

REVISED Supplemental Agenda

One Gateway Plaza
3rd Floor Boardroom

PLANNING AND PROGRAMMING COMMITTEE

Wednesday, May 20, 2009 – 1:00 P.M.

- 6.1 RECEIVE AND FILE **status report on the Metro Gold Line Foothill Extension Railyard.**

(ALSO ON OPERATIONS COMMITTEE)

- 9.1 **KNABE – RIDLEY-THOMAS – O’CONNOR MOTION** that the Metro Board adopt the following **FY10 Budget Instruction:**

Anticipating the adoption of the Alternatives Analysis later this year, and in order to prepare the Harbor Subdivision/Metro Green Line Extension to the South Bay Corridor for Measure R, federal, state, and/or private funding, the Metro Board directs the Chief Executive Officer to set aside an amount, currently estimated at \$5 million dollars, from the Proposition C “Discretionary” Carryover funds or other appropriate funding sources to continue the multi-year environmental clearance process begun in the Alternatives Analysis, including the preparation of the draft Environmental Impact Statement/Report, Advanced Conceptual Engineering, Final EIR/EIS, and Preliminary Engineering.

The CEO is further instructed to amend into the FY10 Budget, from this funding, an amount to be determined in November/December 2009 to initiate the next phase of environmental clearance process for the remainder of FY10.



Metro

Los Angeles County
Metropolitan Transportation Authority

29. CONSIDER:

- A. finding that it is in the best interest of Metro to:
1. discontinue pursuit of the previously Board-approved mixed-use market rate apartment and retail development with Cesar Chavez and Soto LLC on approximately 3.5 acres of **Metro property lying between Soto Street and Fickett Street just southwest of Cesar E. Chavez Avenue** (the “3.5-Acre Site”);
 2. proceed with two separate but compatible developments on the 3.5-Acre Site, as follows:
 - a. development of that 1.96-acre portion of the 3.5-Acre Site lying westerly of Mathews Street (the “West Development Site”) with Cesar Chavez and Soto LLC (or another development entity created by JSM Construction and Polis Builders that is reasonably approved by the Chief Executive Officer);
 - b. development of a mixed-use housing and retail project with McCormack Baron Salazar, Inc. (or a development entity controlled and managed by McCormack Baron Salazar, Inc. that is reasonably approved by the Chief Executive Officer) (“MBS”) on that 1.56-acre portion of the 3.5-Acre Site lying easterly of Mathews Street (the “East Development Site”) containing approximately 72 affordable apartments, a property manager’s apartment and approximately 3,250 square feet of retail space (the “Project”), all in substantial accordance with key terms and conditions set forth;
- B. authorizing the Chief Executive Officer to perform the following actions, each in substantial accordance with key terms and conditions set forth:
1. enter into a Joint Development Agreement (“JDA”) with MBS covering the development of the Project on the East Development Site;
 2. extend the term of the JDA, if necessary or desirable, upon the expiration of the JDA term;
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3. enter into and execute a ground lease and other related documents and agreements with MBS relating to the Project and the East Development Site; and
 4. execute dedications and other grants of real property rights over portions of the East Development Site for public utility, street widening and other purposes related to the development of the Project; and
- C. authorizing the Chief Executive Officer to file a Notice of Exemption for the Project as the Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(9) of the California Public Resources Code and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines.

30. CONSIDER:

- A. finding that it is in the best interest of Metro to:
1. discontinue pursuit of a previously Board-approved mixed-use development with a team led by JSM Construction (“JSM”) as it relates to an approximately 1.5-acre portion of 2.9 acres of **Metro property located at First Street and Boyle Avenue**; and
 2. proceed with development of a mixed-use housing and retail project containing approximately 98 affordable apartments, two property managers’ apartments and approximately 6,800 square feet of retail space (the “Project”) on the 1.5-acre portion of property noted above, which is located south of First Street and west of Boyle Avenue (the “Development Site”), with a development team now led by McCormack Baron Salazar, Inc. (or a development entity controlled and managed by McCormack Baron Salazar, Inc. that is reasonably approved by the Chief Executive Officer) (“MBS”), all in substantial accordance with key terms and conditions set forth;
- B. authorizing the Chief Executive Officer to perform the following actions, each in substantial accordance with key terms and conditions set forth:
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1. enter into a Joint Development Agreement (“JDA”) with MBS covering the development of the Project on the Development Site;
 2. extend the term of the JDA, if necessary or desirable, upon the expiration of the JDA term;
 3. enter into and execute a ground lease and other related documents and agreements with MBS relating to the Project and the Development Site; and
 4. execute dedications and other grants of real property rights over portions of the Development Site for public utility, street widening and other purposes related to the development of the Project; and
- C. authorizing the Chief Executive Officer to file a Notice of Exemption for the Project as the Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(9) of the California Public Resources Code and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines.

31. CONSIDER:

- A. approving the Southern California Regional Rail Authority (SCRRA) fiscal year (FY) 2009-10 Preliminary Budget for Metrolink and the Los Angeles County Metropolitan Transportation Authority (LACMTA)’s contribution totaling \$71,862,722, and consisting of \$38,030,122 for operations; \$16,200,000 for rehabilitation and renovation; and \$17,632,600 for capital; and **approving the programming of funding to the SCRRA** as follows:
1. \$57,752,516 in Proposition C 10% local sales tax funding;
 2. \$10,675,000 in Measure R 3% local sales tax funding to the Positive Train Control Project;
 3. \$1,358,784 in Proposition C 10% local sales tax funding from the FY 2007-08 SCRRA operating subsidy to Metrolink to offset the cost of FY 2009-10 operations;

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4. \$1,716,422 in Proposition C 10% local sales tax funding from the FY 2008-09 SCRRA operating subsidy to Metrolink to offset the cost of FY 2009-10 operations; and
 5. \$360,000 in funds reimbursed to the LACMTA by the San Bernardino Associated Governments;
- B. approving a cost increase of \$400,000 on the Vincent 2nd Platform project for a new total project cost of \$3,900,000;
- C. approving the programming of \$2,032,042 in Proposition C 10% funding for Right-of-Way security services to be provided under the SCRRA security contract with the Los Angeles County Sheriff's Department (LASD) as an SCRRA off-budget, re-collectible service (not included in SCRRA member agency subsidy calculations or Action A above); and
- D. authorizing the Chief Executive Officer or his designee to negotiate and execute all necessary agreements between LACMTA and the SCRRA for funding approved.

FINANCE AND BUDGET COMMITTEE

Wednesday, May 20, 2009 – 2:30 p.m.

~~9.1 KNABE RIDLEY-THOMAS O'CONNOR~~ MOTION that the Metro Board adopt the following **FY10 Budget Instruction**:

~~Anticipating the adoption of the Alternatives Analysis later this year, and in order to prepare the Harbor Subdivision/Metro Green Line Extension to the South Bay Corridor for Measure R, federal, state, and/or private funding, the Metro Board directs the Chief Executive Officer to set aside an amount, currently estimated at \$5 million dollars, from the Proposition C "Discretionary" Carryover funds or other appropriate funding sources to continue the multi-year environmental clearance process begun in the Alternatives Analysis, including the preparation of the draft Environmental Impact Statement/Report, Advanced Conceptual Engineering, Final EIR/EIS, and Preliminary Engineering.~~

~~The CEO is further instructed to amend into the FY10 Budget, from this funding, an amount to be determined in November/December 2009 to initiate the next phase of environmental clearance process for the remainder of FY10.~~

- 9.2. **ANTONOVICH – DUBOIS – NAJARIAN MOTION** that the **FY10 Budget** be amended to include the following instructions:
- Direct the CEO to return to the Board in six months with a detailed analysis of and recommendations for “flattening” the organization; with emphasis on realigning the agency with statutory core functions thereby reducing administrative costs and realigning support functions.
 - Reforecast sales tax revenue and expenditure targets based on FY09 Actuals to date (9 months) and estimates for year’s end and present revenue estimates to the May 20th , Finance and Budget Committee Meeting.
 - Direct the CEO to establish a centralized Enterprise Fund manager/management with the authority to approve and manage Enterprise Fund revenues and expenditures charged to that fund.
 - Direct the CEO to develop a consistent cost/revenue allocation plan for bus/rail operations using actual hourly rates beginning with the new fiscal year.
 - Direct the CEO to review the utilization of all current as-needed positions and return within six months with an analysis and recommendations to eliminate, replace with contract services or where applicable, with interns.
 - Direct the CEO to roll back travel/conferences/seminars/periodicals and memberships to FY07-08 budget levels effective July 1, 2009.
 - Present a table with the allocation of Prop. A & C administrative costs by the May 20th, Finance and Budget Committee Meeting.
 - Eliminate the hiring freeze.
- 9.3. NAJARIAN MOTION to direct the CEO to explore **expanding eligible operator status** with funding sources for any such expansion.
32. RECEIVE AND FILE report on the **Transit Access Pass (TAP) and Rail Fare Gate Status**.

(ALSO ON OPERATIONS COMMITTEE)

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE

Thursday, May 21, 2009 – 10:30 A.M.

33. ADOPT the following positions on State Legislation:

- A. **SB 545 (Cedillo)** – Which would require a subsurface route for the I-710 Gap Closure project. **WORK WITH AUTHOR**
- B. **SB 632 (Lowenthal)** – Which would require the Ports of Los Angeles, Long Beach and Oakland, by July 1, 2010, to assess their infrastructure and air quality improvement needs, including assessing the total cost for these projects and identifying potential sources of funding for them. **WORK WITH AUTHOR**
- C. **SB 652 (Huff)** – Which would establish that the Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments shall be considered political subdivisions of the State, and that these entities may be applicants for state or federal funds for projects within their jurisdiction. **OPPOSE – UNLESS AMENDED**
- D. **SB 716 (Wolk)** – Which would allow farm-worker vanpools to be an eligible program for Transportation Development Act (TDA) funding. **OPPOSE – UNLESS AMENDED**
- E. **AB 1403 (Eng)** – Which would eliminate the \$1 million cap on TDA funds for the Southern California Association of Governments (SCAG). **SUPPORT**
- F. **AB 1243 (B. Lowenthal)** – Which would create the South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee to address trucks in that area. **SUPPORT**

34. AUTHORIZE the Chief Executive Officer to:
- A. execute Modification No. 15 with Memorandum of Understanding (MOU) TCP2610LASD to provide **funding for the remaining FY09 transit community policing services** for an amount not to exceed \$5,310,162 for the period June 1, 2009 through June 30, 2009, revising the total contract value from \$344,828,728 to \$350,138,890;
 - B. execute a three-year MOU with Los Angeles Sheriff's Department, inclusive of one one-year option and subject to approval of the MOU by the County of Los Angeles Board of Supervisors, for transit community policing services, including the Gold Line Eastside Extension, in the amount of \$65,921,937 for the period July 1, 2009 through June 30, 2010; and
 - C. amend the proposed FY10 budget to add \$4,700,000 in revenues and expenses to the Transit Security budget for policing coverage of the Metro Gold Line Eastside Extension.

(ALSO ON OPERATIONS COMMITTEE)

OPERATIONS COMMITTEE

Thursday, May 21, 2009 – 1:00 P.M.

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(ALSO ON PLANNING AND PROGRAMMING COMMITTEE)

32. RECEIVE AND FILE report on the **Transit Access Pass (TAP) and Rail Fare Gate Status.**

(ALSO ON FINANCE AND BUDGET COMMITTEE)

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 - B. execute a three-year MOU with Los Angeles Sheriff's Department, inclusive of one one-year option and subject to approval of the MOU by the County of Los Angeles Board of Supervisors, for transit community policing services, including the Gold Line Eastside Extension, in the amount of \$65,921,937 for the period July 1, 2009 through June 30, 2010; and
 - C. amend the proposed FY10 budget to add \$4,700,000 in revenues and expenses to the Transit Security budget for policing coverage of the Metro Gold Line Eastside Extension.

(ALSO ON EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE)

35. RECEIVE AND FILE **report on addition of a stop at Central Avenue for Rapid Line 720.**
36. RECEIVE AND FILE report to establish **seamless transfer connections at Sylmar Metrolink Station between Metro Line 794 and Santa Clarita Line 8.**

ADJOURNMENT