrence of the Cities of Fountain Valley and Costa Mesa approved this further analysis and directed staff to prepare a scope of work and release a Request for Proposals (RFP) for the preparation of the study. The August 16, 2004, Board report outlining the details of this action is attached (Attachment A).

Discussion

This procurement was handled in accordance with OCTA's procedures for architectural and engineering requirements which conform to both federal and state law. The review process focused on the qualifications of the firms and their technical proposal.

Request for Proposals were sent to 360 firms registered on CAMMnet on March 28, 2005. A pre-proposal conference was held on April 6, 2005. One addendum was issued to respond to questions.

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**Selection of a Consultant for Garfield-Gisler Bridge
Preliminary Engineering and Supplemental Environmental
Impact Report**

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On April 22, 2005, two offers were received. An evaluation committee composed of representatives from the Cities of Costa Mesa, Fountain Valley, Huntington Beach, the County of Orange, BonTerra Consulting, and OCTA staff from the Local Programs and Contract Administration and Materials Management Departments was established to review all offers submitted. The offers were evaluated based on firm qualifications, staffing and project organization, and work plan as established in the RFP. Based on evaluation committee scoring of the proposals, the committee interviewed both of the firms that submitted proposals:

Firm and Location

Jones & Stokes
Irvine, California

LSA Associates, Inc.
Irvine, California

Based upon the proposal evaluation and the interviews, it is recommended that the most qualified firm, LSA Associates, Inc., be asked to submit a cost proposal and a final agreement to be negotiated. The term of the agreement will be approximately one year.

Fiscal Impact

Although this activity was not envisioned when the fiscal year 2004-05 budget was approved, this effort will be funded with Measure M Growth Management Areas 6 and 8 funds, and City of Fountain Valley local contribution. These funds will be transferred to OCTA Local Program section, Account No. 0010-7519 for this effort.

Summary

Proposals have been received for preparation of a Preliminary Engineering/Supplemental Environmental Impact Report for the Garfield-Gisler Bridge crossing over the Santa Ana River in accordance with the OCTA's procedures for architectural and engineering projects. The evaluation committee recommends selection of LSA Associates, Inc., as the most qualified firm to provide OCTA with engineering and environmental document preparation assistance for the project.

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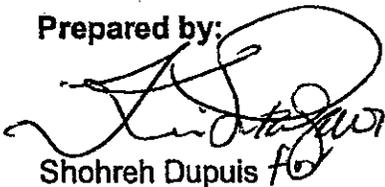
**Selection of a Consultant for Garfield-Gisler Bridge
Preliminary Engineering and Supplemental Environmental
Impact Report**

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Attachment

- A. August 23, 2004, Board Committee Transmittal and Board Report

Prepared by:



Shohreh Dupuis
Acting Manager,
Local Programs and
Commuter Rail Services
(714) 560-5673

Approved by:



Paul C. Taylor, P.E.
Executive Director,
Planning, Development and
Commuter Services
(714) 560-5431

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BOARD COMMITTEE TRANSMITTAL

August 23, 2004

To: Members of the Board of Directors
From: Wendy Knowles, Clerk of the Board ^{WC}
Subject: Request for Funding of Garfield Avenue/Gisler Avenue Bridge
Environmental Impact Report

Regional Planning and Highways Committee

August 16, 2004

Present: Directors Brown, Norby, and Perry
Absent: Directors Bilodeau and DeYoung

Committee Vote

This item was passed by all Committee Members present.

Committee Recommendations

- A. Approve the City of Fountain Valley's application for \$250,000 in Growth Management Area funding for preliminary design and project level environmental analysis of the Garfield Avenue/Gisler Avenue Bridge across the Santa Ana River, with the conditions stated in this report.
- B. Direct staff to develop a scope of work and release a request for proposal for the preparation and development of a "Preliminary Engineering and Environmental Analysis Supplemental Report" on the Garfield Avenue/Gisler Avenue Bridge to accompany the existing Santa Ana River Crossing program level Draft Environmental Impact Report.
- C. Authorize the Chief Executive Officer to enter into a Memorandum of Understanding with the Cities of Fountain Valley and Costa Mesa for funding of the Garfield Avenue/Gisler Avenue Bridge "Preliminary Engineering and Environmental Analysis Supplemental Report."

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August 16, 2004

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Request for Funding of Garfield Avenue/Gisler Avenue Bridge Environmental Impact Report

Overview

On June 28, 2004, the Board of Directors deferred action on a Measure M grant application by the City of Fountain Valley for environmental study and design for the Garfield Avenue/Gisler Avenue Bridge across the Santa Ana River pending further discussions with cities involved in the Santa Ana River Crossings Study. Staff and the cities have reached consensus on the next step and Board action to proceed is requested.

Recommendations

- A. Approve the City of Fountain Valley's application for \$250,000 in Growth Management Area funding for preliminary design and project level environmental analysis of the Garfield Avenue/Gisler Avenue Bridge across the Santa Ana River, with the conditions stated in this report.
- B. Direct staff to develop a scope of work and release a request for proposal for the preparation and development of a "Preliminary Engineering and Environmental Analysis Supplemental Report" on the Garfield Avenue/Gisler Avenue Bridge to accompany the existing Santa Ana River Crossing program level Draft Environmental Impact Report.
- C. Authorize the Chief Executive Officer to enter into a Memorandum of Understanding with the Cities of Fountain Valley and Costa Mesa for funding of the Garfield Avenue/Gisler Avenue Bridge "Preliminary Engineering and Environmental Analysis Supplemental Report."

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Background

At the request of the Cities of Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach, the Orange County Transportation Authority (OCTA) had been the lead agency for a program level Environmental Impact Report (EIR) for the deletion of two proposed bridges across the Santa Ana River, from the Master Plan of Arterial Highways (MPAH). The proposed bridges would connect Garfield Avenue in Huntington Beach with Gisler Avenue in Costa Mesa, and Banning Avenue in Huntington Beach with 19th Street in Costa Mesa. The request to delete these bridges from the MPAH was submitted by the City of Costa Mesa, and was based on anticipated impacts to residential communities on or in the vicinity of 19th Street and Gisler Avenue.

The Draft Environmental Impact Report (DEIR) at the program level was completed in late May 2001 and was released to the public for review in June 2001. Over 500 comments were received by the end of the review period in August 2001. The Response to Comments and resultant revisions to the EIR were completed in April 2002.

The general conclusion of the DEIR was that deletion of the bridges would cause traffic impacts at a number of locations, but these impacts could be mitigated by street and intersection improvements. However, many of the impacted locations were in Fountain Valley and Newport Beach, the two cities supporting the eventual construction of the bridges. These cities believe they already carry their share of traffic across the Santa Ana River, and they are not supportive of constructing the mitigations necessary to allow removal of the bridges.

