ORANGE COUNTY LOCAL TRANSPORTATION AUTHORITY

ORDINANCE NO. 2

AMENDED:

September 23, 1991

November 25, 1991

May 23, 1994

May 13, 1996

June 9, 1997

December 10, 2001

September 13, 2004

September 24, 2007

March 8, 2010

September 26, 2011

Measure M Amendments

Ordinance Amendment

1. September 23, 1991

    - *Procedures and Recommendation for Amendments to the Measure M Ordinance*

2. September 26, 2011

    - *Agencies which qualify as an "Eligible Jurisdiction" under Ordinance No. 3 (Measure M2) to also be an "Eligible Jurisdiction" under Ordinance No. 2. (Policy Resolution No. 3, Section II C1, subsection b)*

Expenditure Plan Amendments

1. November 25, 1991

    - *Reallocation of Funds Within Freeway Program*

2. May 23, 1994

    - *Reallocation of Freeway Program Funding Between I-5 and SR-91/SR-55*

3. May 13, 1996

    - *Cost Savings Transferred to CURE Accounts*

4. June 9, 1997

    - *Amendments to Local Streets and Road Component*

5. December 10, 2001

    - *Amend Freeway Program to Add SR-22 at $203 Million*

6. September 13, 2004

    - *Amend Freeway Program to Advance SR-22 and Additional $123.7 Million*

7. September 24, 2007

    - *Modify SR-57 Description Consistent with Project G in Measure M2 and Increase Funding by $22 Million*
    - *Expand Limits of SR-22 to Include the West County Connection Improvements and Increase Funding by $10 Million*

8. March 8, 2010

    - *Decrease SR-57 Funding by $22 Million*

Local Transportation Ordinance Number 2
The Revised Traffic Improvement and Growth Management Ordinance

PREAMBLE

A. Pursuant to California Public Utilities Code Section 180050, the Orange County Transportation Commission has been designated as the Orange County Local Transportation Authority (the "Authority") by the Orange County Board of Supervisors.

B. There has been adopted a countywide Traffic Improvement and Growth Management Plan, dated May 22, 1989, pursuant to California Public Utilities Code Section 180206 (the "Plan") which will be administered by the Authority.

C. The Plan provides for needed countywide facility and service improvements which will be funded, in part, by a retail transaction and use tax of one-half (1/2) of one percent (1%).

SECTION 1. TITLE

This Ordinance shall be known and may be cited as the Revised Orange County Traffic Improvement and Growth Management Ordinance.

SECTION 2. SUMMARY

This Ordinance provides for the establishment and implementation of a retail transaction and use tax (the "Retail Tax") at the rate of one-half (1/2) of one percent (1%) for a period of twenty years (20) and for the Authority to issue bonds for transportation purposes.

SECTION 3. IMPOSITION OF RETAIL TRANSACTION AND USE TAX

A. Subject to approval of same by the electors, the Authority hereby imposes, in the incorporated and unincorporated territories of the County, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Division 19 (commencing with Section 180000) of the California Public Utilities Code, the Retail Tax at the rate of one-half (1/2) of one percent (1%) for a period of twenty (20) years commencing April 1, 1991.

B. The Retail Tax shall be in addition to any other taxes imposed by law, including any existing or future state or local sales tax or transaction and use tax. The provisions of California Revenue and Taxation Code Sections 7261 and 7262 are hereby incorporated by reference as if fully set forth herein.

SECTION 4. AGREEMENT WITH STATE BOARD OF EQUALIZATION

A. Prior to the effective date of this Ordinance, the Authority shall contract with the California State Board of Equalization (the "State Board of Equalization") to perform functions incident to the administration and operation of this Ordinance.

B. The relationship between the Authority and the State Board of Equalization shall be specified in a companion Ordinance which shall be adopted when the electors approve the Retail Tax.

SECTION 5. INTENT AND PURPOSES

A. All of the gross revenues generated from the Retail Tax plus any interest or other earnings thereon (collectively, the "Retail Tax Revenues") after deduction of amounts payable to the State Board of Equalization pursuant to Section 4 hereof and after deduction of costs for the administration of the Plan as provided herein, shall be used solely for the transportation projects and programs described in the Plan.

B. The specific projects and programs to be implemented pursuant to this Ordinance as well as the Growth Management Program (as hereinafter defined) required by this Ordinance are described in the Plan. As used herein , the term "Growth Management Program" shall mean and refer to the Orange County Division, League of California Cities, Countywide Traffic Improvement and Growth Management Program, Countywide Growth Management Plan Component, dated June 15, 1989, which is hereby incorporated by reference as if fully set forth herein.

C. All local jurisdictions and special jurisdictions in Orange County (the "County") are encouraged to seek all available funding from private and public sources to further the purposes of the Plan and this Ordinance.

D. It is the intent of the Authority to provide a forum for the discussion and resolution of countywide transportation planning and related issues.

SECTION 6. BONDING AUTHORITY

A. "Pay as you go" financing is the preferred method of financing transportation improvements and programs under this Ordinance. However, the Authority may use bond financing as an alternative method if the scope of planned expenditures makes "pay as you go" financing unfeasible.

B. Upon approval by the electors of the ballot proposition described in Section 15 herein (the "Ballot Proposition"), the Authority shall be empowered to issue bonds (the "Bonds"), pursuant to the provisions of Division 19, Sections 180250 through 180265, of the California Public Utilities Code, for the transportation purposes described in Section 12 herein. The Bonds shall be payable from the Retail Tax Revenues.

SECTION 7. MAINTENANCE OF EFFORT REQUIREMENTS

A. It is the intent of the Legislature and the Authority that the Retail Tax Revenues allocated pursuant to this Ordinance for local street and road projects be used to supplement and not replace existing local revenues being used for transportation improvements and programs.

B. Under state enabling legislation (Public Utilities Code Section 180200), a local jurisdiction cannot redirect monies currently being used for transportation purposes to other uses and replace the redirected funds with Retail Tax Revenues. To meet said requirement of State law, each local jurisdiction is hereby required to maintain a minimum level of local streets and roads expenditures in conformance with the following requirements (the "Maintenance of Effort Requirements"):

1. The minimum annual level of local streets and roads expenditures for each jurisdiction shall be based upon an average of the expenditures in each jurisdiction for the purposes of local street maintenance and construction over the five (5) year period from Fiscal Year 1985-86 through Fiscal Year 1989-90.

2. Within six months after approval of the Retail Tax by the electors, the Authority shall, through a cooperative process with all affected jurisdictions, adopt a method for calculating minimum expenditures including a means for taking into account extraordinary expenses or special circumstances, including, but not limited to, state and federal grants, redevelopment and bond financing.

3. Within six months after approval of the Retail Tax by the electors, the Authority, through a cooperative process with all affected jurisdictions, shall adopt a method for determining minimum expenditures in newly incorporated cities, areas annexed to existing cities, and for making corresponding, appropriate adjustments to the County's minimum expenditures because of such incorporation(s) and/or annexation(s).

C. An annual independent audit may be conducted by the Authority to verify that the Maintenance of Effort Requirements are being met by the local jurisdictions.

D. Any local jurisdiction which does not meet the Maintenance of Effort Requirements in any given year shall not receive any Retail Tax Revenues in such year. Any Retail Tax Revenues withheld because of failure of an otherwise eligible jurisdiction to comply with the Maintenance of Effort Requirements shall be redistributed pro rata to remaining eligible jurisdictions.

SECTION 8. POLICY RESOLUTIONS

A. Statements of policy ("Policy Resolutions") may be adopted by the Authority and be affixed to this Ordinance by a two-thirds (2/3) vote of the Authority. These Policy Resolutions shall have the same authority as other provisions of this Ordinance.

B. Policy Resolutions shall be consistent with the Plan adopted May 22, 1989, and shall be designed to clarify this Ordinance. However, the Policy Resolutions may elaborate or expand upon the generalized statements included in this Ordinance C. Policy Resolutions clarifying this Ordinance, numbered consecutively and in resolution format, shall require at least two readings and one public hearing before the Authority before becoming effective.

D. The intent of each Policy Resolution shall be to provide clear operating instructions for the administration of this Ordinance and the Plan. In the event of any conflict, the provisions of the Plan shall supersede the provisions of this Ordinance and any Policy Resolution, and the provisions of this Ordinance shall supersede the provisions of any Policy Resolutions.

SECTION 9. ADMINISTRATIVE COSTS

A. Retail Tax Revenues may be expended by the Authority for salaries, wages, benefits, overhead, auditing, and those services, including contractual services, necessary to administer the fiscal aspects of this Ordinance; however, in no case shall the annual expenditures for the salaries and benefits of the staff of the Authority exceed one percent (1%) of the Retail Tax Revenues.

B. Costs of performing or contracting for project-related work shall be paid from the Retail Tax Revenues allocated to the appropriate purposes as set herein.

C. The Authority may contract with any public agency or private firm for planning or programming purposes.

D. An annual independent audit shall be conducted to ensure that the Retail Tax Revenues expended by the Authority under this Section 9 are necessary and reasonable in carrying out its responsibilities under this Ordinance.

SECTION 10. ANNUAL APPROPRIATIONS LIMIT

A. Pursuant to Section 4 of Article XIIIB of the State Constitution, the appropriations limit for the first year of the Authority has been established as $500,000,000.

B. Such appropriations limit shall be subject to adjustment as provided by law, and all expenditures of Retail Tax Revenues are subject to such appropriations limit

SECTION 11. EFFECTIVE AND OPERATIVE DATES

A. This Ordinance and all of its Resolutions shall become effective on April 1, 1991, only if a majority of electors voting at the election requested to be held November 6, 1990, vote to approve the Ballot Proposition.

B. The Authority may begin work on the projects and programs described herein when a majority of the electors voting November 6, 1990, vote to approve the Ballot Proposition.

SECTION 12. USE AND SAFEGUARDS OF USE OF REVENUES

A. Retail Tax Revenues shall be used solely for transportation purposes, including (i) the costs and expenses provided herein, (ii) legal actions related hereto, (iii) the construction and improvement of state and federal highways, (iv) the construction, maintenance, improvement, and operation of local streets, roads and highways, and the transit services and facilities (including bus, light rail, rapid transit and commuter rail services and facilities) described in the Plan.

B. The following safeguards are hereby established to ensure strict adherence to the limitation on the use of Retail Tax Revenues set forth in Section 12.A. above:

1. A transportation trust fund ("Trust Fund") shall be established by the elected County Auditor-Controller (the "Auditor-Controller") to maintain all Retail Tax Revenues.

2. Interest earned on the Retail Tax Revenues deposited into the Trust Fund shall be maintained in the Trust Fund and added to the Retail Tax Revenues for purposes of allocation pursuant to this Ordinance.

3. The Auditor-Controller shall certify annually whether the expenditures from the Trust Fund have been spent on the specific transportation purposes identified in the Plan.

4. Timelines shall be established by the Authority for each major project detailed in the Plan and quarterly reports on meeting these timelines shall be brought before the Authority in public meetings.

5. The Authority may contract for planning services and services for developing a countywide transportation model. No more than five percent (5%) of all Retail Tax Revenues shall be used for planning services or for services for developing such countywide transportation model.

6. No Retail Tax Revenues shall be used by a local jurisdiction for other than transportation purposes. Any jurisdiction which violates this provision shall be deemed ineligible to receive Retail Tax Revenues for a period of five (5) years.

SECTION 13. AMENDMENTS

A. Amendments to Plan.

1. The Authority may annually review and propose amendments to the Plan to provide for the use of additional federal, state and local funds to account for unexpected revenues, or to take into consideration unforeseen circumstances.

2. The Authority shall establish a process to propose amendment(s) to the Plan which shall ensure that all affected agencies participate in the development of the proposed amendment(s). The Authority shall hold a public hearing on proposed amendments prior to adoption.

3. No amendments to the Plan which change the funding categories, programs or projects identified on page 18 of the Plan shall be made unless they are first approved by a two-thirds vote of the Citizens Committee.

4. In addition to Section 13A3 above, any proposed changes in expenditures among the four major funding categories of freeway projects, regional street and road projects, local street and road projects, and transit projects identified on page 18 of the Plan shall be ratified by the electors before going into effect. The Authority shall call for a special election to place the matter before the electors.

5. Amendments to the Plan must be passed by a roll call vote of the Authority members, must be entered into the minutes of the Authority, and must have a majority of the members concurring with the proposed amendment(s). Subsequently, the Authority shall give written notice to the County Board of Supervisors and the city council of each city in the County and shall provide each entity with a copy of the proposed amendment(s) pursuant to California Public Utilities Code Section 180207.

6. Proposed amendments to the Plan shall become effective 45 days after notice is given.

B. Amendments to Ordinance.

1. All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the California Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 of Division 2 of the California Revenue and Taxation Code, and all amendments to Part 1.6 of Division 2 of the California Revenue and Taxation Code, shall automatically become a part of this Ordinance; provided, however, that no such amendments shall operate so as to affect the rate of tax imposed by this Ordinance.

