

Metro

*Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
3rd Floor Board Room*



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Agenda - Final

Thursday, September 15, 2016

11:30 AM

**One Gateway Plaza, Los Angeles, CA 90012,
3rd Floor, Metro Board Room**

Executive Management Committee

John Fasana, Chair

Eric Garcetti, Vice Chair

James Butts

Sheila Kuehl

Mark Ridley-Thomas

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

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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 one (1) minute 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. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. 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.

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

CALL TO ORDER**ROLL CALL****APPROVE Consent Calendar items: 19 and 30.****Consent Calendar items are approved by one motion unless held by a Director for discussion and/or separate action.**CONSENT CALENDAR

19. RECEIVE AND FILE status report on the results of the **Expo II customer satisfaction survey conducted in June 2016.** [2016-0700](#)

(ALSO ON SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE)

30. RECEIVE AND FILE **State and Federal Legislative Report.** [2016-0653](#)

NON-CONSENT

31. RECEIVE **Citizens' Advisory Council update.** [2016-0599](#)

32. ADOPT staff recommended position: [2016-0719](#)

AB 1X-26 (Beall/Frazier) - Transportation Funding. SUPPORT**Attachments:** [Attachment A - ABX1-26 and SBX1-1 Frazier Beall](#)[Attachment B - ABX1 - 26 Frazier Beall](#)

33. ADOPT **Metro's Model Public Engagement Program (Program) and approve the 2016 Public Participation Plan (Attachment A)** as the baseline and guiding policy for all public outreach. [2016-0540](#)

Attachments: [Metro's 2016 Public Participation Plan](#)[Metro 2016 Public Participation Plan Staff Guidelines](#)

34. AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Location 403 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years. [2016-0625](#)

Attachments: [Attachment A - Plot Plan for Location 403](#)
 [Attachment B - Summary of Lease Agreement Key Terms](#)

35. AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Terminal 28 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years. [2016-0626](#)

Attachments: [Attachment A - Plot Plan for Terminal 28](#)
 [Attachment B - Summary of Lease Agreement Key Terms](#)

Adjournment

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.



Board Report

File #: 2016-0719, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 32.

2nd REVISED
EXECUTIVE MANAGEMENT COMMITTEE
SEPTEMBER 15, 2016

SUBJECT: STATE LEGISLATION

ACTION: ADOPT STAFF RECOMMENDED POSITIONS

RECOMMENDATION

ADOPT staff recommended position:

~~AB4X-26~~ ABX1-26 (Beall/Frazier) - Transportation Funding. **SUPPORT**

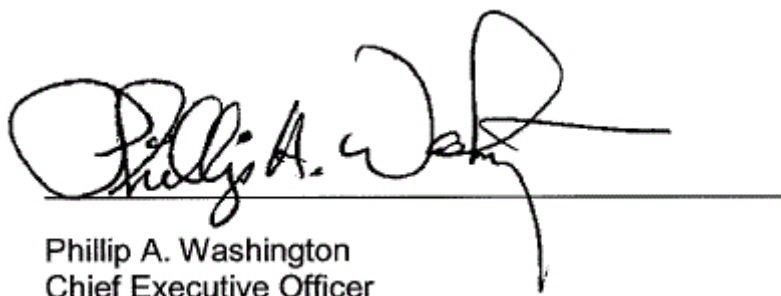
ATTACHMENTS

Attachment A - ~~AB4X-26~~ ABX1-26 (Frazier) and SBX1-1 (Beall) REVISED Legislative Analysis

Attachment B - ~~AB4X-26~~ ABX1-26 (Beall) Legislation

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Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington
Chief Executive Officer

BILL: ABX1 - 26 / SBX1 - 1

AUTHOR: ASSEMBLYMEMBER JIM FRAZIER (D-OAKLEY)
&
SENATOR JIM BEALL (D-SAN JOSE)

SUBJECT: TRANSPORTATION FUNDING

STATUS: PENDING COMMITTEE REFERRAL

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board of Directors adopt a SUPPORT position on the measures ABX1-26 (Frazier) and SBX1-1 (Beall). These joint measures would provide \$7.4 billion in annual funding for transportation. The bills would increase various taxes and fees, specify the allocation processes for the various programs, and, make various other reforms in the way transportation is funded.

Specifically the bills would:

- Increase the gasoline excise tax by \$0.17 and require it to be adjusted annually based on the Consumer Price Index (CPI).
- Restore the price based gasoline excise tax to the level prior to 2010; an increase of \$0.075.
- Increase the diesel excise tax by \$0.30.
- Increase the diesel sales tax by 3.5%.
- Increase the vehicle license fee by \$38.
- Implement a new Zero Emissions Vehicle Registration Fee of \$165.
- Increase the percentage of cap and trade funds allocated to public transit.
- Restore truck weight fees to the State Highway Account.
- Remove the California Transportation Commission from the California State Transportation Agency.
- Make reforms in the environmental process for various transportation projects.
- Create an Advanced Mitigation program for transportation projects.
- Require various new reporting requirements for local agencies.

These measures would provide new annual funding as follows:

- ~~State -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system.~~

- ~~**Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads.~~
- ~~**Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).~~
- ~~**Transit** -- \$516 million annually for transit capital projects and operations.~~
- ~~**Freight** -- \$900 million annually for goods movement.~~
- ~~**Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.~~

DISCUSSION

Over the last few months the Chairs of the transportation policy committees in the Senate and Assembly have developed a consensus transportation funding proposal. Each Chair had introduced individual and different proposals in both the regular and extraordinary legislative sessions. The two Chairs have now reached an agreement on one proposal and have each introduced the proposal in their respective houses. These proposals are reflected in the legislation Assembly Bill X1-26 (Frazier) and Senate Bill X1-1 (Beall).

ABX1-26 (Frazier) and SBX1-1 (Beall) are expected to generate \$7.4 billion in annual funding to repair and maintain state and local roads, improve trade corridors, support public transportation and make investments in active transportation.

These measures would provide new annual funding as follows:

- **State** -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system. These funds would be allocated by the California Transportation Commission.
- **Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads. These funds would be allocated to cities and counties via existing formulae.
- **Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP). These funds are programmed by local agencies based on existing formulae.
- **Transit** -- \$516 million annually for transit capital projects and operations. The transit capital program is a discretionary grant program at the state level and the operations funds are allocated to local agencies via existing formulae.
- **Freight** -- \$900 million annually for goods movement. These funds would be allocated via the Trade Corridors Improvement Fund process.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects. These funds would be allocated via discretionary grants by the state.

Historically, state funding for transportation has relied on the sales and use and excise taxes for diesel and gasoline. The transportation system nationwide has been challenged by a number of factors including the declining value of the gas tax. The gas

tax at the state and federal level has not been increased in over 20 years. Over that time, significant gains have been made in fuel efficiency and propulsion technologies which have allowed California in particular to significantly improve its air quality.

These new technologies are less reliant on gasoline and therefore pay less in gas taxes. As a result the ability to fund both the maintenance needs of the state highway and local streets and roads systems are facing significant challenges.

California is in the process of pursuing a Mileage Based User Fee pilot program through the California Transportation Commission. This effort currently being implemented as a pilot program statewide. This is an important effort for the state and could create a long-term and sustainable funding system. In the meantime however it is appropriate to consider an alternative short term solution for filling the funding gaps in the state's transportation funding budget as we continually face transportation, mobility, infrastructure and climate change challenges in our state.

~~ABX1-26 and SBX1-1 are expected to generate \$7.4 billion in annual funding to repair and maintain state and local roads, improve trade corridors, support public transportation and make investments in active transportation.~~

These bills have been introduced in the extraordinary session on transportation funding which expires on November 30, 2016. While it is unlikely that these measures will be considered this year, such proposals could be considered at a later time. Staff believes that due to the magnitude of the proposals and the importance of addressing transportation funding, it is important to take a position on these proposals.

Staff recommends that the Board adopt a SUPPORT position on the measures ABX1-26 (Frazier) and SBX1-1 (Beall).

DETERMINATION OF SAFETY IMPACT

There is no determined safety impact due to the enactment of the proposed legislation.

FINANCIAL IMPACT

The enactment of the provisions in this statute could result in securing accelerated funding for Metro's expansive long-range transportation plan. The funding proposals will also help augment local streets and road repairs and increase access to funding through competitive grant programs. The estimated financial impact has yet to be determined.

ALTERNATIVES CONSIDERED

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2016 State Legislative Program Goals to support efforts to increase funding for transportation projects in Los Angeles County.

NEXT STEPS

Should the Board decide to adopt a SUPPORT position on these measures; staff will communicate the Board's position to the authors and work to ensure passage. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

AMENDED IN ASSEMBLY AUGUST 30, 2016

CALIFORNIA LEGISLATURE—2015–16 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 26

Introduced by Assembly Member Frazier
(Principal coauthor: Senator Beall)

August 24, 2016

An act to amend Sections 13975, 14500, 14526.5, and 16965 of, to add Sections 14033, 14526.7, and 16321 to, to add Part 5.1 (commencing with Section 14460) to Division 3 of Title 2 of, and to repeal Section 14534.1 of, the Government Code, to amend Section 39719 of the Health and Safety Code, to amend Section 21080.37 of, and to add Division 13.6 (commencing with Section 21200) to, the Public Resources Code, to amend Section 99312.1 of the Public Utilities Code, to amend Sections 6051.8, 6201.8, 7360, 8352.4, 8352.5, 8352.6, and 60050 of the Revenue and Taxation Code, to amend Sections 183.1, 820.1, 2192, 2192.1, and 2192.2 of, to add Sections 2103.1 and 2192.4 to, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, and 9400.5 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 26, as amended, Frazier. Transportation funding.

(1) Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain

registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account.

This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.17 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill with an inflation adjustment, as provided, an increase of \$38 in the annual vehicle registration fee with an inflation adjustment, as provided, a new \$165 annual vehicle registration fee with an inflation adjustment, as provided, applicable to zero-emission motor vehicles, as defined, and certain miscellaneous revenues described in (7) below that are not restricted as to expenditure by Article XIX of the California Constitution.

This bill would annually set aside \$200,000,000 of the funds available for the program to fund road maintenance and rehabilitation purposes in counties that have sought and received voter approval of taxes or that have imposed fees, including uniform developer fees, as defined, which taxes or fees are dedicated solely to transportation improvements. These funds would be continuously appropriated for allocation pursuant to guidelines to be developed by the California Transportation Commission in consultation with local agencies. The bill would require \$80,000,000 of the funds available for the program to be annually transferred to the State Highway Account for expenditure on the Active Transportation Program. The bill would require \$30,000,000 of the funds available for the program in each of 4 fiscal years beginning in 2017–18 to be transferred to the Advance Mitigation Fund created by the bill pursuant to (12) below. The bill would continuously appropriate \$2,000,000 annually of the funds available for the program to the California State University for the purpose of conducting transportation research and transportation-related workforce education, training, and development. The bill would require the remaining funds available for

the program to be allocated 50% for maintenance of the state highway system or to the state highway operation and protection program and 50% to cities and counties pursuant to a specified formula. The bill would impose various requirements on the department and agencies receiving these funds. The bill would authorize a city or county to spend its apportionment of funds under the program on transportation priorities other than those allowable pursuant to the program if the city's or county's average Pavement Condition Index meets or exceeds 80.

The bill would also require the department to annually identify savings achieved through efficiencies implemented at the department and to propose, from the identified savings, an appropriation to be included in the annual Budget Act of up to \$70,000,000 from the State Highway Account for expenditure on the Active Transportation Program.

(2) Existing law establishes in state government the Transportation Agency, which includes various departments and state entities, including the California Transportation Commission. Existing law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Existing law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law.

This bill would exclude the California Transportation Commission from the Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role. The bill would also make conforming changes.

(3) Existing law creates various state agencies, including the Department of Transportation, the High-Speed Rail Authority, the Department of the California Highway Patrol, the Department of Motor Vehicles, and the State Air Resources Board, with specified powers and duties. Existing law provides for the allocation of state transportation funds to various transportation purposes.

This bill would create the Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that all of the above-referenced state agencies and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would provide for the Governor to appoint the Transportation Inspector General for a 6-year term, subject to confirmation by the Senate, and would provide that the Transportation Inspector General may not be removed from office during the term except for good cause. The bill

would specify the duties and responsibilities of the Transportation Inspector General and would require an annual report to the Legislature and Governor.

This bill would require the department to update the Highway Design Manual to incorporate the “complete streets” design concept by January 1, 2017.

(4) Existing law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified.

This bill would require the Department of Finance, on or before September 1, 2016, to compute the amount of outstanding loans made from specified transportation funds. The bill would require the Department of Transportation to prepare a loan repayment schedule and would require the outstanding loans to be repaid pursuant to that schedule, as prescribed. The bill would appropriate funds for that purpose from the Budget Stabilization Account. The bill would require the repaid funds to be transferred, pursuant to a specified formula, to cities and counties and to the department for maintenance of the state highway system and for purposes of the state highway operation and protection program.

(5) The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement and for specified categories of projects eligible to receive these funds. Existing law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes.

This bill would deposit the revenues attributable to a \$0.30 per gallon increase in the diesel fuel excise tax imposed by the bill into the Trade Corridors Improvement Fund. The bill would require revenues apportioned to the state from the national highway freight program established by the federal Fixing America’s Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions.

Existing law requires the commission, in determining projects eligible for funding, to consult various state freight and regional infrastructure and goods movement plans and the statewide port master plan.

This bill would delete consideration of the State Air Resources Board’s Sustainable Freight Strategy and the statewide port master plan and would instead include consideration of the applicable port master plan when determining eligible projects for funding. The bill would also expand eligible projects to include rail landside access improvements, landside freight access improvements to airports, and certain capital and operational improvements.

(6) Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 10% of the annual proceeds of the fund to the Transit and Intercity Rail Capital Program and 5% of the annual proceeds of the fund to the Low Carbon Transit Operations Program.

This bill would, beginning in the 2016–17 fiscal year, instead continuously appropriate 20% of those annual proceeds to the Transit and Intercity Rail Capital Program and 10% of those annual proceeds to the Low Carbon Transit Operations Program, thereby making an appropriation.

(7) Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Existing law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

This bill would delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. The bill, subject to a specified exception, would instead require the miscellaneous revenues to be retained in the State Highway Account and to be deposited in the Road Maintenance and Rehabilitation Account.

(8) Article XIX of the California Constitution requires gasoline excise tax revenues from motor vehicles traveling upon public streets and highways to be deposited in the Highway Users Tax Account, for allocation to city, county, and state transportation purposes. Existing law generally provides for statutory allocation of gasoline excise tax revenues attributable to other modes of transportation, including aviation, boats, agricultural vehicles, and off-highway vehicles, to particular accounts and funds for expenditure on purposes associated with those other modes, except that a specified portion of these gasoline excise tax revenues is deposited in the General Fund. Expenditure of the gasoline excise tax revenues attributable to those other modes is not restricted by Article XIX of the California Constitution.

This bill, commencing July 1, 2016, would instead transfer to the Highway Users Tax Account for allocation to state and local transportation purposes under a specified formula the portion of gasoline excise tax revenues currently being deposited in the General Fund that are attributable to boats, agricultural vehicles, and off-highway vehicles. Because that account is continuously appropriated, the bill would make an appropriation.

(9) Existing law, as of July 1, 2011, increases the sales and use tax on diesel and decreases the excise tax, as provided. Existing law requires the State Board of Equalization to annually modify both the gasoline and diesel excise tax rates on a going-forward basis so that the various changes in the taxes imposed on gasoline and diesel are revenue neutral.

This bill would eliminate the annual rate adjustment to maintain revenue neutrality for the gasoline and diesel excise tax rates and would reimpose the higher gasoline excise tax rate that was in effect on July 1, 2010, in addition to the increase in the rate described in paragraph (1).

