

Regular Meeting of the Civic Council May 15, 2017

NOTICE: Meetings of the Ladera Ranch Civic Council are held the Third Tuesday of every month at the hour of 7:00 p.m. at the Rancho Santa Margarita Water District Building unless otherwise publicly noticed.

AGENDA ON THE INTERNET: The Agenda is available through the internet at www.LRCivicCouncil.org. The public may access the agenda on the Thursday prior to the meeting.

AGENDA DESCRIPTION: The Agenda descriptions are intended to provide members of the public a general summary of items of business to be transacted or discussed. The listed recommended actions represent recommendations made to the Civic Council, which may take any action it deems appropriate on the agenda item and is not limited in any way by the recommended action.

Call to Order: 7:00 p.m.

ROLL CALL: Council Members:	Chair:	Jett McCormick
	Vice-Chair:	Gary Kephart
	Councilmember	Amir Arbabi
	Councilmember:	Mike Ellzey
	Councilmember:	Stephanie Ramsey
	Civic Council Administrator:	Carlo Tomaino
	Civic Council Secretary:	Vacant

PUBLIC SESSION

PUBLIC SESSION: At this time, the Civic Council will convene to consider public matters. Those wishing to address the Civic Council must submit a completed "Request to Speak" form prior to Civic Council action.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country will be led by Chair McCormick.

PRESENTATION(S):

1. REPORT FROM THE ORANGE COUNTY SHERIFF'S DEPARTMENT
2. CIVIC COUNCIL COMMITTEE UPDATES

PUBLIC COMMENTS:

At this time, members of the public may address the Civic Council regarding any items within the subject matters jurisdiction of the Civic Council. No action may be taken on items not listed on the agenda. Comments shall be limited to approximately three minutes per person.

Any person wishing to address the Civic Council on any matters, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form. The completed form should be submitted to the Civic Council Secretary prior to an individual being heard by the Civic Council.

CONSENT CALENDAR:

3. MINUTES OF THE REGULAR MEETING OF THE LADERA RANCH CIVIC COUNCIL OF APRIL 17, 2017.

RECOMMENDED ACTION: Approve as submitted.

DISCUSSION/ACTION ITEMS:

4. CALIFORNIA STATE ROUTE 241 SOUTH EXTENSION

RECOMMENDED ACTION: Receive a presentation from the Transportation Corridor Agencies regarding the possible extension of California State Route 241 Toll Road and provide further information or direction as desired.

CIVIC COUNCIL COMMENTS:

Chair Jett McCormick
Vice-Chair Gary Kephart
Councilmember Amir Arbabi
Councilmember Mike Ellzey
Councilmember Stephanie Ramsey

ADJOURNMENT: MEETING ADJOURNED TO JUNE 19, 2017

SUBJECT:

REPORT FROM THE ORANGE COUNTY SHERIFF'S DEPARTMENT

RECOMMENDED ACTION(S):

Receive a report from the Orange County Sheriff's Department.

EXECUTIVE SUMMARY:

The Orange County Sheriff's Department, which provides public safety services for the unincorporated areas of Orange County, is invited to each meeting. The Sheriff's Department may, at this time, provide relevant updates regarding public safety to the community as desired.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

ATTACHMENTS:

None

Submitted By: Carlo Tomaino, Civic Council Administrator

SUBJECT:

UPDATES REGARDING COMMITTEE ACTIVITIES

RECOMMENDED ACTION(S):

Members of the Ladera Ranch Civic Council may provide, as desired, updates related to the activities of the Ladera Ranch Civic Council Subcommittees.

EXECUTIVE SUMMARY:

The Civic Council created ad-hoc committees that serve to supplement its work in specific policy areas. The subcommittees include the Land Use Committee, Communications Committee, Local Governance Committee, Transportation and Safety Committee, and the Community Outreach Committee. At this time, any member of the Civic Council may provide an update regarding the activities of its ad-hoc committee.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

ATTACHMENTS:

None

Submitted By: Carlo Tomaino, Civic Council Administrator

MINUTES OF A REGULAR MEETING OF THE LADERA RANCH CIVIC COUNCIL

The regular meeting of the Ladera Ranch Civic Council held April 17, 2017, at the Rancho Santa Margarita Water District Building 26111 Antonio Parkway, Rancho Santa Margarita, California 92688. The meeting convened at 7:00 p.m. with all members present.

ROLL CALL: Council Members:	Chair:	Jett McCormick
	Vice-Chair:	Gary Kephart
	Councilmember:	Amir Arbabi
	Councilmember:	Mike Ellzey
	Councilmember:	Stephanie Ramsey
	Civic Council Administrator:	Carlo Tomaino
	Civic Council Clerk:	Vacant

PUBLIC SESSION:

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Chairman McCormick.

APPOINTMENTS/PRESENTATIONS:

1. ORANGE COUNTY SHERIFF'S DEPARTMENT: The Sheriff's Department provided an update regarding crime enforcement and crime prevention efforts in Ladera Ranch.
2. CIVIC COUNCIL COMMITTEE UPDATES: Councilmember Kephart reported that he working to schedule a meeting of his ad-hoc committee. Councilmember Ramsey volunteered to assist in that effort.

Councilmember Arbabi provided an update regarding street repairs and ongoing communication with Orange County Public Works.

Chairman McCormick reported that he filed the required 501(c)(3) incorporation documents. In addition, Chair McCormick opined on the importance of filing the two vacant Civic Council seats.

PUBLIC COMMENTS: A member of the public provided public comment regarding the jurisdictional and planning issues associated with a proposed sign in front of Oso Elementary. Chairman McCormick requested information and offered to provide direct assistance in his capacity as a member of the Orange County Planning Commission.

CONSENT CALENDAR:

3. Civic Council Minutes: On a motion by Councilmember Ellzey, and as seconded by Councilmember Arbabi, the Civic Council approved the minutes of the regular meeting of March 20, 2017. MOTION CARRIED UNANIMOUSLY.

DICUSSION/ACTION ITEMS:

4. CIVIC COUNCIL WEBSITE: Councilmember Ramsey provided an update regarding the Technology Committee's efforts to update the Civic Council website. The Technology Committee will move forward to implement its plan and report back to the Civic Council.