2. The Authority shall establish a process to propose amendment(s) to this Ordinance which ensures that the affected agencies receive notice of proposed Ordinance amendments.

3. Amendments to this Ordinance must be passed by a roll call vote of the members of the Authority, must be entered into the minutes of the Authority, and must have a majority of the members of the Authority concurring with the proposed amendments.

4. Proposed Amendments to this Ordinance shall become effective 30 days after notice is given to affected agencies.

SECTION 14. SEVERABILITY

A. If any section, part, clause or phrase of this Ordinance is for any reason held invalid or unenforceable by a court of competent jurisdiction, the remaining portions shall not be affected but shall remain in full force and effect.

B. If a state law is passed in the future which prevents local jurisdictions from establishing standards for any of the growth management performance standards specified in the Plan ("Performance Standards"), the Authority may elect to delete or modify the requirements for those Performance Standards.

SECTION 15. REQUEST FOR ELECTION

A. Pursuant to California Public Utilities Code Section 180201, the Authority hereby requests that the County Board of Supervisors call a special election to be conducted by the County on November 6, 1990 to place the imposition of the Retail Tax before the electors.

B. To avoid any misunderstanding or confusion by Orange County electors, the Local Transportation Authority requests that the matter being placed before voters be identified as "Measure M".

C. The proposition to be placed before the County electors on the November 6, 1990 ballot shall contain a summary of the projects and programs in the Plan and shall read substantially as follows:

THE REVISED TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT ACT. The purpose of this measure is to improve the quality of life, relieve traffic congestion, and improve air quality in Orange County by:

◊ Expanding the present Los Angeles to San Diego commuter rail service throughout Orange County;

◊ On I-5, the Santa Ana Freeway, adding up to three lanes in each direction from the Los Angeles County line to San Clemente;

◊ Rebuilding the I-5/I-405, El Toro "Y" Interchange;

◊ On State Route 91, adding an additional lane in each direction and improving major interchanges from Los Angeles to Riverside;

◊ On State Route 55, the Costa Mesa Freeway, adding a new lane in each direction between the Riverside and Santa Ana Freeways;

◊ Synchronizing traffic signals on major streets throughout Orange County;

◊ Improving maintenance and rehabilitation of streets and roads;

◊ Requiring each city and the County to adopt a growth management program to require a balance between land development and traffic impacts;

◊ Increasing transit service and providing discount fares for senior citizens and the disabled;

◊ Empowering an independent Citizens Oversight Committee with a chairman elected by all Orange County voters to guarantee that all funds generated by this measure shall be used only for transportation purposes;

◊ Requiring that any proposed change in the amount of funds for rail transit, freeway, regional and local street improvement expenditures be brought back to the voters for their approval;

Shall the Orange County Local Transportation Authority be authorized to (I) establish by ordinance, a one-half (1/2) of one (1) percent retail transaction and use tax for a period of twenty (20) years with an appropriations limit of $500 million dollars, with the proceeds placed in a trust fund to be used solely for traffic improvement and growth management and (II) issue bonds payable solely from the proceeds of such retail transaction and use tax?

ORANGE COUNTY TRANSPORTATION COMMISSION

By: Dana W. Reed

Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: Clayton H Parker

Attorneys for Orange County Transportation Commission

POLICY RESOLUTION NO. 1
CITIZENS OVERSIGHT COMMITTEE

This Policy Resolution No. 1 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. PURPOSE AND ORGANIZATION. A citizens committee is hereby established for the purpose of overseeing compliance with the Plan, specifically the duties and responsibilities set forth in Section V hereof (the "Citizens Committee"). The Citizens Committee shall be organized and convened before any Retail Tax Revenues are collected pursuant to the Ordinance.

II. COMMITTEE MEMBERSHIP REQUIREMENTS AND RESTRICTIONS. The Citizens Committee shall consist of nine (9) members. The composition of the Citizens Committee membership shall be subject to the following requirements and/or restrictions:

A. Geographic Balance. The membership of the Citizens Committee shall be geographically balanced at all times as follows:

1. There shall be at least one (1) member of the Citizens Committee appointed from each of the County's supervisorial districts (individually, a "District"); and

2. There shall be no more than two (2) members of the Citizens Committee appointed from any one District.

3. The elected Orange County Auditor-Controller (the "Auditor-Controller") shall be a member and chairman of the Citizens Committee.

B. Reappointment: Maximum Term.

1. Citizens Committee members who have resigned, been removed, or whose terms have expired may be reappointed; provided, however, that no person other than the

Auditor-Controller shall serve as a member of the Citizens Committee for a period in excess of six (6) consecutive years.

2. Upon the resignation or removal from office of any Auditor-Controller and upon the expiration of the elected term of any Auditor-Controller, the successor Auditor-Controller shall serve as a member of the Citizens Committee.

III. COMMITTEE MEMBERSHIP SELECTION PROCESS. The members of the Citizens Committee shall be selected and appointed in accordance with this Section III hereof.

A. Membership Recommendation Panel.

1. The Authority shall contract with the Orange County Grand Jurors Association for the formation of a committee membership recommendation panel (the "Panel" to perform the duties set forth in this subsection III A. If the Orange County Grand Jurors' Association refuses or fails to act in such capacity, the Authority shall contract with another independent organization selected by the Authority for the formation of the Panel.

2. The organization contracted by the Authority shall form a five (5) member Panel to screen and recommend potential candidates for Citizens Committee membership in accordance with this Section III A.

3. The Panel shall be charged with soliciting, collecting and reviewing applications from potential candidates for membership on the Citizens Committee. No currently elected or appointed city, district, county, state or federal official will be eligible to serve as a Citizens Committee member, except the elected Auditor-Controller. Subject to the foregoing restriction, the Panel shall evaluate each potential candidate on the basis of the following criteria:

a. Commitment and ability to participate in Citizens Committee meetings;

b. Demonstrated interest and history of participation in community activities, with special emphasis on transportation-related activities; and

c. Lack of conflicts of interest with respect to the allocation of Retail Tax Revenues.

4. The Panel shall recommend to the Authority at least three (3), and no more than five (5) candidates from each District for initial membership on the Citizens Committee. Thereafter, the Panel shall recommend to the Authority at least three (3) and no more than five (5) candidates for filling each vacancy on the Citizens Committee.

B. Initial Members.

1. Membership Term. Three (3) of the initial Citizens Committee members shall be appointed for a term of three (3) years; three (3) of the initial Citizens Committee members shall be appointed for a term of two (2) years; and two (2) of the initial Citizens Committee members shall be appointed for a term of one (1) year.

2. Appointment. The initial members of the Citizens Committee shall be appointed by the Authority in the following manner. The Authority shall place the names of the candidates recommended by the Panel on equally-sized cards which shall be deposited randomly in a container. In public session, the chairman of the Authority will draw a sufficient number of names from said container to allocate Citizens Committee membership in accordance with the membership requirements and restrictions set forth in Section II hereof and otherwise in the order of the names drawn as follows:

a. The first person whose name is drawn from each District shall be appointed to serve a three (3) year term until all three (3) year terms have been allocated. Thereafter, the first person whose name is drawn from each District shall be appointed to serve a two (2) year term.

b. After one (1) candidate from each of the five (5) Districts is appointed to serve as a Citizens Committee member pursuant to subsection (i) above, the remaining members of the Citizens Committee shall be appointed in the order of names already drawn, but not previously assigned a term and thereafter in the order of names drawn by the chairman of the

Authority, with the remaining two (2) year terms to be filled first and the one (1) year terms to be filled thereafter.

C. Vacancies. Vacancies on the Citizens Committee, however caused, shall be filled by the Authority in accordance with this Section III C. Said vacancies shall be filled annually on or about July 1 to replace members whose terms are expiring, and at such other times as are necessary to replace members who have resigned or been removed.

1. Membership Term. Each new member of the Citizens Committee shall be appointed for a term of three (3) years; provided, however, that any new member appointed to replace a member who has resigned or been removed shall serve only the balance of such member's unexpired term, unless reappointed thereafter.

2. Appointment. The Authority shall place the names of the candidates recommended by the Panel for filling vacancies on equally-sized cards which shall be deposited randomly in a container. In a public session, the chairman of the Authority will draw one (1) name from said container for each vacancy on the Citizens Committee. The persons whose names are so drawn shall be appointed by the Authority to fill said vacancies.

IV. RESIGNATIONS: REMOVAL.

A. Resignations. Any member of the Citizens Committee may, at any time, resign from the Citizens Committee upon written notice delivered to the Authority; provided, however, that such resigning member may continue to serve on the Citizens Committee until a successor member is appointed to serve such member's unexpired term.

B. Removal. Any Citizens Committee member who has three (3) unexcused absences from meetings of the Citizens Committee shall be removed from serving as a member of the Citizens Committee. An absence from a Citizens Committee meeting shall be considered unexcused unless, prior to or after such absence (i) the absent member submits to each of the other members a written request to excuse such absence, which request shall state the reason for such absence and any special circumstances existing with respect to such absence; and (ii) a majority of the other Citizens Committee members have agreed to excuse such absence.

C. Acceptance of any public office as referred to in Section IIIA3 hereof or the filing of an intent to seek public office by a member of the Citizens Committee, including a filing under California Government Code Section 85200, shall constitute such member's automatic resignation from the Citizens Committee.

V. <u>DUTIES AND RESPONSIBILITIES.</u> The Citizens Committee is hereby charged with the following duties and responsibilities:

A. Promptly after being appointed to the Citizens Committee, the initial members shall convene to adopt such procedural rules and regulations as are necessary to govern the conduct of Citizens Committee meetings, including, but not limited to, those governing the calling, noticing and location of Citizens Committee meetings, as well as Citizens Committee quorum requirements and voting procedures. The Citizens Committee may select its own officers, including, but not limited to, a Citizens Committee co-chairman who will be the primary spokesman for the Citizens Committee.

B. The Citizens Committee shall approve, by a 2/3 vote, any material amendments to the Expenditure Plan or any portions of the Plan proposed by the Authority which change the funding categories, programs or projects identified on page 18 of the Plan.

C. The Citizens Committee shall review the growth management plan for each jurisdiction solely to determine if the plan prepared and certified by each includes the elements specified in the countywide Growth Management Program.

1. The Citizens Committee shall use a checklist to determine if the Growth Management Element of each jurisdiction, if and when required by the Growth Management Program; has:

a. Specified traffic level of service standards;

b. Adopted planning standards for fire, police, library, flood control, parks and open space, and other locally determined needs;

c. Adopted a development mitigation program;

d. Adopted a development phasing program

e. Developed a seven-year capital improvement program;

f. Participated in inter-jurisdictional planning forums;

g. Addressed a balancing of housing options and job opportunities; and

h. Adopted a transportation systems management ordinance.

2. A Growth Management Element, as required by the Growth Management Program, shall be adopted by each local jurisdiction in accordance with the provisions of the California Government Code, which governs procedures for adopting elements of a general plan. Neither the Authority's nor the Citizens Committee's review hereunder shall include a determination as to the adequacy of such Growth Management Elements and components thereof. Each jurisdiction shall determine the adequacy of its Growth Management Element, and any legal challenge to such adequacy shall be brought against such jurisdiction in accordance with the provisions of statutes and case law governing legal challenges to the adequacy of general plan elements.

3. Once the Citizens Committee has reviewed the growth management checklist as described in Section VC1 above, it shall forward its finding to the Authority. If the Authority determines that the checklist is fulfilled, and the requirements of the Policy Resolutions and the Ordinance are met, the Retail Tax Revenues shall be allocated to the jurisdiction pursuant to the Ordinance.

4. The Citizens Committee shall hold an annual public hearing to determine whether the Authority is proceeding in accordance with the Plan. In addition, the Citizens Committee may issue reports, from time to time, on the progress of the transportation projects described in the Plan.

D. The Citizens Committee shall place priority on each jurisdiction's development of a seven-year capital improvement program and shall ensure that all expenditures proposed in a jurisdiction's seven-year capital improvement program conform with the transportation purposes identified in Policy Resolution No. 3.

E. Except as otherwise provided by the Ordinance, the Citizen's Committee may contract, through the Authority, for independent analysis or examination of issues within the Citizens Committee's purview, including a performance audit of the Authority. The Citizens Committee may also, through the Authority, hire staff to assist the Citizens Committee in discharging its duties hereunder.

F. The Citizens Committee may submit a written request to the Authority to explain any perceived deviations from the Plan. The Authority's chairman must respond to such request, in writing, within sixty (60) days after receipt of the same.

ORANGE COUNTY TRANSPORTATION COMMISSION

By: ______________________
Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: ______________________
Attorneys for Orange County Transportation Commission

POLICY RESOLUTION NO. 2
GROWTH MANAGEMENT

Amended May 23, 1994

This Policy Resolution No. 2 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined herein, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. <u>GROWTH MANAGEMENT PROGRAMS AND GROWTH MANAGEMENT AREAS.</u>

A. In order to receive Retail Tax Revenues from the Authority, local jurisdictions must meet the requirements of the Plan and specifically those requirements relating to growth management which are described in the Growth Management Program. As a prerequisite to receiving Retail Tax Revenues from the Authority, local jurisdictions, working through the City-County Coordination Committee designated by resolution of the County and the League of California Cities, Orange County Division (the "Coordination Committee"), or a successor, shall adopt administrative requirements to implement the Growth Management Program in each local jurisdiction. Any amendments to the adopted administrative requirements, including guidelines and administrative procedures, shall be prepared and approved by the Authority. [Amended May 23, 1994]

B. As a further prerequisite to receiving Retail Tax Revenues from the Authority, within six months after approval of the Retail Tax by the electors, local jurisdictions, working through the Coordination Committee, shall approve growth management areas ("GMAs") to facilitate multi-jurisdictional cooperation on traffic projects and improvements within GMAs ("GMA Improvement Projects"). The boundaries of each GMA shall be designed to focus on multi-jurisdictional, high-volume traffic impact areas. Following establishment of the GMAs, changes in GMA boundaries may be made by an agreement approved by the affected local jurisdictions and approved by the Authority. [Amended May 23, 1994]

C. If the local jurisdictions, working through the Coordinating Committee, are unable to establish GMAs within six months after the approval of the Retail Tax by the electors, the Authority may determine alternate provisions relative to the allocation of Retail Tax Revenues under this Policy Resolution.

D. The Authority shall consider a regional, countywide geographic balance in allocating Retail Tax Revenues to GMA Improvement Projects. Factors which shall be considered in determining the allocation of such funds shall include, but not be limited to, regional significance/benefit, amount of local matching funds, and any existing or new development traffic mitigation fee program.

E. The procedure for allocation of Retail Tax Revenues to local jurisdictions for GMA Improvement Projects shall require the jurisdictions to participate in the following Process to receive these funds:

1. Jurisdictions within each GMA shall participate in multi-jurisdictional forums convened by the Coordination Committee to examine regional improvements needed within the GMA.

2. The GMA-based multi-jurisdictional forums shall recommend to the Authority a list of GMA Improvement Projects that will be implemented cooperatively participating jurisdictions to ensure that traffic impacts from new development are mitigated.

F. The Authority shall allocate Retail Tax Revenues for GMA Improvement Projects to the jurisdictions which will perform the project work.

II. <u>CONGESTION MANAGEMENT PLANS.</u>

A. In order to minimize duplication, the Growth Management Program shall be reconciled with the state mandated Congestion Management Plan ("CMP") through a cooperative process involving local jurisdictions, the Coordination Committee, and the local agency charged with implementing the CMP.

B. No reconciliation of the Growth Management Program and the CMP shall prevent a local jurisdiction from establishing, for the purposes of the jurisdiction's own growth management plan, a level of service standard which is stricter than the levels mandated by the CMP.

III. DEVELOPMENT PAYS ITS FAIR SHARE.

Notwithstanding any other provision of the Ordinance or this Policy Resolution, each new development project shall be conditioned to require payment of the project's fair share of traffic improvement programs and projects implemented by the local jurisdiction as a development mitigation or congestion management measure. A project's fair share shall be determined in accordance with the requirements of California Government Code Sections 66000 et. seq.

ORANGE COUNTY TRANSPORTATION COMMISSION

By: ______________________
Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: ______________________
Attorneys for Orange County Transportation Commission

POLICY RESOLUTION NO. 3
EXPENDITURES AND ALLOCATIONS

Amended May 23, 1994; Amended June 9, 1997

This Policy Resolution No. 3 is adopted by the Orange County Local Transportation Authority pursuant to Section 8 of the Revised Orange County Traffic Improvement and Growth Management Ordinance (the "Ordinance"). Except as otherwise defined here, all capitalized terms contained herein shall have the same meaning as in the Ordinance.

I. REQUIREMENTS FOR ALLOCATIONS OF RETAIL TAX REVENUES.

The allocation of Retail Tax Revenues by the Authority shall be subject to the following requirements:

A. For State Highway Projects

1. The Authority shall make every effort in allocating Retail Tax Revenues to maximize state and federal funding to the County in the following manner:

a. No Retail Tax Revenues shall be allocated in any year from any State Highway Project as defined in Section VIII hereof until the Authority has made findings at a public meeting that:

(i) the County is receiving, at a minimum, its fair share of funds from state and federal sources for Freeway Projects, Transit Projects, Highways and Arterials and Local Street and Road Projects (each as defined in Section VIII hereof); and

(ii) the state has not reduced any allocations of state funds to the County as the result of the addition of any local revenues.

b. In determining whether the County has received its fair share of such funds the Authority shall consider all relevant factors including:

(i) the degree to which the County is receiving its statutory County minimum funding for all budgeted, expended and programmed state and federal transportation funds, and

(ii) the policies and project approval actions of the California Transportation Commission, the State Department of Transportation ("Caltrans") and divisions of the Federal Department of Transportation.

c. If the Authority is unable to make the findings described above, the Authority may amend the Plan to maximize the receipt of state and federal funds received within the County.

d. The Authority shall annually report on progress in obtaining state and federal transportation funding and on progress in completing the transportation projects described in the Plan.

2. All state improvements to be funded with Retail Tax Revenues, including project development and overall project management, shall be a joint responsibility of Caltrans, the Authority, and the affected local jurisdiction(s) or special district(s). All major project approval actions including the project concept, the project location, and any subsequent change in project scope shall be jointly agreed upon by Caltrans, the Authority, and the project sponsors, and where appropriate, by the Federal Highway Administration and/or the California Transportation Commission.

3. The Authority may allocate the Retail Tax Revenues to accelerate projects described in the Plan which are anticipated to be funded through the State Transportation Improvement Program if:

a. Caltrans demonstrates that a significant acceleration can be accomplished using Retail Tax Revenues; and

b. The state commits to refunding those Retail Tax Revenues through cash reimbursements or by accelerating or completing other Plan projects and programs.

4. If the refund of acceleration funds pursuant to subsection A 3 of this Resolution would significantly impact the implementation of any project or program described in the Plan, the Authority may seek to amend the Plan.

5. Prior to the allocation of Retail Tax Revenues for construction or improvements of any State Highway Project, the Authority shall obtain written assurances from the appropriate state agency that once the State Highway Project is constructed to at least minimum acceptable state standards, the state shall be responsible for the maintenance and operation of such State Highway Project.

6. Construction of State Highway Projects identified in the Plan shall be the number one priority of the Authority.

B. <u>For Transit Projects</u>:

Prior to the allocation of Retail Tax Revenues for construction of any Transit Project, the Authority, in cooperation with affected transit operators and agencies, shall determine the entity to be responsible for the maintenance and operation thereof.

C. <u>For Local Street and Road Projects</u>:

Prior to the allocation of Retail Tax Revenues for any Local Street or Road Project, the Authority, in cooperation with affected agencies, shall determine the entity(ies) to be responsible for the maintenance and operation thereof.

D. <u>For Other Local Transportation Projects</u>:

In addition to Local Street and Roads Projects, jurisdictions may use Local Revenues (as defined in Section II C1 below) for any transportation purpose allowed for expenditure of tax revenues under Article XIX of the California Constitution, if the Authority has found that the jurisdiction has satisfied the following requirements:

1. The jurisdiction has included the transportation expenditure in its approved seven-year capital improvement program.

2. The jurisdiction makes a finding that streets and roads within the jurisdiction are adequately maintained and not in need of rehabilitation or reconstruction.

II. <u>ALLOCATION OF RETAIL TAX REVENUES:</u>

A. Subject to the provisions of the Ordinance and Section I above, the Retail Tax Revenues shall be allocated as follows:

1. First the Authority shall pay the State Board of Equalization for the services and functions contracted for pursuant to Section 4 of the Ordinance.

2. Second, the Authority shall pay the administrative expenses of the Authority pursuant to Section 9 of the Ordinance.

3. Third, the Authority shall satisfy the debt service requirements of all bonds issued pursuant to the Ordinance that cannot be satisfied out of separate allocations.

B. After providing for the allocations described in Section A hereof, and subject to the averaging provisions of Section E hereof, the Authority shall allocate annually the remaining Retail Tax Revenues (the "Net Tax Revenues") as follows:

1. 43% to Freeway Projects;

2. 11% to Regional Street and Road Projects;

3. 21% to Local Street and Road Projects; and

4. 25% to Transit Projects.

C. The allocation of 21% of Net Tax Revenues to Local Street and Road Projects pursuant to Section II B3 above shall be made as follows:

1. An annual allocation, equal to 14.6 percent of Net Tax Revenue (the "Local Revenues") shall be made available to Eligible Jurisdictions (as defined in Section II C1b) for Local Street Maintenance and Improvements (as defined in Section VII below).

a. The allocation of the Local Revenues to each Eligible Jurisdiction shall be determined as follows:

(i) 50 percent to each Eligible Jurisdiction based on the ratio of each Eligible Jurisdiction's population for the immediately preceding calendar year to the total County population (including incorporated and unincorporated areas) for the immediately preceding calendar year, both as determined by the State Department of Finance. [Amended May 23, 1994]

(ii) 25 percent to each Eligible Jurisdiction based on the ratio of each Eligible Jurisdiction's existing County Master Plan of Arterial Highways ("MPAH") miles to the total existing MPAH miles within the County as determined annually by the County; and

(iii) 25 percent to each Eligible Jurisdiction based on the ratio of each Eligible Jurisdiction's total taxable sales to the total taxable sales of the County for the immediately preceding calendar year as determined by the State Board of Equalization.

b. The County and/or any city within the County shall be an "Eligible Jurisdiction" if the Authority has found that the County or such city has satisfied and continues to satisfy, either the requirements of Orange County Local Transportation Ordinance No. 3 (Measure M2), or all of the following requirements:

(i) Adopted the provisions of the Growth Management Program.

(ii) Adopted a Local Transportation Demand Management Program (as described in the Growth Management Program) approved by the Authority.

(iii) Agreed to expend all Net Tax Revenues received within three years of receipt. The Authority may grant an extension of the three-year limit, but extensions shall not be granted beyond a total of five years from the date of the initial funding allocation. Failure to expend Net Tax Revenues within the time limits set forth above will make an otherwise Eligible Jurisdiction ineligible to receive additional Net Tax Revenues until reinstated as an Eligible Jurisdiction by the Authority.

(iv) Adopted a Traffic Circulation Plan consistent with the MPAH.

(a) Within six months after approval of the Retail Tax by the electors, the Authority, through a cooperative process involving the County and all of the cities within the County, shall adopt a definition of, and a process for, determining consistency of each jurisdiction's Traffic Circulation Plan with the MPAH.

(b) If the County and two-thirds of the cities cannot agree to a definition of, and a process for determining, the consistence of each jurisdiction's Traffic Circulation Plan with the MPAH, Retail Tax Revenues shall nevertheless be allocated to each Eligible Jurisdiction. In that event, each Eligible Jurisdiction may spend Retail Tax Revenues on Local Street Maintenance and Improvements as each Eligible Jurisdiction deems appropriate on Highways and Arterials which Eligible Jurisdiction determines to be consistent with those shown on the MPAH. In any case, Net Tax Revenues may not be spent in a manner which is inconsistent with or obstructs the implementation of the MPAH.

(v) Adopted a Local Pavement Management Plan and adequately funded the same.

(vi) Satisfied the Maintenance of Efforts Requirements set forth in Section 7 of the Ordinance.

(vii) Adopted a seven (7) year capital improvement program that includes all transportation projects programmed by the Eligible Jurisdiction for receipt of Retail Tax Revenues.

c. The Authority may phase the requirements in subparagraphs (ii), (iv) and (v) of this subsection 1.b pursuant to a comprehensive streets and roads eligibility program to be adopted by the Authority in order to give cities and the County reasonable time over a period of up to five years to comply with such requirements.

d. A determination of non-eligibility shall be made only after a hearing has been conducted before the Authority and a determination has been made by the Authority that the city or County is not an Eligible Jurisdiction as provided hereinabove.

2. An allocation of Net Tax Revenues shall be made available to Eligible Jurisdictions solely for expenditure on improvements to the roadways shown on the MPAH. Distribution and expenditure of these Net Tax Revenues shall be consistent with Division 19 of California Public Utilities Code and, unless such Division 19 otherwise requires, shall be governed by the policies and guidelines of the Combined Transportation Funding Programs as appropriate. [Amended June 9, 1997; Amended May 23, 1994]

3. An allocation of the lesser of 3.2 percent or $5 million of Net Tax Revenues, which annual allocations in the aggregate shall not exceed $100 million during the term of the

Ordinance, shall be made available to Eligible Jurisdictions for GMA improvement Projects (as defined in Policy Resolution No. 2 to the Ordinance). . [Amended June 9, 1997]

D. The award to Eligible Jurisdictions of the 11 percent of Net Tax Revenues allocated to Regional Street and Road Projects shall be determined pursuant to a countywide competitive procedure adopted by the Authority and patterned after those contained in the Federal Aid Urban, OCUTT and the AHFP programs as follows:

1. The Authority shall set allocations annually for regional competition in areas, including, but not limited to, the following categories:

a. Smart Streets; [Amended May 23, 1994]

b. Regionally significant interchanges;

c. Intersection improvement programs;

d. Traffic signal coordination; and

e. Programs encouraging Transportation Demand Management or Transportation Systems Management.