Existing law, beyond the sales and use tax rate generally applicable, imposes an additional sales and use tax on diesel fuel at the rate of 1.75%, subject to certain exemptions, and provides for the net revenues collected from the additional tax to be transferred to the Public Transportation Account. Existing law continuously appropriates these revenues to the Controller for allocation by formula to transportation agencies for public transit purposes.

This bill would increase the additional sales and use tax on diesel fuel by an additional 3.5%. By increasing the revenues deposited in a continuously appropriated fund, the bill would thereby make an appropriation. The bill would restrict expenditures of revenues from

this increase in the sales and use tax on diesel fuel to transit capital purposes and certain transit services and would require a recipient transit agency to comply with certain requirements, including submitting a list of proposed projects to the Department of Transportation, as a condition of receiving a portion of these funds. The bill would require an existing required audit of transit operator finances to verify that these new revenues have been expended in conformance with these specific restrictions and all other generally applicable requirements.

This bill would, beginning July 1, 2019, and every 3rd year thereafter, require the State Board of Equalization to recompute the gasoline and diesel excise tax rates and the additional sales and use tax rate on diesel fuel based upon the percentage change in the California Consumer Price Index transmitted to the board by the Department of Finance, as prescribed.

(10) Existing law requires the Department of Transportation to prepare a state highway operation and protection program every other year for the expenditure of transportation capital improvement funds for projects that are necessary to preserve and protect the state highway system, excluding projects that add new traffic lanes. The program is required to be based on an asset management plan, as specified. Existing law requires the department to specify, for each project in the program the capital and support budget and projected delivery date for various components of the project. Existing law provides for the California Transportation Commission to review and adopt the program, and authorizes the commission to decline and adopt the program if it determines that the program is not sufficiently consistent with the asset management plan.

This bill would add to the program capital projects relative to the operation of those state highways and bridges. The bill would require the commission, as part of its review of the program, to hold at least one hearing in northern California and one hearing in southern California regarding the proposed program. The bill would require the department to submit any change to a programmed project as an amendment to the commission for its approval.

This bill, on and after February 1, 2017, would also require the commission to make an allocation of all capital and support costs for each project in the program, and would require the department to submit a supplemental project allocation request to the commission for each project that experiences cost increases above the amounts in its allocation. The bill would require the commission to establish guidelines

to provide exceptions to the requirement for a supplemental project allocation requirement that the commission determines are necessary to ensure that projects are not unnecessarily delayed.

(11) Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. Existing law provides for the transfer of certain weight fee revenues from the State Highway Account to the Transportation Debt Service Fund to reimburse the General Fund for payment of debt service on general obligation bonds issued for transportation purposes. Existing law also provides for the transfer of certain weight fee revenues to the Transportation Bond Direct Payment Account for direct payment of debt service on designated bonds, which are defined to be certain transportation general obligation bonds issued pursuant to Proposition 1B of 2006. Existing law also provides for loans of weight fee revenues to the General Fund to the extent the revenues are not needed for bond debt service purposes, with the loans to be repaid when the revenues are later needed for those purposes, as specified.

This bill, notwithstanding these provisions or any other law, would only authorize specified percentages of weight fee revenues to be transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds in accordance with a prescribed schedule and would prohibit the transfer of weight fee revenues from the State Highway Account after the 2020–21 fiscal year. The bill would also prohibit loans of weight fee revenues to the General Fund.

(12) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA, until January 1, 2020, exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, as defined, other than a state roadway, if the project or activity is carried out by a city or county with a population of less than 100,000 persons to improve public safety and meets other specified requirements.

This bill would extend the above-referenced exemption indefinitely and delete the limitation of the exemption to projects or activities in cities and counties with a population of less than 100,000 persons. The bill would also expand the exemption to include state roadways.

This bill would also establish the Advance Mitigation Program in the Department of Transportation. The bill would authorize the department to undertake mitigation measures in advance of construction of a planned transportation project. The bill would require the department to establish a steering committee to advise the department on advance mitigation measures and related matters. The bill would create the Advance Mitigation Fund as a continuously appropriated revolving fund, to be funded initially from the Road Maintenance and Rehabilitation Program pursuant to (1) above. The bill would provide for reimbursement of the revolving fund at the time a planned transportation project benefiting from advance mitigation is constructed.

(13) Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law, until January 1, 2017, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities the Department of Transportation assumed as a participant in this program.

This bill would delete the January 1, 2017, repeal date, thereby extending these provisions indefinitely.

(14) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) Over the next 10 years, the state faces a \$59 billion shortfall
2 to adequately maintain the existing state highway system in order
3 to keep it in a basic state of good repair.

4 (b) Similarly, cities and counties face a \$78 billion shortfall
5 over the next decade to adequately maintain the existing network
6 of local streets and roads.

7 (c) Statewide taxes and fees dedicated to the maintenance of
8 the system have not been increased in more than 20 years, with
9 those revenues losing more than 55 percent of their purchasing
10 power, while costs to maintain the system have steadily increased
11 and much of the underlying infrastructure has aged past its expected
12 useful life.

13 (d) California motorists are spending \$17 billion annually in
14 extra maintenance and car repair bills, which is more than \$700
15 per driver, due to the state's poorly maintained roads.

16 (e) Failing to act now to address this growing problem means
17 that more drastic measures will be required to maintain our system
18 in the future, essentially passing the burden on to future generations
19 instead of doing our job today.

20 (f) A funding program will help address a portion of the
21 maintenance backlog on the state's road system and will stop the
22 growth of the problem.

23 (g) Modestly increasing various fees can spread the cost of road
24 repairs broadly to all users and beneficiaries of the road network
25 without overburdening any one group.

26 (h) Improving the condition of the state's road system will have
27 a positive impact on the economy as it lowers the transportation
28 costs of doing business, reduces congestion impacts for employees,
29 and protects property values in the state.

30 (i) The federal government estimates that increased spending
31 on infrastructure creates more than 13,000 jobs per \$1 billion spent.

32 (j) Well-maintained roads benefit all users, not just drivers, as
33 roads are used for all modes of transport, whether motor vehicles,
34 transit, bicycles, or pedestrians.

35 (k) Well-maintained roads additionally provide significant health
36 benefits and prevent injuries and death due to crashes caused by
37 poorly maintained infrastructure.

38 (l) A comprehensive, reasonable transportation funding package
39 will do all of the following:

40 (1) Ensure these transportation needs are addressed.

1 (2) Fairly distribute the economic impact of increased funding.

2 (3) Restore the gas tax rate previously reduced by the State
3 Board of Equalization pursuant to the gas tax swap.

4 (4) Direct increased revenue to the state’s highest transportation
5 needs.

6 SEC. 2. Section 13975 of the Government Code is amended
7 to read:

8 13975. There is in the state government the Transportation
9 Agency. The agency consists of the Department of the California
10 Highway Patrol, the Department of Motor Vehicles, the Department
11 of Transportation, the High-Speed Rail Authority, and the Board
12 of Pilot Commissioners for the Bays of San Francisco, San Pablo,
13 and Suisun.

14 SEC. 3. Section 14033 is added to the Government Code, to
15 read:

16 14033. On or before January 1, 2017, the department shall
17 update the Highway Design Manual to incorporate the “complete
18 streets” design concept.

19 SEC. 4. Part 5.1 (commencing with Section 14460) is added
20 to Division 3 of Title 2 of the Government Code, to read:

21 PART 5.1. OFFICE OF THE TRANSPORTATION INSPECTOR
22 GENERAL
23

24
25 14460. (a) There is hereby created in state government the
26 independent Office of the Transportation Inspector General, which
27 shall not be a subdivision of any other governmental entity, to
28 ensure that the Department of Transportation, the High-Speed Rail
29 Authority, the Department of the California Highway Patrol, the
30 Department of Motor Vehicles, the State Air Resources Board,
31 and all other state agencies expending state transportation funds
32 are operating efficiently, effectively, and in compliance with
33 applicable federal and state laws.

34 (b) The Governor shall appoint, subject to confirmation by the
35 Senate, the Transportation Inspector General to a six-year term.
36 The Transportation Inspector General may not be removed from
37 office during that term, except for good cause. A finding of good
38 cause may include substantial neglect of duty, gross misconduct,
39 or conviction of a crime. The reasons for removal of the
40 Transportation Inspector General shall be stated in writing and

1 shall include the basis for removal. The writing shall be sent to
2 the Secretary of the Senate and the Chief Clerk of the Assembly
3 at the time of the removal and shall be deemed to be a public
4 document.

5 14461. The Transportation Inspector General shall review
6 policies, practices, and procedures and conduct audits and
7 investigations of activities involving state transportation funds in
8 consultation with all affected state agencies. Specifically, the
9 Transportation Inspector General's duties and responsibilities shall
10 include, but not be limited to, all of the following:

11 (a) To examine the operating practices of all state agencies
12 expending state transportation funds to identify fraud and waste,
13 opportunities for efficiencies, and opportunities to improve the
14 data used to determine appropriate project resource allocations.

15 (b) To identify best practices in the delivery of transportation
16 projects and develop policies or recommend proposed legislation
17 enabling state agencies to adopt these practices when practicable.

18 (c) To provide objective analysis of and, when possible, offer
19 solutions to concerns raised by the public or generated within
20 agencies involving the state's transportation infrastructure and
21 project delivery methods.

22 (d) To conduct, supervise, and coordinate audits and
23 investigations relating to the programs and operations of all state
24 transportation agencies with state-funded transportation projects.

25 (e) To recommend policies promoting economy and efficiency
26 in the administration of programs and operations of all state
27 agencies with state-funded transportation projects.

28 (f) To ensure that the Secretary of Transportation and the
29 Legislature are fully and currently informed concerning fraud or
30 other serious abuses or deficiencies relating to the expenditure of
31 funds or administration of programs and operations.

32 14462. The Transportation Inspector General shall report at
33 least annually to the Governor and Legislature with a summary of
34 his or her findings, investigations, and audits. The summary shall
35 be posted on the Transportation Inspector General's Internet Web
36 site and shall otherwise be made available to the public upon its
37 release to the Governor and Legislature. The summary shall
38 include, but need not be limited to, significant problems discovered
39 by the Transportation Inspector General and whether
40 recommendations of the Transportation Inspector General relative

1 to investigations and audits have been implemented by the affected
2 agencies. The report shall be submitted to the Legislature in
3 compliance with Section 9795.

4 SEC. 5. Section 14500 of the Government Code is amended
5 to read:

6 14500. There is in state government a California Transportation
7 Commission. The commission shall act in an independent oversight
8 role.

9 SEC. 6. Section 14526.5 of the Government Code is amended
10 to read:

11 14526.5. (a) Based on the asset management plan prepared
12 and approved pursuant to Section 14526.4, the department shall
13 prepare a state highway operation and protection program for the
14 expenditure of transportation funds for major capital improvements
15 that are necessary to preserve and protect the state highway system.
16 Projects included in the program shall be limited to improvements
17 relative to maintenance, safety, rehabilitation, and operation of
18 state highways and bridges that do not add a new traffic lane to
19 the system.

20 (b) The program shall include projects that are expected to be
21 advertised prior to July 1 of the year following submission of the
22 program, but which have not yet been funded. The program shall
23 include those projects for which construction is to begin within
24 four fiscal years, starting July 1 of the year following the year the
25 program is submitted.

26 (c) (1) The department, at a minimum, shall specify, for each
27 project in the state highway operation and protection program, the
28 capital and support budget for each of the following project
29 components:

- 30 (A) Project approval and environmental documents.
- 31 (B) Plans, specifications, and estimates.
- 32 (C) Rights-of-way.
- 33 (D) Construction.

34 (2) The department shall specify, for each project in the state
35 highway operation and protection program, a projected delivery
36 date for each of the following components:

- 37 (A) Environmental document completion.
- 38 (B) Plans, specifications, and estimate completion.
- 39 (C) Right-of-way certification.
- 40 (D) Start of construction.

1 (d) The department shall submit its proposed program to the
2 commission not later than January 31 of each even-numbered year.
3 Prior to submitting its proposed program, the department shall
4 make a draft of its proposed program available to transportation
5 planning agencies for review and comment and shall include the
6 comments in its submittal to the commission. The department shall
7 provide the commission with detailed information for all
8 programmed projects, including, but not limited to, cost, scope,
9 schedule, and performance metrics as determined by the
10 commission.

11 (e) The commission shall review the proposed program relative
12 to its overall adequacy, consistency with the asset management
13 plan prepared and approved pursuant to Section 14526.4 and
14 funding priorities established in Section 167 of the Streets and
15 Highways Code, the level of annual funding needed to implement
16 the program, and the impact of those expenditures on the state
17 transportation improvement program. The commission shall adopt
18 the program and submit it to the Legislature and the Governor not
19 later than April 1 of each even-numbered year. The commission
20 may decline to adopt the program if the commission determines
21 that the program is not sufficiently consistent with the asset
22 management plan prepared and approved pursuant to Section
23 14526.4.

24 (f) As part of the commission's review of the program required
25 pursuant to subdivision (a), the commission shall hold at least one
26 hearing in northern California and one hearing in southern
27 California regarding the proposed program.

28 (g) Expenditures for these projects shall not be subject to
29 Sections 188 and 188.8 of the Streets and Highways Code.

30 (h) Following adoption of the state highway operation and
31 protection program by the commission, any change to a
32 programmed project shall be submitted as an amendment by the
33 department to the commission for its approval before the change
34 may be implemented.

35 SEC. 7. Section 14526.7 is added to the Government Code, to
36 read:

37 14526.7. (a) On and after February 1, 2017, an allocation by
38 the commission of all capital and support costs for each project in
39 the state highway operation and protection program shall be
40 required.

1 (b) For a project that experiences increases in capital or support
2 costs above the amounts in the commission’s allocation pursuant
3 to subdivision (a), a supplemental project allocation request shall
4 be submitted by the department to the commission for approval.

5 (c) The commission shall establish guidelines to provide
6 exceptions to the requirement of subdivision (b) that the
7 commission determines are necessary to ensure that projects are
8 not unnecessarily delayed.

9 SEC. 8. Section 14534.1 of the Government Code is repealed.

10 SEC. 9. Section 16321 is added to the Government Code, to
11 read:

12 16321. (a) Notwithstanding any other law, on or before
13 September 1, 2016, the Department of Finance shall compute the
14 amount of outstanding loans made from the State Highway
15 Account, the Motor Vehicle Fuel Account, the Highway Users
16 Tax Account, and the Motor Vehicle Account to the General Fund.
17 The department shall prepare a loan repayment schedule, pursuant
18 to which the outstanding loans shall be repaid, as follows:

19 (1) On or before June 30, 2017, 50 percent of the outstanding
20 loan amounts.

21 (2) On or before June 30, 2018, the remainder of the outstanding
22 loan amounts.

23 (b) Notwithstanding any other law, as the loans are repaid
24 pursuant to this section, the repaid funds shall be transferred in the
25 following manner:

26 (1) Fifty percent to cities and counties pursuant to clauses (i)
27 and (ii) of subparagraph (C) of paragraph (3) of subdivision (a) of
28 Section 2103 of the Streets and Highways Code.

29 (2) Fifty percent to the department for maintenance of the state
30 highway system and for purposes of the state highway operation
31 and protection program.

32 (c) Funds for loan repayments pursuant to this section are hereby
33 appropriated from the Budget Stabilization Account pursuant to
34 subclause (II) of clause (ii) of subparagraph (B) of paragraph (1)
35 of subdivision (c) of Section 20 of Article XVI of the California
36 Constitution.