CIVIC COUNCIL COMMENTS:

There were offered no further comments offered during this portion of the meeting.

ADJOURNMENT:

Meeting adjourned.

SUBJECT:

APPROVAL OF CIVIC COUNCIL MEETING MINUTES

RECOMMENDED ACTION(S):

Approve the minutes of the April 17, 2017, Civic Council meeting substantially in the form presented.

EXECUTIVE SUMMARY:

The meeting minutes from the prior Civic Council meeting are attached for the Civic Council's approval. There is no further background or discussion associated with this item.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

ATTACHMENTS:

April 17, 2017, Draft Meeting Minutes

Submitted By: Carlo Tomaino, Civic Council Administrator

SUBJECT:

CALIFORNIA STATE ROUTE 241 SOUTH EXTENSION

RECOMMENDED ACTION(S):

Receive a presentation from the Transportation Corridor Agencies regarding the possible extension of California State Route 241 South and provide further information or direction as desired.

EXECUTIVE SUMMARY:

For several years, the Transportation Corridor Agencies (“TCA”) has worked to settle litigation relating to the proposed extension of California State Route (“SR”) 241 South. In 2015, the TCA (through an independent consultant) prepared a Community Ascertainment Study to identify the opportunities and constraints associated with divergent opinions and stakeholder groups associated with the potential toll road extension project. In late 2016, the TCA recently announced a Settlement Agreement that resolved the five lawsuits that, heretofore, prevented the project from advancing. The TCA further announced that it would engage in a community stakeholder process with local residents to discuss routes associated with the project. To this end, the Civic Council recently received a presentation from Mike Kraman, Chief Executive Officer of the TCA, regarding its efforts to extend SR-241. Subsequent to this presentation, the Civic Council received further interest and inquiries from the community regarding the process. At tonight’s meeting, the TCA will provide a brief presentation and address questions from the Civic Council and members of the public.

BACKGROUND:

Since 1981, the County’s Master Plan of Arterial Highways has included SR-241 to accommodate planned growth in South Orange County. The roadway is considered a critical path for traffic and goods movement and is the only feasible alternative for mass transit moving south on the Interstate-5 Freeway. As South Orange County continued to develop, the Transportation Corridor Agencies (“TCA”) advanced its planning efforts to extend SR-241 South. However, the

project stalled due to regulatory processes and concerns from environmental groups. For instance, the California Coast Commission denied a key permit in 2008 and TCA was also sued to prevent the proposed extension of the toll road. Given these factors, the project was delayed for several years.

DISCUSSION:

In 2015, the TCA conducted a Community Ascertainment Study. The purpose of that study was to collect information, assess and evaluate community input, and identify major opportunities and constraints associated with the toll road extension project. The study, conducted by an independent consulting firm, interviewed 45 community stakeholders in an open-ended dialogue that included discussion of the current and future mobility challenges facing South Orange County. The results of the Community Ascertainment Study yielded a diverse spectrum of opinions regarding traffic, development, the other matters pertaining to extending the toll road. Staff reviewed the study and summarized its significant conclusions below:

- Community-wide consensus (i.e., total agreement) to extend SR-241 is not a realistic goal because of conflicting perspectives.
- The survey respondents generally agreed that traffic is an ongoing issue in South Orange County and that multiple concurrent options should be pursued.
- As policymakers, city elected officials were viewed as the likely candidates to help guide community decisions on this issue.
- Multiple traffic agencies such as Caltrans, OCTA, and the TCA should be involved in collaboration to identify possible solutions.
- Proactively recognizing and addressing key areas where a lack of agreement exists will increase opportunities for achieving agreement and collaborative problem-solving.
- Including key environmental stakeholders, such as the Surfrider Foundation, in future discussions should be pursued.
- Rigorous and defensible traffic analyses should be prepared to objectively and conclusively study the alternatives.
- The TCA should expect possible contentious public meetings with divergent opinions, but should strive to listen and work collaboratively to address community concerns.

- Local residents should support elected officials to explore creative ideas and potential solutions identified through the stakeholder process.

For the Civic Council's information, the entire Community Ascertainment Study is attached to this report (Attachment).

On November 10, 2016, the TCA announced a settlement agreement that resolved five lawsuits and enables it to move forward with the extension of SR-241 South. The most significant terms of the settlement agreement include the following: (1) TCA will rescind its proposed extension through San Onofre State Beach and its prior approval of the 2013 Tesoro Extension Project; (2) TCA will ensure permanent protection of San Onofre State Beach, the Richard and Donna O'Neill Conservancy, and other open space and wildlife habitat; (3) the TCA may advance formal environmental processes to review alternative routes to connect SR-241 with Interstate-5 Freeway; and (4) the TCA will establish a conservation fund to preserve and restore San Mateo Creek.

At an earlier Civic Council meeting this year, TCA Chief Executive Officer Mike Kraman provided an overview of the project's history and current outreach efforts to discuss possible route options. During his presentation to the Civic Council and the community, Mr. Kraman reiterated that TCA has not selected a specific route and that further public outreach was being conducted to assess the feasibility of potential options. As part of his discussion, Mr. Kraman noted that TCA would hold public workshops in the near future to provide residents with opportunities to share their initial feedback.

Subsequent to the TCA's presentation, the Civic Council received inquiries from residents regarding the potential extension of SR-241 near Ladera Ranch. Based on these inquiries, the Civic Council requested an agenda item to allow the TCA and members of the public to exchange information and ideas regarding this subject. At tonight's meeting, the Civic Council will receive an updated presentation from the TCA and facilitate public comment regarding the toll road extension.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

ATTACHMENTS:

Community Ascertainment Study

Submitted By: Carlo Tomaino, Civic Council Administrator

**SOUTH ORANGE COUNTY - COMMUNITY
ASCERTAINMENT STUDY REGARDING
REGIONAL MOBILITY**

***Summary Report of Findings, Conclusions and
Recommendations***

Prepared For:
Foothill/Eastern Transportation Corridor Agency
January 2016

Prepared By:
Sharon Browning & Associates

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Section 1: Community Ascertainment Study Purpose and Background, Methodology and Environment

Purpose and Background

Since 1981, State Route (SR) 241 has been on Orange County's Master Plan of Arterial Highways and the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) since 1991, including the recently released 2016 DRAFT RTP/Sustainable Communities Strategy. The SR-241 is included in SCAG's recently adopted Federal Transportation Improvement Program and the Orange County Transportation Authority's adopted 2014 Long Range Transportation Plan. Within San Diego County, the SR-241 has been included in the San Diego Association of Government's RTP since 1994.