2. In determining the allocation of Net Tax Revenues to each competitive category, the Authority shall establish criteria for determining priority including, but not limited to:

a. Inclusion of a project in an adopted Seven-Year Capital Improvement Plan, as defined in the Growth Management Program;

b. Nomination of the project by more than one GMA;

c. Nomination of a project by a single GMA; and

d. Nomination of a project by an individual city or the County.

E. With the exception of funding for Local Street and Roads Projects, in any given year, the Authority may allocate Net Tax Revenues on a different percentage basis than required by Section II B hereof in order to meet short-term needs and to maximize efforts to capture state, federal, or private transportation dollars, provided the percentage allocations set forth in Section II B hereof shall be achieved during the twenty-year term of the Retail Tax.

III. PRIVATE SECTOR FUNDING. Retail Tax Revenues shall not be used to replace private developer funding which has been or will be committed for any project.

IV. ALLOCATION OF REPLACED FUNDS. If additional funds become available for a specific project or projects described in the Plan, the Authority may allocate the Retail Tax Revenues replaced by the receipt of those additional funds, in the following order of priority: first, to Plan projects and programs which provide congestion relief in the geographic region which received the additional funds; second, to other projects and programs within the affected geographic region which may be placed in the Plan through the amendment process described in Section 13 of the Ordinance; and third, to all other Plan projects.

V. TIMING OF DISBURSEMENTS AND SEPARATE ACCOUNTING OF FUNDS. [Amended May 23, 1994]

A. The Authority shall disburse Net Tax Revenues to Plan projects and programs as necessary to meet contractual and program obligations, and the Authority may withhold disbursements until needed to meet contractual project or program obligations, except that Net Tax Revenues Allocated for Local Street and Road Projects pursuant to Section II C1 above shall be paid to Eligible Jurisdictions within 60 days after receipt by the County.

B. Each agency receiving Net Tax Revenues shall maintain a separate accounting of such funds. Any interest earned on such Net Tax Revenues shall be expended only for those purposes for which the Net Tax Revenues were allocated or shall be returned to the Authority. The Authority shall have the right to audit such accounts. [Amended May 23, 1994]

VI. IMPLEMENTING ORDINANCES. Upon approval by the electors of the Retail Tax, the Authority shall adopt ordinances, rules and administrative procedures in addition to the local rules required to be provided pursuant to this Ordinance, and shall take such other actions as may be necessary and appropriate to carry out its responsibilities to implement the Plan and this Ordinance.

VII. DEFINITIONS.

A. Eligible Jurisdiction. "Eligible Jurisdiction" shall mean the County or a city in the County which satisfies the requirements of Section II C 1b hereof.

B. Freeway Projects. "Freeway Projects" shall mean all construction and improvement of freeways and usable portions thereof described in the Plan.

C. Highways and Arterials. "Highways and Arterials" shall mean the design, right-of-way acquisition, and construction of highway and arterial street facilities, including all interstate highway routes and any other facilities so designated in the Plan, and all purposes and activities necessary and convenient thereto.

D. Local Pavement Management Plan. "Local Pavement Management Plan" shall mean a system to monitor the condition of and perform periodic maintenance and rehabilitation of streets, roads and highways.

E. Local Street Maintenance and Improvements. "Local Street Maintenance and Improvements" shall mean the maintenance, operation and construction of local streets and roads and all activities and purposes necessary and convenient thereto, including all purposes allowable under Article XIX, Section 1(a) of the State Constitution.

F. Local Street and Road Projects. "Local Street and Road Projects" shall mean those street maintenance and local road projects as defined in the Plan.

G. Local TSM Program. "Local TSM Program" shall mean those projects and programs to increase the capacity of the transportation system as described in the Plan.

H. Regional Street and Road Projects. "Regional Street and Road Project" shall mean those streets and projects defined in the Plan.

I. State Highway Projects. "State Highway Projects" shall mean projects for the construction or improvement of any State Highway as described in Section 24 of the California Streets and Highways Code.

J. State Transportation Improvement Program. "State Transportation Improvement Program" shall mean the transportation capital improvement program adopted by the California Transportation Commission pursuant to California Government Code Section 14529.

K. Smart Streets. "Smart Streets" shall mean the 220 mile network of arterial streets described in the Plan. [Amended May 23, 1994]

L. Traffic Circulation Plan. "Traffic Circulation Plan" shall mean the Traffic Circulation Element of a local general plan as defined under California Government Code Section 65302.

M. Transportation Demand Management. "Transportation Demand Management" shall mean those programs and projects to reduce demand on the transportation system as defined in the Plan.

N. Transportation Systems Management. "Transportation System Management" shall mean those programs and projects to increase capacity on the transportation system as defined in the Plan.

O. Transit. "Transit" shall mean all expenditures necessary and convenient to the construction, operation, and maintenance of transit services and facilities including the acquisition of vehicles and right-of-way. Transit services include, but are not limited to, bus, light rail, rapid transit, commuter rail services and facilities, and carpools and ridesharing in private vehicles.

P. Transit Facilities. "Transit Facilities" shall mean all transit facilities constructed, maintained or improved pursuant to this Ordinance and Plan.

Q. Transit Projects. "Transit Projects" shall mean all projects described in the Plan for the construction, maintenance, improvement and operation of Transit Facilities.

ORANGE COUNTY TRANSPORTATION COMMISSION

By: [signature]
Dana W. Reed, Chairman

Date: 8-2-90

Approved as to form:
Parker and Covert

By: Clayton H Parker
Attorneys for Orange County Transportation Commission

ORANGE COUNTY DIVISION, LEAGUE OF CALIFORNIA CITIES

COUNTYWIDE TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT PROGRAM:

COUNTYWIDE GROWTH MANAGEMENT PLAN COMPONENT

ORANGE COUNTY DIVISION, LEAGUE OF CALIFORNIA CITIES
COUNTYWIDE TRAFFIC IMPROVEMENT
AND GROWTH MANAGEMENT PROGRAM:
COUNTYWIDE GROWTH MANAGEMENT PLAN COMPONENT
Revised 6-15-89
Amended 9-23-91
Amended 5-23-94

INTRODUCTION

The Traffic Improvement and Growth Management Program is designed to achieve a cooperative process among Orange County's local jurisdictions to promote traffic improvement and stronger planning on a countywide basis. The program is also fashioned to maintain local authority over both land use decisions and the establishment of specific performance standards while considering regional impacts.

In recognition of differing needs, the program is structured to distinguish between developed and developing communities. While a future sales tax for transportation is intended to alleviate existing transportation problems, the program also is designed to assure the mitigation of the future residential, business, and commercial on the need for new facilities.

The Traffic Improvement and Growth Management Program reflects the intent of the Cities and the County of Orange to create a process that results in the maintenance of the quality of life in Orange County through sound planning for growth. The program envisions each jurisdiction adopting a Growth Management Element to their General Plan as a high visibility means to demonstrate a commitment to maintaining Orange County's quality of life.

GROWTH OF THE TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT PROCESS

The goals of the Traffic Improvement and Growth Management Program shall be to:

- Outline each agency's plans and efforts to develop multi-jurisdictional traffic solutions through well-defined cooperative planning process;
- Specify traffic level of service standards;
- Promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Demand Management (TDM); [Amended September 23, 1991]
- Provide funding for construction and maintenance of street, road and highway facilities;
- Require a locally collected and administered traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;

- Foster a better balance of jobs and housing and attempt to reduce the length of commuter trips through careful planning;
- Provide that local jurisdictions, where applicable, establish performance standards for fire, police, library, flood control, and other infrastructure services based on local criteria;
- Require the phasing of new development to insure that service level goals are achieved;
- Envisions the creation of a deficient intersections program to promote funding matches between local fees and proceeds from the sales tax corrected deficiencies.

LOCAL STREET MAINTENANCE AND IMPROVEMENTS

Portions of the monies received from future transportation sales tax will be returned to local jurisdictions (the Cities and the County) for use on local, subregional, and regional transportation improvements and maintenance projects. The intent of this program is to condition receipt of all such funds on compliance with a Traffic Improvement and Growth Management Program as described below.

ALLOCATION OF FUNDS

The Orange County Local Transportation Authority[1] will annually review local jurisdictions' Seven-Year Capital Improvement Programs and allocate transportation sales tax funds to cities, the County, and other eligible agencies as provided in the Countywide Traffic Improvement and Growth Management Program. [Amended September 23, 1991]

At its option to receive local street maintenance and improvement funds from the Authority, each jurisdiction shall submit a statement of compliance with the Traffic Improvement and Growth Management Program. The Authority shall conduct an administrative review and distribute funds based on a jurisdiction's certification of compliance regarding the Traffic Improvement and Growth Management Program. The Authority shall review this statement at a minimum of every five years and make findings regarding the jurisdiction's efforts. If the jurisdiction's efforts are found in compliance, the jurisdiction will be allocated its share of local street maintenance and improvement funding. [Amended September 23, 1991]

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[1] The Orange County Transportation Commission is currently designated by the Board of Supervisors as the Transportation Authority responsible for administering the proceeds of an Orange County sales tax for transportation. Due to ongoing discussions regarding the nature of regional and subregional transportation planning, including transportation consolidation issues and the possible formation of the Orange County Council of Governments, it is possible that a different or expanded transportation planning agency could assume the Transportation Authority function in the future.

Because of great variation among jurisdictions, it is expected that the Authority will need some flexibility in determining compliance with the Traffic Improvement and Growth Management Program. Generally, this flexibility may take the form of the Authority establishing specific deadlines for achieving one or more requirements as a condition of receiving local street maintenance and improvement funds. Nothing in this program, however, shall be construed to imply that the Authority may interfere with the land use decisions of local jurisdictions.

The Authority's flexibility in determining eligibility to receive funding is limited solely to determining if a jurisdiction has adopted, if and where required by this plan, the jurisdiction's method of applying: traffic level of service standards; planning standards for fire, police, library, flood control, parks and open space and other locally-determined needs; a development mitigation program; a development phasing program; a seven-year capital improvement program; and is participating in inter-jurisdictional planning forums; has addressed housing options and job opportunities; and has adopted a transportation demand management ordinance. [Amended September 23, 1991]

TRAFFIC IMPROVEMENT AND GROWTH MANAGEMENT PROGRAM

The Traffic Improvement and Growth Management Program recognizes that Orange County contains both developed and developing communities. Generally, existing developed communities already contain public facilities necessary to support general plan land use elements, but may require new or improved additional transportation facilities to implement circulation elements and the regional system. Developing communities still need additional public facilities to bring their general plans into balance.

The Traffic Improvement and Growth Management Program also recognizes the need to promote multi-jurisdictional forums to implement facilities, which support several jurisdictions. The Program envisions the establishment of Growth Management Areas (GMAs) based upon groupings of local jurisdictions. The GMAs will enable local jurisdictions to focus their mutual concerns, coordinate improvements, and implement those improvements cooperatively through inter-jurisdictional forums. The GMAs are to be defined in terms of developed or developing communities for purposes of the Traffic Improvement and Growth Management Program requirements. Inter-jurisdictional forums, consisting of officials within identified GMAs are to be convened annually to discuss developments with multi-jurisdictional impacts and to promote dialogue on appropriate mitigation measures. Nothing in the Traffic Improvement and Growth Management Program shall be construed to limit any jurisdiction's ability to coordinate or cooperate with other jurisdictions not contained in the same Growth Management Area. [Amended May 23, 1994]

To receive its local street maintenance and improvement funds, each jurisdiction must, except where otherwise specified:

Adopt a Growth Management Element

Each jurisdiction is to adopt a Growth Management Element of its General Plan to be applied in the development review process.

Developed GMAs shall include within their element, sections 1, 3, and 4. Developing GMAs shall include within their elements section 1 through 4 inclusive. In addition, all jurisdictions must comply with, but not necessarily include with their element, sections 5, 6, 7 and 8 below unless otherwise specified.

The City-County Coordination Committee, or successor agency, shall prepare guidelines and administrative procedures to aid local jurisdictions in the development of Growth Management Elements. Local jurisdictions shall develop their Growth Management Element within one year after receipt of the guidelines which shall be prepared within six months of an election containing a sales tax measure for transportation improvements or implementation appropriately taken through the City-County Coordination Committee.

1. SPECIFY TRAFFIC LEVEL OF SERVICE (LOS) STANDARDS to implement local jurisdiction service level goals.

   Each jurisdiction shall determine how traffic LOS standards are to be applied to their General Plan land use and circulation elements and specific land use categories. Each jurisdiction shall comply with its adopted standards.

   The general target standard for each jurisdiction should be LOS(D) for intersections, but it is recognized that jurisdictions may establish lower LOS standards for certain intersections in urbanized areas.

   Level of Service (LOS) would be measured by the Traffic Level of Service Policy Implementation Manual established by the Authority, as reviewed and approved by the City-County Coordinating Committee or successor agency. Any issues with respect to the application of the Traffic Level of Service Policy Implementation Manual shall be referred to the County Transportation Commission's Technical Advisory Committee, or successor committee, for review and recommendation to the Authority. In the event that an intersection(s) exceed(s) the applicable Traffic Service standards, local jurisdictions, in consultation with inter-jurisdictional forums, shall establish appropriate mitigation measure or determine that a given intersection is subject to a finding of special circumstances.

   Any intersection that presently exceeds the local Traffic Service standard and which will be brought into compliance in the most current Seven-Year Capital Improvement Program shall be considered to be in compliance with the applicable standard. In cases where an intersection is not brought into compliance in the most current Seven-Year Capital Improvement Program, for reasons beyond the control of the governing jurisdiction (e.g. ramp metering effects, traffic generated outside the jurisdiction or state highway designation), it shall be added to a Deficient Intersection List. Projects located within the same GMA as the projects contributing cumulatively, or individually, 10% or more of the traffic using an intersection will be assessed a mitigation fee determined by the involved local jurisdictions and locally administered as part of their Seven-Year Capital Improvement Program. [Amended September 23, 1991]

The Authority, jointly with affected local jurisdictions, shall determine and periodically review the application of Traffic Level of Service Standards on routes or regional significance such as Smart Streets. The review will take into account traffic originating outside the County or jurisdiction, environmental issues and financial considerations. Local jurisdictions, through the inter-jurisdictional forums with the Authority, shall jointly determine the appropriate measures and programs for mitigation of regional traffic impacts within their boundaries. [Amended May 23, 1994]

Transportation Capital projects necessary to meet and maintain the Traffic Service standards are to be included in the required Seven-Year Capital Improvement Program. [Amended September 23, 1991]

2. ADOPT PLANNING STANDARDS, maintained through capital projects, for the following items, based on local criteria (required for developing GMAs only).

   a. fire
   b. police
   c. library
   d. flood control
   e. parks and open space
   f. other items as determined by each jurisdiction

   Capital projects necessary to meet and maintain the Service standards are to be included in the required Seven-Year Capital Improvement Program.

3. ADOPT A DEVELOPMENT MITIGATION program to ensure that new growth is paying its fair share of the costs associated with that growth.

   Local jurisdictions, for the most part, already impose fees for a variety of purposes, including site specific traffic improvements. Only a few jurisdictions impose fees for regional traffic mitigation. To meet the requirements of this section, each jurisdiction shall:

A. Adopt a development mitigation program to ensure that development is paying its share of the costs associated with that development. The program will be coordinated through inter-jurisdictional forums within the GMAs.

B. Each jurisdiction shall impose or continue an existing traffic impact mitigation fee for improvements within its boundaries and GMAs. Inter-jurisdictional planning forums shall determine minimally acceptable impact fee levels for application within their specific GMA. Such fee levels will serve as a base amount for impact fees for jurisdictions within a GMA, but individual jurisdictions may impose greater levels if they so desire.

C. Ensure that new revenues provided by a sales tax increase measure shall not be used to replace private developer funding which has been committed for any project.

In addition, the Authority, in cooperation with inter-jurisdictional forums and local jurisdictions, shall:

A. Develop a program of regional traffic mitigation projects needs as determined in, but not limited to, the 20-Year Master Plan for Transportation Improvements.

B. Determine the most feasible methods of mitigating regional traffic impacts. Existing traffic impact fees shall be taken into consideration by the Authority.

4. ADOPT A DEVELOPMENT PHASING AND ANNUAL MONITORING PROGRAM to ensure that service goals are achieved.

Jurisdictions shall prepare, in conjunction with the Seven-Year Improvement Program, a phasing and monitoring program for development entitlements and circulation improvements within their jurisdictions. These phasing and monitoring programs shall also ensure that infrastructure is added and development proceeds so that balance between public facilities demand continues. The program shall provide reasonable lead time (five years from first grading permit or three years from first building permit) to design and construct improvements. In developed GMAs, phasing programs shall be limited to development entitlements tied to transportation improvements only. The annual monitoring program would also serve to provide a performance monitoring mechanism to identify potential deficiencies and corrective measures. The costs of the annual monitoring program may be an eligible expense from the proceeds of the annual increase in the sales tax for transportation improvements. [Amended September 23, 1991]

5. PARTICIPATE IN INTER-JURISDICTIONAL PLANNING FORUMS TO REDUCE CUMULATIVE REGIONAL TRAFFIC IMPACTS OF DEVELOPMENT.

Local jurisdictions, in cooperation with the City-County Coordination Committee or successor agency, shall establish inter-jurisdictional forums at the GMA level to cooperate in easing cumulative traffic impacts and coordinating improvements in transportation and other facilities at the inter-jurisdictional level. The Authority will support these efforts by an ongoing countywide comprehensive transportation planning process in which all jurisdictions shall assist in developing and participate.

As part of this process, a uniform database of traffic impacts will be created based on a countywide transportation computer model developed using proceeds from an increase in the sales tax for transportation improvements. It is recognized that, in consultation with local jurisdictions, the existing transportation computer model maintained by the County would serve as the basis for this process.

Small area models used to determine the impacts of development of the circulation system shall be based on the countywide models and shall use standardized modeling assumptions and conventions. Standardized modeling would provide an opportunity to test proposed amendments to individual jurisdictions' General Plan Transportation and Land Use Elements and to assist cities and the County in determining the impacts of development projects proposed for General Plan Amendments. This also provides for the development of common standards with which to calculate traffic impacts across the jurisdictional boundaries.

Input for the model should include such items as each jurisdiction's Seven-Year Capital Improvement Program of transportation projects (see Section 6) and the projects of Federal, State and regional agencies such as Caltrans, transit operators, and the Southern California Association of Governments. In addition, the computer model database should include each local jurisdiction's anticipated land use development projects reasonably expected to be constructed within the next five years. [Amended September 23, 1991]

6. DEVELOP A SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM to meet and maintain both its adopted Traffic Service and Performance Standards.

   Each jurisdiction shall determine the capital projects needed to meet and maintain both its adopted Traffic Level of Service and Performance Standards Capital financing programming will be based on proposed development to be constructed during (at a minimum) the following seven-year period. The Capital Improvement Program shall include approved projects and an analysis of the costs of the proposed project as well as a financial plan for providing the improvements. [Amended September 23, 1991]

7. ADDRESS HOUSING OPTIONS AND JOB OPPORTUNITIES as related to transportation demand on a city, subregional, and countywide basis. [Amended September 23, 1991]

8. ADOPT A TRANSPORATION DEMAND MANAGEMENT (TDM) ORDINANCE or alternative mitigation to reduce single occupancy automobile travel.

   To promote carpools, vanpools, alternate work hours, park and ride facilities, telecommuting and other traffic reduction strategies, the Authority recognizes the model Transportation Demand Management Ordinance developed by the Orange County Congestion Management Program Technical Advisory Committee, for use by local jurisdictions in developing local ordinances for adoption and implementation. Cities with a small employment base, as defined in the model ordinance, may adopt alternative mitigation measures in lieu of adopting a TDM ordinance. [Amended September 23, 1991]

Revised Traffic Improvement and Growth Management Plan

ORANGE COUNTY
TRANSPORTATION
COMMISSION

March 2010
Revised Traffic Improvement and Growth Management Plan Expenditure Plan (1988 $ x million)

Current Expenditure Plan

Freeway Projects — $ 1,325

Project	Cost	
I-5 (Santa Ana Freeway) between I-405 (San Diego Freeway) and I-605 (San Gabriel Freeway)	$ 743	
I-5 (San Diego Freeway) between I-5/I-405 Interchange and San Clemente	$ 52	
I-5/I-405 Interchange	$ 66	
S.R. 55 (Costa Mesa Freeway) between I-5 and S.R. 91(Riverside Freeway)	$ 44	*
S.R. 57 (Orange Freeway) between I-5 and Lambert Road	$ 22	
S.R. 91 (Riverside Freeway) between Riverside County Line and Los Angeles County Line	$ 95	*
S.R. 22 (Garden Grove Freeway) between S.R. 55 and Valley View Street	$ 303	**
Freeway Sub-total	**$ 1,325**	

Regional Street and Road Projects — $ 350

Project	Cost
Smart Streets	$ 120
Regionally Significant Interchanges	$ 70
Intersection Improvement Program	$ 100
Traffic Signal Coordination	$ 50
Transportation Systems Management and Transportation Demand Management	$ 10
Streets and Roads Sub-total	**$ 350**

Local Street and Road Projects — $ 650

Project	Cost
Master Plan of Arterial Highway Improvements	$ 100
Streets and Roads Maintenance and Road Improvements	$ 450
Growth Management Area Improvements	$ 100
Local Street and Road Sub-total	**$ 650**

Transit Projects — $ 775

Project	Cost
Pacific Electric Right-of-Way	$ 15
LOSSAN Intercity Rail Program	$ 20
LOSSAN Commuter Rail	$ 215
Riverside Commuter Rail	$ 40
High-Technology Advanced Rail Transit	$ 340
Elderly & Handicapped Fare Stabilization	$ 20
Transitways	$ 125
Transit Sub-total	**$ 775**

TOTAL — $ 3,100

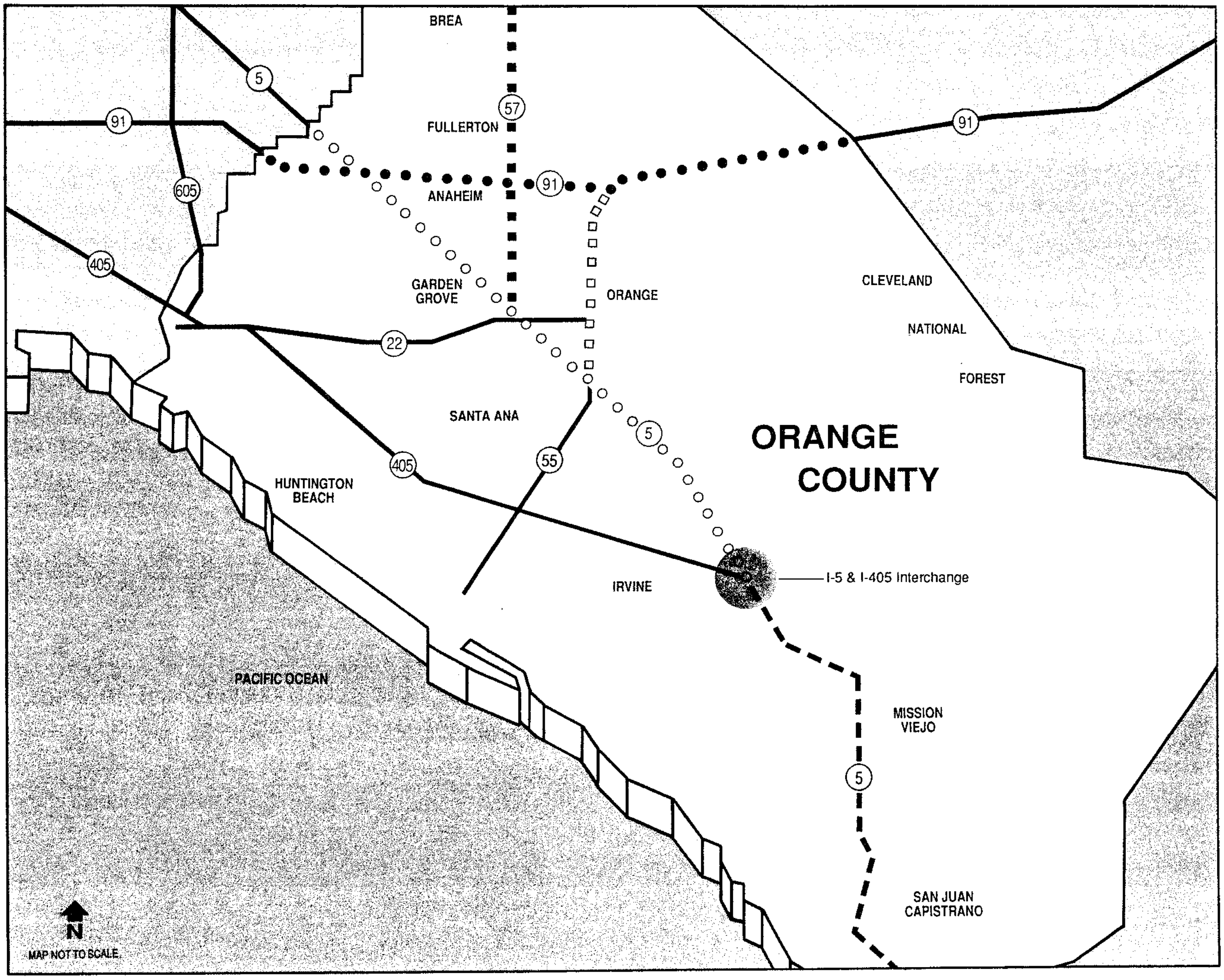
* Pursuant to Resolution No. 94-03 dated 4/11/94, these projects shall be first in priority for State Transportation Improvement Program funds.