37 SEC. 10. Section 16965 of the Government Code is amended
38 to read:

1 16965. (a) (1) The Transportation Debt Service Fund is hereby
 2 created in the State Treasury. Moneys in the fund shall be dedicated
 3 to all of the following purposes:

4 (A) Payment of debt service with respect to designated bonds,
 5 as defined in subdivision (c) of Section 16773, and as further
 6 provided in paragraph (3) and subdivision (b).

7 (B) To reimburse the General Fund for debt service with respect
 8 to bonds.

9 (C) To redeem or retire bonds, pursuant to Section 16774,
 10 maturing in a subsequent fiscal year.

11 (2) The bonds eligible under subparagraph (B) or (C) of
 12 paragraph (1) include bonds issued pursuant to the Passenger Rail
 13 and Clean Air Bond Act of 1990 (Chapter 17 (commencing with
 14 Section 2701) of Division 3 of the Streets and Highways Code),
 15 the Seismic Retrofit Bond Act of 1996 (Chapter 12.48
 16 (commencing with Section 8879) of Division 1 of Title 2), and the
 17 Safe, Reliable High-Speed Passenger Train Bond Act for the 21st
 18 Century (Chapter 20 (commencing with Section 2704) of Division
 19 3 of the Streets and Highways Code), and nondesignated bonds
 20 under Proposition 1B, as defined in subdivision (c) of Section
 21 16773.

22 (3) (A) The Transportation Bond Direct Payment Account is
 23 hereby created in the State Treasury, as a subaccount within the
 24 Transportation Debt Service Fund, for the purpose of directly
 25 paying the debt service, as defined in paragraph (4), of designated
 26 bonds of Proposition 1B, as defined in subdivision (c) of Section
 27 16773. Notwithstanding Section 13340, moneys in the
 28 Transportation Bond Direct Payment Account are continuously
 29 appropriated for payment of debt service with respect to designated
 30 bonds as provided in subdivision (c) of Section 16773. So long as
 31 any designated bonds remain outstanding, the moneys in the
 32 Transportation Bond Direct Payment Account may not be used
 33 for any other purpose, and may not be borrowed by or available
 34 for transfer to the General Fund pursuant to Section 16310 or any
 35 similar law, or to the General Cash Revolving Fund pursuant to
 36 Section 16381 or any similar law.

37 (B) Once the Treasurer makes a certification that payment of
 38 debt service with respect to all designated bonds has been paid or
 39 provided for, any remaining moneys in the Transportation Bond

1 Direct Payment Account shall be transferred back to the
2 Transportation Debt Service Fund.

3 (C) The moneys in the Transportation Bond Direct Payment
4 Account shall be invested in the Surplus Money Investment Fund,
5 and all investment earnings shall accrue to the account.

6 (D) The Controller may establish subaccounts within the
7 Transportation Bond Direct Payment Account as may be required
8 by the resolution, indenture, or other documents governing any
9 designated bonds.

10 (4) For purposes of this subdivision and subdivision (b), and
11 subdivision (c) of Section 16773, “debt service” means payment
12 of all of the following costs and expenses with respect to any
13 designated bond:

14 (A) The principal of and interest on the bonds.

15 (B) Amounts payable as the result of tender on any bonds, as
16 described in clause (iv) of subparagraph (B) of paragraph (1) of
17 subdivision (d) of Section 16731.

18 (C) Amounts payable under any contractual obligation of the
19 state to repay advances and pay interest thereon under a credit
20 enhancement or liquidity agreement as described in clause (iv) of
21 subparagraph (B) of paragraph (1) of subdivision (d) of Section
22 16731.

23 (D) Any amount owed by the state to a counterparty after any
24 offset for payments owed to the state on any hedging contract as
25 described in subparagraph (A) of paragraph (2) of subdivision (d)
26 of Section 16731.

27 (b) From the moneys transferred to the fund pursuant to
28 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the
29 Vehicle Code, there shall first be deposited into the Transportation
30 Bond Direct Payment Account in each month sufficient funds to
31 equal the amount designated in a certificate submitted by the
32 Treasurer to the Controller and the Director of Finance at the start
33 of each fiscal year, and as may be modified by the Treasurer
34 thereafter upon issuance of any new issue of designated bonds or
35 upon change in circumstances that requires such a modification.
36 This certificate shall be calculated by the Treasurer to identify, for
37 each month, the amount necessary to fund all of the debt service
38 with respect to all designated bonds. This calculation shall be done
39 in a manner provided in the resolution, indenture, or other
40 documents governing the designated bonds. In the event that

1 transfers to the Transportation Bond Direct Payment Account in
2 any month are less than the amounts required in the Treasurer's
3 certificate, the shortfall shall carry over to be part of the required
4 payment in the succeeding month or months.

5 (c) The state hereby covenants with the holders from time to
6 time of any designated bonds that it will not alter, amend, or restrict
7 the provisions of subdivision (c) of Section 16773 of the
8 Government Code, or Sections 9400, 9400.1, 9400.4, and 42205
9 of the Vehicle Code, which provide directly or indirectly for the
10 transfer of weight fees to the Transportation Debt Service Fund
11 or the Transportation Bond Direct Payment Account, or
12 subdivisions (a) and (b) of this section, or reduce the rate of
13 imposition of vehicle weight fees under Sections 9400 and 9400.1
14 of the Vehicle Code as they existed on the date of the first issuance
15 of any designated bonds, if that alteration, amendment, restriction,
16 or reduction would result in projected weight fees for the next
17 fiscal year determined by the Director of Finance being less than
18 two times the maximum annual debt service with respect to all
19 outstanding designated bonds, as such calculation is determined
20 pursuant to the resolution, indenture, or other documents governing
21 the designated bonds. The state may include this covenant in the
22 resolution, indenture, or other documents governing the designated
23 bonds.

24 (d) Once the required monthly deposit, including makeup of
25 any shortfalls from any prior month, has been made pursuant to
26 subdivision (b), from moneys transferred to the fund pursuant to
27 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the
28 Vehicle Code, or pursuant to Section 16965.1 or 63048.67, the
29 Controller shall transfer as an expenditure reduction to the General
30 Fund any amount necessary to offset the cost of current year debt
31 service payments made from the General Fund with respect to any
32 bonds issued pursuant to Proposition 192 (1996) and three-quarters
33 of the amount of current year debt service payments made from
34 the General Fund with respect to any nondesignated bonds, as
35 defined in subdivision (c) of Section 16773, issued pursuant to
36 Proposition 1B (2006). In the alternative, these funds may also be
37 used to redeem or retire the applicable bonds, pursuant to Section
38 16774, maturing in a subsequent fiscal year as directed by the
39 Director of Finance.

1 (e) Once the required monthly deposit, including makeup of
2 any shortfalls from any prior month, has been made pursuant to
3 subdivision (b), from moneys transferred to the fund pursuant to
4 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the
5 Vehicle Code, or pursuant to Section 16965.1 or 63048.67, the
6 Controller shall transfer as an expenditure reduction to the General
7 Fund any amount necessary to offset the eligible cost of current
8 year debt service payments made from the General Fund with
9 respect to any bonds issued pursuant to Proposition 108 (1990)
10 and Proposition 1A (2008), and one-quarter of the amount of
11 current year debt service payments made from the General Fund
12 with respect to any nondesignated bonds, as defined in subdivision
13 (c) of Section 16773, issued pursuant to Proposition 1B (2006).
14 The Department of Finance shall notify the Controller by July 30
15 of every year of the percentage of debt service that is expected to
16 be paid in that fiscal year with respect to bond-funded projects that
17 qualify as eligible guideway projects consistent with the
18 requirements applicable to the expenditure of revenues under
19 Article XIX of the California Constitution, and the Controller shall
20 make payments only for those eligible projects. In the alternative,
21 these funds may also be used to redeem or retire the applicable
22 bonds, pursuant to Section 16774, maturing in a subsequent fiscal
23 year as directed by the Director of Finance.

24 (f) On or before the second business day following the date on
25 which transfers are made to the Transportation Debt Service Fund,
26 and after the required monthly deposits for that month, including
27 makeup of any shortfalls from any prior month, have been made
28 to the Transportation Bond Direct Payment Account, the Controller
29 shall transfer the funds designated for reimbursement of bond debt
30 service with respect to nondesignated bonds, as defined in
31 subdivision (c) of Section 16773, and other bonds identified in
32 subdivisions (d) and (e) in that month from the fund to the General
33 Fund pursuant to this section.

34 SEC. 11. Section 39719 of the Health and Safety Code is
35 amended to read:

36 39719. (a) The Legislature shall appropriate the annual
37 proceeds of the fund for the purpose of reducing greenhouse gas
38 emissions in this state in accordance with the requirements of
39 Section 39712.

1 (b) To carry out a portion of the requirements of subdivision
2 (a), annual proceeds are continuously appropriated for the
3 following:

4 (1) Beginning in the 2016–17 fiscal year, and notwithstanding
5 Section 13340 of the Government Code, 50 percent of annual
6 proceeds are continuously appropriated, without regard to fiscal
7 years, for transit, affordable housing, and sustainable communities
8 programs as following:

9 (A) Twenty percent of the annual proceeds of the fund is hereby
10 continuously appropriated to the Transportation Agency for the
11 Transit and Intercity Rail Capital Program created by Part 2
12 (commencing with Section 75220) of Division 44 of the Public
13 Resources Code.

14 (B) Ten percent of the annual proceeds of the fund is hereby
15 continuously appropriated to the Low Carbon Transit Operations
16 Program created by Part 3 (commencing with Section 75230) of
17 Division 44 of the Public Resources Code. Moneys shall be
18 allocated by the Controller, according to requirements of the
19 program, and pursuant to the distribution formula in subdivision
20 (b) or (c) of Section 99312 of, and Sections 99313 and 99314 of,
21 the Public Utilities Code.

22 (C) Twenty percent of the annual proceeds of the fund is hereby
23 continuously appropriated to the Strategic Growth Council for the
24 Affordable Housing and Sustainable Communities Program created
25 by Part 1 (commencing with Section 75200) of Division 44 of the
26 Public Resources Code. Of the amount appropriated in this
27 subparagraph, no less than 10 percent of the annual proceeds shall
28 be expended for affordable housing, consistent with the provisions
29 of that program.

30 (2) Beginning in the 2015–16 fiscal year, notwithstanding
31 Section 13340 of the Government Code, 25 percent of the annual
32 proceeds of the fund is hereby continuously appropriated to the
33 High-Speed Rail Authority for the following components of the
34 initial operating segment and Phase I Blended System as described
35 in the 2012 business plan adopted pursuant to Section 185033 of
36 the Public Utilities Code:

37 (A) Acquisition and construction costs of the project.

38 (B) Environmental review and design costs of the project.

39 (C) Other capital costs of the project.

1 (D) Repayment of any loans made to the authority to fund the
2 project.

3 (c) In determining the amount of annual proceeds of the fund
4 for purposes of the calculation in subdivision (b), the funds subject
5 to Section 39719.1 shall not be included.

6 SEC. 12. Section 21080.37 of the Public Resources Code is
7 amended to read:

8 21080.37. (a) This division does not apply to a project or an
9 activity to repair, maintain, or make minor alterations to an existing
10 roadway if all of the following conditions are met:

11 (1) (A) The project does not cross a waterway.

12 (B) For purposes of this paragraph, “waterway” means a bay,
13 estuary, lake, pond, river, slough, or a perennial, intermittent, or
14 ephemeral stream, lake, or estuarine-marine shoreline.

15 (2) The project involves negligible or no expansion of an
16 existing use beyond that existing at the time of the lead agency’s
17 determination.

18 (3) (A) The site of the project does not contain wetlands or
19 riparian areas and does not have significant value as a wildlife
20 habitat, and the project does not harm any species protected by the
21 federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et
22 seq.), the Native Plant Protection Act (Chapter 10 (commencing
23 with Section 1900) of Division 2 of the Fish and Game Code), or
24 the California Endangered Species Act (Chapter 1.5 (commencing
25 with Section 2050) of Division 3 of the Fish and Game Code), and
26 the project does not cause the destruction or removal of any species
27 protected by a local ordinance.

28 (B) For the purposes of this paragraph:

29 (i) “Riparian areas” mean those areas transitional between
30 terrestrial and aquatic ecosystems and that are distinguished by
31 gradients in biophysical conditions, ecological processes, and biota.
32 A riparian area is an area through which surface and subsurface
33 hydrology connect waterbodies with their adjacent uplands. A
34 riparian area includes those portions of terrestrial ecosystems that
35 significantly influence exchanges of energy and matter with aquatic
36 ecosystems. A riparian area is adjacent to perennial, intermittent,
37 and ephemeral streams, lakes, and estuarine-marine shorelines.

38 (ii) “Significant value as a wildlife habitat” includes wildlife
39 habitat of national, statewide, regional, or local importance; habitat
40 for species protected by the federal Endangered Species Act of

1 1973 (16 U.S.C. Sec. 1531, et seq.), the California Endangered
 2 Species Act (Chapter 1.5 (commencing with Section 2050) of
 3 Division 3 of the Fish and Game Code), or the Native Plant
 4 Protection Act (Chapter 10 (commencing with Section 1900) of
 5 Division 2 of the Fish and Game Code); habitat identified as
 6 candidate, fully protected, sensitive, or species of special status
 7 by local, state, or federal agencies; or habitat essential to the
 8 movement of resident or migratory wildlife.

9 (iii) “Wetlands” has the same meaning as in the United States
 10 Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

11 (iv) “Wildlife habitat” means the ecological communities upon
 12 which wild animals, birds, plants, fish, amphibians, and
 13 invertebrates depend for their conservation and protection.

14 (4) The project does not impact cultural resources.

15 (5) The roadway does not affect scenic resources, as provided
 16 pursuant to subdivision (c) of Section 21084.

17 (b) Prior to determining that a project is exempt pursuant to this
 18 section, the lead agency shall do both of the following:

19 (1) Include measures in the project to mitigate potential
 20 vehicular traffic and safety impacts and bicycle and pedestrian
 21 safety impacts.

22 (2) Hold a noticed public hearing on the project to hear and
 23 respond to public comments. The hearing on the project may be
 24 conducted with another noticed lead agency public hearing.
 25 Publication of the notice shall be no fewer times than required by
 26 Section 6061 of the Government Code, by the public agency in a
 27 newspaper of general circulation in the area.

28 (c) For purposes of this section, “roadway” means a roadway
 29 as defined pursuant to Section 530 of the Vehicle Code and the
 30 previously graded and maintained shoulder that is within a roadway
 31 right-of-way of no more than five feet from the edge of the
 32 roadway.

33 (d) (1) If a state agency determines that a project is not subject
 34 to this division pursuant to this section and it approves or
 35 determines to carry out that project, it shall file a notice with the
 36 Office of Planning and Research in the manner specified in
 37 subdivisions (b) and (c) of Section 21108.

38 (2) If a local agency determines that a project is not subject to
 39 this division pursuant to this section and it approves or determines
 40 to carry out that project, it shall file a notice with the Office of

1 Planning and Research, and with the county clerk in the county in
2 which the project will be located in the manner specified in
3 subdivisions (b) and (c) of Section 21152.

4 SEC. 13. Division 13.6 (commencing with Section 21200) is
5 added to the Public Resources Code, to read:

6

7 DIVISION 13.6. ADVANCE MITIGATION PROGRAM ACT

8

9

CHAPTER 1. GENERAL

10

11 21200. This division shall be known, and may be cited, as the
12 Advance Mitigation Program Act.

