



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 7/18/2023

Agenda Item: 9D

Department: City Council

Subject:

AGREEMENT BETWEEN THE CITY OF SAN CLEMENTE, THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE ORANGE COUNTY TRANSPORTATION AUTHORITY

Fiscal Impact:

The City of San Clemente will contribute \$750,000 for enhancements to the design and construction of the project.

Summary:

The residents of San Clemente successfully fought a proposed toll road that would have had inordinate impacts on the community. A key component of the battle against the toll road was cooperation from the California Department of Transportation (Caltrans) and the Orange County Transit Authority (OCTA). The determination and tenacity of the San Clemente residents, with support from Caltrans and OCTA terminated the proposal toll road project. To address future congestion related concerns that could arise from the elimination of the toll road project, the City of San Clemente joined a cooperative agreement to complete other transportation projects that will have far less impact on the community, and agreed to contribute \$750,000 to ensure additional public outreach and other enhancements in the San Clemente portion of the projects identified in the cooperative agreement, as an offset to costs incurred by Caltrans and OCTA.

Background:

The battle to eliminate consideration of a toll road through dedicated open space and other essential areas of San Clemente united the entire community. Residents, elected officials and staff were relentless and achieved the desired result. The proposed toll road will not be constructed in San Clemente. However, the City of San Clemente is not an island and Caltrans and OCTA have responsibilities to manage transportation throughout Orange County and beyond. Rather than construct a high volume, disruptive toll road through the community, Caltrans, OCTA and the City of San Clemente have entered into a cooperative agreement for alternative projects to address transportation needs.

In an effort to “end all outstanding disputes between the parties in the lawsuit entitled City of San Clemente u Foothill/Eastern Transportation Corridor Agency et al. (RIC # 1800232) ('Lawsuit') and to document their mutual understanding and to guide future efforts relating to the development of new High Occupancy Vehicle lanes and associated improvements to Interstate 5 in and near the City of San Clemente”, the parties have reached an agreement. The agreement includes a contribution of \$750,000 from the City of San Clemente to enhance both public outreach and physical aspects of any project in the City of San Clemente. The agreement calls for a meet and confer process on the expenditure of the funds.

The proposed project that most directly impacts the City of San Clemente is the implementation of High Occupancy Vehicle lanes on Interstate 5 from Avenida Pico south to the San Diego County boundary. The Project is currently unfunded beyond the Project approval/environmental document (PAED) phase. The funding provided by the City of San Clemente will enhance the PAED phase to include items such as additional Project outreach, public workshops, public awareness campaigns or mitigation opportunities for the Project including features such as additional sound walls, architectural features or landscaping. This funding may come from various sources, including, but not limited to, local gas tax funds allocated to the City.

Council Options:

Receive and File the Report.

Environmental Review/Analysis:

The agreement is not a “project” under the California Environmental Quality Act. The project that is being funded is going through the CEQA process now with OCTA.

Recommended Actions:

Staff Recommendation

There is no staff recommendation on this item.

Attachment:

None

Notification:

None