

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 15, 2011

Reference No.: 4.13
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **AMENDMENT TO THE CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROGRAM
IN ACCORDANCE WITH AB X3-20
RESOLUTION CMIA-P-1112-004**

ISSUE:

Should the Commission approve the proposed amendment to the Corridor Mobility Improvement Account (CMIA) Program to add the I-5/SR 74 Interchange Reconstruction Project and reprogram CMIA funds in the amount of \$15.926 million replaced by regional American Recovery and Reinvestment Act of 2009 funds on the SR 91 Eastbound Project and the I-405 West County HOV Lane Connector Project, in accordance with Assembly Bill X3-20 (AB X3-20)?

RECOMMENDATION:

Commission staff recommends that the Commission approve the proposed amendment to the CMIA Program to add the I-5/SR 74 Interchange Reconstruction Project and reprogram CMIA funds in the amount of \$15.926 million replaced by regional American Recovery and Reinvestment Act of 2009 funds on the SR 91 Eastbound Project and the I-405 West County HOV Lane Connector Project, in accordance with AB X3-20.

BACKGROUND:

At its meetings on June 11, 2009 and October 15, 2009, the Commission approved requests from the Orange County Transportation Authority (OCTA) to replace \$87.366 million of programmed CMIA funds on the SR 91 Eastbound Project and the I-405 West County HOV Lane Connector Project with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds. AB X3-20 authorizes the Commission to program bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds. Therefore, OCTA proposes to amend the CMIA Program to add the I-5/SR 74 Interchange Reconstruction Project and reprogram CMIA funds in the amount of \$15.296 million replaced by regional Recovery Act funds on the SR 91 Eastbound Project and the I-405 West County HOV Lane Connector Project, in accordance with AB X3-20. The proposed project will alleviate congestion within the interchange area and better accommodate existing and future traffic volumes.

**California Transportation Commission
Adoption of the Amended Program of Projects for the
Corridor Mobility Improvement Account (CMIA)
in Accordance with AB X3-20
September 15, 2011**

Resolution CMIA-P-1112-004

- 1.1 WHEREAS the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by voters as Proposition 1B on November 7, 2006, and
- 1.2 WHEREAS the Bond Act includes a program of funding from \$4.5 billion to be deposited in the Corridor Mobility Improvement Account (CMIA), and
- 1.3 WHEREAS the funds in the CMIA are to be available to the California Transportation Commission (Commission), upon appropriation in the annual Budget Act by the Legislature, for allocation for performance improvements on the state highway system or major access routes to the state highway system, and
- 1.4 WHEREAS the Commission adopted the initial CMIA program of projects on February 28, 2007, and
- 1.5 WHEREAS in order to address funding constraints with Proposition 1B Bond funds on the SR 91 Eastbound Project and the I-405 West County HOV Lane Connector Project, the Orange County Transportation Authority replaced \$87.366 million of CMIA funding on those projects with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds, and
- 1.6 WHEREAS Assembly Bill X3-20 (AB X3-20) authorizes the Commission to program Proposition 1B bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds, and
- 1.7 WHEREAS the Orange County Transportation Authority has submitted a request for \$15.296 million in funding for the I-5/SR 74 Interchange Reconstruction Project for reprogramming by the Commission in accordance with AB X3-20, and
- 1.8 WHEREAS Commission staff reviewed the project submitted by the Orange County Transportation Authority for compliance with the CMIA Guidelines, and

- 2.1 NOW THEREFORE BE IT RESOLVED THAT the Commission hereby approves the I-5/SR 74 Interchange Reconstruction Project submitted by the Orange County Transportation Authority for \$15.296 million of CMIA funding, and
- 2.2 BE IT FURTHER RESOLVED THAT, the Commission's approval of project funding is only for the cost of construction, and
- 2.3 BE IT FURTHER RESOLVED THAT the Commission finds that the inclusion of the I-5/SR 74 Interchange Reconstruction Project in the CMIA Program is based on a demonstration that the project meets all of the following criteria:
 - a. Is a high-priority project in the corridor as demonstrated by its nomination by regional agency;
 - b. Can commence construction or implementation no later than December 31, 2012;
 - c. Improves mobility in a high-congestion corridor by improving travel times or reducing delay, improves the connectivity of the state highway system between rural, suburban, and urban areas, or improves the operation or safety of a highway segment;
 - d. Improves access to jobs, housing, markets, and commerce;
- 2.4 BE IT FURTHER RESOLVED THAT consistent with Resolution CMIA-G-0708-001, the Commission directs the implementing agency, within three months of the adoption of the amended program, to submit an executed project baseline agreement, which sets forth the project scope, benefits, delivery schedule, and the project budget and funding plan as a basis for project delivery monitoring, and
- 2.5 BE IT FURTHER RESOLVED THAT the Commission will not consider approval of a project allocation prior to the execution of a project baseline agreement, and
- 2.6 BE IT FURTHER RESOLVED THAT the Commission finds that any increases in cost estimates from CMIA amended program adoption to finalized cost estimates is the responsibility of the nominating agency, and
- 2.7 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agency and the Department of Transportation to meet the requirements of Government Code Section 8879.23(c)(1), as added by Proposition 1B, and to Government Code Section 8879.50, as enacted through implementing legislation in 2007 (Senate Bill 88 and Assembly Bill 193), and
- 2.8 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agency and the Department of Transportation to adhere to the California Transportation Commission's CMIA Guidelines and Accountability Implementation Plan.