In 2008, the California Coastal Commission denied a coastal consistency permit for the locally approved project alignment, known as the "Green Alignment," which would have completed the southern segment of the SR-241. Since then the Foothill/Eastern Transportation Corridor Agency (TCA) has been engaged in a planning and outreach process to determine if consensus can be achieved for a viable alternative project alignment to serve South Orange County's (South County) increased and projected mobility needs.

In May 2015, the TCA contracted with Sharon Browning & Associates (SB&A), an independent consultant specializing in issues management and consensus planning, to conduct a community ascertainment study. The purpose of the study was to gather input and gain insight into how best to work collaboratively with the South County communities. The ascertainment study was intended to serve as a first step in determining if and how the community wants to work together around its regional mobility needs. Specifically, the purpose of the ascertainment study was to determine:

- How the community defines mobility challenges related to traffic congestion and the I-5 freeway in South Orange County.
- What priorities are important to address in order to achieve consensus about potential solutions for mobility and related environmental challenges.
- What processes the community prefers for planning and decision-making related to its mobility needs.

The study results outlined in this report are part of a multi-faceted, broad-based stakeholder process and will be one of many factors the TCA will consider in determining how it will proceed in working with its regional partners to address South County's mobility needs.

Methodology

The community ascertainment study was independently conducted by Sharon M. Browning between May and November 2015 and consisted of 45 in-person, confidential interviews with residents and active community-based leaders from the Orange County cities and unincorporated areas of San Clemente, San Juan Capistrano, Dana Point, Mission Viejo, Ladera Ranch, Coto de Caza and Rancho Santa Margarita. An additional 19 persons were contacted for interviews who either did not respond, declined or cancelled for a total outreach effort of 64.

SB&A extends its sincere appreciation to the 45 interviewees who took time from their busy schedules to generously contribute to the community ascertainment study. Each of these individuals authentically and energetically invested in dialogue and the interview process. Each provided their thoughts and experiences out of a desire to serve and protect their community and did so in a collegial, respectful, professional manner.

In preparation for the interview process, SB&A requested that the TCA provide an initial “starter” list of names of individuals that are representative of a broad range of constituencies, backgrounds and perspectives. Current elected and appointed city officials and media representatives were not included in the sample in order to generate truly representative community-based information.

SB&A networked through the initial list of individuals to independently identify additional interviewees in order to achieve the total sample of 45 participants. A majority of interviewees are connected to the cities of San Clemente and San Juan Capistrano because, through the ascertainment study referral process, individuals in these cities were most often identified as likely to have a “first-hand” perspective about extension or non-extension of the SR-241 alignment.

Interviewees were informed that their interview input would remain confidential and that input from all 45 study participants would be aggregated, analyzed and reported without attribution.

Study interviewees were engaged in an open-ended dialogue (ranging in duration from forty-five to ninety minutes) that focused on, but was not limited to, the following areas of exploration:

1. Is there or is there not an I-5 capacity or mobility problem?
2. If a capacity or mobility problem exists, what is a detailed description of the problem? Where and how is the problem experienced? What is the impact of the problem?
3. Is the capacity or mobility problem of sufficient magnitude that a solution needs to be generated?

4. If a solution is needed, what solution or solutions (out of all possible solutions) should be considered for addressing the capacity or mobility problem?
5. Is completion of the southern segment of the SR-241 toll road a viable solution to the capacity or mobility problem?
6. If completion of the southern segment of the SR-241 toll road is viable, what alignments should be considered?
7. What issues need to be addressed in order to build agreement on any solution and/or the SR-241 option if it is a viable solution?
8. What criteria or priorities should be established for deciding on solutions for addressing the capacity or mobility problem and/or the completion of SR 241?
9. What process should be used to achieve consensus on a solution among the South County cities? Is achieving consensus necessary, desirable?
10. Who should be involved and what process should be used to determine if and how to address South County's I-5 capacity/mobility needs?

A content analysis of the completed 45 ascertainment study interviews resulted in well-defined categories of information and input frequency repeat-rates that indicate the sample size is sufficient for drawing limited, but reliable conclusions and for making germane next-step recommendations.

There were some study participants who indicated they were willing to be interviewed but would not directly respond to the question "Is there an I-5 capacity problem?" This is because they are fundamentally opposed to the 241 toll road and do not want to lend credence or support to any effort that would result in a decision to extend its alignment. To reflect this perspective and reconcile it with the study's definition of "consensus," (which is to achieve total agreement,) this report does not refer to "consensus" findings since, by definition, "consensus" findings would be impossible.

Further, in order to foster objectivity and avoid contributing to a polarized decision-making environment, the content of this report focuses on areas of "high agreement" among interviewees (i.e. 40 interviewees or more agree). Where there is not "high agreement" content is referred to as "lack of agreement" without clarification of the agreement level (i.e. low or medium). This practice is employed in order to avoid any tendency to attribute "right or wrong" to interviewee input or use the report content to justify decision-making related to potential solutions for South County's mobility needs. Further, the practice is intended to emphasize those areas where opportunity exists for all interested parties to be included, develop consensus and collaboratively work together.

Environment

The environment within which the ascertainment study was conducted contains unique elements which should be factored into consideration of the conclusions and recommendations resulting from the study. These elements are:

- Existing I-5 construction.
- Extension of Avenida La Pata.
- Local culture and political perspectives, values and practices.
- Interviewees/community leaders' limited discretionary time.

I-5 construction. Several interchanges along the South County I-5 are currently under construction by Caltrans for the purpose of improving I-5 capacity and traffic flow. The construction is perceived by interviewees as “currently” contributing to existing I-5 congestion while “possibly” alleviating congestion long-term. Thus, for some interviewees, stating a “definitive and/or accurate” opinion about the adequacy or inadequacy of the I-5 capacity was “at this time” complicated by the construction.

