



AGENDA STAFF REPORT

Control: 26001507

MEETING DATE: 09/29/2026

LEGAL ENTITY TAKING ACTION: Board of Supervisors

BOARD OF SUPERVISORS DISTRICT(S): District 4

SUBMITTING AGENCY/DEPARTMENT: OC Public Works

DEPARTMENT CONTACT PERSON(S): Fiona Man, 714-371-7355
Joe Nguyen, 714-647-3959

SUBJECT: Approve Amendment No. 3 to Cooperative Agreement for Brookhurst Street Widening

CEO CONCUR	COUNTY COUNSEL REVIEW	CLERK OF THE BOARD
Concur	Approve agreement and resolution to form	DISCUSSION
		3 Votes Board Majority

Budgeted: N/A	Current Year Cost: N/A	Annual Cost: N/A
Staffing Impact: No		Sole Source: N/A
Current Fiscal Year	Funding Source: N/A	County Audit in Last 3
Revenue: N/A		years: No
Levine Act Review		
Completed? N/A		

Prior Board Action: 3/28/2023 #29, 4/13/2021 #32, 12/4/2018 #31, 4/24/2018 #15

RECOMMENDED ACTION(S):

1. Approve Amendment No. 3 to the Cooperative Agreement between the County of Orange and the City of Anaheim for Funding, Design, and Construction for Brookhurst Street Widening, Phase 2 to update the parties' responsibilities for right-of-way boundary adjustments, ownership and post-construction maintenance, effective upon execution of all necessary signatures, with no increase to the County of Orange's financial obligation, for a total cumulative amount of \$5,180,000.
2. Adopt a Resolution to terminate the County of Orange's maintenance responsibilities for the west side of Brookhurst Street between Cerritos Avenue and 150-feet north of Guinida Lane pursuant to California Streets and Highways Code Section 954.6.
3. Make the following CEQA findings:
 - a. The City of Anaheim, as lead agency under CEQA for the Brookhurst Street Improvement Project, adopted Mitigated Negative Declaration (MND) SCH No. 2010041037 on June 22, 2010. The County of Orange, as a responsible agency under CEQA Guidelines Section 15381, has reviewed and considered the MND prepared by the City, and certifies that it has done so, pursuant to CEQA Guidelines Section 15050(b).

- b. There are no significant environmental effects within the jurisdiction of the County of Orange which require a finding on the part of the County of Orange.
- c. The circumstances of the project are substantially the same as described in the MND (SCH No. 2010041037) and no substantial changes have been made in the project, no substantial changes have occurred in the circumstances under which the project is being undertaken and no new information of substantial importance to the project which was not known or could not have been known when the MND (SCH No. 2010041037) was adopted has become known.
- d. There are no feasible alternatives or feasible mitigation measures within the separate authority of the County of Orange to impose, which would substantially lessen or avoid any significant effect the project would have on the environment, pursuant to CEQA Guidelines section 15096 (g)-(h).
- e. As a responsible agency, the County of Orange is authorized, pursuant to CEQA Guidelines section 15096, to rely on the MND (SCH No. 2010041037) adopted by the City of Anaheim.

SUMMARY:

Approval of Amendment No. 3 to the Cooperative Agreement with the City of Anaheim for Funding, Design, and Construction for Brookhurst Street Widening, Phase 2 and adoption of a Resolution will update post-construction ownership, right-of-way boundary adjustments and post-construction maintenance responsibilities for the completed improvements to the City of Anaheim.

BACKGROUND INFORMATION:

Brookhurst Street is designated as a six-lane major arterial highway on the Orange County Transportation Authority (OCTA) Master Plan of Arterial Highways and was identified as deficient to handle the daily traffic volume in OCTA's 2016 Traffic Flow Map.

In June 2015, the City of Anaheim (City) completed the Brookhurst Street Widening, Phase 1 Project, which widened Brookhurst Street from Ball Road to Katella Avenue from four to six lanes. The segment within the County of Orange's (County) jurisdiction, between Guinida Lane to Cerritos Avenue, was only widened to five lanes during Phase 1. The Brookhurst Street Widening, Phase 2 (Project) will complete the widening by adding a third southbound lane within the County's jurisdiction to mitigate traffic bottleneck.

Prior Board of Supervisors (Board) actions related to the Project are summarized in the table below.

Board Date	Board Action	Amount
4/24/2018	Approved the Project as part of the OC Public Works 7-Year Capital Improvement Program (CIP). The Project has been re-approved in subsequent CIPs.	N/A
12/4/2018	Approved Cooperative Agreement MA-080-19010444 (Agreement) with the City as the lead agency for design, right-of-way engineering and construction for the Project. The County's responsibilities included acquiring right-of-way within unincorporated County and funding the actual cost and expenses of the County's portion of the Project.	\$2.5 million
4/13/2021	Approved Amendment No. 1 to the Agreement to increase the County's financial obligation due to right-of-way delays, designate the County as the lead agency for the required Local Area Formation Commission (LAFCO) boundary adjustment process and authorize the Chief Real	\$710,000 (\$3.21 million cumulative)

	Estate Officer or designee to execute all temporary and permanent easements necessary to implement the Agreement.	
3/28/2023	Approved Amendment No. 2 to the Agreement to increase County and City financial obligations to reflect changes in the market's real estate and construction costs.	\$1.97 million (\$5.18 million cumulative)

In March 2026, the County executed quitclaim deeds conveying its real property interests within the Project area to the City and the City accepted the quitclaim deeds in April 2026. Following the transfer of the County's property interests, the County and the City determined that the Agreement should be updated to reflect the completed property transfers, designate the City as the lead agency for completing the remaining LAFCO boundary adjustment process and establish the process for transferring post-construction maintenance responsibilities to the City pursuant to California Streets and Highways Code (SHC) Section 954.6.

OC Public Works recommends the Board approve Amendment No. 3 to the Agreement with the City to reflect the completed transfer of property interests, assign responsibility for completing the remaining LAFCO boundary adjustment process to the City and clarify ownership and post-construction maintenance responsibilities. Amendment No. 3 does not increase the County's financial obligation, which remains \$5.18 million.

Adoption of the Resolution terminates the County's maintenance responsibilities for Brookhurst Street between Cerritos Avenue and north of Guinida Lane pursuant to SHC Section 954.6. Upon recordation of the Resolution and completion of the statutory requirements, the City will assume responsibility for the operation, inspection, repair and maintenance of the Project area in accordance with Amendment No. 3 to the Agreement.

Compliance with CEQA: The City of Anaheim, as lead agency under CEQA for this project, adopted a Mitigated Negative Declaration (MND) for the Brookhurst Street Improvement Project (SCH# 2010041037) on June 22, 2010. The County of Orange as a responsible agency under CEQA Guidelines section 15381, has reviewed and considered the adopted Mitigated Negative Declaration (SCH# 2010041037) and certifies it has done so. As a responsible agency, the County of Orange is authorized by Guidelines section 15096 to rely on the adopted by the City of Anaheim.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

REVIEWING AGENCIES/DEPARTMENTS:

N/A

ATTACHMENTS:

Attachment A - Amendment No. 3 to Cooperative Agreement MA-080-19010444 with the City of Anaheim

Attachment B - Resolution

Attachment C - Streets and Highways Code Section 954.6