

**KATZ AND NAJARIAN MOTION
PLANNING AND PROGRAMMING COMMITTEE
APRIL 15, 2009**

Both the MTA Board of Directors and the Metrolink Board of Directors (which includes four MTA Board members) have prioritized improving commuter and freight rail safety in Los Angeles County.

Recent catastrophic events in the county have also caused cities and other public agencies to identify and accelerate commuter and freight rail safety projects to protect the riding public to the greatest extent possible.

To this end, the City of Glendale and the City of Los Angeles are installing quad gates at the Metrolink Flower Street crossing, which will require construction staging on a small property owned by the MTA.

Historically, MTA charges developers fees for construction easements and/or permits when MTA-owned property -- including rights-of-way -- are needed.

However, there is an overwhelming public safety issue that should be prioritized and MTA should be a partner with local jurisdictions who are working to improve commuter and freight rail safety.

We THEREFORE MOVE that easements for construction and/or requisite permits for the City of Glendale and the City of Los Angeles and their contractors (if applicable) be granted at no cost to the cities;

We FURTHER MOVE that any future requests for easements and/or permits be approved without cost for all public jurisdictions and their contractors (if applicable during construction of safety improvements for commuter rail in the county so long as they do not otherwise impose additional costs on the MTA beyond administrative processing of the waiver.

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