Avenida La Pata. Similarly, the extension of Avenida La Pata, a four-lane north/south arterial road now under construction by the County of Orange, is planned to improve local circulation. For some interviewees, this project complicated their ability to make a definitive assessment “at this time” of existing and long-term capacity needs on the I-5.

Local culture and political perspectives, values and practices. Long and passionately held cultural and political values, perspectives and practices are identified by interviewees as factors that will impact achieving consensus solutions to South County mobility needs. Interviewees indicate that residents and leaders in South County cities care passionately about their local community, preserving its existing character and identity and actively organize to influence elected officials’ decisions about its future. Residents and leaders are described as holding “strong” views about roads, modes of transportation, environmental preservation, development, etc. and will “turn officials out of office” if they do not “comply with their specific wishes.”

Interviewees describe effective, organized, robust and sometimes “rough and tumble” campaigns to elect city council majorities of pro or no-development perspective and campaigns to influence what city projects are and are not approved. The words used most often to describe the local decision-making process were “polarized” and “politicized.”

Interviewees also describe “frustration” with having to “live with” decisions made by elected officials who, while in office, made decisions counter to the interviewee’s philosophy and perspective. Thus, development and transportation planning in the South County is described as a “continual tug-of-war among various factions” resulting in planning decisions that are sometimes “not fully implemented,” “short-term,” “fragmented” and “inconsistent” due to changing council majorities and philosophies.

Finally, South County residents and leaders are described as embracing the values of the “right to engage” in the democratic process, open, transparent government and decision-making, and the importance of facilitating broad community input.

Interviewees/community leaders' limited discretionary time. The amount of time and effort necessary to conduct the ascertainment study was extended and impacted by the limited availability of “busy” interviewees. While interviewees expressed an interest in participating in the study, finding the time for the interview was challenging. Interviewees explain that South County residents and leaders are “busy” with work, family, travel, exercise, sports and personal commitments. They describe having to walk door-to-door to leave messages about important meetings in order to assure attendance and trying to “catch people in person” in the late evening when they are returning from work.. The limited time and “focused attention” of community members is viewed as complicating the thorough, accurate communication of facts necessary for local residents and leaders to develop informed decisions and perspectives on any topic let alone topics that are highly technical and/or politicized.

Section 2: Overview of Findings

Definition of mobility challenges related to traffic congestion and the I-5 freeway.

There is high agreement among study participants that an I-5 mobility problem exists. The problem is described differently by interviewees depending upon where they live in relation to the I-5 and their personal I-5 usage pattern. Collectively, interviewees describe the problem as:

- Intermittent.
- Excessive north and southbound I-5 congestion from Oso Parkway to Cristianitos Road during the morning and evening peak week-day transportation hours, on weekends (Friday early afternoon through Sunday late afternoon, especially southbound) and whenever there is an accident or incident that impacts an I-5 traffic lane.
- Difficulty using local arterial streets for accessing and crossing the I-5 during peak transportation times and periods when there are accidents or traffic incidents.

Collectively, interviewees describe the consequences of “excessive congestion” as impacting the “quality of life” in South County:

- **Reduced personal time.** “Waste hours of time just sitting in traffic.” “Don’t get home until very late.” “Sit for 10 minutes just to get to the freeway some mornings...then sit some more.”
- **Increased personal stress.** “...not knowing if I will be able to get home or not.” “Feel stranded.” “Held hostage to the I-5.” “...late to dinner or the kid’s programs.” “...exhausted when I finally reach home.”
- **Affected life choices.** “We changed churches because we couldn’t get to worship and participate in its community life.” “We can’t do dinner, a movie or the beach whenever we want...our choices are based on the traffic.”
- **Increased residential “cut-through” traffic.** “People are finding their way through our neighborhood to avoid the freeway.” “Drive fast...don’t care about our neighborhood.” “Is impacting our property values.” “We love it here but are talking about moving.”
- **Increased safety concerns.** “I worry about fire. You can survive an earthquake but need to get away from a fire.” “If my child needs a doctor I

want to be able to get him there before it's too late." "We have to have another way out."

- **Constrained business.** "Everything falls apart if my deliveries are late." "Time is money to me." "I can't be late to meetings." "I need to make a living."

Even though there is high agreement that an I-5 mobility problem exists, there is lack of agreement about the best approach to solving the problem as well as whether or not a solution should even be pursued. Some interviewees believe that any solution that involves increased capacity for cars should not be considered because the South County is already "over developed" and so that the "over development" and growth will be contained. They indicate that "roads benefit developers and new residents, not the existing community." They understand that thousands of approved new housing units will be built in the future but believe that prohibiting new roads will stop or slow the development, and its related growth which would be "a good thing for the community."

Some interviewees who favor no solution related to increased road capacity for "cars" believe that only once the capacity for "cars" is restricted will the community and its leaders "meaningfully" pursue alternative modes of transportation that are people friendly and environmentally more sensitive such as carpooling, monorails, subways, trains, buses, bicycles and walking. They believe that people can be "led" and "encouraged" to give up their "dependence" on cars if conditions require this change.

Interviewees who seek a solution that involves increased capacity for traffic believe that South County traffic congestion must be addressed for the "health, safety and well-being of existing residents." They indicate that the community and its leaders have "allowed congestion to build up for too long," that existing residents are "paying the price" and that already approved development "will be built," "growth will occur and must be planned for" in order to "avoid gridlock," a "degraded quality of life" and unnecessary "tragedies." They believe that people have "a right" to cars and depend upon them for their "livelihood" and "quality of life."

In addition to the lack of agreement that a solution is needed, there is a lack of agreement about what solution(s) are acceptable. Opinions about the desirability, value and sustainability of toll roads, the effectiveness of the TCA's leadership, alternative SR 241 alignments and road capacity enhancement planning span a broad range of opinion.

- **Desirability and value of toll roads.** Some interviewees view the toll road concept as "acceptable" and the "only way to finance new roads in California." They believe existing toll roads are "well designed," "enjoyable to drive," "reduce stress," "save time," "important to have when you are pressed for time or have an emergency," "provide choice," "create additional, critically needed road capacity for everyone" and "free-up new capacity on existing roads." While they would prefer that there was not a fee for using and financing the road, they view the fee as "temporary" and

“necessary when state funding is limited or not available.” These interviewees are philosophically accepting of a user-fee and believe that those who can pay for “a choice of services” should be able to do so. “The choice we make frees up space on existing roads for those who don’t choose to use the toll road.”

