

Wednesday, September 19, 2012 2:30 PM

Revised Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Mark Ridley-Thomas, Chair
Gloria Molina, Vice Chair
Michael D. Antonovich
John Fasana
Mel Wilson
Michael Miles, 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.

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 CD's and as MP3's and can be made available for a nominal charge.

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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.

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General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.mta.net

TDD line (800) 252-9040

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

16. CONSIDER:
- A. approving additional State Route (SR-) 138 project list and funding allocations for the **Measure R SR-138 Capacity Enhancements**; and
 - B. amending the FY13 budget to add the \$4.9 million for the proposed projects with funding allocations in FY13.
17. CONSIDER:
- A. amending the FY 2012-13 LACMTA Budget to add \$3,000,000 from Measure R 3% Commuter Rail funds for the Rancho Vista Grade Separation Project; and
 - B. authorizing the CEO to execute a MOU with the City of Palmdale for Preliminary and Final Engineering for **the Rancho Vista Grade Separation Improvement Project**.
18. APPROVE the proposed revised project list for the previously programmed first five years of the Measure R highway operational improvement project funding for the **Arroyo Verdugo Subregion**.

18.1 NAJARIAN MOTION:

When Measure R was drafted, the proposed legislation included funds allocated to three Los Angeles county subregions to be used specifically for highway improvements. The "equity" funding was included in the Measure to offset the lack of major transit projects in these areas. The three subregions were defined as called out in the Long Range Transportation Plan (LRTP): Arroyo-Verdugo (the cities of Burbank, La Canada Flintridge and Glendale), Las Virgenes/Malibu (the Las Virgenes Cog and the unincorporated area of the County) and the South Bay COG, which includes as a member the unincorporated area of the County. The funding was based on 2000 census population for the cities and included the County.

(Continued next page)

(Item 18.1 – Continued)

With the 2008 passage of Measure R, MTA implemented a Highway Advisory Committee, which included stakeholders in the equity funds. This Committee was essentially involved in oversight of the eligibility of projects. The MTA Area Team staff began working directly with the cities, i.e., Burbank, Glendale and La Canada Flintridge in the Arroyo-Verdugo Subregion. A list of projects was developed, along with allocations and cashflows, which was approved by the Board for the first five years of allocations. There are signed agreements between the MTA and the three cities and projects beyond first five years have been planned.

From the inception of the Highway Advisory Committee until recently, there has been no mention of County involvement in the Arroyo Verdugo project development, allocations or cashflow projections and the LRTP does not call out the County as part of the subregion. Yet this report states that MTA staff will be coming back to the Board with a recommendation on programming projects in future years for the County from Arroyo Verdugo equity funds. This attempt at policy-making is premature, given the fact that the resent assertion regarding County eligibility has not yet been vetted legally.

MOVE that County Counsel provide the legal foundation, including specific documents, detailed descriptions, with citations, as to how, in the case of the Arroyo-Verdugo Subregion, the County should have part of any encumbered funds; and

FURTHER MOVE that any reference to staff bringing back a recommendation for future programming be struck from this report and the legality of this assertion be brought back to the Board. at the December 2012 meeting.

19. RECEIVE AND FILE **Regional Rail Update through August 2012.**

****NOTE: Report for Item 17 is the same as report for Item 19.**

20. **LABONGE MOTION:**

To facilitate the flow of freeway traffic and reduce congestion, it is critical that connector lanes along the US-101 and the SR-134 are implemented.

I move that the MTA Board direct the CEO to **investigate the feasibility of building a connector road from US-101 northbound to SR-134 eastbound.**

21. **LABONGE MOTION:**

Growing traffic congestion in the San Fernando Valley is further constrained by limited lanes on the SR-134.

I move that the MTA Board instruct the CEO to study and make recommendations on **expanding the existing two lane westbound and two lane eastbound on the SR-134 at the US-101 and SR-170 interchange** to add additional two lanes in each direction within the existing right-of-way.

22. **RIDLEY-THOMAS AND MOLINA MOTION** that the MTA Board of Directors direct the CEO to report back at the January 2013 Metro Planning and Programming Committee in writing with recommendations along with a funding strategy and timeline for moving forward with a **Rail to River Bikeway** along the Metro-owned right-of-way from the Los Angeles River to the West Boulevard Station for the Crenshaw/LAX Light Rail Line.
23. RECEIVE AND FILE the first annual update on the implementation of the September 23, 2010 **Bicycle Program Board directives and other bicycle policies and programs.**
24. RECEIVE AND FILE a report containing a summary of the **best practices for value capture in transit agencies** and a comprehensive list of value capture options for consideration in the Metro system.
25. RECEIVE AND FILE report on the **Metro Freeway Beautification Pilot Project.**
(HANDOUT)
26. RECEIVE presentation on **Evacuated Tube/Personal Rapid Transit Technology.**
27. RECEIVE oral report on **Highway Program Project Budget and Schedule Status.** (HANDOUT)

28. **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