** Measure M project budget, assuming a 2004 construction date, is $327 million. Pursuant to Resolution No. 04-xx dated 9/13/2004, OCTA shall pursue reimbusement of $123.7 million in Transporation Congestion Relief Funds

This page replaces the previous page 18, in accordance with the OCTA Board action dated 3/8/10

Amendment March 8, 2010

Orange County Freeway Projects



Legend

- □ □ □ □ □ □ S.R. 55 (Costa Mesa Freeway)
- ■ ■ ■ ■ ■ ■ S.R. 57 (Orange Freeway)
- ● ● ● ● ● ● S.R. 91 (Riverside Freeway)
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- ▬ ▬ ▬ ▬ ▬ I-5 (San Diego Freeway)
- I-5 & I-405 Interchange

Orange County Freeway Project Descriptions

Santa Ana Freeway Improvement for the San Diego Freeway (I-405) to the Los Angeles County Line

Description:
Rebuilding of the Santa Ana Freeway is critical to the county's continued mobility. This project forms the centerpiece of the *20-Year Master Plan of Transportation Improvements.* Fifty percent of all Orange County residents live within three miles of this facility and two-thirds of all jobs lie in this transportation corridor. The staged improvements call for the addition of up to three lanes in each direction, rebuilding the freeway-to-freeway interchanges, and providing soundwalls and environmental mitigation. The project begins where I-5 separates from the I-405 and continues north to the Los Angeles County line. Two of the new travel lanes will be dedicated to carpools.

Within this length of freeway is the I-5/SR 57/SR 22 interchange. This is the nation's seventh busiest interchange. This interchange and all other intermediate interchanges will be improved as part of this project. Traffic on I-5 north of I-405 was 160,000 vehicles per day in 1988 and in the future the vehicular demand is expected to increase to over 260,000 daily.

Costs:
The overall cost of the I-5 project is estimated to be $1.6 billion. Existing state and federal resources are expected to fund $1.1 billion with the sales tax revenue providing the additional $550 million to complete the project.

Implementation:
Construction will start immediately. Sales tax revenue would be used to augment funding, alleviate cash flow constraints, and accelerate project delivery by 10 years.

San Diego Freeway (I-5) from the I-5/I-405 Confluence to San Clemente

Description:
Current plans for I-5 south of the confluence call for adding one carpool lane in each direction, building soundwalls and other environmental amenities. This project includes the segment of I-5 from the I-405 confluence to San Clemente near the San Diego County line, a distance of approximately 12 miles. In 1988, the freeway carried approximately 170,000 vehicles per day and forecasts show demand to increase to over 230,000 daily.

Costs:
The estimated capital cost for this section of the I-5 improvement is about $80 million.

Implementation:
Project construction is scheduled to begin during the first 10-year period of the plan.

I-5/I-405 Interchange

Description:
The need for improving one of the county's busiest interchanges has been identified in numerous studies. In 1988 over 260,000 vehicles a day traveled through this interchange and forecasts show this demand will grow to over 350,000 vehicles daily. This project calls for the construction of bypass and feeder lanes along I-5 for the "El Toro Y" interchange. This will greatly improve traffic movement between the Santa Ana Freeway and the San Diego Freeway, as these facilities are widened to add three new lanes in each direction (including carpool lanes) on the I-5, and carpool lanes to the San Diego Freeway.

Costs:
The capital cost in 1988 dollars is estimated at $55 million.

Implementation:
Construction will begin within the first five years of the 20-year program. This project plays a critical role in the improvement of the I-5.

Orange County Freeway Project Descriptions

Costa Mesa Freeway (SR 55) from the Riverside Freeway to Interstate 5

Description:
The 20-Year Master Plan of Transportation Improvements calls for the addition of two new general purpose lanes to the Costa Mesa Freeway for a distance of approximately six miles. In 1988 Route 55 carried about 180,000 vehicles per day and forecasts show demand to exceed 190,000 in the future. Auxiliary lanes are also planned, in addition to providing soundwalls and other environmental mitigation measures.

Costs:
The current estimated capital cost (1988) is approximately $200 million.

Implementation:
Construction is scheduled for the second 10-year period of the plan.

Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5

See Updated Project Description on Page 21.a

Riverside Freeway (SR 91) from the Los Angeles County Line to the Riverside County Line

Description:
Long-range plans call for the addition of one carpool lane in each direction on the Route 91 from Riverside County line to Los Angeles County line. The first phase of this project on Route 91 extends from the Riverside County line and terminates at the Orange Freeway. The second phase extends from Route 57 to the Los Angeles County line. In addition to the carpool lanes, plans for the freeway include rebuilding the freeway-to-freeway interchanges and providing soundwalls and other environmental mitigation features. About 210,000 vehicles used this freeway in 1988 and forecasts show demand to exceed 240,000 in the future. Both Los Angeles and Riverside counties have plans to improve SR 91 within their jurisdictions.

Costs:
The capital cost for these improvements is $400 million.

Implementation:
Construction of Phase I improvements is scheduled for the first 10 years of the plan and Phase II improvements will occur during the second 10 years.

Additional Information for the Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5 is on page 21.a, in accordance with the OCTA Board action of 3/8/2010

Orange Freeway (SR 57) from the Los Angeles County Line to Interstate 5

Description:
The 20-Year Master Plan for Transportation Improvements calls for the addition of one carpool in each direction to the orange Freeway for it entire length within Orange County. This covers a distance of about 12 miles. In addition, soundwalls and other environmental amenities will be added. In 1988, this freeway carried over 210,000 vehicles per day and forecasts estimate this demand to grow to over 280,000 daily. Los Angeles County plans for additional lanes that extend the improvements north to Route 60 in Diamond Bar.

The 2007 Renewed Measure M Transportation Investment Plan lists additional improvements for this corridor under "Project G – Orange Freeway Improvements." Use of ~~available~~ Measure M1 funds will enable Orange County to leverage state funds and deliver the improvements earlier <u>should any additional M1 funds become available</u>.

Costs:
The 1988 capital cost estimate for this improvement is $22 million. ~~The cost of pre-construction work on the early action Renewed Measure M improvements on the Orange Freeway is $16 million (in 1988 dollars).~~

Implementation:
The current schedule slates the Orange Freeway improvements for the first five-year period of the plan. ~~Design of the early-action Orange Freeway improvements will begin in 2007 and construction is scheduled to begin in 2010.~~ <u>Design and environmental clearance of the latest Orange Freeway improvements are nearly complete and construction is expected to begin in late 2010.</u>

<u>References:</u>

1. Renewed Measure M Transportation Investment Plan, July 2006.
2. Renewed Measure M Early Action Plan, Draft Report, Orange County Transportation Authority, July 16, 2007.

Add:

3. <u>Renewed Measure M Early Action Plan Review, December 14, 2009</u>

This page is a revision in accordance with the OCTA Board action of 3/8/2010

Garden Grove Freeway (State Route 22) from Route 55 to Interstate 605 Including West County connection improvements

Description:
State Route 22 is the last major freeway in Orange County slated for measure M-funded improvements. In 2000, over 174,000 vehicles a day traveled on this freeway and forecasts show demand increasing to over 212,000 daily. At the west end, SR-22 connects with Interstate 405 and Interstate 605 – "West County Connection." This freeway segment carries over 430,000 cars today and future demand is projected to reach 526,000. Plans call for the addition of carpool lanes in each direction along with auxiliary lanes, freeway-to-freeway carpool connectors, interchange improvements, and environmental mitigation.

Costs:
The Measure M contribution for this project shall not exceed $303 million in 1988 dollars. These funds will leverage existing Federal, State, and Local sources that are providing over $235 million for improvements. In 2007, an additional $400 million of new state and federal funds were made available to the West County Connection.

Implementation:
Design of the project will begin immediately. Construction is targeted to begin by 2004. Sales Tax revenues would be used to augment funding from other sources. Design of the West County Connection improvements will begin in 2007 and construction is scheduled to begin on 2009.

References:
State Route 22/West County Connection Project Report, Caltrans, March 2003

This page replaces the former page 21.5, and is a revision in accordance with the OCTA Board action dated 9/24/2007

SR-22/405/605
HOV Connectors

Project Description:
This project proposes to construct direct HOV connectors from SR-22 to I-405 (between Seal Beach Blvd. and Valley View St.) and from I-405 to I-605 (between Katella Ave. and Seal Beach Blvd.) with a second HOV lane in each direction on I-405 between the two direct connectors. This project is Phase II of the SR-22/WOCC widening project. Phase I added an HOV on SR-22 between Glassell Avenue in the City of Orange and Valley View Street in the city of Garden Grove, plus auxiliary lanes between SR-55 and Valley View Street.

Corridor Description:
State Route 22 (SR-22) is an east-west transportation corridor that provides connections to five major Interstate 5, 405 and 605, and State Routes 55 and 57 and that crosses most of the major north-south arterial corridors in Central Orange County.

Funding:

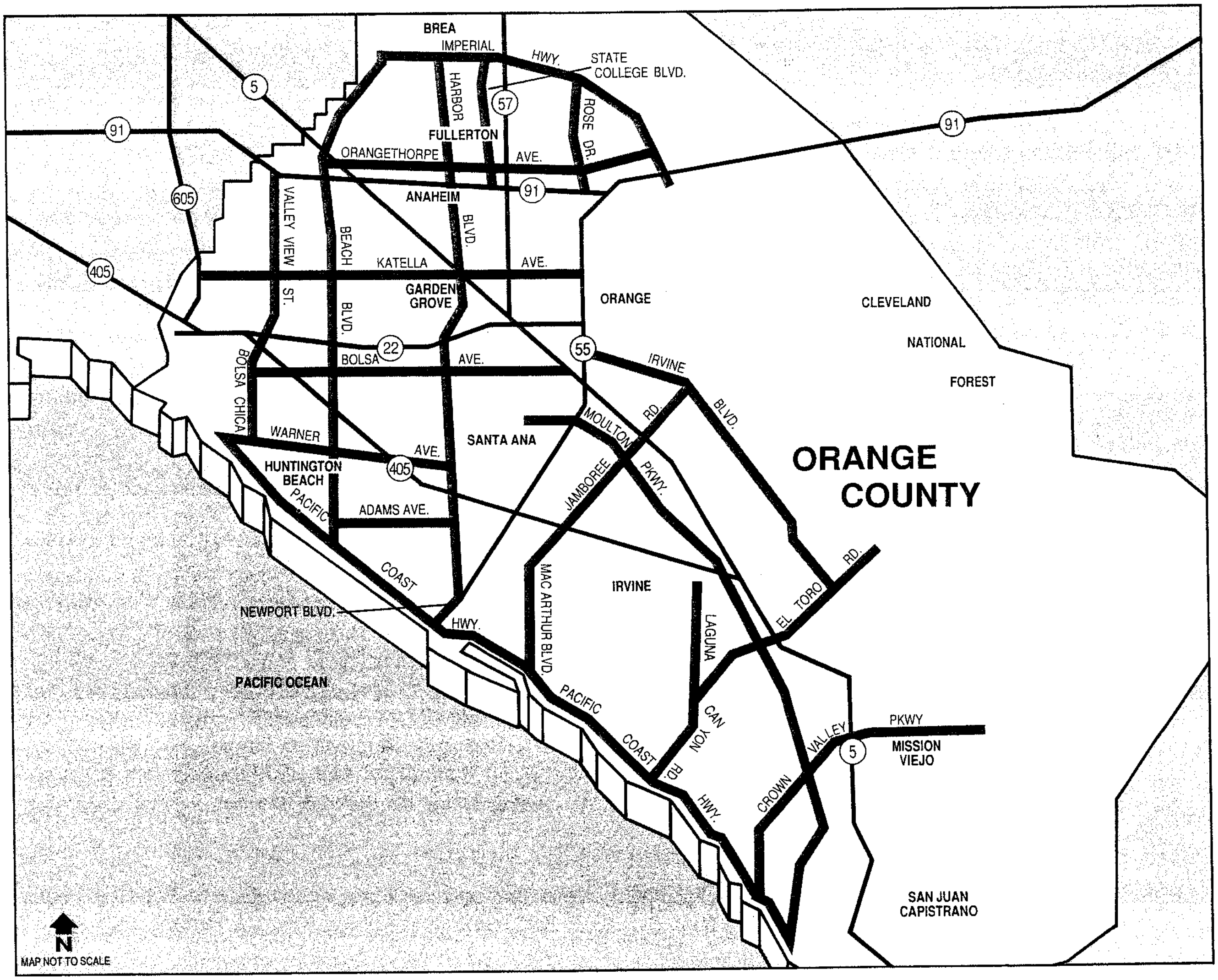
Total project Cost:	$400,000
CMIA Funds Recommended:	$200,000
Local Match;	$200,000

Project Schedule:

Ready for advertisement:	Mid 2009
Construction award:	Early 2010
Construction complete:	Mid 2012

This page is a revision in accordance with the OCTA Board action dated 9/24/2007

Orange County Streets and Roads Projects



Legend

Super Streets

Freeways

Please note: The following projects are included under Orange County Street and Road Projects but not shown on map:

1. Regional Interchanges
2. Intersection Improvement Program throughout Orange County
3. Signal Coordination throughout Orange County
4. Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)
5. Master Plan of Arterial Highways for Orange County
6. Streets Maintenance and Local Roads Projects
7. Growth Management Area Improvements

Orange County Streets and Roads Project Descriptions

Super Streets Throughout Orange County

Description:
The Super Street Program for Orange County is a 220-mile network of arterial streets targeted for improvements designed to increase their ability to carry traffic. These improvements consist of traffic signal synchronization, restriping/widening roadways to increase the number of travel lanes, intersection grade separations, bus turnouts, removal of on-street parking, and intersection improvements. The Super Street Network includes 21 major arterial streets throughout Orange County such as Beach Boulevard, Katella Avenue and El Toro Road.

