

Wednesday, July 14, 2010 1:00 P.M.

Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Pam O'Connor, Chair
Zev Yaroslavsky, Vice Chair
Diane DuBois
John Fasana
Richard Katz
Vacant, 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

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or 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 MTA on non-agenda items within the subject matter jurisdiction of the MTA 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 MTA 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 Metropolitan Transportation Authority 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 MTA 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 the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA 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 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 the LACMTA 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 MTA-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

1. CONSIDER:

- A. recertifying \$213.87 million in existing Fiscal Year (FY) 2010-11 commitments from previous Countywide Calls for Projects and authorizing the expenditure of funds to meet these commitments;
- B. deobligating \$18.06 million of previously approved Countywide Calls for Projects and reprogramming these funds to the project(s) in the same modal category from the 2009 Call for Projects or future Calls for Projects;
- C. authorizing the Chief Executive Officer to: 1) negotiate and execute all necessary agreements for approved projects; and 2) amend the FY 2010-11 budget, as necessary, to include the **2010 Countywide Call for Projects Recertification and Extension funding** in the Regional Programs budget and our programmed projects in the appropriate cost center budgets;
- D. receiving and filing time extensions for \$114.17 million in projects;
- E. approving change-in-project sponsorship and scope of work for the Harbor Freeway Transitway Extension project (CFB# 77743B).

2. CONSIDER:

- A. approving a total of \$23 million: \$19 million in State Transportation Improvement Program funds and \$4 million in Congestion Mitigation and Air Quality funds for **the Interstate 405 High Occupancy Vehicle Lanes and Soundwall Construction Project** from State Route 90 to Interstate 10 to compensate the contractor for Time-Related Overhead, Contractor Cost Change Orders, and resolution of all remaining outstanding Notice of Potential Claims, increasing the total programmed budget from \$157.8 million to \$180.8 million; and
- B. authorizing the Chief Executive Officer to execute an amendment to the existing funding agreement with the California Department of Transportation (Caltrans) for the additional funds.

3. CONSIDER:
 - A. **establishing a Proposition C Capital Reserve Account** for the City of Agoura Hills for \$313,282; the City of Beverly Hills for \$625,000; the City of La Mirada for \$797,400; and the City of Lomita for \$1.2 million; amending the existing Proposition C Reserve Accounts for the City of Malibu to change the Malibu Canyon Road Street Overlay Project to the Civic Center Way Project using the same funds of \$160,000, including extending the termination date; and amending the City of Santa Monica's Bus Stop and Shelter Improvement Program to extend the termination date for their Proposition A Local Return funded project; and
 - B. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority and the Cities for their Capital Reserve Accounts as approved.
4. AUTHORIZE the Chief Executive Officer to enter into a six-month Exclusive Negotiating Agreement with the Riboli Family Wine Estates for a public-private partnership for construction of a **Covered LACMTA Rail Storage Yard and commercial development of air rights over and adjacent to the Yard.**
5. RECEIVE AND FILE status report on the **initiation of 2011 Call for Projects.**
6. RECEIVE AND FILE annual report on **LACMTA Policy for Programming Cost Changes for State Transportation Improvement Program** and Federal/Local funded State Highway and Soundwall Projects for Fiscal Year 2010.
7. RECEIVE AND FILE status report on acceleration of schedules and project costs for the **2009 Long Range Transportation Plan (LRTP) incorporating the 30/10 Initiative and Accelerated Highway Program.**

8. RECEIVE report in response to the instructions contained in the February 25, 2010 Motion by Director O'Connor regarding the problems associated with the **lack of restroom facilities at the Artesia Transit Center** and progress staff has made in meeting with the South Bay Governance Council and South Bay Council of Governments to work towards a resolution of the problems as per instructions contained in the Board approved Motion.

9. RECEIVE update on **Regional Rail Matters**.

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