Other interviewees are philosophically opposed to the toll road concept on the basis that “public roads should be for everyone, not just the ‘elite’ or those who can afford to pay to drive them.” They believe that the road fee “is not temporary” as the “TCA will never pay-off the debt” or “give up the revenue it needs to stay in business.” Further, they believe that toll roads facilitate “developers,” “over development and growth” and “degrade and (geographically) divide the local community.”

- **Financial sustainability and viability of toll roads.** Some interviewees believe that “no one uses the roads,” “...they (toll roads) are two-thirds empty all of the time,” “with low usage not enough fees are generated to make them (toll roads) pencil out,” “toll roads are money losers and have to be subsidized by the tax payer.” “Tax payers pay for the road and then have to pay to use it.” Further, these interviewees believe that “most people will not pay to use a road when they can use another road for free.”

Other interviewees indicate that they do not have a “good understanding of the toll road economics,” believe that “fiscal responsibility is important” but find the usage fee “reasonable” and are “happy to pay when I need the road.”

- **Ability of TCA to lead.** Some interviewees believe that the TCA has an “inherent conflict of interest” and, therefore, should not be the lead in determining if a toll road is or is not built. They explain that the TCA’s mission and “reason for being” is to build and manage toll roads. Therefore, the TCA will “say that a road is needed, whether it is or not, just to stay in business and justify its existence.” These interviewees believe that the TCA cannot be sufficiently unbiased or “trusted” to generate reliable information and make decisions in the best interests of “the community” because of this “inherent conflict.” Further, they believe that the TCA does not represent Orange County’s interests but rather the interests of developers.

Other interviewees indicate that the TCA is comprised of elected officials who directly represent them and that they accept the need for roads financed and led by the joint powers authority (TCA) created to address South County’s transportation needs. These interviewees have confidence in the research and information provided by the TCA and its’ Board of Directors. However, these interviewees do believe that the decision-making process would benefit from involvement of other transportation planning agencies such as the Orange County Transportation Authority and Caltrans.

- **Alternative SR 241 road extension alignments.** When considering the option of extending the alignment of the SR 241 south beyond Oso Parkway, there is a high understanding and acknowledgement among interviews that the road must ultimately connect back to the I-5 in order to be effective. However, there is lack of agreement about where and how the connection is best made.

Interviewees suggested a broad range of possible locations for connecting with the I-5. Some believe the SR 241 should not be extended beyond Cow Camp Road or Ortega Highway, others believe the previously evaluated “green alignment extending around the city of San Clemente and somewhere through Camp Pendleton and south of San Clemente” should be reconsidered while others suggest tunneling or finding a way to connect somewhere between San Clemente and San Juan Capistrano.

There is also lack of agreement about how best to design a SR 241 to I-5 connection. Some interviewees are accepting of the concepts of managed lanes and fly-over connectors while others are not accepting and find them “intrusive” or “hard to understand how they would work.”

- **Road capacity enhancement planning.** There is high agreement among interviewees that “if” extension of the SR 241 is considered it should be considered in conjunction with ancillary road improvements. Interviewees believe that extension of the SR 241 may or may not be the ultimate “best” solution to the I-5 mobility problem and that the ultimate “best” solution may be a combination of other capacity improvements along with the SR 241 extension. They indicate that there are projects on the Master Plan of Arterial Highways (MPAH) that have not been implemented or have been eliminated. They suggest that a comprehensive planning approach, including the MPAH, is warranted and would build confidence among South County residents that approved projects will “actually result in real benefit” to the community.

Priorities for decision-making about potential solutions for mobility and related environmental challenges.

Priorities for use in decision-making about solutions to the I-5 mobility problem reflect a broad and varied range of views predicated upon each interviewee’s political and philosophical perspectives, where they live in relation to the I-5 and their personal I-5 usage pattern. Collectively, interviewees identified the following priorities required to make a solution or combination of solutions acceptable (to those interviewees who are willing to consider a road capacity enhancement solution.) The collective priorities are defined as:

- **Quality of everyday life.** This priority is defined as:
 - Less time spent traveling to and from, across and on the I-5.
 - Less stress felt from “highly congested” travel on the I-5.
 - Life choices are not determined by I-5 congestion. (e.g. “if and when to go shopping;” “where my child goes to school.”)
 - Less neighborhood “cut-through” traffic.
- **“Balanced” environmental sensitivity.** Interviewees express a broad range of views about what constitutes a person who cares about the environment. Some indicate they are “just as much environmentalists as Surfrider and organized environmental groups” and that “we care about protecting the environment which includes some of their (Surfrider) definition but also our own.” “We are environmentally sensitive too but in other ways.” These interviewees do not want their views “dismissed or diminished” because they are not part of an organized, “powerful group with money.”

Interviewees affiliated with environmental protection groups, such as Surfrider, have perspectives based upon their respective group’s well-defined scope, mission, policies, guiding principles, practices, research and long history of protecting the environmental areas to which they are dedicated.

These diverse interviewees collectively define “balanced” environmental sensitivity as:

- No “needless” destruction of natural areas not already disturbed by development.
 - Reduced air pollution from idling motors due to highway congestion. (e.g. “keep cars moving.”)
 - “Sensitive” mitigation for disturbed areas, habitat and impacted existing residential areas.
 - “Attractive” design of roads and associated structures.
 - “Generous” landscaping, sound walls, etc. for mitigating view and sound impacts.
 - Achieving “a balanced approach” to “weighing” and addressing all perspectives on how the “entire” community defines the environment.
- **“Credible, cost-efficient, coordinated” transportation planning and management of on-going operations.** There is high agreement among interviewees that any solution to addressing the I-5 capacity problem should be coordinated and credible for the solution(s) to be “trusted” and “accepted” by the community.

Collectively, interviewees define this priority as:

- Caltrans, OCTA and TCA working together to devise a solution(s).
(Collaboration among the planning agencies is viewed as helping address the perception that the TCA has a “conflict of interest” related to its single focus mission and that a toll road is not being planned because that is the “only thing the TCA does.”)
 - A “comprehensive” solution comprised of the extension of the SR 241 (if proven beneficial) plus implementation of other local arterial improvements and projects that are on the MPAH and will benefit South County circulation but have not been implemented or funded.
 - A solution that “does not move the problem around” but addresses the problem going southbound all the way to San Diego.
 - Proposed projects and their management are “proven” to be financially feasible, viable and sustainable.
 - Considerations about future transportation modes that are not reliant on the automobile are factored into the planning process.
- **Safety.** This priority is collectively defined by interviewees as:
 - Reduced number of I-5 accidents that “shut down” the I-5.
 - Increased “quality of life” resulting from reduced time spent in congested traffic.
 - Reduced, “fast,” neighborhood cut-through traffic.
 - Alternative I-5 capacity for residents' use in case of fire, natural disaster and/or a personal life threatening issue.
 - **“Meaningful, proven” congestion relief benefits.** Collectively, those interviewees willing to consider the extension of the SR 241 indicate they are not “excited” about having another road built through the community but are willing to consider “paying the price of the impacts of another road” if it can be proven that “meaningful” results and benefits will be achieved and that the congestion relief will outweigh the adjustments and impacts necessary for the extension of the SR 241. The “proof” will require “credible” traffic studies and analysis which are “open to public review” and comment. The analysis should have factored into it the circulation improvement “projects currently under construction” as well as those in the MPAH.

Is consensus possible and what public processes are preferred for planning and decision-making related to South County mobility needs?

There is lack of agreement and a diverse range of opinion among interviewees about the possibility and even desirability of achieving a consensus solution to the I-5 capacity problem. Some indicate they would not know “where to begin” in trying to build consensus and that the community is not used to operating by consensus. “What we know is fighting things out

through the city council.” “We make decisions through our city councils...that’s how it’s done here.” “Sometimes we get what we want and sometimes we don’t.”

Some interviewees believe that because of the “intensely polarized growth and no-growth political environment it would be hard to achieve consensus.” They believe consensus would be resisted by “factions” of the community because the “council will do what they are told by those (factions) that elect them.” “They don’t want consensus...just to have the council members they got in office vote for what they want...to represent them.” Others describe past experiences where “a long, exhaustive community input process” resulted in approval of a plan and then, after the fact, “the people who participated in the planning group opposed implementation of parts of the agreed-to plan”...“because they want to and can.” Those interviewees who believe the SR 241 should “under no circumstances” be extended indicate that “consensus” is irrelevant because “it’s (the road) not going to happen.”

Some interviewees express interest in “attempting” to build consensus because “maybe we could get something done.” “It might be nice if we could stop fighting.” “If we had consensus before we would already have the roads we need.” Still others believe that “higher ups” need to come in and “tell us what to do.” “The County approves the development in our area, it should be responsible for making sure we have the roads to accommodate the growth it makes happen.” “It’s a state road; they just need to decide.”

While interviewees hold divergent views about the value and/or feasibility of building consensus, there is high agreement that if the SR 241 is extended the “Surfrider organization and environmental groups” must be “dealt with,” “OK with it,” “consulted” “part of the process,” and “not opposed” to the extension. Some interviewees express “anger,” “frustration” and “irritation” that the previously proposed “green alignment” was defeated “only” because of the Surfrider “and its’ orchestrated, financed and powerful” opposition. “They (Surfrider) brought in ‘outsiders,’ who didn’t live here, to testify” and “took over” the public hearings. “They intimidated us and made it hard to speak at our own community meetings.” “We care about the environment too but not according to ‘their’ (Surfrider) definition.”

Other interviewees believe that Surfrider is necessary and “a given” in the process because they “care about the environment” and “our beaches and water.” “People move here for the beaches.” “We choose to live here for the water and lifestyle...we will protect them.” “Half of the people who live here surf...we identify with the surfer-life...we listen to Surfrider.”

Regarding any public involvement process related to extension of the SR 241, there is high agreement among interviewees that it needs to provide opportunities for “full public review and involvement,” “access to information” and “choices at the local level.” Areas identified as important for receiving public input include but are not limited to:

- Whether or not to extend the SR 241.
- The alignment and location of the connection of an extended SR 241 to the I-5.
- Traffic studies, analysis and data upon which decisions are made.
- Design of bridges and fly-overs that may be considered.
- Mitigations, including the design and location of sound walls and/or berms.
- Types and amounts of landscaping, aesthetics of construction materials and use of graphic design.
- Sound and view impacts on residents and businesses.
- Air pollution, land and habitat disruption and other environmental impacts.
- Use of eminent domain. (Interviewees express high agreement that use of eminent domain is not an acceptable approach to use in addressing the I-5 capacity problem.)

Key Areas of “High Agreement”

In summary, areas of “high agreement” that may have potential for helping to achieve a solution(s) to the I-5 capacity problem that includes extension of the SR 241 are:

1. There is an I-5 capacity/mobility problem.
2. The impacts of the current I-5 improvement projects and the extension of La Pata need to be factored into determining if or if not the I-5 capacity problem will require extension of the SR 241.
3. If extension of the SR 241 toll road is part of solving the I-5 capacity problem the SR 241 must connect to the I-5 in order to effectively address the problem.
4. Other solutions, in addition to extending the SR 241, should be considered so that the ultimate solution to the I-5 capacity problem is comprehensive and has the greatest chance of meaningfully benefiting the community.
5. Multiple transportation planning agencies should be involved in planning and considering the benefits of or not extending the SR 241.
6. Transportation studies and data should be credible, reliable and “prove” that if the SR 241 is extended it will actually result in “meaningful” congestion relief on the I-5 and in the surrounding communities.
7. Surfrider Foundation and affiliated environmental groups should be involved in considering mobility solutions.
8. The planning process should allow for open, transparent public involvement, access to traffic studies and data, and on-going public input throughout the planning process.
9. Use of “eminent domain” is not desirable.
10. Impacts to existing residents resulting from any extension of the SR 241 should be fully mitigated and residents should be provided a range of choices related to the mitigations.
11. The political decision-making environment is divided among those who oppose “over growth,” support actions that contain growth and those who accept “approved growth” and support actions that manage growth impacts.

Key Areas of “Lack of Agreement”

In summary, areas of “lack of agreement” which are potential barriers to achieving solutions to the “I-5 capacity problem” that include extension of the SR 241 are:

1. “On principle,” as to whether extension of the SR 241 should or should not be considered as part of a solution to the I-5 capacity problem.
2. Orange County toll roads are or are not financially viable and sustainable.
3. Toll roads will or will not help create new capacity on existing roads.
4. Extension of the SR 241 will or will not “meaningfully” reduce congestion on the I-5.
5. “On principle,” toll roads are or are not “elitist” and therefore should or should not be eliminated from consideration as part of the congestion solution.
6. The TCA does or does not have a “conflict of interest” in effectively leading the capacity problem-solving process.
7. The I-5 congestion problem is or is not of sufficient magnitude and importance to warrant taking action.
8. Extension of the SR 241 will or will not constrain development and associated growth impacts.
9. Seeking a “consensus solution” to the capacity problem is or is not desirable and/or possible.
10. There is or is not a SR 241 alignment and point-of-connection to the I-5 that will help address the I-5 capacity problem.

Section 3

Conclusions and Recommendations

Conclusions

The following conclusions are based upon the community ascertainment study environment and findings. They are offered to assist decision-makers and the community in formulating their respective thinking about the priorities, factors and dynamics underlying their collective ability to determine the role that extending the SR 241 will or will not play in resolving South County's mobility needs and its I-5 capacity problem. The conclusions are intended to help define some of the policy questions and critical path decisions necessary for considering if and how to undertake a collaborative problem-solving effort.

1. Achieving complete community-wide consensus to extend the SR 241 is not a realistic goal because there are portions of the community who, on "principle," will actively oppose extension of the road. Thus, the existence of inherent philosophical opposition combined with the long-established, sophisticated, polarized growth/no-growth local political environment will preclude achieving full community-based "consensus." (Consensus is defined as total agreement.)
2. However, the high level of agreement that an I-5 capacity problem exists that diminishes the quality of life in South County provides a cornerstone of agreement upon which productive exploratory discussions can and should be based. Since there is high agreement that a problem exists, the questions for exploration and advancing the potential for collaboration become "What solutions or combinations of solutions should be considered?" "What price or tradeoffs, if any, can be made in order to make the solutions acceptable to as many people and constituencies as possible?" and "What priorities and principles or policies will guide decision-making?"
3. A forum comprised of South County, city elected officials (rather than including non-elected community representatives) will have the greatest potential for garnering community support and successful problem-solving. There is lack of community agreement about how to build consensus and the value of consensus. The community accepts its long-standing practice of making decisions and "fighting out" differences through its elected city officials. Thus, elected officials are perceived by their respective communities as the most appropriate persons to develop solutions, make the difficult decisions on behalf of the community and are best positioned to facilitate the exploration of a collaborative process.

4. Problem-solving among elected officials will have greater potential for success and garnering community support if transportation planning representatives from OCTA, Caltrans and San Diego (i.e. all three planning entities) are actively involved in the problem-solving effort. There is high agreement that any solution to the I-5 capacity problem should be “comprehensive,” should include the capacity solutions already under construction by Caltrans and OCTA and other solutions ancillary to the extension of the SR 241 and that a meaningful solution must address I-5 southbound congestion. Thus, all planning entities need to be involved and their efforts coordinated. Further, solutions recommended by these multiple transportation planning authorities may, to some degree, address concerns about TCA’s perceived “conflict of interest” and thus provide increased credibility and community confidence in the decision-making process.

5. Proactively recognizing and addressing key areas where “lack of agreement” exists will increase the opportunity for achieving agreement on a collaborative solution. Determining how these areas will be addressed will help reduce and/or clarify the number of political and philosophical issues complicating the decision-making process. Reducing the number of these issues will help objectify the process and make it possible to focus on technical criteria and solutions for decision-making. Examples of areas for resolution and guiding policies include:
 - a. “On principle” (such as “elitism,” “double taxation”), will extension of the SR 241 be eliminated from consideration as part of the collaborative congestion solution?
 - b. Are Orange County toll roads financially viable and sustainable?
 - c. Will extension of the SR 241 help create new capacity on existing roads?
 - d. Will extension of the SR 241 “meaningfully” reduce congestion on the I-5?
 - e. What is the operative definition of “meaningfully” reduced congestion?
 - f. Does the TCA have a “conflict of interest” in effectively leading the I-5 capacity problem-solving process?
 - g. Is the I-5 congestion problem of sufficient magnitude and importance to warrant taking action?
 - h. Will eliminating extension of the SR 241 constrain development and its associated impacts?

6. Including Surfrider in the public involvement process will increase the opportunity for achieving agreement on a collaborative solution. There is high agreement that Surfrider was instrumental in defeating previous solutions. Thus, including Surfrider's perspective is essential to achieving a viable collaborative solution. Further, Surfrider’s professional review and comment will help substantiate the credibility and reliability of technical data and studies for decision-making.

7. Providing rigorous, credible transportation studies, data and information to decision-makers and the public will be necessary for productive problem-solving. There is high agreement that “meaningful” and “proven” traffic congestion relief and improved mobility must result

from any collaborative solution in order for the solution to receive community support. Reliable, credible studies are the primary means for defining and measuring “meaningful” and “proven” benefits.

8. Providing an open, “transparent,” accessible, information-rich, credible, comprehensive public involvement process will be essential for achieving a collaborative solution. The community’s well-educated, intelligent, concerned residents expect to be “respectfully” involved and to provide input for consideration by the decision-makers.
9. Contentious public meetings with intense public debate should be expected as part of the problem-solving process since these are part of the long-standing practices and traditions of the South County governance process and there are portions of the community who “on principle” oppose extension of the SR 241. The more it is possible to reduce the amount of contentiousness and foster respectful public dialogue and discourse the greater the opportunity for building meaningful, collaborative solutions.
10. For a collaborative effort to succeed it will require the “willingness” of the community to do its part by supporting their elected officials in this complicated, challenging endeavor. And, it will require the willingness of the community to allow “safe space” for their elected officials and fellow citizens to explore creative ideas and to grapple with the unknown and change that is part of South County’s future.

Recommendations

As explained in the beginning of this report, the following recommendations are part of a multi-faceted, broad-based stakeholder process and will be one of many factors the TCA will consider in determining how it will proceed in addressing South County mobility needs. Because there is a high level of agreement that an I-5 capacity problem exists and thus a foundation for potentially productive exploratory problem-solving, the recommendations focus on first-steps for developing a problem-solving process that is open, inclusive of all interests and collaborative.

1. **Establish an inclusive process for elected officials comprised of officials representing the cities affected by the I-5 congestion problem and whose interests are impacted by the problem.**
 - a. Provide a venue for officials to discuss and consider how to address the key areas where lack of agreement exists within their respective communities. For example, related to the question “Will eliminating extension of the SR 241 constrain development and its associated impacts?” how will elected official’s factor this question into the problem-solving process? Will the premise be left to each individual elected official to factor into discussions as he/she thinks best or will there

be a collective policy on this question to serve as a collective problem-solving planning assumption?

- b. Provide a venue for officials that is augmented by the participation and planning expertise of Caltrans, OCTA, and San Diego transportation planning authorities. This will provide the officials with comprehensive information, research and data that will enable them to consider the extension of the SR 241 in a broader context that includes consideration of additional capacity enhancements and results in a comprehensive approach that can, in turn, be presented to the community for its input.
 - c. Provide a venue that provides for free, open dialogue and creative problem-solving among the officials that is collegial and focuses on finding “win/win” solutions that best serve South County residents now and in the future.
 - d. Ensure that the venue allows for regular, timely public communication about the exploratory problem-solving process and that its process is closely aligned and coordinated with a plan to inform and communicate with the public.
2. **Develop and implement a public information and communications plan to inform the community about the elected officials' process. Ensure that the plan provides for open, fact-based, on-going, timely, accessible communication about the process that rigorously continues TCA’s commitment to “start the problem-solving process with input from the community.”**
- a. Since the purpose of the community ascertainment study was to begin with understanding the community’s needs and perspectives, continue this commitment to the community by **providing study interviewees with the study’s findings and recommendations**. Provide an opportunity for the diverse study participants to review and discuss the ascertainment report if they so desire.
 - b. **To launch the public information process, plan and conduct a “big-picture,” public mobility workshop attended by elected officials and the interested public.**
 - i. The workshop might be half day and offered twice on different days in order to make the opportunity available to as many people as possible.
 - ii. The workshop's purpose should be “big picture” incorporating the present and future of transportation planning and building upon the information developed through the ascertainment study where there is a high level of agreement and/or collective descriptions of the I-5 capacity problem and priorities for decision-making related to the extension of the I-5.
 - iii. Agenda items for the workshop might include but not be limited to:

1. Presentations by Caltrans, OCTA and San Diego transportation planning authorities about the status of their plans to address South County transportation needs and how their respective planning is coordinated with one another.
2. Explanation and review of the reasons the previously considered SR 241 extension alignment (i.e. “green alignment”) was not approved and the status of that alignment.
3. Presentations by “futurist” experts in the transportation field that focus on information about trends in transportation planning and best practices for planning for the future. These experts would speak to alternative transportation modes and how they are or can be factored into planning for the future.
4. Presentation of new techniques and engineering designs that help create improved flow and capacity on existing roadways.
5. Presentation of the community ascertainment findings related to the I-5 congestion, “quality of life” concerns and the collective priorities for problem-solving identified through the study.
6. Opportunity for workshop attendees to:
 - a. Engage in question and answers with the workshop presenters.
 - b. Input their thoughts about the collective priorities resulting from the ascertainment study. (For example, input to expand the definition of any or all the priorities, input to add new priorities, opportunity to comment on the relevance and importance of the priorities.)
 - c. Input their thoughts about what alignments should be evaluated if and when extension of the SR 241 is explored.
 - d. Input their thoughts about what solutions they think are important for addressing South County mobility needs.
 - e. Input the design of an on-going community involvement process for if and when extension of the SR 241 is considered. For example:
 - i. Most useful communication vehicles. (e.g. newspapers, websites, local papers, email updates and notices, social media)

- ii. Most useful public information venues. (e.g. city council meetings, Home Owner Association meetings, PTA meetings, local school-based community meetings, small-group discussion meetings, etc.)
 - iii. Optimal day of the week and times for meetings.
 - iv. Topics and information most useful to the community.
 - f. Compile the input received from workshop participants and provide it to elected officials to inform their thinking as they develop their process for considering if and how they will collaboratively problem-solve to address South County mobility needs.
 - g. Video tape the workshop and make it available online for members of the public unable to attend one of the workshops. In conjunction with the workshop video, provide a means for the public to add their thoughts about the content of the workshop and potential alignments for extending the SR 241 if and when its extension is considered. Provide the online information to the elected officials to help inform their problem-solving process.
3. Depending upon the status of the elected officials' process, be prepared to develop and implement a comprehensive community involvement plan that facilitates the public being informed about congestion relief solutions under consideration through the elected official process and any potential alignments under consideration for the extension of the 241 toll road.
- a. Based upon input from the elected officials' process, the recommended initial community transportation workshop and ascertainment study, develop and implement a responsive, inclusive community outreach and involvement plan.
 - b. Consider convening a citizens' group representative of the cities affected by the I-5 congestion problem and whose interests are impacted by the problem. Such a group might provide input to the community outreach and involvement plan to ensure that it is relevant to citizens' needs and provide on-going input to help ensure the plan remains relevant and responsive throughout any approval process.
4. Ensure that a process for working with Surfrider is implemented so that its leaders' thinking and priorities are received and proactively factored into the elected officials' problem-solving process.
5. Reach out to and reengage with those individuals who actively participated in the 2008 public involvement process related to extending the SR 241. Some express skepticism and disillusionment with the benefit of participating in such a process. Provide accurate

information to help them understand the technical and political reasons why the “green alignment” was not approved and how the current planning process is focused on exploring collaborative solutions. Encourage and facilitate their re-involvement to ensure robust, representative community participation in the problem-solving process.