

Wednesday, June 17, 2009 1:00 P.M.

Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Richard Katz, Chair
Zev Yaroslavsky, Vice Chair
John Fasana
Pam O'Connor
Mark Ridley-Thomas
Doug Failing, non-voting member

Officers

Arthur T. Leahy, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
Karen Gorman, Acting Inspector General
County Counsel, General Counsel



Los Angeles County
Metropolitan Transportation Authority

Metro

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Los Angeles County Metropolitan Transportation Authority (Metro) Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Board Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the Metro Board on non-agenda items within the subject matter jurisdiction of the Metro Board during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the Metro Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metro Board and Board Committee meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the Metro Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for Regular Metro Board meetings are prepared by the Board Secretary and are available prior to the meeting in the Metro Board Records Management Department and on the Internet.

Every meeting of the Metro Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all regular Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at Metro Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for Metro-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)
General Information/Rules of the Board - (213) 922-4600
Internet Access to Agendas - www.metro.net
TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

8. CONSIDER:

- A. approving methodologies and assumptions, including all changes and adjustments, used for Fiscal Year (FY) 2010 Transportation Funding allocations, as determined in accordance with federal, state, and local requirements, as well as our policies and guidelines and prior actions of the Board of Directors;
- B. **approving \$1.29 billion in FY 2010 Transportation Funding allocations for Los Angeles County jurisdictions, transit operators, and Metro operations** as follows:
 - 1. \$501.7 million in State Transportation Development Act (TDA) Article 4, TDA interest, and Proposition A 95% of 40% Discretionary. No State Transit Assistance (STA) is allocated for FY 2010. These allocations have been determined according to the Formula Application Procedure and include \$121,407 in two-year lag funding, \$7,166,171 in funds transferred from Proposition C 40% Discretionary to cover shortfall of Proposition A 95% of 40% Discretionary Growth over the Consumer Price Index, and \$269,540 in funds transferred from Proposition C Interest to mitigate overstatement of FY 2008 STA Revenue;
 - 2. \$49.4 million in Proposition C 40% Discretionary fund allocations for the City of Commerce as compensation for having zero passenger revenue, Bus Service Improvement Program, Foothill Mitigation Program, Transit Service Expansion Program, Base Service Restructuring Program, and Municipal Operators Service Improvement Program.
 - 3. \$26.9 million in local Proposition C 5% Security fund allocations;
 - 4. \$71.2 million in Measure R 20% Bus Operations fund allocations;
 - 5. \$54.4 million in Proposition A and Proposition C interest allocations;
 - 6. \$14.5 million in local Proposition A Incentive Program fund allocations, including \$3 million from Proposition A Incentive Fund reserves, as FY 2010 Proposition A Incentive revenue is short by the same amount;

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7. \$17 million in TDA Article 8 fund allocations;
 8. \$146.5 million in Proposition A Local Return, \$121.5 million in Proposition C Local Return, \$53.4 million in Measure R Local Return, and \$5.8 million in TDA Article 3 fund allocations;
 9. \$227.7 million in Federal Transit Act Section 5307 Urbanized Area Formula capital fund allocations; and
 10. the Summary of Methodologies and Assumptions used for the FY 2010 Transportation Funding allocations.
- C. adopting a resolution designating TDA and STA fund allocation compliance to the terms and conditions of the allocation; and
 - D. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements for funding approved.
9. CONSIDER:
- A. **programming \$54.4 million in federal Regional Surface Transportation Program funds to Access Services, Incorporated**, for Fiscal Year 2010; and
 - B. authorizing the Chief Executive Officer to negotiate and execute funding agreements as needed to provide funds as programmed.
10. CONSIDER:
- A. **expanding the Pass-Through Grant Sponsor Program** for specified federal and state funds available to interested Los Angeles County cities and local agencies; and
 - B. authorizing the Chief Executive Officer to negotiate and execute agreements with interested Los Angeles County cities and local agencies for us to act as a pass-through grant sponsor for specified federal and state funds on their behalf.

11. DELEGATE authority to the Chief Executive Officer for Fiscal Year 2009 and future years to certify that all **Federal Section 5310 Projects** selected for funding comply with Federal program requirements and annually transmit the scoring recommendations to Caltrans.

12. CONSIDER:
 - A. amending the authorization previously granted to the Chief Executive Officer (CEO) at the Board's April 2009 meeting to execute an option for an easement in favor of the City of Culver City and the Culver City Redevelopment Agency to provide authority to **execute a Memorandum of Understanding and an option for both the previously granted subterranean easement as well as a surface easement for construction of commuter parking for the Exposition Line light rail project** and the construction of a transportation oriented development over and adjacent to portions of the existing Metro right-of-way; and
 - B. authorize the CEO to execute, acknowledge and deliver such documents or agreements, subject to all necessary and appropriate environmental clearances and approvals, and take such actions as maybe necessary to carry out and comply with the option.

13. RECEIVE report of the **Chief Executive Officer**.

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST
WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT