

Wednesday, July 15, 2009 1:00 P.M.

Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Diane DuBois, Chair
Michael Antonovich, Vice Chair
Richard Katz
Pam O'Connor
Zev Yaroslavsky
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

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

CONSENT CALENDAR (ITEMS 5 THROUGH 7):

5. CONSIDER:

- A. approving programming of up to \$6.7 million that is available to Metro from **fiscal year (FY) 2008 U.S. Department of Homeland Security (DHS) - Transit Security Grant Program funds** for Metro's eligible transit projects;
- B. adopting the required FY 2008 resolution authorizing the Chief Executive Officer to execute any actions necessary for the purpose of obtaining federal financial assistance that the DHS may provide; and
- C. amending the FY10 budget to add \$6.7 million in revenues and expenditures to start implementing the recommended projects shown in Attachment A of the Board report.

6. ADOPT:

- A. findings and recommendations for using **fiscal year (FY) 2009-10 Transportation Development Act (TDA) Article 8 fund estimates** of \$17,032,447 as follows:
 - 1. In the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon chooses to use \$98,663 of their Article 8 funds for their transit services; therefore, TDA Article 8 funds will be used to meet the unmet transit needs;
 - 2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition C Local Return; therefore, there are no unmet transit needs that are reasonable to meet, because other funding sources will be used to address these needs, and TDA Article 8 funds in the amount of \$4,057,217 and \$4,131,354 (Lancaster and Palmdale, respectively), may be used for transit and/or street and road purposes;

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3. In the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with TDA Article 8 funds; however, other funding sources, such as Proposition A and Proposition C Local Return, may be used to address their needs; therefore, there are no unmet transit needs that are reasonable to meet, and TDA Article 8 funds in the amount of \$4,945,574 for the City of Santa Clarita may be used for transit and/or street and road purposes, as long as their transit needs continue to be met;
 4. In the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, the allocation is \$3,799,638; and
- B. adopt a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

7. CONSIDER:

- A. establishing Proposition C Capital Reserve Account for the City of Lynwood for \$1,588,686 and amending the existing **Proposition A and Proposition C Capital Reserve Accounts** for the Cities of Arcadia, Calabasas, Pomona, San Gabriel, South Gate, Temple City and West Covina, to extend the term limit for three more years, the City of West Covina also requests to lower the original amount of the Capital Reserve; 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.

****END OF CONSENT CALENDAR****

8. CONSIDER:

- A. authorizing the Chief Executive Officer to exercise one of the following options, depending on the option that maximizes funding for the region:
 - 1. submit a multi-agency grant application for up to \$300 million in **Transportation Investment Generating Economic Recovery (“TIGER”) funds** for goods movement improvements through the State of California (Caltrans), as a part of a statewide application process utilizing the candidate projects in Attachment A of the Board report; or
 - 2. submit a multi-agency grant application to the Department of Transportation for up to \$300 million in TIGER funds utilizing the candidate projects in Attachment A of the Board report; and
- B. modifying the preliminary list of candidate projects recommended for TIGER funds in Attachment A of the Board report, if necessary, to maximize funding for the region.

9. SUPPORT:

- A. the development of **California High Speed Rail** with an emphasis on a first segment from Los Angeles' Union Station to Anaheim;
- B. general improvements to the Los Angeles-San Diego-San Luis Obispo Rail Corridor (LOSSAN) for more efficient and coordinated service; and
- C. the preparation of a statewide application for American Recovery and Reinvestment Act funding in cooperation with Caltrans, California High Speed Rail Authority, Orange County Transportation Authority, San Diego Association of Governments, LOSSAN, Metrolink and other Southern California public agencies that include development of high speed rail in the greater Los Angeles area, positive train control and other improvements.

10. CONSIDER:

- A. recertifying \$129.49 million in existing **Fiscal Year (FY) 2009-10 commitments from previous Countywide Calls for Projects** and authorizing the expenditure of funds to meet these commitments;
- B. deobligating \$7.22 million of previously approved Countywide Call for Projects, and reprogramming these funds in the 2009 Call for Projects;
- C. authorizing the Chief Executive Officer to: 1) negotiate and execute all necessary agreements for approved projects; 2) grant more than one administrative extension to extend the lapsing deadline for projects that meet the extension criteria; and 3) amend the FY 2009-10 budget, as necessary, to include the 2009 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 \$153.34 million in projects; and
- E. programming \$500,000 in funding previously approved by the Board in the FY 2008-09 budget to the High Desert Corridor Joint Powers Authority in FY 2009-10, with a lapse date ending FY 2010-11.

11. CONSIDER:

- A. authorizing the combining of two projects: 1) I-5 HOV Lane from SR-134 to SR-170 and 2) I-5 HOV Lane from SR-170 to SR-118 to become the **1-5 North High Occupancy Vehicle (HOV) Corridor from SR- 134 to SR-118** consisting of five segments; and
- B. delegating to the Chief Executive Officer the authority to make cost neutral fund transfers among the five 1-5 North HOV Corridor segments.

12. CONSIDER:
 - A. programming \$42 million in Measure R Highway Capital funds for the **Alameda Corridor East project** in FY10; and
 - B. amending the FY10 budget to include \$42 million of expenditures and Measure R Highway Capital revenues for the Alameda Corridor East project.

13. CONSIDER:
 - A. finding that it is in MTA's best interest to enter into a two-year exclusive negotiating agreement ("ENA"), with an option to extend for up to an additional one year, with Casden West LA, LLC ("Casden") and the Exposition Metro Line Construction Authority to explore, among other things:
 - Casden's utilization of a portion of the Exposition rail right of way lying between Sepulveda and Sawtelle Boulevards (the "Light Rail Property") for purposes of Casden's proposed mixed-use development project (the "Development Project") situated adjacent to the Light Rail Property.
 - MTA's use of 260 Development Project parking spaces for transit-related park and ride purposes.
 - Inclusion of a safe, convenient and attractive pedestrian connection through the Development Project between Pico Boulevard and the **Exposition light rail project's Sepulveda station**; and
 - B. authorizing the Chief Executive Officer to execute the ENA.

14. RECEIVE AND FILE the Annual Report on MTA's Policy for **Programming Cost Changes for State Transportation Improvement Program and Federal/Local funded State Highway and Soundwall Projects** for FY 2008-2009.

15. RECEIVE AND FILE status report on the **Screened Alternatives to be carried forward into the 1-710 EIR/EIS.**
(HANDOUT)

16. RECEIVE AND FILE status report on **Construction Authority Projects.**

17. **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