One of OCTA's policies in evaluating a request to amend the MPAH is that there must be a consensus among the cities affected by proposed deletions of facilities. This policy was adopted by the OCTA Board of Directors on April 13, 1998. Although a series of discussions have taken place over the last two years, no consensus has been reached among the affected cities. Therefore, the City of Fountain Valley has expressed the desire to further analyze the Garfield Avenue/Gisler Avenue Bridge, with an understanding that the project level environmental analysis would provide more detailed information upon which a final decision could be made on the DEIR.

In November 2002, Fountain Valley requested Measure M Growth Management Area (GMA) funding for preliminary design and project level environmental analysis for the Garfield Avenue/Gisler Avenue Bridge. This project was approved as part of the overall GMA Program by the GMA 6 elected officials on December 10, 2002.

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On May 12, 2003, OCTA staff submitted the recommended Combined Transportation Funding Program (CTFP) projects, which include the Garfield Avenue/Gisler Avenue Bridge EIR and design, to the Board of Directors for approval. However, the Board deferred consideration of this project until a meeting between OCTA and the four cities could be held to further explore ways for reaching agreement on the issue. The Board requested that 30 to 60 days be allowed for OCTA staff to work with Fountain Valley, Costa Mesa, and Huntington Beach to see how best to evaluate the financial, engineering, and environmental issues associated with the bridge, and report back to the Board.

On September 15, 2003, this item was taken to the OCTA Regional Planning and Highways Committee (RP&H) for further consideration. This item was not approved by the RP&H. The committee also recommended that no action be taken at that time on funding of the project. The committee requested that OCTA staff work further with the cities and report back to the Board. If no consensus was reached at that point, the committee would then recommend approving the Phase I project, and canceling Phases II and III. While the agencies continued to work together on this issue, no consensus was reached.

Discussion

As part of the March 2004, CTFP semi-annual reviews, OCTA staff received a letter from the City of Fountain Valley confirming that no consensus had been reached. In addition, the letter indicated the city's desire to move forward with the GMA funded Phase I, preliminary engineering. The Technical Steering Committee approved the city's request to proceed with Phase I - preliminary engineering in fiscal year 2005-06 and cancel Phases II and III. While this recommendation was approved by the RP&H Committee on June 7, 2004, the Board of Directors deferred action on funding the application for the City of Fountain Valley for environmental study and design for the Garfield Avenue/Gisler Avenue Bridge until further discussions were conducted with the City of Costa Mesa.

Over the last several weeks, OCTA staff has had several discussions with the Cities of Costa Mesa and Fountain Valley, and has developed a set of recommendations as conditions to the approval of the \$250,000 GMA funding for this project. These recommendations were forwarded to both city managers in writing on July 19, 2004, and OCTA staff has received concurrence in writing (Attachments A and B) from both city managers on these terms which are outlined in Attachment C.

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Next Steps

Staff will develop a Memorandum of Understanding with the Cities of Fountain Valley and Costa Mesa for funding of the "Preliminary Engineering and Environmental Analysis Supplemental Report." Once the funding has been secured, staff will develop a scope of work for the study in conjunction with the affected jurisdictions, and will release a request for proposal for the preparation and development of a "Preliminary Engineering and Environmental Analysis Supplemental Report" to accompany the existing Santa Ana River Crossing program level Draft Environmental Impact Report.

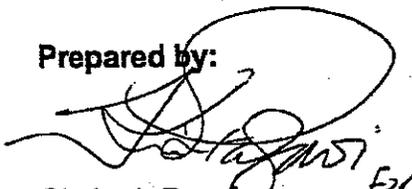
Summary

On June 28, 2004, the Board of Directors deferred consideration of a request by the City of Fountain Valley for funding of environmental analysis and design of a bridge across the Santa Ana River at Garfield Avenue/Gisler Avenue pending additional discussions with affected cities. The premise for the funding request is that a project level environmental analysis would provide more complete information upon which a final decision could be made. Staff recommends approval of the \$250,000 in GMA funds requested by the City of Fountain Valley for preliminary design and environmental analysis with the conditions stated in this report. The City of Fountain Valley has withdrawn its request for consideration of \$500,000 in GMA and MPAH funding for final design.

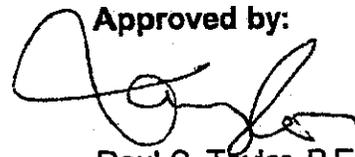
Attachments

- A. Letter from the City of Costa Mesa
- B. Letter from the City of Fountain Valley
- C. Points of Concurrence Between Parties

Prepared by:


Shohreh Dupuis
Acting Manager,
Local Programs and
Commuter Rail Services
(714) 560-5673

Approved by:


Paul C. Taylor, P.E.
Executive Director,
Planning, Development and
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(714) 560-5431

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CITY OF COSTA MESA

P.O. BOX 1200, CALIFORNIA 92628-1200

FROM THE OFFICE OF THE CITY MANAGER

August 2, 2004

RECEIVED

AUG 03 2004

Kia Mortazavi
Strategic Planning

Shoreh Dupuis, Manager
Local Programs & Commuter Rail Services
Orange County Transportation Authority
550 South Main Street
P.O. Box 14184
Orange, California 92863-1584

Subject: Santa Ana River Crossing (SARX) – Garfield/Gisler Avenue Bridge
Environmental Impact Analysis

Dear Ms. Dupuis:

This is in response to the letter dated July 19, 2004 from Kia Mortazavi, Director of Strategic Planning, on the above subject study. In Mr. Mortazavi's letter, he requested concurrence from the cities of Costa Mesa and Fountain Valley on the conditions detailed in his letter of the 19th. This letter is intended to document our concurrence with the conditions as presented.

Let me state up front that the City of Costa Mesa very much appreciates the efforts of OCTA staff in working with the cities of Fountain Valley and Costa Mesa to fashion a proposal that it appears all parties can support. This has been a long time in coming and not without a good deal of hard work and careful thought. We are thankful for your role and that of Mr. Mortazavi in helping to shape this proposal.

It is important to note that the Costa Mesa City Council has not taken any separate, official action on this proposal. However, the City Council is on record as supporting the SARX Study and efforts to delete the Gisler/Garfield and 19th Street/Banning bridges from the County's Master Plan of Arterial Highways (MPAH). The study of the Garfield/Gisler Bridge to accompany the SARX Study will provide additional information by which future transportation decisions can be determined – including deletion of the aforementioned bridge crossings.

The Transportation and Planning staff of the City of Costa Mesa look forward to working with OCTA and staff of the City of Fountain Valley on this important study.

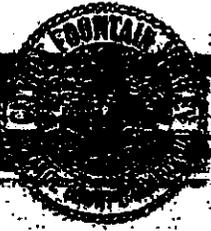
Sincerely,

Allan L. Roeder
City Manager

/cg

C: City Council
Public Services Director
Transportation Svcs. Manager
City Manager, Fountain Valley

E-5.21



CITY OF FOUNTAIN VALLEY

CITY OF FOUNTAIN VALLEY, 10000 FOUNTAIN VALLEY AVENUE, COSTA MESA, CALIFORNIA 92626

PHONE: (714) 440-2000 FAX: (714) 440-2001

Email: fvalley@costa.com

August 5, 2004

Ms. Shohreh Dupuis, Manager
Local Programs & Commuter Rail Services
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863

**SUBJECT: SANTA ANA RIVER CROSSING (SARX) – GARFIELD/GISLER AVENUE
BRIDGE ENVIRONMENTAL IMPACT ANALYSIS**

Dear Ms. Dupuis:

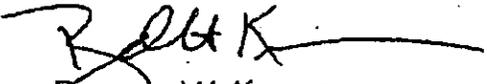
The City of Fountain Valley has always been a willing partner in the SARX study process, and yet we have always felt the Garfield/Gisler Bridge alternative needed to be studied in detail to make a prudent decision regarding regional transportation in the Fountain Valley, Costa Mesa, Huntington Beach area.

The City of Fountain Valley concurs with the proposal outlined in a letter dated July 19, 2004, from Kia Mortazavi, Director, Strategic Planning. We believe this proposal moves regional transportation in the right direction. We appreciate the efforts of the OCTA, Kia and you in trying to resolve this process.

The Fountain Valley City Council has not taken a formal position regarding this proposal. However, it should be noted the City Council has been committed to the Garfield/Gisler Bridge study, and as such, submitted an application for its study and preliminary design. We fully understand that studying this bridge will provide additional information so that long-term regional transportation issues can be identified and solutions sought.

As always, the City of Fountain Valley will work cooperatively with the City of Costa Mesa, Huntington Beach and the OCTA to successfully complete this study.

Sincerely,


Raymond H. Kromer
City Manager

RHK/mb

E-5.22

c: City Council, Public Works Director, City Engineer, City Manager Allan L. Roeder

Points of Concurrence Between Parties

1. OCTA, as the lead agency, will contract with an environmental consulting firm for the preparation and development of a "Preliminary Engineering and Environmental Analysis Supplemental Report" to accompany the existing Santa Ana River Crossing (SARX) program level DEIR.
2. This "Preliminary Engineering and Environmental Analysis Supplemental Report" will:
 - Further evaluate the engineering feasibility of the construction of the Garfield Avenue/Gisler Avenue Bridge.
 - Identify the physical and environmental constraints of the bridge and the "alternative" at the project level.
 - Identify the cost of the bridge and the alternative at the project level.
 - Be developed under the same rules, parameters, and guidelines as the existing SARX program level DEIR.
3. OCTA Board will adopt the existing SARX program level DEIR and the "Preliminary Engineering and Environmental Analysis Supplemental Report" once the supplemental report has been completed only upon consensus reached by all "involved" agencies.
4. If the "Preliminary Engineering and Environmental Analysis Supplemental Report" is delayed beyond June 30, 2006, OCTA staff will seek the OCTA Board certification of the existing SARX program level DEIR in accordance to the guidelines that were established by the OCTA Board for this DEIR on November 23, 1998.
5. In addition to the \$250,000 GMA funding, the City of Fountain Valley will contribute \$100,000 toward the funding of the "Preliminary Engineering and Environmental Analysis Supplemental Report".
6. City of Costa Mesa will contribute \$100,000 from GMA 8 available funds toward the funding of the "Preliminary Engineering and Environmental Analysis Supplemental Report." The city will not use its general funds or any other city funding source for this project.
7. OCTA Board will approve the re-establishment of a Technical Advisory Committee (TAC), comprised of representatives from all affected agencies, and a Policy Advisory Committee (PAC) comprised of elected officials from the affected agencies. The TAC will guide the study process and the PAC will insure a timely and responsive flow of communication among the involved agencies. OCTA staff will report to the OCTA Board of Directors and/or the PAC on the study's progress and any issues that may affect the schedule on a quarterly basis.

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September 15, 2003

To: Regional Planning and Highways Committee
From: Arthur T. Leahy, Chief Executive Officer
Subject: Santa Ana River Crossings Study Status

Overview

On May 12, 2003, the Board of Directors deferred action on funding applications by the City of Fountain Valley for environmental study and design for the Garfield Avenue/Gisler Avenue bridge across the Santa Ana River until further discussions were conducted with cities involved in the Santa Ana River Crossings Study. Staff proposes to continue to study alternatives pending consensus among the impacted cities.

Recommendations

- A. Take no action on the Santa Ana River Crossings program-level Environmental Impact Report until the cities reach a consensus.
- B. Direct staff to continue study with Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach, as a part of the San Diego Freeway/Interstate 405 Major Investment Study and through separate studies, alternatives for deletion of the bridges that are acceptable to all cities.
- C. Approve the City of Fountain Valley's application for \$250,000 in Growth Management Area funding for preliminary design and project level environmental analysis of the Garfield Avenue/Gisler Avenue bridge across the Santa Ana River, without commitment by the Orange County Transportation Authority to support or implement the results.
- D. Do not approve the City of Fountain Valley's application for \$500,000 in Growth Management Area funding and \$500,000 in Measure M Master Plan of Arterial Highways funding for final design of the Garfield Avenue/Gisler Avenue bridge.

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Background

Master Plan of Arterial Highways Policies

The Master Plan of Arterial Highways is a network of planned streets, to be built by local agencies. Orange County Transportation Authority (OCTA) is responsible for maintaining the Plan and holding cities (and the County of Orange) accountable to plan its eventual implementation. Measure M provides OCTA with several tools to accelerate implementation of the Plan:

- City General Plans must be consistent with the MPAH, or else the city cannot apply for competitive Measure M funding. One of OCTA's policies in evaluating a request to amend the MPAH is that there must be a consensus among the cities affected by proposed changes. This policy was adopted by the OCTA Board of Directors on April 13, 1998, to insure that the actions requested by one city would not result in unacceptable impacts to another city.
- Cities may not "preclude" implementation of the Plan by allowing development within MPAH right-of-way. If a city precludes implementation, they are not eligible for Measure M turnback funds or competitive funding. In 1996, OCTA determined that "preclusion" would also include a case where one agency refused to allow an MPAH project to be funded and constructed by another agency within the first agencies jurisdiction.
- Funds are provided to cities and Measure M Growth Management Area (GMA) teams to implement the MPAH.

Note that OCTA is not provided any powers to compel implementation of the MPAH if a city is willing to forego Measure M funding.

Santa Ana River Crossings Study

Attachment A provides a detailed background of the Santa Ana River Crossings (SARX) study and the program-level Draft Environmental Impact Report (DEIR) conducted by four cities and the Orange County Transportation Authority. Also described is the request from Fountain Valley to begin a project-level Environmental Impact Report (EIR) for the bridge at Garfield Avenue/Gisler Avenue.

The general conclusion of the DEIR was that deletion of the bridges from the MPAH would cause traffic impacts at a number of locations, but these impacts could be mitigated by street and intersection improvements (Attachment B.) However, many of the impacted locations are in Fountain Valley and Newport

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Santa Ana River Crossings Study Status**Page 3**

Beach, the two cities supporting the eventual construction of the bridges. These cities believe that they already carry more than their share of traffic across the Santa Ana River, and they are not supportive at this time of constructing the mitigations necessary to allow removal of the bridges.

In addition, some of the mitigations (such as the Ellis Avenue/Euclid Avenue connection to San Diego Freeway/Interstate 405 in the north, and improvements to Pacific Coast Highway in the south) face serious engineering, community, and environmental issues themselves.

Perhaps even more important, in mid-August 2003, Fountain Valley advised OCTA that they feel the EIR has technical flaws relative to how new development was handled (Attachment C.) The City does not support certification of the EIR without further analysis.

Discussion

Unfortunately, OCTA staff was unable to conclude an agreement with the four involved cities. Attachments D and E provide additional comments from Fountain Valley and Costa Mesa. Options for the Board's consideration are discussed below:

1. Require a consensus of the cities before any further action is taken. This option is consistent with previous OCTA actions. It would leave the bridges on the MPAH and leave the program-level EIR uncertified (incomplete.) This would leave the situation in its current freeze, and it would not make any progress to solve the congestion problems in this area.

During this time, however, OCTA will be conducting Major Investment Studies on the San Diego Freeway/Interstate 405 (I-405) and the Orange Freeway/State Route 57 (SR-57) Extension. During these studies, solutions to the Ellis Street/Euclid Avenue/I-405 interchange will be considered. New ideas might surface that impact the need for the bridges and the options for mitigations.

A new EIR will be required if new alternatives are identified.

2. Certify the EIR with the current MPAH (i.e., the bridges) as the preferred alternative. If OCTA and the cities want to take a step towards possibly eliminating the bridges from the MPAH, the program-level EIR could be certified with the No Project (i.e., status quo) alternative. This would leave the bridges on the MPAH for the time being, but would formally acknowledge the mitigations as replacement projects (albeit with their own implementation issues.)

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Santa Ana River Crossings Study Status**Page 4**

Staff has not reviewed the August 21, 2003, letter from Fountain Valley to determine the accuracy of their concerns. However, if they are valid, additional work may be needed prior to certifying the EIR.

3. Certify the EIR with the No Bridges alternative (Costa Mesa request.) The City of Costa Mesa has requested OCTA to certify the "No Bridges" alternative of the EIR, and begin planning the mitigation measures. Costa Mesa proposes that the bridges would not officially be removed from the MPAH until a future study once the mitigations are implemented. They also propose that the local agencies agree to analyze development projects as though the bridges were not being planned.

The proposal suffers in that it forces Fountain Valley and Newport Beach to commit to the mitigations before they are convinced the bridges are not feasible. Fountain Valley and Newport Beach are aware of the difficulties of implementing the bridges, and they are anxious to resolve the future of the MPAH so that mitigations can be built that relieve existing congestion problems. However, at this time they are not agreeable to Costa Mesa's proposal and will not accept an MPAH amendment.

The option of simply removing one or both bridges from the MPAH is not recommended until environmentally acceptable alternatives are found.

Fountain Valley EIR/design funding request

The City of Fountain Valley and GMA #6 have requested the use of \$250,000 of GMA funds to conduct a project-level EIR of the Garfield Avenue/Gisler Avenue bridge, and \$500,000 for final design. The City's request for additional design funds was ranked high enough to receive \$500,000 of Measure M funds if the Board gives final approval.

The project-level EIR for the Garfield Avenue/Gisler Avenue bridge would test its environmental and financial viability, and provide more detailed traffic analysis. If the bridge is not feasible, Fountain Valley has indicated they would then evaluate the non-bridge mitigations. If the bridge is shown to be feasible, the agencies would be back where they started, with one city supporting the bridge, and two opposed. More discussions would be needed at that point.

If OCTA is to support a project-level EIR, it should be with No Prejudice on the part of the Authority. That is, conducting the study would not imply support for constructing the bridge, and no Measure M funding would be programmed at this time for the final design of the bridge.

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Conclusion/Recommendation

OCTA staff believes that it will be extremely difficult to ever construct these two bridges. Neighborhood opposition, environmental issues, and significant cost estimates paint a bleak picture. All parties are concerned, however, that serious regional congestion will continue unless alternatives are found. Unfortunately, because the mitigations studied in the EIR are not all within Costa Mesa or Huntington Beach, negative impacts on Fountain Valley and Newport Beach must be considered.

The recent notice that Fountain Valley does not support the EIR creates further disagreement over how to proceed.

OCTA staff has concluded that continuing the search for acceptable mitigations is the appropriate course for OCTA and the cities to follow. This is best done by: 1) Allowing Fountain Valley to conduct the project-level EIR, with no prejudice on OCTA's part as to future actions. That is, OCTA should not program the design funds for the Garfield Avenue/Gisler Avenue bridge, and 2) Focusing the I-405 and SR-57 Extension MIS's on projects that might address the SARX congestion problems.

At this point, there does not seem to be any approach that would reconcile Huntington Beach's adamant position to remove the 19th Street/Banning Avenue bridge with Newport Beach's concerns about the mitigation projects. Newport Beach has indicated an interest to monitor the environmental issues raised during an EIR on the Garfield Avenue/Gisler Avenue bridge, and may reconsider their position at that point.

Finally, there does not seem to be any particular benefit of certifying the program-level EIR, since no change to the MPAH is being recommended, and because there is not a consensus over its validity.

Summary

On May 12, 2003, the Board of Directors deferred action on funding applications by the City of Fountain Valley for environmental study and design for the Garfield Avenue/Gisler Avenue bridge across the Santa Ana River until further discussions were conducted with cities involved in the Santa Ana River Crossings Study. Staff proposes that funding for the environmental study only be approved, and that OCTA and the cities continue to work toward development of mitigation alternatives that will be acceptable to all impacted cities.

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Santa Ana River Crossings Study Status

Attachments

- A. Background of the Santa Ana River Crossings Project
- B. Map of Locations of Proposed Mitigations for the Deletion of Garfield/Gisler Bridge
- C. Letter from the City of Fountain Valley dated August 21, 2003
- D. Letter from the City of Fountain Valley dated July 10, 2003
- E. Letter from the City of Costa Mesa dated August 12, 2003

Prepared by:

Approved by:

Glen Campbell
Senior Transportation Analyst
(714) 560-5712

Dave Elbaum
Director, Strategic Planning
(714) 560-5745

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Background of Santa Ana River Crossings Project

At the request of the cities of Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach, the Orange County Transportation Authority (OCTA) is the lead agency for a program level Environmental Impact Report (EIR) for the deletion of two proposed bridges across the Santa Ana River from the Master Plan of Arterial Highways (MPAH). The proposed bridges would connect Garfield Avenue in Huntington Beach with Gisler Avenue in Costa Mesa and Banning Avenue in Huntington Beach with 19th Street in Costa Mesa. The request to delete these bridges from the MPAH was submitted by the City of Costa Mesa and was based on anticipated impacts to residential communities on or in the vicinity of 19th Street and Gisler Avenue.

The Draft Environmental Impact Report (DEIR) at the program level was completed in late May 2001, and it was released to the public for review in June 2001. Over 500 comments were received by the end of the review period in August 2001. The response to comments and resultant revisions to the EIR were completed in April 2002.

In November 2002, Fountain Valley requested Measure M Growth Management Area (GMA) funding for preliminary design and project level environmental analysis for the construction of Garfield Avenue/Gisler Avenue bridge. This project was approved as part of the overall GMA program by the GMA 6 elected officials on December 10, 2002. In addition, Fountain Valley also has submitted a funding application for final design of the Garfield Avenue/Gisler Avenue bridge under the Measure M MPAH category of the Combined Transportation Funding Program (CTFP). In response, the Costa Mesa City Council adopted a resolution opposing the Fountain Valley action, which was presented to the Fountain Valley City Council on December 17, 2002. The Huntington Beach City Council also passed a resolution opposing the Fountain Valley action on February 3, 2003.

In November 2002, Fountain Valley requested Measure M Growth Management Area funding for preliminary design and project level environmental analysis for the construction of Garfield Avenue/Gisler Avenue bridge. This project was approved as part of the overall GMA program by the GMA 6 elected officials on December 10, 2002. In addition, Fountain Valley also has submitted a funding application for final design of the Garfield Avenue/Gisler Avenue bridge under the Measure M MPAH category of the Combined Transportation Funding Program. In response, the Costa Mesa City Council adopted a resolution opposing the Fountain Valley action, which was presented to the Fountain Valley City Council on December 17, 2002. The Huntington Beach City Council also passed a resolution opposing the Fountain Valley action on February 3, 2003.

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On May 12, 2003, Orange County Transportation Authority (OCTA) staff submitted the recommended CTFP program of projects, including the Garfield Avenue/Gisler Avenue bridge EIR and design, to the Board of Directors for approval. However, the Board deferred consideration of this project until a meeting between OCTA and the four cities could be held to further explore ways for reaching agreement on the issue.

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CITY COUNCIL AGENDA REPORT

MEETING DATE: July 21, 2003

ITEM NUMBER:

SUBJECT: SANTA ANA RIVER CROSSINGS STUDY

Costa Mesa's City Council passed this staff recommendation by a 5-0 vote on 7-21. They hope to get the 2 year old EIR certified and move forward with a regional traffic plan.

DATE: JULY 8, 2003

FROM: PUBLIC SERVICES DEPARTMENT - TRANSPORTATION SERVICES DIVISION

PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: PETER NAGHAVI, TRANSPORTATION SERVICES
MANAGER, 714-754-5182

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RECOMMENDATION:

Adopt the following actions on the proposed Santa Ana River Crossings (SARX) at Gisler Avenue and 19th Street in the City of Costa Mesa:

City of Huntington Beach
City Council Office

1. Reiterate and convey the City's opposition to the design and construction of the proposed bridges at Gisler Avenue and at 19th Street;
2. Adopt mitigation measures identified in the SARX EIR required for the "No Bridges Alternative";
3. Request the Orange County Transportation Authority (OCTA) Board of Directors to certify the SARX Environmental Impact Report (EIR);
4. In cooperation with OCTA and participating jurisdictions, develop a program to implement the mitigation measures for the "no bridges alternative";
5. Retain the Gisler Avenue and 19th Street bridges on the OCTA's Master Plan of Arterial Highways (MPAH) at this time. Request that the participating jurisdictions not assume that the two bridges will be built when considering long-term planning studies, developments, and land use assumptions;
6. Request OCTA that, upon completion of all feasible mitigations for the "No Bridges" Alternative, a follow-up study be conducted to reconfirm the deletion of the bridges from the circulation system, and to take action to delete the bridges from the MPAH at that time; and
7. Authorize staff to transmit City Council's final recommendation to OCTA and other affected jurisdictions.

BACKGROUND:

The OCTA's Master Plan of Arterial Highways (MPAH) currently designates two future crossings over the Santa Ana River south of the I-405 Freeway. These crossings are located at Gisler Avenue/Garfield Avenue within the Cities of Costa Mesa and Fountain Valley and at 19th Street/Banning Avenue within the Cities of Costa Mesa and Huntington Beach (Attachment 1). The construction of bridges at these locations would impose a significant impact to several residential areas, schools, and parks that are in close proximity. The bridges will, in addition, create significant adverse impacts on the existing

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wetlands and biological resources along the Santa Ana River bed. In consideration of these impacts, the City of Costa Mesa in November 1991 requested the County of Orange, who had the jurisdiction on MPAH, to remove these bridges from the MPAH.

Based on this request, the City of Costa Mesa, in cooperation with the County of Orange, and the Cities of Fountain Valley, Newport Beach and Huntington Beach, initiated the Santa Ana River Crossings (SARX) study in 1993. Following the completion of this initial study, through a cooperative process, all involved cities adopted resolutions requesting the County to further analyze the possibility of deleting the Gisler Avenue/Garfield Avenue and 19th Street/Banning Avenue bridges from the MPAH. The City of Fountain Valley passed a resolution supporting the initiation of an Environmental Impact Report (EIR) for potential deletion of the bridges. At that same time, the City of Newport Beach requested an EIR to study the impact of the bridge removals and to prepare a plan of alternative circulation system improvements, which would provide equivalent transportation capacity. The Orange County Board of Supervisors approved the initiation of an amendment process for consideration of deletion of the Gisler Avenue/Garfield Avenue and 19th Street/Banning Avenue bridges in their December 7, 1993 meeting.