Costs:
$120 million of sales tax revenue is targeted for Super Street improvements.

Implementation:
Improvements would be phased over the 20-year program, and coordinated with other local improvements.

Regional Interchanges

Description:
The goal of the program is to further enhance the local street interchanges at key freeway junctions such as the interchanges of I-405 and Warner Avenue, and Route 22 and Beach Boulevard. The program also would direct connections between the transitway system and local streets, for example at Route 57 and Cerritos Avenue.

Local agencies would be required to provide dollar-for-dollar matching funds. All freeway and major street junctures throughout Orange County are eligible. Improvements will be coordinated with other freeway projects and phased in over 20 years.

Costs:
$70 million of sales tax revenue is targeted for this program.

Intersection Improvement Program Throughout Orange County

Description:
The 20-Year Master Plan of Transportation Improvements recommends that 100 of the county's most congested street intersections such as the intersections of Bristol/MacArthur Boulevard, El Toro Road/Rockfield and State College Boulevard/Imperial Highway be identified and scheduled for improvement. This program will help alleviate traffic bottlenecks present in Orange County. The schedule shows these improvements to span the full period of the plan.

Costs:
$100 million over a 20-year period is recommended for this program.

Signal Coordination Throughout Orange County

Description:
With 29 cities in Orange County, the number of jurisdictions can complicate the coordination of traffic signals between city boundaries. This element of the *20-Year Master Plan of Transportation Improvements* calls for financial assistance to cities and the County of Orange in timing traffic signals where streets cross city boundaries.

Costs:
$50 million over a 20-year period is targeted for these improvements.

Master Plan of Arterial Highways for Orange County

Description:
The County of Orange currently provides $4 million annually to complete the construction of major streets countywide. Over 80 percent of the county's road system has been constructed. Additional funding is proposed that, when combined with county and other local funds, will help complete the system. Construction will occur throughout the 20-year program.

Costs:
$100 million is allocated to construct and improve local streets and roads.

Orange County Streets and Roads Project Descriptions

Local Transportation Systems Management and Transportation Demand Management Plans (TSM/TDM)

Description:
Transportation system and demand management focus on increasing the present capacity of the transportation system for the movement of people rather than of vehicles at a relatively low capital cost. Thus, these strategies center on increasing the occupancy of vehicles and spreading the demand for travel to times when facilities have excess capacity. These measures include carpooling and vanpooling programs, park-and-ride service development, removal of on-street parking, parking management, and controlling delivery and operations of commercial vehicles. Also included are bicycling, alternative work hours, development of site amenities to encourage high occupancy use, such as transit shelters and preferential parking, and reversible traffic lanes to add capacity to the peak direction. This element of the *20-Year Plan for Transportation Improvements* calls for each city to develop and implement TSM/TDM strategies. Implementation of these improvements will occur throughout the life of the 20-year program.

Costs:
$10 million is required for this program.

Growth Management Area Improvements

Description:
An important component of the plan is the formation of Growth Management Areas that will blend local and regional planning perspectives and traffic control techniques. These areas will be established by grouping local jurisdictions with similar land use and transportation characteristics. This program element will focus on addressing cumulative regional traffic impacts of development. Specifically, funds will be used to complete traffic improvements crossing city/county boundaries. Under no circumstances may local government use funds from the program to subsidize costs which should be borne by developers.

Costs:
$100 million over a 20-year period is targeted for this program.

Streets Maintenance and Local Roads Projects

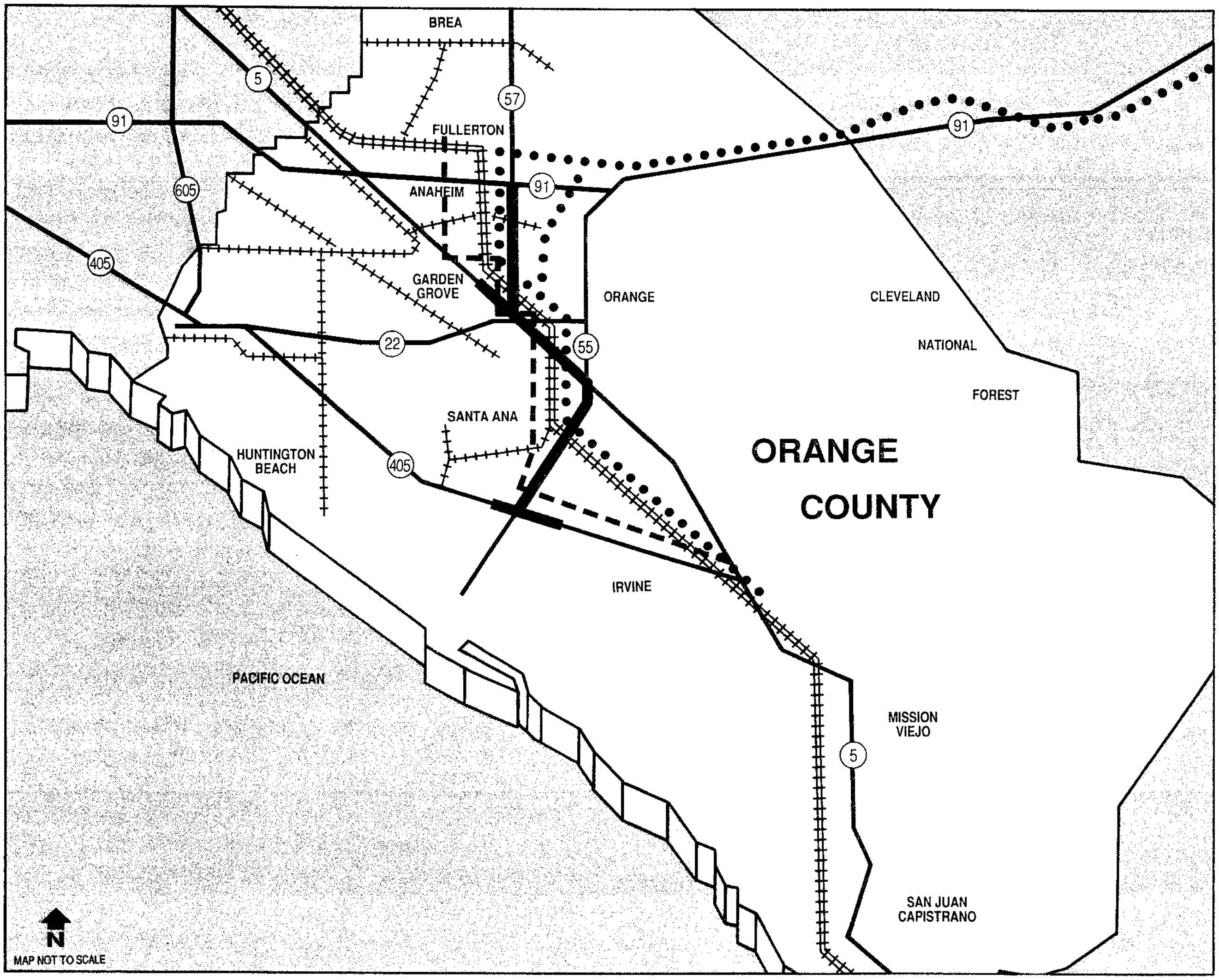
Description:
This program element offers cities funds for street maintenance and local traffic improvements. The program is designed to supplement city and county expenditures on road projects and will require continuation of local investment in the street and road system. Specifically, to receive these funds cities must:

- adopt a *Growth Management Plan* as called for in the 20-Year Master Plan;
- adopt a local *Pavement Management System* that will eliminate the need for costly road reconstruction and adequately fund such a system;
- adopt a local *Transportation Systems Management* plan to make better use of the road network;
- agree to complete improvements within three years or return the funds; and
- adopt a local traffic circulation plan that is consistent with the countywide *Master Plan of Arterial Highways*.

This is a countywide program to maintain and improve over 5,000 miles of local streets and roads and will extend over the entire 20-year program.

Costs:
Previous studies have indicated that an initial investment of $200 million is needed to bring all deficient streets into good repair, and an annual allocation of $36 million for routine maintenance. It is proposed to allocate $450 million towards such needs that, when combined with local resources, will provide substantial new funding for Orange County streets and roads.

Orange County Transit Projects



Legend

Existing Rail Right-of-Way	Lossan Intercity Rail Program and Lossan Commuter Rail
High-Technology Advanced Rail Transit	Riverside Commuter Rail
Transitway Development Program	

Please note: Included under Orange County Transit Projects but not shown on map is the Senior Citizens/Disabled Reduced Fares Program.

Orange County Transit Project Descriptions

Rail Transit Right-Of-Way Protection

Description:
Right-of-way (ROW) protection on the Pacific Electric/ Southern Pacific West Santa Ana Branch from Santa Ana to Los Angeles County line.

Location:
Central and west part of the county. Goes through the cities of Santa Ana, Garden Grove, Stanton, Anaheim, Buena Park, Cypress, and La Palma.

Technology and Ridership Estimates:
The future technology to be considered in this corridor and on this alignment would be some type of rail transit. Due to the long-term nature related to implementation of service, revised ridership estimates are not available. There are previous studies conducted by OCTC and OCTD which do provide ridership estimates. Depending on the rail system the segment is connected to, the daily ridership for the year 2000 is forecast at 10,000-15,000.

Costs:
$50 million would be reserved for this project and used by the OCTC to preserve the right-of-way opportunities on this alignment.

Implementation:
It is assumed that the ROW would be purchased during the first five years of the program.

Issues/Comments:
1. The Southern Pacific (SP) right-of-way (ROW) from Beach Blvd. to Downtown Los Angeles is being considered for abandonment by SP. This ROW along with the existing ROW owned by OCTD could provide a future rail transit connection to the Century Freeway rail transit line and Los Angeles County's rail transit system. The distance is approximately five miles.

2. The OCTD now owns the Pacific Electric (PE) ROW from Santa Ana to Beach Blvd. (7 miles). The City of Garden Grove proposes to develop parcels through their redevelopment agency at future station locations at Euclid and Brookhurst. The city proposes to purchase approximately 6,100 feet of the ROW and provide an acceptable financial package to OCTC and OCTD that would not preclude the development of rail transit in the future. The city also proposes to minimize the repurchase price of the ROW when needed for rail transit development. The development of rail transit in this corridor could be started within the next 20 years.

References:
1. Santa Ana Transportation Corridor, Transit Element, Alternatives Analysis and Draft Environmental Impact Report, OCTD, February 1984.

2. Santa Ana Transportation Corridor, Multimodal Alternatives Analysis, Preliminary Findings Report, OCTC, December 1984.

Orange County Transit Project Descriptions

LOSSAN Corridor Intercity Rail Service

Description:
The LOSSAN corridor extends for 128 miles between the downtown areas of Los Angeles and San Diego, and is second only to the Northeast Corridor in ridership on the Amtrak rail passenger system. This rail line (Santa Fe) links communities in the counties of Los Angeles, Orange, and San Diego. At this time, over six million people reside within five miles of this rail line. There are currently nine stations with five of them in Orange County. Amtrak's present service in the LOSSAN corridor includes eight daily trains in each direction. The future proposal calls for two additional trains to be added.

Location:
The project uses the Santa Fe/Amtrak line from the San Diego downtown to the Los Angeles Central Business District (CBD), a distance of 128 miles with 47 miles in Orange County.