13 21201. (a) The purpose of this division is to improve the
14 success and effectiveness of actions implemented to mitigate the
15 natural resource impacts of future transportation projects by
16 establishing the means to implement those actions well before the
17 transportation projects are constructed. The advance identification
18 and implementation of mitigation actions also will streamline the
19 delivery of transportation projects by anticipating mitigation
20 requirements for planned transportation projects and avoiding or
21 reducing delays associated with environmental permitting. By
22 identifying regional or statewide conservation priorities and by
23 anticipating the impacts of planned transportation projects on a
24 regional or statewide basis, mitigation actions can be designed to
25 protect and restore California's most valuable natural resources
26 and also facilitate environmental compliance for planned
27 transportation projects on a regional scale.

28 (b) This division is not intended to create a new environmental
29 permitting or regulatory program or to modify existing
30 environmental laws or regulations, nor is it expected that all
31 mitigation requirements will be addressed for planned
32 transportation projects. Instead, it is intended to provide a
33 methodology with which to anticipate and fulfill the requirements
34 of existing state and federal environmental laws that protect fish,
35 wildlife, plant species, and other natural resources more efficiently
36 and effectively.

37 21202. The Legislature finds and declares all of the following:

38 (a) The minimization and mitigation of environmental impacts
39 is ordinarily handled on a project-by-project basis, usually near

1 the end of a project’s timeline and often without guidance regarding
2 regional or statewide conservation priorities.

3 (b) The cost of critical transportation projects often escalates
4 because of permitting delays that occur when appropriate
5 conservation and mitigation measures cannot easily be identified
6 and because the cost of these measures often increases between
7 the time a project is planned and funded and the time mitigation
8 is implemented.

9 (c) Addressing conservation and mitigation needs early in a
10 project’s timeline, during the project design and development
11 phase, can reduce costs, allow natural resources conservation to
12 be integrated with project siting and design, and result in the
13 establishment of more valuable and productive habitat mitigation.

14 (d) When the Department of Transportation is able to anticipate
15 the mitigation needs for planned transportation projects, it can
16 meet those needs in a more timely and cost-effective way by using
17 advance mitigation planning.

18 (e) Working with state and federal resource protection agencies,
19 the department can identify, conserve, and, where appropriate,
20 restore lands for mitigation of numerous projects early in the
21 projects’ timelines, thereby allowing public funds to stretch further
22 by acquiring habitat at a lower cost and avoiding environmental
23 permitting delays.

24 (f) Advance mitigation can provide an effective means of
25 facilitating delivery of transportation projects while ensuring more
26 effective natural resource conservation.

27 (g) Advance mitigation is needed to direct mitigation funding
28 for transportation projects to agreed-upon conservation priorities
29 and to the creation of habitat reserves and recreation areas that
30 enhance the sustainability of human and natural systems by
31 protecting or restoring connectivity of natural communities and
32 the delivery of ecosystem services.

33 (h) Advance mitigation can facilitate the implementation of
34 climate change adaptation strategies both for ecosystems and
35 California’s economy.

36 (i) Advance mitigation can enable the state to protect, restore,
37 and recover its natural resources as it strengthens and improves
38 its transportation systems.

39 21203. The Legislature intends to do all of the following by
40 enacting this division:

1 (a) Facilitate delivery of transportation projects while ensuring
2 more effective natural resource conservation.

3 (b) Develop effective strategies to improve the state’s ability to
4 meet mounting demands for transportation improvements and to
5 maximize conservation and other public benefits.

6 (c) Achieve conservation objectives of statewide and regional
7 importance by coordinating local, state, and federally funded
8 natural resource conservation efforts with mitigation actions
9 required for impacts from transportation projects.

10 (d) Create administrative, governance, and financial incentives
11 and mechanisms necessary to ensure that measures required to
12 minimize or mitigate impacts from transportation projects will
13 serve to achieve regional or statewide natural resource conservation
14 objectives.

15
16 CHAPTER 2. DEFINITIONS

17
18 21204. For purposes of this division, the following terms have
19 the following meanings:

20 (a) “Acquire” and “acquisition” mean, with respect to land or
21 a waterway, acquisition of fee title or purchase of a conservation
22 easement, that protects conservation and mitigation values on the
23 land or waterway in perpetuity.

24 (b) “Advance mitigation” means mitigation implemented before,
25 and in anticipation of, environmental effects of planned
26 transportation projects.

27 (c) “Commission” means the California Transportation
28 Commission.

29 (d) “Department” means the Department of Transportation.

30 (e) “Transportation agency” means the department, the
31 High-Speed Rail Authority, a metropolitan planning organization,
32 a regional transportation planning agency, or another public agency
33 that implements transportation projects.

34 (f) “Transportation project” means a transportation capital
35 improvement project.

36 (g) “Planned transportation project” means a transportation
37 project that a transportation agency has concluded is reasonably
38 likely to be constructed within 20 years and that has been identified
39 to the agency for purposes of this division. A planned transportation

1 project may include, but is not limited to, a transportation project
2 that has been proposed for approval or that has been approved.

3 (h) “Program” means the Advance Mitigation Program
4 implemented pursuant to this division.

5 (i) “Regulatory agency” means a state or federal natural resource
6 protection agency with regulatory authority over planned
7 transportation projects. A regulatory agency includes, but is not
8 limited to, the Natural Resources Agency, the Department of Fish
9 and Wildlife, California regional water quality control boards, the
10 United States Fish and Wildlife Service, the National Marine
11 Fisheries Service, the United States Environmental Protection
12 Agency, and the United States Army Corps of Engineers.

13

14 CHAPTER 3. ADVANCE MITIGATION PROGRAM

15

16 21205. (a) The Advance Mitigation Program is hereby created
17 in the department to accelerate project delivery and improve
18 environmental outcomes of environmental mitigation for planned
19 transportation projects.

20 (b) The program may utilize mitigation instruments, including,
21 but not limited to, mitigation banks, in lieu of fee programs, and
22 conservation easements as defined in Section 815.1 of the Civil
23 Code.

24 (c) The department shall track all implemented advance
25 mitigation projects to use as credits for environmental mitigation
26 for state-sponsored transportation projects.

27 (d) The department may use advance mitigation credits to fulfill
28 mitigation requirements of any environmental law for a
29 transportation project eligible for the State Transportation
30 Improvement Program or the State Highway Operation and
31 Protection Program.

32 21206. No later than February 1, 2017, the department shall
33 establish an interagency transportation advance mitigation steering
34 committee consisting of the department and appropriate state and
35 federal regulatory agencies to support the program so that advance
36 mitigation can be used as required mitigation for planned
37 transportation projects and can provide improved environmental
38 outcomes. The committee shall advise the department of
39 opportunities to carry out advance mitigation projects, provide the
40 best available science, and actively participate in mitigation

1 instrument reviews and approvals. The committee shall seek to
2 develop streamlining opportunities, including those related to
3 landscape scale mitigation planning and alignment of federal and
4 state regulations and procedures related to mitigation requirements
5 and implementation. The committee shall also provide input on
6 crediting, using, and tracking of advance mitigation investments.

7 21207. The Advance Mitigation Fund is hereby created in the
8 State Transportation Fund as a revolving fund. Notwithstanding
9 Section 13340 of the Government Code, the fund shall be
10 continuously appropriated without regard to fiscal years. The
11 moneys in the fund shall be programmed by the commission for
12 the planning and implementation of advance mitigation projects
13 consistent with the purposes of this chapter. After the transfer of
14 moneys to the fund for four fiscal years pursuant to subdivision
15 (c) of Section 2032 of the Streets and Highways Code, commencing
16 in the 2017–18 fiscal year, the program is intended to be
17 self-sustaining. Advance expenditures from the fund shall later be
18 reimbursed from project funding available at the time a planned
19 transportation project is constructed. A maximum of 5 percent of
20 available funds may be used for administrative purposes.

21 21208. *The program is intended to improve the efficiency and*
22 *efficacy of mitigation only and is not intended to supplant the*
23 *requirements of the California Environmental Quality Act (Division*
24 *13 (commencing with Section 21000) or any other environmental*
25 *law. The identification of planned transportation projects and of*
26 *mitigation projects or measures for planned transportation projects*
27 *under this division does not imply or require approval of those*
28 *projects for purposes of the California Environmental Quality Act*
29 *(Division 13 (commencing with Section 21000) or any other*
30 *environmental law.*

31 SEC. 14. Section 99312.1 of the Public Utilities Code is
32 amended to read:

33 99312.1. (a) Revenues transferred to the Public Transportation
34 Account pursuant to Sections 6051.8 and 6201.8 of the Revenue
35 and Taxation Code are hereby continuously appropriated to the
36 Controller for allocation as follows:

37 (1) Fifty percent for allocation to transportation planning
38 agencies, county transportation commissions, and the San Diego
39 Metropolitan Transit Development Board pursuant to Section
40 99314.

1 (2) Fifty percent for allocation to transportation agencies, county
 2 transportation commissions, and the San Diego Metropolitan
 3 Transit Development Board for purposes of Section 99313.

4 (b) For purposes of this chapter, the revenues allocated pursuant
 5 to this section shall be subject to the same requirements as revenues
 6 allocated pursuant to subdivisions (b) and (c), as applicable, of
 7 Section 99312.

8 (c) The revenues transferred to the Public Transportation
 9 Account that are attributable to the increase in the sales and use
 10 tax on diesel fuel pursuant to subdivision (b) of Section 6051.8 of
 11 the Revenue and Taxation Code, as adjusted pursuant to
 12 subdivision (c) of that section, and subdivision (b) of Section
 13 6201.8 of the Revenue and Taxation Code, as adjusted pursuant
 14 to subdivision (c) of that section, upon allocation pursuant to
 15 Sections 99313 and 99314, shall only be expended on the
 16 following:

17 (1) Transit capital projects or services to maintain or repair a
 18 transit operator’s existing transit vehicle fleet or existing transit
 19 facilities, including rehabilitation or modernization of existing
 20 vehicles or facilities.

21 (2) The design, acquisition, and construction of new vehicles
 22 or facilities that improve existing transit services.

23 (3) Transit services that complement local efforts for repair and
 24 improvement of local transportation infrastructure.

25 (d) (1) Prior to receiving an apportionment of funds pursuant
 26 to subdivision (c) from the Controller in a fiscal year, a recipient
 27 transit agency shall submit to the Department of Transportation a
 28 list of projects proposed to be funded with these funds. The list of
 29 projects proposed to be funded with these funds shall include a
 30 description and location of each proposed project, a proposed
 31 schedule for the project’s completion, and the estimated useful life
 32 of the improvement. The project list shall not limit the flexibility
 33 of a recipient transit agency to fund projects in accordance with
 34 local needs and priorities so long as the projects are consistent
 35 with subdivision (c).

36 (2) The department shall report to the Controller the recipient
 37 transit agencies that have submitted a list of projects as described
 38 in this subdivision and that are therefore eligible to receive an
 39 apportionment of funds for the applicable fiscal year. The

1 Controller, upon receipt of the report, shall apportion funds
2 pursuant to Sections 99313 and 99314.

3 (e) For each fiscal year, each recipient transit agency receiving
4 an apportionment of funds pursuant to subdivision (c) shall, upon
5 expending those funds, submit documentation to the department
6 that includes a description and location of each completed project,
7 the amount of funds expended on the project, the completion date,
8 and the estimated useful life of the improvement.

9 (f) The audit of transit operator finances required pursuant to
10 Section 99245 shall verify that the revenues identified in
11 subdivision (c) have been expended in conformance with these
12 specific requirements and all other generally applicable
13 requirements.

14 SEC. 15. Section 6051.8 of the Revenue and Taxation Code
15 is amended to read:

16 6051.8. (a) Except as provided by Section 6357.3, in addition
17 to the taxes imposed by this part, for the privilege of selling
18 tangible personal property at retail a tax is hereby imposed upon
19 all retailers at the rate of 1.75 percent of the gross receipts of any
20 retailer from the sale of all diesel fuel.

21 (b) Except as provided by Section 6357.3, in addition to the
22 taxes imposed by this part and by subdivision (a), for the privilege
23 of selling tangible personal property at retail a tax is hereby
24 imposed upon all retailers at the rate of 3.5 percent of the gross
25 receipts of any retailer from the sale of all diesel fuel, as defined
26 in Section 60022, sold at retail in this state. The tax imposed under
27 this subdivision shall be imposed on and after the first day of the
28 first calendar quarter that occurs 90 days after the effective date
29 of the act adding this subdivision.

30 (c) Beginning July 1, 2019, and every third year thereafter, the
31 State Board of Equalization shall recompute the rates of the taxes
32 imposed by this section. That computation shall be made as
33 follows:

34 (1) The Department of Finance shall transmit to the State Board
35 of Equalization the percentage change in the California Consumer
36 Price Index for all items from November of three calendar years
37 prior to November of the prior calendar year, no later than January
38 31, 2019, and January 31 of every third year thereafter.

39 (2) The State Board of Equalization shall do all of the following:

1 (A) Compute an inflation adjustment factor by adding 100
2 percent to the percentage change figure that is furnished pursuant
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation
5 adjustment factor determined in subparagraph (A) and round off
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March
8 1 of the same year as the effective date of the new rate.

9 (d) Notwithstanding subdivision (b) of Section 7102, all of the
10 revenues, less refunds, collected pursuant to this section shall be
11 estimated by the State Board of Equalization, with the concurrence
12 of the Department of Finance, and transferred quarterly to the
13 Public Transportation Account in the State Transportation Fund
14 for allocation pursuant to Section 99312.1 of the Public Utilities
15 Code.

16 SEC. 16. Section 6201.8 of the Revenue and Taxation Code
17 is amended to read:

18 6201.8. (a) Except as provided by Section 6357.3, in addition
19 to the taxes imposed by this part, an excise tax is hereby imposed
20 on the storage, use, or other consumption in this state of diesel
21 fuel, as defined in Section 60022, at the rate of 1.75 percent of the
22 sales price of the diesel fuel.

23 (b) Except as provided by Section 6357.3, in addition to the
24 taxes imposed by this part and by subdivision (a), an excise tax is
25 hereby imposed on the storage, use, or other consumption in this
26 state of diesel fuel, as defined in Section 60022, at the rate of 3.5
27 percent of the sales price of the diesel fuel. The tax imposed under
28 this subdivision shall be imposed on and after the first day of the
29 first calendar quarter that occurs 90 days after the effective date
30 of the act adding this subdivision.

31 (c) Beginning July 1, 2019, and every third year thereafter, the
32 State Board of Equalization shall recompute the rates of the taxes
33 imposed by this section. That computation shall be made as
34 follows:

35 (1) The Department of Finance shall transmit to the State Board
36 of Equalization the percentage change in the California Consumer
37 Price Index for all items from November of three calendar years
38 prior to November of the prior calendar year, no later than January
39 31, 2019, and January 31 of every third year thereafter.

40 (2) The State Board of Equalization shall do all of the following:

1 (A) Compute an inflation adjustment factor by adding 100
2 percent to the percentage change figure that is furnished pursuant
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation
5 adjustment factor determined in subparagraph (A) and round off
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March
8 1 of the same year as the effective date of the new rate.

9 (d) Notwithstanding subdivision (b) of Section 7102, all of the
10 revenues, less refunds, collected pursuant to this section shall be
11 estimated by the State Board of Equalization, with the concurrence
12 of the Department of Finance, and transferred quarterly to the
13 Public Transportation Account in the State Transportation Fund
14 for allocation pursuant to Section 99312.1 of the Public Utilities
15 Code.

16 SEC. 17. Section 7360 of the Revenue and Taxation Code is
17 amended to read:

18 7360. (a) (1) (A) A tax of eighteen cents (\$0.18) is hereby
19 imposed upon each gallon of fuel subject to the tax in Sections
20 7362, 7363, and 7364.

21 (B) In addition to the tax imposed pursuant to subparagraph
22 (A), on and after the first day of the first calendar quarter that
23 occurs 90 days after the effective date of the act adding this
24 subparagraph, a tax of seventeen cents (\$0.17) is hereby imposed
25 upon each gallon of fuel, other than aviation gasoline, subject to
26 the tax in Sections 7362, 7363, and 7364.

27 (2) If the federal fuel tax is reduced below the rate of nine cents
28 (\$0.09) per gallon and federal financial allocations to this state for
29 highway and exclusive public mass transit guideway purposes are
30 reduced or eliminated correspondingly, the tax rate imposed by
31 subparagraph (A) of paragraph (1), on and after the date of the
32 reduction, shall be recalculated by an amount so that the combined
33 state rate under subparagraph (A) of paragraph (1) and the federal
34 tax rate per gallon equal twenty-seven cents (\$0.27).

35 (3) If any person or entity is exempt or partially exempt from
36 the federal fuel tax at the time of a reduction, the person or entity
37 shall continue to be so exempt under this section.

38 (b) On and after July 1, 2010, in addition to the tax imposed by
39 subdivision (a), a tax is hereby imposed upon each gallon of motor
40 vehicle fuel, other than aviation gasoline, subject to the tax in

1 Sections 7362, 7363, and 7364 in an amount equal to seventeen
2 and three-tenths cents (\$0.173) per gallon.

3 (c) Beginning July 1, 2019, and every third year thereafter, the
4 State Board of Equalization shall recompute the rates of the taxes
5 imposed by this section. That computation shall be made as
6 follows:

7 (1) The Department of Finance shall transmit to the State Board
8 of Equalization the percentage change in the California Consumer
9 Price Index for all items from November of three calendar years
10 prior to November of the prior calendar year, no later than January
11 31, 2019, and January 31 of every third year thereafter.

12 (2) The State Board of Equalization shall do all of the following:

13 (A) Compute an inflation adjustment factor by adding 100
14 percent to the percentage change figure that is furnished pursuant
15 to paragraph (1) and dividing the result by 100.

16 (B) Multiply the preceding tax rate per gallon by the inflation
17 adjustment factor determined in subparagraph (A) and round off
18 the resulting product to the nearest tenth of a cent.

19 (C) Make its determination of the new rate no later than March
20 1 of the same year as the effective date of the new rate.

21 SEC. 18. Section 8352.4 of the Revenue and Taxation Code
22 is amended to read:

23 8352.4. (a) Subject to Sections 8352 and 8352.1, and except
24 as otherwise provided in subdivision (b), there shall be transferred
25 from the money deposited to the credit of the Motor Vehicle Fuel
26 Account to the Harbors and Watercraft Revolving Fund, for
27 expenditure in accordance with Division 1 (commencing with
28 Section 30) of the Harbors and Navigation Code, the sum of six
29 million six hundred thousand dollars (\$6,600,000) per annum,
30 representing the amount of money in the Motor Vehicle Fuel
31 Account attributable to taxes imposed on distributions of motor
32 vehicle fuel used or usable in propelling vessels. The actual amount
33 shall be calculated using the annual reports of registered boats
34 prepared by the Department of Motor Vehicles for the United
35 States Coast Guard and the formula and method of the December
36 1972 report prepared for this purpose and submitted to the
37 Legislature on December 26, 1972, by the Director of
38 Transportation. If the amount transferred during each fiscal year
39 is in excess of the calculated amount, the excess shall be
40 retransferred from the Harbors and Watercraft Revolving Fund to

1 the Motor Vehicle Fuel Account. If the amount transferred is less
2 than the amount calculated, the difference shall be transferred from
3 the Motor Vehicle Fuel Account to the Harbors and Watercraft
4 Revolving Fund. No adjustment shall be made if the computed
5 difference is less than fifty thousand dollars (\$50,000), and the
6 amount shall be adjusted to reflect any temporary or permanent
7 increase or decrease that may be made in the rate under the Motor
8 Vehicle Fuel Tax Law. Payments pursuant to this section shall be
9 made prior to payments pursuant to Section 8352.2.

10 (b) Commencing July 1, 2016, the revenues attributable to the
11 taxes imposed pursuant to subdivision (b) of Section 7360 and
12 Section 7361.1 and otherwise to be deposited in the Harbors and
13 Watercraft Revolving Fund pursuant to subdivision (a) shall instead
14 be transferred to the Highway Users Tax Account for distribution
15 pursuant to Section 2103.1 of the Streets and Highways Code.

16 SEC. 19. Section 8352.5 of the Revenue and Taxation Code
17 is amended to read:

18 8352.5. (a) (1) Subject to Sections 8352 and 8352.1, and
19 except as otherwise provided in subdivision (b), there shall be
20 transferred from the money deposited to the credit of the Motor
21 Vehicle Fuel Account to the Department of Food and Agriculture
22 Fund, during the second quarter of each fiscal year, an amount
23 equal to the estimate contained in the most recent report prepared
24 pursuant to this section.

25 (2) The amounts are not subject to Section 6357 with respect
26 to the collection of sales and use taxes thereon, and represent the
27 portion of receipts in the Motor Vehicle Fuel Account during a
28 calendar year that were attributable to agricultural off-highway
29 use of motor vehicle fuel which is subject to refund pursuant to
30 Section 8101, less gross refunds allowed by the Controller during
31 the fiscal year ending June 30 following the calendar year to
32 persons entitled to refunds for agricultural off-highway use
33 pursuant to Section 8101. Payments pursuant to this section shall
34 be made prior to payments pursuant to Section 8352.2.

35 (b) Commencing July 1, 2016, the revenues attributable to the
36 taxes imposed pursuant to subdivision (b) of Section 7360 and
37 Section 7361.1 and otherwise to be deposited in the Department
38 of Food and Agriculture Fund pursuant to subdivision (a) shall
39 instead be transferred to the Highway Users Tax Account for

1 distribution pursuant to Section 2103.1 of the Streets and Highways
2 Code.

3 (c) On or before September 30, 2012, and on or before
4 September 30 of each even-numbered year thereafter, the Director
5 of Transportation and the Director of Food and Agriculture shall
6 jointly prepare, or cause to be prepared, a report setting forth the
7 current estimate of the amount of money in the Motor Vehicle
8 Fuel Account attributable to agricultural off-highway use of motor
9 vehicle fuel, which is subject to refund pursuant to Section 8101
10 less gross refunds allowed by the Controller to persons entitled to
11 refunds for agricultural off-highway use pursuant to Section 8101;
12 and they shall submit a copy of the report to the Legislature.

13 SEC. 20. Section 8352.6 of the Revenue and Taxation Code
14 is amended to read:

15 8352.6. (a) (1) Subject to Section 8352.1, and except as
16 otherwise provided in paragraphs (2) and (3), on the first day of
17 every month, there shall be transferred from moneys deposited to
18 the credit of the Motor Vehicle Fuel Account to the Off-Highway
19 Vehicle Trust Fund created by Section 38225 of the Vehicle Code
20 an amount attributable to taxes imposed upon distributions of motor
21 vehicle fuel used in the operation of motor vehicles off highway
22 and for which a refund has not been claimed. Transfers made
23 pursuant to this section shall be made prior to transfers pursuant
24 to Section 8352.2.

25 (2) Commencing July 1, 2016, the revenues attributable to the
26 taxes imposed pursuant to subdivision (b) of Section 7360 and
27 Section 7361.1 and otherwise to be deposited in the Off-Highway
28 Vehicle Trust Fund pursuant to paragraph (1) shall instead be
29 transferred to the Highway Users Tax Account for distribution
30 pursuant to Section 2103.1 of the Streets and Highways Code.

31 (3) The Controller shall withhold eight hundred thirty-three
32 thousand dollars (\$833,000) from the monthly transfer to the
33 Off-Highway Vehicle Trust Fund pursuant to paragraph (1), and
34 transfer that amount to the General Fund.

35 (b) The amount transferred to the Off-Highway Vehicle Trust
36 Fund pursuant to paragraph (1) of subdivision (a), as a percentage
37 of the Motor Vehicle Fuel Account, shall be equal to the percentage
38 transferred in the 2006–07 fiscal year. Every five years, starting
39 in the 2013–14 fiscal year, the percentage transferred may be
40 adjusted by the Department of Transportation in cooperation with

1 the Department of Parks and Recreation and the Department of
2 Motor Vehicles. Adjustments shall be based on, but not limited
3 to, the changes in the following factors since the 2006–07 fiscal
4 year or the last adjustment, whichever is more recent:

5 (1) The number of vehicles registered as off-highway motor
6 vehicles as required by Division 16.5 (commencing with Section
7 38000) of the Vehicle Code.

8 (2) The number of registered street-legal vehicles that are
9 anticipated to be used off highway, including four-wheel drive
10 vehicles, all-wheel drive vehicles, and dual-sport motorcycles.

11 (3) Attendance at the state vehicular recreation areas.

12 (4) Off-highway recreation use on federal lands as indicated by
13 the United States Forest Service’s National Visitor Use Monitoring
14 and the United States Bureau of Land Management’s Recreation
15 Management Information System.

16 (c) It is the intent of the Legislature that transfers from the Motor
17 Vehicle Fuel Account to the Off-Highway Vehicle Trust Fund
18 should reflect the full range of motorized vehicle use off highway
19 for both motorized recreation and motorized off-road access to
20 other recreation opportunities. Therefore, the Legislature finds that
21 the fuel tax baseline established in subdivision (b), attributable to
22 off-highway estimates of use as of the 2006–07 fiscal year,
23 accounts for the three categories of vehicles that have been found
24 over the years to be users of fuel for off-highway motorized
25 recreation or motorized access to nonmotorized recreational
26 pursuits. These three categories are registered off-highway
27 motorized vehicles, registered street-legal motorized vehicles used
28 off highway, and unregistered off-highway motorized vehicles.

29 (d) It is the intent of the Legislature that the off-highway motor
30 vehicle recreational use to be determined by the Department of
31 Transportation pursuant to paragraph (2) of subdivision (b) be that
32 usage by vehicles subject to registration under Division 3
33 (commencing with Section 4000) of the Vehicle Code, for
34 recreation or the pursuit of recreation on surfaces where the use
35 of vehicles registered under Division 16.5 (commencing with
36 Section 38000) of the Vehicle Code may occur.

37 (e) In the 2014–15 fiscal year, the Department of Transportation,
38 in consultation with the Department of Parks and Recreation and
39 the Department of Motor Vehicles, shall undertake a study to
40 determine the appropriate adjustment to the amount transferred

1 pursuant to subdivision (b) and to update the estimate of the amount
2 attributable to taxes imposed upon distributions of motor vehicle
3 fuel used in the operation of motor vehicles off highway and for
4 which a refund has not been claimed. The department shall provide
5 a copy of this study to the Legislature no later than January 1,
6 2016.

7 SEC. 21. Section 60050 of the Revenue and Taxation Code is
8 amended to read:

9 60050. (a) (1) A tax of thirteen cents (\$0.13) is hereby
10 imposed upon each gallon of diesel fuel subject to the tax in
11 Sections 60051, 60052, and 60058.

12 (2) If the federal fuel tax is reduced below the rate of fifteen
13 cents (\$0.15) per gallon and federal financial allocations to this
14 state for highway and exclusive public mass transit guideway
15 purposes are reduced or eliminated correspondingly, the tax rate
16 imposed by paragraph (1) shall be increased by an amount so that
17 the combined state rate under paragraph (1) and the federal tax
18 rate per gallon equal what it would have been in the absence of
19 the federal reduction.

20 (3) If any person or entity is exempt or partially exempt from
21 the federal fuel tax at the time of a reduction, the person or entity
22 shall continue to be exempt under this section.

23 (b) In addition to the tax imposed pursuant to subdivision (a),
24 on and after the first day of the first calendar quarter that occurs
25 90 days after the effective date of the act amending this subdivision
26 in the 2015 First Extraordinary Session, an additional tax of thirty
27 cents (\$0.30) is hereby imposed upon each gallon of diesel fuel
28 subject to the tax in Sections 60051, 60052, and 60058.

29 (c) Beginning July 1, 2019, and every third year thereafter, the
30 State Board of Equalization shall recompute the rates of the taxes
31 imposed by this section. That computation shall be made as
32 follows:

33 (1) The Department of Finance shall transmit to the State Board
34 of Equalization the percentage change in the California Consumer
35 Price Index for all items from November of three calendar years
36 prior to November of the prior calendar year, no later than January
37 31, 2019, and January 31 of every third year thereafter.

38 (2) The State Board of Equalization shall do all of the following:

1 (A) Compute an inflation adjustment factor by adding 100
2 percent to the percentage change figure that is furnished pursuant
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation
5 adjustment factor determined in subparagraph (A) and round off
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March
8 1 of the same year as the effective date of the new rate.

9 SEC. 22. Section 183.1 of the Streets and Highways Code is
10 amended to read:

11 183.1. Except as otherwise provided in Section 54237.7 of the
12 Government Code, money deposited into the account that is not
13 subject to Article XIX of the California Constitution, including,
14 but not limited to, money that is derived from the sale of
15 documents, charges for miscellaneous services to the public,
16 condemnation deposits fund investments, rental of state property,
17 or any other miscellaneous uses of property or money, shall be
18 deposited in the Road Maintenance and Rehabilitation Account
19 created pursuant to Section 2031.

20 SEC. 23. Section 820.1 of the Streets and Highways Code is
21 amended to read:

22 820.1. (a) The State of California consents to the jurisdiction
23 of the federal courts with regard to the compliance, discharge, or
24 enforcement of the responsibilities assumed by the department
25 pursuant to Section 326 of, and subsection (a) of Section 327 of,
26 Title 23 of the United States Code.

27 (b) In any action brought pursuant to the federal laws described
28 in subdivision (a), no immunity from suit may be asserted by the
29 department pursuant to the Eleventh Amendment to the United
30 States Constitution, and any immunity is hereby waived.

31 (c) The department shall not delegate any of its responsibilities
32 assumed pursuant to the federal laws described in subdivision (a)
33 to any political subdivision of the state or its instrumentalities.

34 (d) Nothing in this section affects the obligation of the
35 department to comply with state and federal law.

36 SEC. 24. Chapter 2 (commencing with Section 2030) is added
37 to Division 3 of the Streets and Highways Code, to read:

CHAPTER 2. ROAD MAINTENANCE AND REHABILITATION PROGRAM

2030. (a) The Road Maintenance and Rehabilitation Program is hereby created to address deferred maintenance on the state highway system and the local street and road system. Funds made available by the program shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects. For funds appropriated pursuant to paragraph (1) of subdivision (d) of Section 2032, the California Transportation Commission shall adopt performance criteria, consistent with the asset management plan required pursuant to 14526.4 of the Government Code, to ensure efficient use of the funds available for these purposes in the program.

(b) (1) Funds made available by the program shall be used for projects that include, but are not limited to, the following:

- (A) Road maintenance and rehabilitation.
(B) Safety projects.
(C) Railroad grade separations.
(D) Complete street components, including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project.
(E) Traffic control devices.

(2) Funds made available by the program may also be used to satisfy a match requirement in order to obtain state or federal funds for projects authorized by this subdivision.

2031. The following revenues shall be deposited in the Road Maintenance and Rehabilitation Account, which is hereby created in the State Transportation Fund:

(a) Notwithstanding subdivision (b) of Section 2103, the portion of the revenues in the Highway Users Tax Account attributable to the increase in the motor vehicle fuel excise tax by seventeen cents (\$0.17) per gallon pursuant to subdivision (a) of Section 7360 of the Revenue and Taxation Code, as adjusted pursuant to subdivision (c) of that section.

(b) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.3 of the Vehicle Code.

(c) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.6 of the Vehicle Code.