A Technical Advisory Group (TAG) was formed in 1994 to follow up on the County Board of Supervisors' directive. The TAG was comprised of staff representatives from the participating cities, the County of Orange and Caltrans. The TAG developed a list of alternatives to be studied along with a draft scope of work for the required EIR as approved by all involved cities including the City of Fountain Valley. In 1994, OCTA assumed responsibility for administration of the MPAH.

Kimley-Horn and Associates was retained in 1998 to perform the required studies to prepare a program level EIR for the SARX Study. The Cities of Costa Mesa, Huntington Beach, and Newport Beach, and OCTA contributed \$100,000, \$15,000, \$35,000 and \$50,000, respectively, towards the study. OCTA also provided the administrative and technical lead role.

The objectives of the EIR are as follows:

1. To protect the residents that reside along Gisler Avenue and 19th Street and the students at Tewinkle Middle School in Costa Mesa from noise, safety, and traffic impacts;
2. To protect the wetlands near the western terminus of 19th Street and Talbert Park within Costa Mesa;
3. To protect the residents that reside north and south of Banning Avenue in Huntington Beach from noise, safety, and traffic impacts; and
4. To continue to provide a level of mobility within the region commensurate to that of the current Master Plan of Arterial Highways (MPAH).

Three alternatives were analyzed as part of this project:

- **Alternative 1, No Project:** The No Project alternative would maintain the MPAH at its existing state, retaining both 19th Street/Banning Street as well as Gisler Avenue/Garfield Avenue bridges on the MPAH.
- **Alternative 2, Bridge Crossings Deletion:** This alternative includes the deletion of the Gisler Avenue/Garfield Avenue and Banning Avenue/19th Street bridge crossings over the Santa Ana River from the MPAH.

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- **Alternative 3, Alternative Bridge Crossings:** This alternative consists of deletion of the existing master planned bridges and construction of two alternative bridge crossings at the following two locations: (a) connect Garfield Avenue at its eastern terminus (on the west side of Santa Ana River) to the southbound I-405 Freeway and connect the northbound I-405 Freeway with Garfield Avenue; Gisler Avenue would remain unchanged; and (b) connect 17th Street in Costa Mesa to Brookhurst Street in Huntington Beach at a point north of Banning Avenue from Bluff Road.

ANALYSIS:

The SARX study included the generation of horizon year (2020) traffic forecasts for the above three alternatives considered in the Project. The analysis covered over 300 roadway segments and approximately 90 intersections within the Cities of Costa Mesa, Fountain Valley, Huntington Beach and Newport Beach. The study included analysis for existing conditions as well as future year projections for all three alternatives.

The criteria to identify significant impacts at roadway segments and intersections was discussed and approved by all involved agencies. Alternative 1, No Project, was considered as the base alternative to which the other alternatives were compared. Based on the approved criteria, the following was determined:

- Alternative 2, Bridge Crossings Deletion – Impacts 8 roadway segments and 10 intersections.
- Alternative 3, Alternative Bridge Crossings – Impacts 4 roadway segments and 5 intersections.

Mitigation measures were proposed to reduce the level of impact at all **significantly** impacted locations. These mitigation measures consist of intersection improvements and roadway widenings. Implementation of these measures result in operation of all intersections and roadway segments in the study area at a level similar to or better than the MPAH conditions (No Project Alternative).

Attachments 2 and 3 present the impacted locations and intersection improvements required, respectively, for Alternative 2. Attachments 4 and 5 present the impacted locations and intersection improvements required, respectively, for Alternative 3.

The draft EIR was circulated for cities' review and public comment on June 22, 2001. There was a 45-day public review period, which ended on August 6, 2001. Four community workshops were held in the Cities of Costa Mesa, Fountain Valley, Huntington Beach, and Newport Beach during the public review period. Comments from 11 agencies and 545 citizens and/or associations and the respective responses to comments were included in the final EIR dated April 2002.

During the entire program EIR process, OCTA staff has maintained that, in order for OCTA's Board of Directors to take action on this EIR, all agencies must agree on a collectively acceptable recommendation.

Several meetings were held with technical staff as well as City Managers from all involved cities to discuss the results of this study. In a final meeting on May 28, 2002, the City Managers of the four cities discussed a multi-step plan as suggested by the City of Costa Mesa. The suggested plan includes the following:

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- a. Maintain both bridges on the MPAH at this time;
- b. Involved jurisdictions shall assume "no bridges at Gisler Avenue/Garfield Avenue and 19th Street/Banning Avenue" when considering land use decisions, review of development impacts and any other traffic and/or environmental studies;
- c. Adopt a plan to implement all feasible mitigations outlined in the study as a result of the bridge deletions (Alternative 2); and
- d. Request OCTA to conduct another analysis once all feasible mitigation measures are completed to verify the "bridge deletion" (Alternative 2) findings.

Upon the completion of the above steps, and once the feasible mitigation measures are in place and their effectiveness is verified, then OCTA would proceed with the actual deletion of the bridges from the MPAH.

Costa Mesa staff considers the above solution as a framework to eventual removal of the bridges from the OCTA MPAH. The solution also attempts to move the process beyond the current deadlock with a meaningful approach to the resolution of the proposed bridges. However, the proposed solution was not acceptable to the Cities of Fountain Valley and Newport Beach. The City of Fountain Valley is in favor of the Gisler Avenue/Garfield Avenue bridge construction and the City of Huntington Beach requested that the bridges be removed immediately.

In early December 2002, the City of Costa Mesa sent correspondence to each of the participating cities requesting feedback in terms of their readiness in moving forward with official consideration (Attachment 6). However, there was no final consensus among the participating cities. Meanwhile, the City of Fountain Valley has solicited grant funds from OCTA Combined Transportation Funding Program (CTFP) for preliminary and final design of Gisler Avenue/Garfield Avenue bridge.

In opposition to City of Fountain Valley's request for CTFP funds for design of Gisler Avenue/Garfield Avenue bridge, the Costa Mesa City Council passed an urgency Resolution in December 2002. In addition, several letters were sent to OCTA Board of Directors and their staff expressing the City's opposition for any CTFP funds for design of Gisler Avenue/Garfield Avenue bridge. The resolution and letters to OCTA are included in Attachment 7.

