

Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Richard Katz, Chair
Zev Yaroslavsky, Vice Chair
Yvonne B. Burke
John Fasana
David Fleming
Doug Failing, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
William Waters, Inspector General
County Counsel, General Counsel



Metro

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:

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

HELPPFUL 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.mta.net
TDD line (800) 252-9040

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

5. RECEIVE AND FILE report on the performance analysis for the **2006 Long Range Transportation Plan Update**.

6. CONSIDER approving the following **changes to the Call for Projects** to allow:
 - A. on a one-time basis, regional programmed funds to be used for cost increase for previously approved non-Caltrans sponsored Call for Projects by:
 1. allowing sponsors to down-scope Call projects while keeping the full Metro grant amount;
 2. allowing sponsors to move funds among their previously approved Call projects by canceling or down-scoping projects in order to fully fund others;
 3. allowing sponsors to keep audited project savings from one Call project to cover cost increases for another Call project; and
 4. implementing a special process where sponsors could compete for a specified total amount of additional Metro funding to cover cost increases for projects programmed for funding in FY 07 or earlier.
 - B. project sponsors to use locally funded project development (environmental analysis, preliminary engineering and final design) expenditures as a match for future Metro Board-approved Call projects, if such expenditures are documented and have been incurred within three years of the Call process. Local sponsors will not be guaranteed Metro funding through the Call for Projects.

7. CONSIDER:
 - A. waiving the requirement for an Exclusive Right to Negotiate with Cesar Chavez and Soto, LLC (Developer) for the development of the Cesar Chavez and Soto sites;

- B. authorizing the Chief Executive Officer to enter into a Joint Development Agreement (“JDA”) with Cesar Chavez and Soto, LLC, covering approximately 3.5 acres of Los Angeles County Metropolitan Transportation Authority owned properties located near the intersection of Cesar Chavez Avenue and Soto Avenue for **development of a mixed-use, entertainment, apartment/ commercial complex**; and
 - C. authorizing the Chief Executive Officer to enter into a Ground Lease and other agreements as may be necessary to implement the Ground Lease subject to Developer meeting the contingencies and requirements of the JDA.
8. AUTHORIZE the Chief Executive Officer to enter into a Funding Agreement with the State of California Department of Transportation (Caltrans) to **reimburse Caltrans for the construction and construction support of the Phase I, Priority 1, Package 2, and 3 Soundwalls in the Metro Post 1989 Retrofit Soundwall program** for an amount not to exceed \$24,000,000. Package 2 is on Interstate 210 from Citrus Avenue to Glendora Avenue, and Package 3 is on Interstate 210 from Rosemead Boulevard to Baldwin Avenue.
9. CONSIDER:
- A. approving the **local scores for the Federal Transit Administration Section 5310 projects**; and
 - B. authorizing the Chief Executive Officer to:
 - 1. include the applications recommended for funding in the FY 2007 Regional Transportation Improvement Program (RTIP); and
 - 2. execute and transmit the resolution and scoring recommendations to Caltrans.

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