1 (d) The revenues deposited in the account pursuant to Section
2 183.1 of the Streets and Highways Code.

3 (e) Any other revenues designated for the program.

4 2031.5. Each fiscal year the annual Budget Act shall contain
5 an appropriation from the Road Maintenance and Rehabilitation
6 Account to the Controller for the costs of carrying out his or her
7 duties pursuant to this chapter and to the California Transportation
8 Commission for the costs of carrying out its duties pursuant to this
9 chapter and Section 14526.7 of the Government Code.

10 2032. (a) (1) After deducting the amounts appropriated in the
11 annual Budget Act, as provided in Section 2031.5, two hundred
12 million dollars (\$200,000,000) of the remaining revenues deposited
13 in the Road Maintenance and Rehabilitation Account shall be set
14 aside annually for counties that have sought and received voter
15 approval of taxes or that have imposed fees, including uniform
16 developer fees as defined by subdivision (b) of Section 8879.67
17 of the Government Code, which taxes or fees are dedicated solely
18 to transportation improvements. The Controller shall each month
19 set aside one-twelfth of this amount, to accumulate a total of two
20 hundred million dollars (\$200,000,000) in each fiscal year.

21 (2) Notwithstanding Section 13340 of the Government Code,
22 the funds available under this subdivision in each fiscal year are
23 hereby continuously appropriated for allocation to each eligible
24 county and each city in the county for road maintenance and
25 rehabilitation purposes pursuant to Section 2033.

26 (b) (1) After deducting the amounts appropriated in the annual
27 Budget Act pursuant to Section 2031.5 and the amount allocated
28 in subdivision (a), beginning in the 2017–18 fiscal year, eighty
29 million dollars (\$80,000,000) of the remaining revenues shall be
30 transferred annually to the State Highway Account for expenditure,
31 upon appropriation by the Legislature, on the Active Transportation
32 Program created pursuant to Chapter 8 (commencing with Section
33 2380) of Division 3 to be allocated by the California Transportation
34 Commission pursuant to Section 2381.

35 (2) In addition to the funds transferred in paragraph (1), the
36 department shall annually identify savings achieved through
37 efficiencies implemented at the department. The department,
38 through the annual budget process, shall propose, from the
39 identified savings, an appropriation to be included in the annual
40 Budget Act of up to seventy million dollars (\$70,000,000), but not

1 to exceed the total annual identified savings, from the State
 2 Highway Account for expenditure on the Active Transportation
 3 Program.

4 (c) After deducting the amounts appropriated in the annual
 5 Budget Act pursuant to Section 2031.5, the amount allocated in
 6 subdivision (a) and the amount transferred in paragraph (1) of
 7 subdivision (b), in the 2017–18, 2018–19, 2019–20, and 2020–21
 8 fiscal years, the sum of thirty million dollars (\$30,000,000) in each
 9 fiscal year from the remaining revenues shall be transferred to the
 10 Advance Mitigation Fund in the State Transportation Fund created
 11 pursuant to Section 21207 of the Public Resources Code.

12 (d) After deducting the amounts appropriated in the annual
 13 Budget Act pursuant to Section 2031.5, the amount allocated in
 14 subdivision (a), and the amounts transferred in paragraph (1) of
 15 subdivision (b) and in subdivision (c), beginning in the 2017–18
 16 fiscal year and each fiscal year thereafter, and notwithstanding
 17 Section 13340 of the Government Code, there is hereby
 18 continuously appropriated to the California State University the
 19 sum of two million dollars (\$2,000,000) from the remaining
 20 revenues for the purpose of conducting transportation research and
 21 transportation-related workforce education, training, and
 22 development. Prior to the start of each fiscal year, the chairs of the
 23 Assembly Committee on Transportation and the Senate Committee
 24 on Transportation and Housing shall confer and set out a
 25 recommended priority list of research components to be addressed
 26 in the upcoming fiscal year.

27 (e) Notwithstanding Section 13340 of the Government Code,
 28 the balance of the revenues deposited in the Road Maintenance
 29 and Rehabilitation Account are hereby continuously appropriated
 30 as follows:

31 (1) Fifty percent for allocation to the department for maintenance
 32 of the state highway system or for purposes of the state highway
 33 operation and protection program.

34 (2) Fifty percent for apportionment to cities and counties by the
 35 Controller pursuant to the formula in clauses (i) and (ii) of
 36 subparagraph (C) of paragraph (3) of subdivision (a) of Section
 37 2103 for the purposes authorized by this chapter.

38 2033. (a) On or before January 1, 2017, the commission, in
 39 cooperation with the department, transportation planning agencies,
 40 county transportation commissions, and other local agencies, shall

1 develop guidelines for the allocation of funds pursuant to
2 subdivision (a) of Section 2032.

3 (b) The guidelines shall be the complete and full statement of
4 the policy, standards, and criteria that the commission intends to
5 use to determine how these funds will be allocated.

6 (c) The commission may amend the adopted guidelines after
7 conducting at least one public hearing.

8 2034. (a) (1) Prior to receiving an apportionment of funds
9 under the program pursuant to paragraph (2) of subdivision (d) of
10 Section 2032 from the Controller in a fiscal year, an eligible city
11 or county shall submit to the commission a list of projects proposed
12 to be funded with these funds pursuant to an adopted city or county
13 budget. All projects proposed to receive funding shall be included
14 in a city or county budget that is adopted by the applicable city
15 council or county board of supervisors at a regular public meeting.
16 The list of projects proposed to be funded with these funds shall
17 include a description and the location of each proposed project, a
18 proposed schedule for the project's completion, and the estimated
19 useful life of the improvement. The project list shall not limit the
20 flexibility of an eligible city or county to fund projects in
21 accordance with local needs and priorities so long as the projects
22 are consistent with subdivision (b) of Section 2030.

23 (2) The commission shall report to the Controller the cities and
24 counties that have submitted a list of projects as described in this
25 subdivision and that are therefore eligible to receive an
26 apportionment of funds under the program for the applicable fiscal
27 year. The Controller, upon receipt of the report, shall apportion
28 funds to eligible cities and counties.

29 (b) For each fiscal year, each city or county receiving an
30 apportionment of funds shall, upon expending program funds,
31 submit documentation to the commission that includes a description
32 and location of each completed project, the amount of funds
33 expended on the project, the completion date, and the estimated
34 useful life of the improvement.

35 2036. (a) Cities and counties shall maintain their existing
36 commitment of local funds for street, road, and highway purposes
37 in order to remain eligible for an allocation or apportionment of
38 funds pursuant to Section 2032.

39 (b) In order to receive an allocation or apportionment pursuant
40 to Section 2032, the city or county shall annually expend from its

1 general fund for street, road, and highway purposes an amount not
2 less than the annual average of its expenditures from its general
3 fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as
4 reported to the Controller pursuant to Section 2151. For purposes
5 of this subdivision, in calculating a city’s or county’s annual
6 general fund expenditures and its average general fund expenditures
7 for the 2009–10, 2010–11, and 2011–12 fiscal years, any
8 unrestricted funds that the city or county may expend at its
9 discretion, including vehicle in-lieu tax revenues and revenues
10 from fines and forfeitures, expended for street, road, and highway
11 purposes shall be considered expenditures from the general fund.
12 One-time allocations that have been expended for street and
13 highway purposes, but which may not be available on an ongoing
14 basis, including revenue provided under the Teeter Plan Bond Law
15 of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1
16 of Division 2 of Title 5 of the Government Code), may not be
17 considered when calculating a city’s or county’s annual general
18 fund expenditures.

19 (c) For any city incorporated after July 1, 2009, the Controller
20 shall calculate an annual average expenditure for the period
21 between July 1, 2009, and December 31, 2015, inclusive, that the
22 city was incorporated.

23 (d) For purposes of subdivision (b), the Controller may request
24 fiscal data from cities and counties in addition to data provided
25 pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12
26 fiscal years. Each city and county shall furnish the data to the
27 Controller not later than 120 days after receiving the request. The
28 Controller may withhold payment to cities and counties that do
29 not comply with the request for information or that provide
30 incomplete data.

31 (e) The Controller may perform audits to ensure compliance
32 with subdivision (b) when deemed necessary. Any city or county
33 that has not complied with subdivision (b) shall reimburse the state
34 for the funds it received during that fiscal year. Any funds withheld
35 or returned as a result of a failure to comply with subdivision (b)
36 shall be reapportioned to the other counties and cities whose
37 expenditures are in compliance.

38 (f) If a city or county fails to comply with the requirements of
39 subdivision (b) in a particular fiscal year, the city or county may
40 expend during that fiscal year and the following fiscal year a total

1 amount that is not less than the total amount required to be
2 expended for those fiscal years for purposes of complying with
3 subdivision (b).

4 2037. A city or county may spend its apportionment of funds
5 under the program on transportation priorities other than those
6 allowable pursuant to this chapter if the city's or county's average
7 Pavement Condition Index meets or exceeds 80.

8 2038. (a) The department and local agencies, as a condition
9 of receiving funds from the program, shall adopt and implement
10 a program designed to promote and advance construction
11 employment and training opportunities through preapprenticeship
12 opportunities, either by the public agency itself or through
13 contractors engaged by the public agencies to do work funded in
14 whole or in part by funds made available by the program.

15 (b) The department and local agencies, as a condition of
16 receiving funds from the program, shall ensure the involvement
17 of the California Conservation Corps and certified community
18 conservation corps in the delivery of projects and services funded
19 in whole or in part by funds made available by the program.

20 SEC. 25. Section 2103.1 is added to the Streets and Highways
21 Code, to read:

22 2103.1. (a) Notwithstanding Section 2103, the revenues
23 transferred to the Highway Users Tax Account pursuant to Sections
24 8352.4, 8352.5, and 8352.6 of the Revenue and Taxation Code
25 shall be distributed pursuant to the formula in paragraph (3) of
26 subdivision (a) of Section 2103.

27 (b) Notwithstanding subdivision (b) of Section 2103, the portion
28 of revenues in the Highway Users Tax Account attributable to the
29 increase in the motor vehicle fuel excise tax by seventeen cents
30 (\$0.17) per gallon pursuant to subdivision (a) of Section 7360 of
31 the Revenue and Taxation Code, as adjusted pursuant to
32 subdivision (c) of that section, shall be transferred to the Road
33 Maintenance and Rehabilitation Account pursuant to Section 2031.

34 (c) Notwithstanding subdivision (b) of Section 2103, the portion
35 of revenues in the Highway Users Tax Account attributable to the
36 increase in the diesel fuel excise tax by thirty cents (\$0.30) per
37 gallon pursuant to subdivision (b) of Section 60050 of the Revenue
38 and Taxation Code, as adjusted pursuant to subdivision (c) of that
39 section, shall be transferred to the Trade Corridors Improvement
40 Fund pursuant to Section 2192.4.

1 SEC. 26. Section 2192 of the Streets and Highways Code is
2 amended to read:

3 2192. (a) (1) The Trade Corridors Improvement Fund, created
4 pursuant to subdivision (c) of Section 8879.23 of the Government
5 Code, is hereby continued in existence to receive revenues from
6 state sources other than the Highway Safety, Traffic Reduction,
7 Air Quality, and Port Security Bond Act of 2006.

8 (2) Revenues apportioned to the state under Section 167 of Title
9 23 of the United States Code from the national highway freight
10 program, pursuant to the federal Fixing America’s Surface
11 Transportation Act (“FAST Act,” Public Law 114-94) shall be
12 allocated for projects approved pursuant to this chapter.

13 (b) This chapter shall govern the expenditure of those state and
14 federal revenues described in subdivision (a).

15 (c) The funding described in subdivision (a) shall be available
16 upon appropriation for allocation by the California Transportation
17 Commission for infrastructure improvements in this state on
18 federally designated Trade Corridors of National and Regional
19 Significance, on the Primary Freight Network, and along other
20 corridors that have a high volume of freight movement, as
21 determined by the commission. In determining the projects eligible
22 for funding, the commission shall consult the Transportation
23 Agency’s state freight plan as described in Section 13978.8 of the
24 Government Code and the trade infrastructure and goods movement
25 plan submitted to the commission by the Secretary of
26 Transportation and the Secretary for Environmental Protection.
27 The commission shall also consult trade infrastructure and goods
28 movement plans adopted by regional transportation planning
29 agencies, adopted regional transportation plans required by state
30 and federal law, and the applicable port master plan when
31 determining eligible projects for funding. Eligible projects for
32 these funds include, but are not limited to, all of the following:

33 (1) Highway capacity improvements, rail landside access
34 improvements, landside freight access improvements to airports,
35 and operational improvements to more efficiently accommodate
36 the movement of freight, particularly for ingress and egress to and
37 from the state’s land ports of entry, rail terminals, and seaports,
38 including navigable inland waterways used to transport freight
39 between seaports, land ports of entry, and airports, and to relieve
40 traffic congestion along major trade or goods movement corridors.

1 (2) Freight rail system improvements to enhance the ability to
2 move goods from seaports, land ports of entry, and airports to
3 warehousing and distribution centers throughout California,
4 including projects that separate rail lines from highway or local
5 road traffic, improve freight rail mobility through mountainous
6 regions, relocate rail switching yards, and other projects that
7 improve the efficiency and capacity of the rail freight system.

8 (3) Projects to enhance the capacity and efficiency of ports.

9 (4) Truck corridor and capital and operational improvements,
10 including dedicated truck facilities or truck toll facilities.

11 (5) Border capital and operational improvements that enhance
12 goods movement between California and Mexico and that
13 maximize the state's ability to access funds made available to the
14 state by federal law.

15 (6) Surface transportation and connector road improvements to
16 effectively facilitate the movement of goods, particularly for
17 ingress and egress to and from the state's land ports of entry,
18 airports, and seaports, to relieve traffic congestion along major
19 trade or goods movement corridors.

20 (d) (1) Except as provided in paragraph (2), the commission
21 shall allocate the funding described in subdivision (a) for trade
22 infrastructure improvements consistent with Section 8879.52 of
23 the Government Code and the Trade Corridors Improvement Fund
24 (TCIF) Guidelines adopted by the commission on November 27,
25 2007, or as amended by the commission, and in a manner that (A)
26 addresses the state's most urgent needs, (B) balances the demands
27 of various land ports of entry, seaports, and airports, (C) provides
28 reasonable geographic balance between the state's regions, (D)
29 places emphasis on projects that improve trade corridor mobility
30 and safety while reducing emissions of diesel particulate and other
31 pollutant emissions and reducing other negative community
32 impacts, and (E) makes a significant contribution to the state's
33 economy.

34 (2) The commission shall allocate the federal freight funding,
35 specifically, pursuant to the original TCIF Guidelines, as adopted
36 by the commission on November 27, 2007, and in the manner
37 described in (A) to (E), inclusive, of paragraph (1).

38 (3) In addition, the commission shall also consider the following
39 factors when allocating these funds:

1 (A) “Velocity,” which means the speed by which large cargo
2 would travel from the land port of entry or seaport through the
3 distribution system.

4 (B) “Throughput,” which means the volume of cargo that would
5 move from the land port of entry or seaport through the distribution
6 system.

7 (C) “Reliability,” which means a reasonably consistent and
8 predictable amount of time for cargo to travel from one point to
9 another on any given day or at any given time in California.

10 (D) “Congestion reduction,” which means the reduction in
11 recurrent daily hours of delay to be achieved.

12 SEC. 27. Section 2192.1 of the Streets and Highways Code is
13 amended to read:

14 2192.1. (a) To the extent moneys from the Greenhouse Gas
15 Reduction Fund, attributable to the auction or sale of allowances
16 as part of a market-based compliance mechanism relative to
17 reduction of greenhouse gas emissions, are transferred to the Trade
18 Corridors Improvement Fund, projects funded with those moneys
19 shall be subject to all of the requirements of existing law applicable
20 to the expenditure of moneys appropriated from the Greenhouse
21 Gas Reduction Fund, including, but not limited to, all of the
22 following:

23 (1) Projects shall further the regulatory purposes of the
24 California Global Warming Solutions Act of 2006 (Division 25.5
25 (commencing with Section 38500) of the Health and Safety Code),
26 including reducing emissions from greenhouse gases in the state,
27 directing public and private investment toward disadvantaged
28 communities, increasing the diversity of energy sources, or creating
29 opportunities for businesses, public agencies, nonprofits, and other
30 community institutions to participate in and benefit from statewide
31 efforts to reduce emissions of greenhouse gases.

32 (2) Projects shall be consistent with the guidance developed by
33 the State Air Resources Board pursuant to Section 39715 of the
34 Health and Safety Code.

35 (3) Projects shall be consistent with the required benefits to
36 disadvantaged communities pursuant to Section 39713 of the
37 Health and Safety Code.

38 (b) All allocations of funds made by the commission pursuant
39 to this section shall be made in a manner consistent with the criteria
40 expressed in Section 39712 of the Health and Safety Code and

1 with the investment plan developed by the Department of Finance
2 pursuant to Section 39716 of the Health and Safety Code.

3 (c) For purposes of this section, “disadvantaged community”
4 means a community with any of the following characteristics:

5 (1) An area with a median household income less than 80
6 percent of the statewide median household income based on the
7 most current census tract-level data from the American Community
8 Survey.

9 (2) An area identified by the California Environmental
10 Protection Agency pursuant to Section 39711 of the Health and
11 Safety Code.

12 (3) An area where at least 75 percent of public school students
13 are eligible to receive free or reduced-price meals under the
14 National School Lunch Program.

15 SEC. 28. Section 2192.2 of the Streets and Highways Code is
16 amended to read:

17 2192.2. The commission shall allocate funds made available
18 by this chapter to projects that have identified and committed
19 supplemental funding from appropriate local, federal, or private
20 sources. The commission shall determine the appropriate amount
21 of supplemental funding each project should have to be eligible
22 for moneys based on a project-by-project review and an assessment
23 of the project’s benefit to the state and the program. Funded
24 improvements shall have supplemental funding that is at least equal
25 to the amount of the contribution under this chapter. The
26 commission may give priority for funding to projects with higher
27 levels of committed supplemental funding.

28 SEC. 29. Section 2192.4 is added to the Streets and Highways
29 Code, to read:

30 2192.4. Notwithstanding subdivision (b) of Section 2103, the
31 portion of the revenues in the Highway Users Tax Account
32 attributable to the increase in the diesel fuel excise tax by thirty
33 cents (\$0.30) per gallon pursuant to subdivision (b) of Section
34 60050 of the Revenue and Taxation Code, as adjusted pursuant to
35 subdivision (c) of that section, shall be deposited in the Trade
36 Corridors Improvement Fund.

37 SEC. 30. Section 9250.3 is added to the Vehicle Code, to read:

38 9250.3. (a) In addition to any other fees specified in this code
39 or the Revenue and Taxation Code, commencing 120 days after
40 the effective date of the act adding this section, a registration fee

1 of thirty-eight dollars (\$38) shall be paid to the department for
2 registration or renewal of registration of every vehicle subject to
3 registration under this code, except those vehicles that are expressly
4 exempted under this code from payment of registration fees.

5 (b) Beginning July 1, 2019, and every third year thereafter, the
6 Department of Motor Vehicles shall adjust the fee imposed under
7 this section for inflation in an amount equal to the change in the
8 California Consumer Price Index for the prior three-year period,
9 as calculated by the Department of Finance, with amounts equal
10 to or greater than fifty cents (\$0.50) rounded to the next highest
11 whole dollar.

12 (c) Revenues from the fee, after the deduction of the
13 department's administrative costs related to this section, shall be
14 deposited in the Road Maintenance and Rehabilitation Account
15 created pursuant to Section 2031 of the Streets and Highways
16 Code.

17 SEC. 31. Section 9250.6 is added to the Vehicle Code, to read:

18 9250.6. (a) In addition to any other fees specified in this code,
19 or the Revenue and Taxation Code, commencing 120 days after
20 the effective date of the act adding this section, a registration fee
21 of one hundred and sixty-five dollars (\$165) shall be paid to the
22 department for registration or renewal of registration of every
23 zero-emission motor vehicle subject to registration under this code,
24 except those motor vehicles that are expressly exempted under
25 this code from payment of registration fees.

26 (b) Beginning July 1, 2019, and every third year thereafter, the
27 Department of Motor Vehicles shall adjust the fee imposed under
28 this section for inflation in an amount equal to the change in the
29 California Consumer Price Index for the prior three-year period,
30 as calculated by the Department of Finance, with amounts equal
31 to or greater than fifty cents (\$0.50) rounded to the next highest
32 whole dollar.

33 (c) Revenues from the fee, after deduction of the department's
34 administrative costs related to this section, shall be deposited in
35 the Road Maintenance and Rehabilitation Account created pursuant
36 to Section 2031 of the Streets and Highways Code.

37 (d) This section does not apply to a commercial motor vehicle
38 subject to Section 9400.1.

1 (e) The registration fee required pursuant to this section does
2 not apply to the initial registration after the purchase of a new
3 zero-emission motor vehicle.

4 (f) For purposes of this section, “zero-emission motor vehicle”
5 means a motor vehicle as described in subdivisions (c) and (d) of
6 Section 44258 of the Health and Safety Code, or any other motor
7 vehicle that is able to operate on any fuel other than gasoline or
8 diesel fuel.

9 SEC. 32. Section 9400.5 is added to the Vehicle Code, to read:

10 9400.5. (a) Notwithstanding Sections 9400.1, 9400.4, and
11 42205 of this code, Sections 16773 and 16965 of the Government
12 Code, Section 2103 of the Streets and Highways Code, or any
13 other law, weight fee revenues shall only be transferred consistent
14 with the schedule provided in subdivision (b) from the State
15 Highway Account to the Transportation Debt Service Fund, the
16 Transportation Bond Direct Payment Account, or any other fund
17 or account for the purpose of payment of the debt service on
18 transportation general obligation bonds and shall not be loaned to
19 the General Fund.

20 (b) (1) The transfer of weight fee revenues, after deduction of
21 collection costs, from the State Highway Account pursuant to
22 subdivision (a) shall not exceed:

23 (A) 80 percent of the total weight fees in the 2017–18 fiscal
24 year.

25 (B) 60 percent of the total weight fees in the 2018–19 fiscal
26 year.

27 (C) 40 percent of the total weight fees in the 2019–20 fiscal
28 year.

29 (D) 20 percent of the total weight fees in the 2020–2021 fiscal
30 year.

31 (2) No weight fees, after deduction of collection costs, shall be
32 transferred from the State Highway Account after the 2020–21
33 fiscal year.

34 SEC. 33. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the Constitution and shall go into
37 immediate effect. The facts constituting the necessity are:

- 1 In order to provide additional funding for road maintenance and
- 2 rehabilitation purposes as quickly as possible, it is necessary for
- 3 this act to take effect immediately.

O



Board Report

File #: 2016-0540, File Type: Policy

Agenda Number: 33.

EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

SUBJECT: METRO'S MODEL PUBLIC ENGAGEMENT PROGRAM AND 2016 PUBLIC PARTICIPATION PLAN

ACTION: ADOPT A MODEL PUBLIC ENGAGEMENT PROGRAM AND APPROVE METRO'S 2016 PUBLIC PARTICIPATION PLAN

RECOMMENDATION

ADOPT Metro's Model Public Engagement Program (Program) and approve the 2016 Public Participation Plan (Attachment A) as the baseline and guiding policy for all public outreach.

ISSUE

The FTA requires that Metro issue a Public Participation Plan to guide all outreach as part of its Title VI Program Update every three years. This plan is accountable, first and foremost, to the public, and it demonstrates Metro's ongoing commitment to provide a robust and inclusive public engagement program that sustains, strengthens and deepens our relationships with stakeholders countywide. The plan meets and exceeds the requirements set forth by the FTA, FHWA, and Title VI, and it aligns with our mission and commitment to excellence in service and support. Adoption of the Model Public Engagement Program will formally establish the agency's baseline commitment to providing a robust and inclusive public engagement process that provides critical public participation throughout the life of projects, programs and initiatives.

DISCUSSION

As the system expands, Metro is uniquely positioned with an unprecedented opportunity to invest in Los Angeles County's transportation system for all types of travel - buses, trains, highways, and more. This transformation through transportation will impact stakeholders throughout the region. As such, it is essential that the agency continues to bridge connections with communities and individuals who have deep relationships and insights into community-specific needs and opportunities through a comprehensive and sustained Public Engagement Program. This Program also aligns with the goals and guiding principles set forth in Metro's Public Participation Plan, approved by the Board as part of the Title VI Program Update in 2013. The 2016 plan was updated in response to internal review by a

multidisciplinary committee and public feedback received in the spring. The three main components to Metro's 2016 Plan are:

- Goals and Guiding Principles
- Minimum Baseline Thresholds for Public Outreach
- Strategies, Methods and Procedures

Stakeholder Outreach

Staff conducted an extensive process to ensure that a diverse set of stakeholders had an opportunity to provide input to the plan. In early 2016, a multidisciplinary committee of Metro departments, including Communications (Marketing; Construction Relations, Community and Municipal Affairs, and Transit Safety Programs within Community Relations; Digital Communications; Customer Relations; Public Relations; and Government Relations), Planning (Office of Strategic Initiatives, Rider Relief Programs), and Civil Rights, updated the plan approved by the Metro Board in 2013. Shortly thereafter, a 30-day comment period was held to gather public input on the updated draft plan.

A variety of outreach methods were used to collect meaningful public feedback. The updated draft plan was posted online in English and eight other languages (Armenian, Chinese, Japanese, Korean, Russian, Spanish, Thai, and Vietnamese), emailed to more than 11,000 stakeholders countywide, presented to Metro's five sub-regional Service Councils, Citizens Advisory Council, Accessibility Advisory Committee, and LA County Commission on Disabilities, and shared through social media and Metro's blogs, The Source and El Pasajero. Metro's committee tabulated the 46 public comments received, revised the draft plan in response to these comments, and is submitting the final 2016 plan as part of the 2016 Title VI Program Update.

Goals and Guiding Principles

The 2016 plan outlines goals and guiding principles for all outreach that is deployed in support of Metro's projects, programs and initiatives. Given that many non-English speaking and low-income communities use public transit as a primary method of transport, the plan emphasizes access to multilingual resources, holding meetings that are flexible around working hours, enhancing new outreach methods, measuring the effectiveness of community outreach and encouraging meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.

It guides staff to look at community decision-making processes through several lenses, taking into consideration neighborhood and community values, community structures, urban and rural areas, and special ethnic and cultural groups. The plan promotes exploration of unconventional but effective approaches like contemporary education methods to explain harder to decipher technical details and utilizing participatory planning tools to increase awareness and understanding.

Minimum Baseline Thresholds for Public Outreach

Driven by these goals and guiding principles, the plan has established eight Minimum Baseline Thresholds for Public Outreach and grounded this plan with these principal strategies to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These

minimum thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro’s Administrative Code and Title VI Program Update.

As stated in the Minimum Baseline Thresholds for Public Outreach, the plan promotes public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

The Minimum Baseline Thresholds for Public Outreach describe minimum requirements for each of the following eight outreach methods:

- Community Meeting and Public Hearing Noticing
- Community Meeting and Public Hearing Locations and Times
- Community Meeting Language Translation
- Public Hearing Language Translation and Documentation
- Neighborhood/Community Lenses
- Non-traditional Popular Education Methods
- Online Language Translation
- Telephone Interpretation

Outreach Method	Description
Community Meeting and Public Hearing Noticing	Stakeholders will be given a minimum of 10 days’ notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. Meeting and hearing materials will also be posted online for those who are unable to attend in person.
Community Meeting and Public Hearing Locations and Times	Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at nighttime and on the weekends. Venues will be near the communities of interest.

Community Meeting Language Translation	Community meeting materials and live translation will be provided in English and other languages spoken by significant populations in the project area, as resources allow, and as outlined in Metro’s LEP Plan Four Factor Analysis; additional languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days’ (72 hours) notice. Language translation will be performed by fluent speakers.
Public Hearing Language Translation and Documentation	Public hearing materials and live translation will be provided in English and Spanish at a minimum; other languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days’ (72 hours) notice. Language translation will be performed by fluent speakers. Court reporters will also document the hearing proceedings and public comments.
Neighborhood/Community Lenses	Metro will look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
Non-traditional Popular Education Methods	Metro will strive to use videos, pictures, examples, participatory planning tools (such as interactive maps and activities), the use of real life examples, art, and other popular education programs whenever possible to explain harder to decipher technical details and increase public awareness and understanding.
Online Language Translation	The Metro Rider’s guide, available on www.metro.net < http://www.metro.net >, will provide web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro will offer Google Translate on every web page for language accessibility above Title VI requirements. Metro’s website content will also be ADA accessible; it will be compatible with screen reading devices for individuals with visual impairments.

Telephone Interpretation	<p>Metro’s Customer Relations Department will provide patrons with Limited English Proficiency (LEP) with transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation will also be ADA accessible with California Relay Line http://ddtp.cpuc.ca.gov/default1.aspx?id=1482. In addition to Customer Relations, Rail Operations will utilize the third-party languages interpretation service to provide information and emergency response to LEP patrons who contact the Rail Operations Center (ROC) using the communication devices (G-Tel, P-Tel, and E-Tel) located on rail platforms.</p>
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Strategies, Methods and Procedures

Beyond the Minimum Baseline Thresholds, the Model Public Engagement Program outlines a range of strategies, methods and procedures that will be utilized to conduct comprehensive community outreach and encourage robust public engagement at every decision opportunity. Each Metro study or initiative will develop an individual public participation plan that targets the unique needs of its stakeholders. This tailored approach results in meaningful dialogue and broad public access throughout the decision-making process. In addition, this will ensure the agency’s connectivity to stakeholders whether it relates to daily issues, operations, studies, initiatives, construction activities, transit safety programs, and interagency communications and collaboration. All of these activities require a measure of public participation, and this Program creates baseline commitment that all stakeholders regardless of their sex or age - including minority and low-income communities, people with Limited English Proficiency, and individuals with disabilities - are given an opportunity to participate as options are considered and decisions are made.

DETERMINATION OF SAFETY IMPACT

The plan covers the life cycle of projects including Metro’s Transit Safety Program. This Program is responsible for increasing public awareness and knowledge on how to live, work and travel safely around trains and grade crossings to reduce pedestrian, vehicle and bicycle accidents.

FINANCIAL IMPACT

There is no additional financial impact to Metro’s expenditures or revenues because the Model Public Engagement Program and 2016 Public Participation Plan are policy updates that are already budgeted for in the FY2017 budget. Policy updates are executed by staff that are already Metro employees and consultants so there is no need for additional costs.

The Model Public Engagement Program and 2016 Public Participation Plan policy updates formalize

how Metro as an agency will continue to meet and exceed the minimum baseline thresholds for public participation that are required by the FTA, FHWA, and Title VI. Failure to approve the 2016 Public Participation Plan today may result in adverse impacts with the FTA and FHWA.

Impact to Budget

There are no additional impacts to the operating or capital budgets because the Model Public Engagement Program and 2016 Public Participation Plan are already budgeted for in the FY2017 budget.

Public engagement is embedded in everything that we do as an agency. We encourage public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

As such, the Model Public Engagement Program and 2016 Public Participation Plan apply to many Metro Departments and staff as they guide all of our outreach to gather important public input on everything from possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs.