ALTERNATIVES CONSIDERED:

The City Council may elect to not approve staff recommendations and may choose to recommend any or none of the alternatives analyzed for SARX for approval by the OCTA Board of Directors. However, the OCTA staff has stated that if the City Council recommendations are not unanimous among all participating agencies, the OCTA Board may not consider the matter for action.

FISCAL REVIEW:

The implementation of required mitigation measures for Alternative 2 are estimated to cost approximately \$19 million. The cost of constructing the bridges is estimated at \$46.5 million. The cost estimates for all alternatives are included in Attachment 8. If the City's proposal were to be adopted by OCTA, the participating agencies will be requested to

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enter into a partnership to determine ways to implement these mitigation measures within a certain time frame. If Alternative 2 is ultimately approved, THE city of Costa Mesa will be expected to commit to its fair share of funding for the mitigation improvements, including those outside the City boundaries. A detailed fiscal review would be conducted and presented to the City Council following the development of the draft implementation plan. Potential sources of funds include Measure M and federal grants.

LEGAL REVIEW:

Legal review is not required for this item.

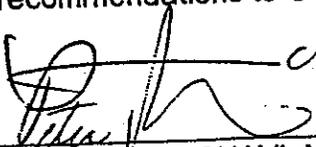
CONCLUSION:

Over the last 12 years, the City dedicated significant amounts of time, effort, and funding towards the proposed deletion of the "Master Planned" arterial roadway crossings of the Santa Ana River, at Gisler Avenue/Garfield Avenue and Banning Street/19th Street Bridges. To this end, a "Program level" Environmental Impact Report (EIR) has been completed to identify the necessary mitigations if the "Master Planned" bridges are deleted. The results of the study showed that the improvements are required at some intersections and roadway segments to delete the bridges from the OCTA's MPAH. Staff believes that these required mitigations will result in far less impact to the community, and to the region in general, than the construction of the proposed bridges.

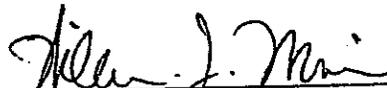
Staff from all involved cities met on several occasions to discuss the results of the study and to arrive at a mutually agreeable resolution on the future of the proposed bridges. However, to date, no particular alternative has been acceptable to all cities. The City of Huntington Beach favors immediate removal of bridges from the MPAH. The City of Fountain Valley is opposed to this action and has in fact solicited grant funds to initiate preliminary and final design of Gisler Avenue/Garfield Avenue bridge. The removal of 19th Street bridge is opposed by the City of Newport Beach.

In consideration of the varying positions of involved cities, staff is proposing a compromise solution. Under this option, OCTA would need to certify the existing programmed EIR through the public hearing process. The cities would agree to maintain both bridges on the MPAH; however, these bridges will not be assumed when considering development studies, or when making land use decisions. The cities should develop a plan for the implementation of all feasible mitigations as outlined in the "No Bridges Alternative," and conduct another study once all mitigations are complete. Once the mitigations were proven effective, the bridges can be removed from the Master Plan.

Staff recommends the City Council approval of the above multi-step plan. In addition, staff requests that the City Council reiterate its opposition to the design and construction of either bridge and to direct staff to convey the City Council recommendations to OCTA and other jurisdictions.



PETER NAGHAVI, MANAGER
Transportation Services Division


WILLIAM J. MORRIS

Director of Public Services

E-5.36

H-39.6
5

DISTRIBUTION: City Manager
Deputy City Clerk
Deputy City Manager – Dev. Svcs.
Director of Public Services
Staff
File

- ATTACHMENTS:
- 1 Study Area Map Depicting Location of Gisler Avenue/Garfield Avenue, 19th Street/Banning Avenue Bridges
 - 2 Alternative 2 (Bridge Crossings Deletion) Traffic Impacts
 - 3 Alternative 2 (Bridge Crossings Deletion) Traffic Mitigations
 - 4 Alternative 3 (Alternative Bridge Crossings) Traffic Impacts
 - 5 Alternative 3 (Alternative Bridge Crossings) Traffic Mitigations
 - 6 Correspondence to Cities
 - 7 Resolution 02-88 and letters to OCTA Board and staff
 - 8 Opinion of Capital Costs

File Name

Date

Time

E-5.37
H-39.7

SUMMARY OF MITIGATION MEASURES FOR SARX STUDY

Huntington Beach

1. Restripe southbound Brookhurst to provide two left turn lanes, one shared through/left turn lane and one right turn lane at PCH
2. Brookhurst/Hamilton – add a second southbound left turn lane

Newport Beach

1. West Coast Highway/17th Street Extension – provide two left turn lanes and two right turn lanes on the southbound approach.
2. Newport/Hospital – Add a second northbound left turn lane on Newport Boulevard
3. West Coast Highway/Superior – Add a second left turn lane on the westbound approach on West Coast Highway.

Costa Mesa

1. Harbor/South Coast Drive – add a westbound left turn lane
2. Superior/17th Street – Add a fourth northbound through lane on Newport Boulevard
3. MacArthur/Hyland – On the northbound approach on Hyland Avenue, provide two left turn lanes and one shared lane for all movements(left/through/right).

Fountain Valley

1. Slater/Magnolia – add a westbound right turn lane
2. Slater/Bushard – add a westbound right turn lane and a northbound right turn lane
3. Ellis/I-405 Southbound – provide new entrance ramp
4. Ellis/Ward – Modify northbound approach on Ward Street to provide one left turn lane, one through lane, and one shared through/right turn lane, and one right turn lane.

Santa Ana

1. Harbor/Warner – Add a fourth eastbound through lane on Warner Avenue.

Unincorporated Area

1. Talbert over Santa Ana River – widen bridge to 6-lanes

E-5.38
H-39.8

RESOLUTION NO. 2003-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
ASKING THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TO
REMOVE THE BANNING AVENUE/19TH STREET AND GARFIELD AVENUE/GISLER
AVENUE BRIDGES FROM THE ORANGE COUNTY MASTER PLAN OF ARTERIAL
HIGHWAYS (MPAH)

WHEREAS, the City Council of the City of Huntington Beach has received significant input from the public regarding the viability, financial feasibility and construction of the westerly extension of 19th Street/easterly extension of Banning Avenue over the Santa Ana River and the westerly extension of Gisler Avenue/easterly extension of Garfield Avenue over the Santa Ana River; and

Such concern affects the Circulation Element of the General Plan of the City of Huntington Beach as well as the Master Plan of Arterial Highways of the County of Orange; and