Technology and Ridership Estimates:
The technology currently used for this service is diesel-electric locomotives pulling up to six passenger cars. The cars are approximately 85 feet long and can operate at high or low platforms. Based on current usage and the implementation of two new roundtrips, the ridership is forecasted to be 8,000 riders per day.

Costs:
A capital development program that includes funding by all three counties, Amtrak, the State of California, and Santa Fe Railroad has been developed that will allow for expansion of service to 10 trains per day in each direction. Orange County's share of this program is approximately $20 million. Any required operating assistance would be paid by the State and Amtrak. These services are very close to having full farebox recovery on operating and maintenance costs and are therefore priced for intercity type service and not priced to encourage daily commuter use.

Implementation:
If the funding program can be put in place, service could begin as early as 1993.

Issues/Comments:
This program requires the cooperation of the three counties, Caltrans, Amtrak, Santa Fe, and the local communities to be implemented successfully.

References:
1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group, Consultants-Wilbur Smith & Associates, Morrison-Knudsen Engineers, and Arthur Bauer & Associates.

2. Los Angeles to San Diego (LOSSAN) Corridor Status Report and Proposed Commuter Rail Implementation Program, Report to Orange County Transportation Commission, June 16, 1988, staff consultant-Sharon Greene & Associates.

3. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

LOSSAN Corridor Commuter Rail Service

Description:
The proposed commuter rail service in the LOSSAN Corridor specifically will be directed at the needs of persons commuting on a daily basis. Train schedules, station locations, and fare policy will be set to accommodate the needs of these commuters. The initial service calls for two peak period trains inbound from San Clemente to Los Angeles on weekday mornings and two peak period trains outbound from Los Angeles to San Clemente on weekday evenings. The service calls for nine stations in Orange County and four in Los Angeles County. The additional stations in Orange County include Mission Viejo, North Irvine, and Buena Park. The Irvine station (Spectrum area) is included in the nine stations. The commuter trains would supplement the intercity trains that are proposed and currently operated by Amtrak.

It is also proposed that the project acquire the Santa Fe right-of-way (ROW) from Fullerton to the San Diego County line in cooperation with San Diego agencies. Based on the activities proposed for this project, these actions would constitute the first step in developing a major backbone rail transit system for Orange County.

Location:
The project uses the Santa Fe/Amtrak line from the San Clemente/Oceanside area to the Los Angeles central business district.

Technology and Ridership Estimates:
The technology to be used for this service would be similar to the current Amtrak service. It is estimated that the initial service would attract 2,000 riders per day in the peak periods. Ridership will increase over time as additional commuter service is scheduled.

Costs:
A capital development program has been proposed that would include the purchase of the Santa Fe ROW, provision of equipment to provide the service, and the development of three new stations at Mission Viejo, North Irvine, and Buena Park. The service would require operating assistance as the farebox is estimated to fund 40-50 percent of the annual costs. The capital cost estimate for Orange County's share is $108 million and for operating subsidy is $22 million for the balance of the 20-Year Plan period.

Implementation:
The service could begin as early as 1993, if funding is in place.

Issues/Comments:
The implementation of this project and this ROW as the backbone rail transit corridor is dependent on the successful negotiation and purchase of the Santa Fe ROW south of Fullerton. This project, as well, needs the full cooperation of all three counties (L.A., Orange, and San Diego).

References:
1. Los Angeles-San Diego (LOSSAN) State Rail Corridor Study, 1986-1987, LOSSAN State Rail Corridor Study Group.
2. Santa Ana Transportation Corridor Multimodal Alternatives Analysis, Commuter Rail Element, 1984, Orange County Transportation Commission.
3. LOSSAN Corridor Status Report and Proposed Commuter Rail Implementation Program, report to OCTC, June 16, 1988.
4. LOSSAN Corridor Rail Status Report, OCTC, September 29, 1988.

Orange County Transit Project Descriptions

Riverside Commuter Rail Service

Description:
This proposed project operating on Santa Fe trackage would be a cooperative and jointly funded program with the Riverside County Transportation Commission (RCTC). The proposed commuter rail service would begin in downtown Riverside and terminate at the Irvine station (Spectrum). Four trains per day in each direction are proposed. Of the four daily trains, two would be routed directly to Irvine, while the other two serve destinations in Placentia, Fullerton, and Anaheim before rejoining the other route at the Chapman station in Orange. Seven new stations/stops are proposed in Orange County.

The initial directional service is proposed to begin during the morning peak period and operate four south-bound trains on 20-minute headways. A similar return set of trips would be operated during the evening peak period. The route going directly to Irvine would be approximately 50 miles and the route through Fullerton and Anaheim would be 56 miles long.

Location:
The project would use Santa Fe ROW between Riverside and Irvine.

Technology and Ridership Estimates:
The technology to be used for this service would be the same type as the current Amtrak service on the LOSSAN corridor. It is estimated that the proposed service would attract 6,400 riders per day in the peak periods.

Costs:
The Feasibility Assessment study estimated Orange County's share of the capital costs at $65 million and the operating costs at $25 million (through the end of the 20-Year Plan period). The Riverside County share will be funded through their one-half cent sales tax that passed in November 1988.

Implementation:
This service will be initiated during the second 10 years of the plan.

Issues/Comments:
The key issues to be addressed by the two agencies (OCTC and RCTC) are the financial arrangements, priority of expenditures, and the funding splits.

References:
1. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Interim Report, OCTC and RCTC, July 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.

2. Riverside-Orange County Commuter Rail Service, Feasibility Assessment, Final Report, OCTC and RCTC, December 6, 1988, prepared by Schiermeyer Consulting Service and Sharon Greene & Associates.

Orange County Transit Project Descriptions

High-Technology Advanced Rail Transit

Description:
This project would further develop the existing rail right-of-way and initiate a high capacity urban rail system in Orange County. This 20-Year Plan element will also provide matching funds to encourage local development of extensions to major activity centers.

The primary improvements will be along the LOSSAN rail corridor and designed to provide frequent train service between south and north Orange County with nine stops at San Juan Capistrano, San Clemente, Mission Viejo, Irvine, North Irvine, Santa Ana, Anaheim, Fullerton, and Buena Park.

The extension will provide access between the primary rail system and employment centers. Two of the potential candidate projects are the Anaheim People Mover Project and the Irvine Spectrum to John Wayne Airport Fixed Guideway transit line that could ultimately extend further west to the South Coast Metro area and beyond.

Location:
This project would use the Santa Fe/Amtrak line from San Clemente to Buena Park.

Technology and Ridership Estimates:
Selection of technology, ridership estimates and system costs need further analysis and studies.

Costs:
The total capital cost of the urban rail improvements could exceed $800 million. Rail extension costs will be determined pending selection of technology. It is recommended that $340 million be allocated toward this system. System connectivity, ridership/performance and availability of matching funds will be used as criteria to determine the relative priority of investment in the system.

Implementation:
Planning work on this project will begin immediately. The goal is to implement the project(s) during the second 10 years of the plan.

Reference:
Transit Strategy Report, April 1989, Orange County Transportation Commission, prepared by Parsons Brinckerhoff Quade & Douglas, Inc.

Orange County Transit Project Descriptions

Senior Citizens/Disabled Persons Reduced Fares

Description:
This project would stabilize fares for senior citizens and persons with disabilities on all forms of public transit including OCTD bus and dial-a-ride programs, City of Laguna Beach system, the Consolidated Transportation Service Agency (CTSA) and any rail service that is implemented.

The OCTD fare for seniors on the local fixed routes is 40 cents in the peak period (weekdays only) and 10 cents in the off-peak; the Handicapped fare is 85 cents in the peak period and 40 cents in the off-peak; and on the demand responsive system the fare is 80 cents at all times. OCTD service accommodates approximately 80 percent of the current users.

Location:
This would apply to all of Orange County.

Technology and Ridership Estimates:
Based on today's usage of the public transit system, there are about 10,000 daily transit rides.

Costs:
It is estimated that a fare stabilization program would cost about $1 million per year, or $20 million over 20 years.

Implementation:
This could be implemented immediately if an additional funding source is available.

References:
Short Range Transit Plans and Transportation Improvement Programs for fiscal years 1989-1993 and fiscal years 1990-1994 for OCTD, City of Laguna Beach, and CTSA.

Transitway Development Program

Description:
The transitway development program is a 19.4-mile program for the I-5, SR55 and SR57 corridors from the SR91 to the I-405 corridor. The program is made up of freeway-to-freeway connectors and other projects which can be implemented separately. In addition to these projects, Park-and-Ride lots are needed to complete the system. For the transitway program to function as approved, all of the components should be in place to receive maximum benefits, but substantial benefits are attainable with each project.

Location:
Central county on the SR57, I-5, SR55, and I-405 freeways.

Technology and Ridership Estimates:
The transitway lanes would be used by buses and other high occupancy vehicles such as carpools and vanpools. The total expected usage of the transitway segment would be 22,000 daily transit trips and 50,000 carpool-user/daily-person trips.

Costs:
A portion of this program ($154 million) is funded using existing resources and is incorporated into the I-5 (Santa Ana Freeway) improvements. Forty-six million dollars of federal funds is also assumed for the remainder of the program. An additional $125 million in sales tax revenues is targeted for direct freeway-to-freeway connectors between Routes 57 and 91 and Routes 405 and 55, and Park-and-Ride facilities.

Implementation:
Projects will be implemented over the 20-year program in conjunction with freeway improvement projects.

References:
1. A Transitway Development Program for Orange County, October, 1986, Orange County Transit District.
2. A Transitway Development Program for Orange County, Concept Design Final Report, February, 1989, Orange County Transit District.
3. A Transitway Development Program for Orange County, Concept Design Final Report, Plans and Profiles, May, 1988, Orange County Transit District.

Growth Management Plan

Description:
The Revised Traffic Improvement and Growth Management Plan requires each city and the county to adopt a Growth Management Element of its general plan to be eligible to receive new transportation revenue, if new revenue is approved by Orange County voters.

Under this plan each local agency is required to:

- outline each agency's plans and efforts to develop multijurisdictional traffic solutions through a well-defined, cooperative planning process;
- specify traffic level of services;
- promote alternative forms of transportation and overall system efficiency by maximizing use of the existing transportation network through Transportation Systems Management (TSM) and Transportation Demand Management (TDM);
- require a traffic mitigation fee to guarantee that new development pays its fair share toward dealing with traffic generated by the new development;
- foster a better balance of jobs and housing and reduce commuter trips through careful planning;
- encourage local jurisdictions, where applicable, to establish performance standards for fire, police, library, parks, open space, flood control, and other infrastructure based on local criteria;
- require phasing of new development to ensure that service level goals are achieved;
- pursue additional revenue to upgrade recreational areas and to acquire additional open space.

The countywide Revised Traffic Improvement and Growth Management Plan emphasizes good planning, improved cooperation between neighboring cities, and requires that development pays its fair share toward dealing with traffic generated by that new development.

With this approach, new transportation revenue, in the form of a one-half cent sales tax measure, would be focused on curing existing transportation and traffic deficiencies while a new traffic mitigation fee will help pay a fair share of the cost of infrastructure required by new residential, commercial and industrial growth.

Measure M Amendments & Staff Reports

September 23, 1991	Amendments to the Measure M Ordinance
October 28, 1991	Reallocation of Funds in the Measure M Freeway Program
November 25, 1991	Public Hearing on Revision to the Measure M Expenditure Plan for the Freeway Program *(Reallocation of Funds)*
April 11, 1994	Amendments to Measure M Ordinance and Plan
May 23, 1994	Public Hearing on the Proposed Amendments to Measure M Ordinance No. 2 *(Reallocation of Freeway Program Funding between I-5 and SR-91/SR-55)*
March 25, 1996	Proposed Amendment to the Measure M Expenditure Plan
May 13, 1996	Public Hearing on Amendment to the Measure M Expenditure Plan *(Cost Savings Transferred to CURE Accounts)*
June 9, 1997	Public Hearing for Amendment to Measure M Ordinance *(Amendments to Local Streets and Road Component)*
December 10, 2001	Measure M Amendment Public Hearing to add SR-22 *(Amendment to Freeway Program to add SR-22 at $203 Million)*
September 13, 2004	Public Hearing to Amend Measure M Expenditure Plan *to Advance SR-22 an Additional $123.7 Million*
September 24, 2007	Public Hearing to Amend Measure M Expenditure Plan *Related to SR-57 and SR-22*
December 14, 2009	Renewed Measure M Early Action Plan Review – *Recommendation to remove $22 Million from SR-57*
January 25, 2010	Request for Public Hearing to Amend Measure M Expenditure Plan for the Freeway Program
March 8, 2010	Public Hearing to Amend Measure M Expenditure Plan for the Freeway Program
August 22, 2011	Measure M Closeout Status and Ordinance Amendment – *Agencies which qualify as an “Eligible Jurisdiction” under Ordinance No. 3, to be also an “Eligible Jurisdiction” under Ordinance No. 2.*
September 26, 2011	Measure M Ordinance Amendment Public Hearing

Revised 9/29/11