The City of Huntington Beach believes that construction of the Banning Avenue/19th Street and Garfield Avenue/Gisler Avenue bridges over the Santa Ana River will severely and adversely impact the adjacent residential neighborhoods; and

The City of Huntington Beach has entered into a cooperative study with the Orange County Transportation Authority (OCTA) and the cities of Fountain Valley, Newport Beach, and Costa Mesa to study the need for, or the deletion of, the Banning Avenue/19th Street and Garfield Avenue/Gisler Avenue bridges over the Santa Ana River; and

An adequate transportation circulation network can be provided through construction of certain intersection and roadway improvements without construction of the Banning Avenue/19th Street and Garfield Avenue/Gisler Avenue bridges over the Santa Ana River; and

In November, 1993, the City Council passed Resolution No. 6544 requesting the County of Orange to initiate the process to remove the Banning Avenue/19th Street and Garfield Avenue/Gisler Avenue bridges from the County's Master Plan of Arterial Highways,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. The City of Huntington Beach supports the "no bridge" scenario.
2. The City of Huntington Beach requests the Orange County Transportation Authority continue to pursue the deletion of the Banning Avenue/19th Street and Garfield Avenue Gisler Avenue bridges over the Santa Ana River from the Orange County Master Plan of Arterial Highways.

E-5.39

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 3rd day of February, 2003.

Connie Boardman
Mayor

ATTEST:

Connie Brockway
City Clerk

APPROVED AS TO FORM:

Jennifer McGrath
City Attorney

REVIEWED AND APPROVED:

Ray Silver
City Administrator

INITIATED AND APPROVED:

Robert F. Beardsley
Director of Public Works

E-5.40

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at an **regular** meeting thereof held on the **3rd day of February 2003** by the following vote:

- AYES: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy
- NOES: None
- ABSENT: None
- ABSTAIN: None

Connie Brockway
City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

E-5.41

RESOLUTION NO. 2003-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
OPPOSING THE CITY OF FOUNTAIN VALLEY'S REQUEST TO THE ORANGE
COUNTY TRANSPORTATION AUTHORITY FOR DESIGN AND ENVIRONMENTAL
ANALYSIS OF THE GISLER/GARFIELD BRIDGE

WHEREAS, the City of Fountain Valley has applied for grant funds to the Orange County Transportation Authority (OCTA) for preliminary engineering, environmental study and final design on the Garfield Avenue/Gisler Avenue bridge over the Santa Ana River; and

The Santa Ana River Crossing (SARX) Study will be completed within the next few months and reviewed by the elected officials and the public from the cities of Fountain Valley, Newport Beach, Huntington Beach and Costa Mesa; and

The SARX Study has identified a series of alternative mitigation measures, instead of construction of the bridge, that are more cost effective and less intrusive to the surrounding communities; and

It would be an imprudent expenditure of public funds for the City of Fountain Valley to apply for grant funds at this time, nor should the OCTA fund additional design and environmental work for this bridge project until the SARX Study is final; and

Several years of work and over \$200,000.00 in consultant costs have been expended in studying the Gisler/Garfield Bridge Proposal; and

Since the magnitude of the adverse impact of the Gisler/Garfield Bridge on both Huntington Beach and Fountain Valley is enormous, the matter of Fountain Valley's application for OCTA funding for this bridge should be considered at a public hearing with input from all affected residents and not be scheduled as a consent calendar matter,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

That it will take action to oppose the project at each and every step of the approval process, if the City of Fountain Valley approves an application to OCTA seeking funds for the Garfield/Gisler Bridge project.

E-5.42

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 3rd day of February, 2003.

Connie Boardman
Mayor

ATTEST:

Connie Brockway
City Clerk

APPROVED AS TO FORM:

Jennifer McGowan
City Attorney

REVIEWED AND APPROVED:

Ray Silver
City Administrator

INITIATED AND APPROVED:

Robert F. Beachley
Director of Public Works

E-5.43

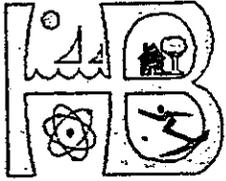
STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at an **regular** meeting thereof held on the **3rd day of February 2003** by the following vote:

AYES: Sullivan, Coerper, Green, Boardman, Cook, Houchen, Hardy
NOES: None
ABSENT: None
ABSTAIN: None

Connie Brockway
City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

E-5.44



CITY OF HUNTINGTON BEACH

CITY COUNCIL COMMUNICATION

2003 AUG - 7 PM 5:47
CITY OF
HUNTINGTON BEACH, CA

To: Honorable Mayor Pro Tem and City Council Members
From: Connie Boardman, Mayor *CB*
Date: August 6, 2003
Subject: **H-ITEM FOR AUGUST 18, 2003, CITY COUNCIL MEETING –
SANTA ANA RIVER BRIDGES**

STATEMENT OF ISSUE:

At a Study Session earlier this year, the Council learned of a proposal by the city of Costa Mesa to reach a compromise regarding the removal/retention of the bridges over the Santa Ana River at Banning and Garfield Streets from the Master Plan of Arterial Highways. However, since the City Council of Costa Mesa had not yet acted on this plan, our Council chose not to pursue it.

On July 21, 2003, the City Council of Costa Mesa did approve several actions that are included in the back up with this H-item. On August 6, 2003, I met with Mr. Ed DeMuelle, the President of the Southeast Huntington Beach Neighborhood Association and Mr. John Scott to discuss the action of the Costa Mesa City Council. Both expressed support for the city of Huntington Beach to adopt similar measures as Costa Mesa.

RECOMMENDED ACTION:

Adopt the following actions on the proposed Santa Ana River Crossings (SARX) at Garfield and Banning Streets.

1. Once again, convey the city's opposition to the design and construction of the proposed bridges at Garfield and Banning Streets.
2. Request that OCTA Board of Directors certify the SARX Environmental Impact Report
3. In cooperation with OCTA and neighboring cities of Fountain Valley, Newport Beach and Costa Mesa, develop a program to implement the mitigation measures for the no bridges alternative.
4. Adopt mitigation measures identified in the SARX EIR required for the no bridges alternative.
5. Retain the Garfield and Banning bridges on the Master Plan of Arterial Highways at this time, but request that the surrounding jurisdictions not assume the two bridges will be built when considering long term planning studies, developments, and land use assumptions.
6. Request that OCTA upon completion of all feasible mitigations for the no bridges alternative, conduct a follow up study to confirm the deletion of the bridges from the circulation system and to take action to delete the bridges from the MPAH at that time.

CB:cf

Attachment

xc: Ray Silver
Connie Brockway
Robert Beardsley

E-5.45

H-3a