Because the Model Public Engagement Program and Public Participation Plan are implemented by staff across the agency in many different departments, there are a variety of different funds that are used.

Many departments will be responsible for leading implementation of the Minimum Baseline Thresholds outlined herein, including Communications (Marketing; Construction Relations, Community and Municipal Affairs, Transit Safety Programs within Community Relations; Digital Communications; Customer Relations; Public Relations; and Government Relations), Planning (Office of Strategic Initiatives, Rider Relief Programs), and Civil Rights.

Some of the funds are eligible for bus, rail, or capital expenses. Other funds are eligible for environmental planning, communications or transit safety programs.

In summary, the actions requested in this report have no direct impact upon Metro's expenditures or revenues, and approval is consistent with the implementation of the adopted FY2017 Budget.

ALTERNATIVES CONSIDERED

The Board could decide to delay or forgo the adoption of the Plan. This alternative is not recommended as it would not advance previous Board direction and policies, including

- Metro's 2013 Public Participation Plan and Title VI Program Update

What makes this new 2016 Plan different from years past is that it establishes eight Minimum Baseline Thresholds for Public Outreach to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro's Administrative Code, and they serve as direction for staff on what is needed at a minimum for public participation at every decision opportunity.

The alternative to approving a Public Participation Plan as part of the Title VI Program Update by October 1, 2016 could have significant negative impacts to the agency. Failure to timely file a Public Participation Plan may result in suspension of federal funds, the initiation of an audit by the FTA and FHWA, and ultimately the loss of eligibility for federal funds.

NEXT STEPS

Upon approval, the 2016 Public Participation Plan will be submitted to the FTA as part of the Title VI Program Update not later than October 1, 2016. In addition, staff will broadly inform every public-facing Metro department of the newly established Minimum Baseline Thresholds for Public Outreach, and continue implementation of the strategies, methods, and procedures identified in the Plan.

ATTACHMENTS

- A. Metro's 2016 Public Participation Plan
- B. Metro's 2016 Public Participation Plan Staff Guidelines

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Chief Executive Officer

Metro's 2016 Public Participation Plan (Plan) Staff Guidelines

What is the Plan, why do we need it, and how was it updated?

We are recommending that the Board approve our 2016 Public Participation Plan (Plan) as the guiding policy for all of our outreach to gather important public input on possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs. We are doing this because the FTA requires us to issue a Plan as part of our Title VI Program Update every three years.

We went above and beyond what was legally required in seeking public input to help make our 2016 Plan the best it could be. In early 2016, staff updated the most recent Plan that had been approved by the Metro Board in 2013. Shortly thereafter, the updated Draft Plan was circulated for a 30-day public comment period to gather input. Staff then reviewed the public comments received, revised the Draft Plan in response to these comments, and submitted our 2016 Plan to the Board for their consideration in September 2016.

What makes this new Plan different from years past?

Our 2016 Plan outlines goals and guiding principles for all outreach that is deployed in support of Metro's projects, programs and initiatives. What makes this Plan different is that it establishes eight Minimum Baseline Thresholds for Public Outreach (see below) to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro's Administrative Code and Title VI Program Update.

What do you need to do at a minimum?

Please continue to encourage public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

Please work with the Communications Department to follow the Minimum Baseline Thresholds for each of the outreach methods outlined below.

(For a complete table, refer to pp. 3-5 in the 2016 Plan*):

- Community Meeting and Public Hearing Noticing -
Stakeholders shall be giving a minimum of 10 days' notice for all Metro-hosted community meetings and public hearings and notices shall be provided in English and Spanish at a minimum.
- Community Meeting and Public Hearing Locations and Times -
Metro-hosted community meetings and public hearings shall be held at transit-convenient ADA compliant venues at times that are flexible around working hours, such as at night and on the weekends.
- Community Meeting Language Translation -
Community meeting materials and live translation shall be provided in English and other languages spoken by significant populations in the project area, as resources allow; additional languages and ADA accommodations shall be provided upon request with at least 3 working days' notice.
- Public Hearing Language Translation and Documentation -
Public hearing materials and live translation shall be provided in English and Spanish at a minimum; other languages and ADA accommodations shall be provided upon request with at least 3 working days' notice. Court reporters shall also document the hearing proceedings.
- Neighborhood/Community Lenses -
Staff shall look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups.
- Non-traditional Popular Education Methods -
Staff shall strive to use videos, pictures, examples, participatory planning tools, real life examples, art and other popular education programs whenever possible.
- Online Language Translation -
Our Rider's Guide, available on metro.net, shall provide web visitors with transportation information assistance in 9 languages in addition to English. Additionally, Google Translate shall offer language accessibility above Title VI requirements on every web page.
- Telephone Interpretation -

Our Customer Relations Department shall provide patrons with LEP transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation shall also be ADA accessible with California Relay Line 711. In addition, Rail Operations shall utilize the third party language interpretation service to provide information and emergency response to LEP patrons who contact the ROC.

Where can I find more information?

*Please visit metro.net/communityrelations to download our new 2016 Plan or contact Bronwen Keiner, Sr. Community Relations Officer, at 213.922.4465 or keinerb@metro.net for additional information.



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Acknowledgments

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Table of Contents

1. Introduction to Metro’s Los Angeles County Stakeholders.....	1
2. Goals and Guiding Principles.....	2
3. Strategies, Methods, and Procedures.....	13
4. Range of Public Participation Methods Employed by Metro.....	24
5. Public Engagement Measures and Objectives.....	33
6. Conclusion.....	35
7. CEO Signature Page.....	36
8. Resources Page.....	37
9. Attachments (see following pages):	
• Attachment 1 - Metro Transit Projects.....	38
• Attachment 2 - Metro Highway Projects.....	39
• Attachment 3 - Database of Stakeholders.....	40
• Attachment 4 - Database of Media Including Ethnic Media.....	43
• Attachment 5 - Metro's 2016 Draft Public Participation Plan Outreach Summary.....	49
• Attachment 6 - Metro's 2016 Draft Public Participation Plan Comment Matrix & Letter.....	52

Los Angeles County Metropolitan Transportation Authority's (Metro's) 2016 Public Participation Plan

1. Introduction to Metro's Los Angeles County Stakeholders

The Los Angeles County Metropolitan Transportation Authority (Metro) considers all who reside, work and travel within Los Angeles County to be stakeholders of the agency. Residents, institutions, locally situated businesses and the elected officials who represent them are particularly important in relation to public participation planning and outreach. Communications with the public is a continuum of involvement concerning service, fare changes, studies and initiatives, short and long range planning documents, environmental studies, project planning and construction and transit safety education.

This Public Participation Plan (Plan) has been assembled to capture the methods, innovations and measurements of the agency's commitment to not just meet, but exceed the prescribed requirements of U.S. Department of Transportation (USDOT), including Federal Transit Administration (FTA) Circulars C 4702.1B citing recipients' responsibilities to limited English Proficient Persons, FTA Circular C 4703.1, guiding recipients on integrating principles of Environmental Justice into the transportation decision-making process, and Federal Highway Administration's (FHWA) Title VI program. The Plan is also consistent with Title VI, (non-discrimination regulations) of the Civil Rights Act of 1964, Section 162(a) of the Federal-Aid Highway Act of 1973 and The Age Discrimination Act of 1975.

Service Area and Agency Functions

On a daily basis, Metro rolls out more than 2,228 buses to 15,967 stops for 183 bus routes covering 1,433 miles of bus service area with over 1 million average daily boardings. On the 100 miles of light and heavy rail, another 330,000 daily boardings are logged. Total system wide monthly boardings often exceed 34 million.

Metro plans, funds, constructs and operates public transportation for 4,751 square miles of land area for the benefit of nearly 10 million residents, making it the most populous of California's 58 counties. The remainder of Southern California's surrounding counties adds more than 11 million residents to comprise a greater regional population totaling over 21 million. Agency accountability for conveying information to the people of the 88 cities and the unincorporated areas that lie within Los Angeles County's borders requires a commitment to appreciate the diverse

composition of stakeholders who have been identified in American Community Survey data as 48.1% Hispanic, 27.2% white, 13.8% Asian, 8.0% African American and a broad spectrum of ethnicities that make-up the remaining 2.9%. 14.6% of the population has earnings below the poverty level, 50% of the population is male, 50% of the population is female and 43.5% of the population is age 40 or older. Additionally 32 languages with multiple dialects have been identified with 1,000 or more language practitioners. Los Angeles County is a multi-culturally enriched environment and a transportation hub for the region, the state and the world.

2. Goals and Guiding Principles

This Plan guides all of Metro's outreach to gather important public input on possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs. As the system expands, Metro is uniquely positioned with an unprecedented opportunity to invest in Los Angeles County's transportation system for all types of travel – highways, buses, trains, and more. This transformation through transportation will impact stakeholders throughout the region. As such, it is essential that Metro continues to bridge connections with communities and individuals who have deep relationships and insights into community specific needs and opportunities through a comprehensive and sustained public participation program regarded as the nation's gold-standard.

This Plan meets and exceeds the requirements set forth by the FTA, FHWA, and Title VI, and it aligns with Metro's mission and commitment to excellence in service and support. It is accountable, first and foremost, to the public, and it reflects the agency's dedication to provide a robust and inclusive public engagement program that sustains, strengthens and deepens our relationships with stakeholders countywide.

Given that many non-English speaking and low-income communities use public transit as a primary method of transport, and over half of Los Angeles County will be Hispanic by 2040, Metro must continue to emphasize access to multi-lingual resources, holding meetings that are flexible around working hours, enhancing new outreach methods, measuring the effectiveness of community outreach and encouraging meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.¹

It is also critical that Metro continue to look at community decision-making processes through several lenses, taking into consideration neighborhood and community

¹ This key principle is from Investing in Place's comment letter (see Attachment 6).

values, Los Angeles County community structures, urban and rural areas, and special ethnic and cultural groups. Metro must also continue exploring unconventional but effective approaches like popular education methods² to explain harder to decipher technical details and utilizing participatory planning tools to increase awareness and understanding.

Metro has established eight Minimum Baseline Thresholds for Public Outreach (see table below) and grounded this Plan with these principal strategies to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation.

Minimum Baseline Thresholds for Public Outreach

Metro encourages public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs³
- Development, planning and construction of new projects and programs, including bus, rail, highway, and transit oriented communities

Outreach Method	Description
Community Meeting and Public Hearing Noticing	Stakeholders will be given a minimum of 10 days’ notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. Meeting and hearing materials will also be posted online for those who are unable to attend in person.
Community Meeting and Public Hearing Locations and Times	Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at nighttime and on the weekends. Venues will be near the communities of interest.

² Popular education methods are an educational approach that encourages people to teach and learn from each other about issues that matter most in their lives; it sees all participants as learners and teachers. These methods include brainstorming, cooperative learning, group exercises and interactive games. Like participatory planning, popular education involves and empowers the entire community in the planning process. “What is Popular Education?”, The Popular Education News, <http://www.popednews.org/newsletters/definitions.html>)

³ The Minimum Baseline Thresholds for Public Outreach outlined here are in addition to the guidelines for public hearings on fares and service changes that are described in Metro’s *Title VI Program Update* which will be available at www.metro.net/civilrights.

Outreach Method	Description
Community Meeting Language Translation	Community meeting materials and live translation will be provided in English and other languages spoken by significant populations in the project area, as resources allow, and as outlined in Metro's LEP Plan Four Factor Analysis ⁴ ; additional languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days' (72 hours) notice. Language translation will be performed by fluent speakers.
Public Hearing Language Translation and Documentation	Public hearing materials and live translation will be provided in English and Spanish at a minimum; other languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days' (72 hours) notice. Language translation will be performed by fluent speakers. Court reporters will also document the hearing proceedings and public comments.
Neighborhood/Community Lenses	Metro will look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs. ⁵
Non-traditional Popular Education Methods	Metro will strive to use videos, pictures, examples, participatory planning tools (such as interactive maps and activities), the use of real life examples, art, and other popular education programs whenever possible to explain harder to decipher technical details and increase public awareness and understanding.
Online Language Translation	The Metro Rider's Guide, available on www.metro.net , will provide web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro will offer Google Translate on every web page for language accessibility above Title VI requirements. Metro's website content will also be ADA accessible; it will be compatible with screen reading devices for individuals with visual impairments.

⁴ Metro's 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at www.metro.net/civilrights.

⁵ This key principle based on comment letter from Investing in Place (see Attachment 6) and section on community engagement from the USC Program for Environmental and Regional Equity Report (2013). *An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County* https://dornsife.usc.edu/assets/sites/242/docs/Executive_Summary_Agenda_for_Equity_PERE_A.pdf

Outreach Method	Description
Telephone Interpretation	Metro’s Customer Relations Department will provide patrons with LEP with transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation will also be ADA accessible; Metro’s Customer Service line will be accessible with California Relay Line http://ddtp.cpuc.ca.gov/default1.aspx?id=1482 . In addition to Customer Relations, Rail Operations will utilize the third party languages interpretation service to provide information and emergency response to LEP patrons who contact the Rail Operations Center (ROC) using the communication devices (G-Tel, P-Tel, and E-Tel) located on rail platforms.

Public Participation Plans for Individual Studies and Initiatives

Beyond the Minimum Baseline Thresholds, this Plan outlines additional Strategies, Methods, and Procedures (Section 3) that Metro uses to conduct comprehensive community outreach and encourage robust community engagement at every decision opportunity. It also describes how each Metro study or initiative develops an individual Public Participation Plan that targets the individual needs of its stakeholders. This tailored approach results in meaningful dialogue and broad public access throughout the decision-making process.

To achieve both State and Federal sustainability goals for the region, and in accordance with fulfilling the Short and Long Range Transportation Plans to consider a range of multi-modal solutions, Metro is typically conducting 30 or more studies at any given time throughout Los Angeles County to determine preferred alternatives for consideration to fund, build and operate. These studies evaluate both transit and highway as well as local arterial impacts and analyze the factors that improve air quality, mobility, pedestrian and cycling accessibility as well as all of the required CEQA and NEPA disciplines necessary for completion of an environmental document. In all cases, for all studies and initiatives, Metro applies the concepts articulated in the Four Factor Analysis⁶ as paramount to the structure and implementation of public participation. This tenet ensures that public investment includes those who require encouragement through targeted outreach in order to be at the table as options are considered and decisions are made.

⁶ Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at www.metro.net/civilrights.

Each Metro study has an individual public participation plan that targets the specific needs of the stakeholders of a project that frequently goes above and beyond Metro's baseline thresholds for public participation. Metro includes evidence in this document of successful public participation efforts that have influenced decisions regarding both mode and design by communities who, by definition, are considered within the environmental justice framework⁷.

Strategies for public participation vary depending on the scope and breadth of the study or initiative and what is known to be familiar and accessible locations, forms, and forums for communication. In addition to tailored strategies, many studies and projects at Metro have their own website, Facebook and Twitter accounts. Others utilize existing Metro social media resources. Advances in electronic communication and social media platforms have cleared new pathways for widespread distribution of information that are especially helpful when there are outlying communities in geographically expansive study areas.

Implementation of the Guiding Principles: An Integrated Team for Stakeholder Engagement and Continuity

Given the range of agency responsibilities and the breadth of the county it serves, Metro has developed expertise in outreach and public participation that is carefully tailored according to the specific needs of each project or program while maintaining a sustained relationship to stakeholders countywide. The commitment to engage stakeholders in the decision making process has resulted in the development of specialty teams that function under the banner of Community Relations. Those teams are Community and Municipal Affairs, Construction Relations and Transit Safety Programs. Public participation is also fostered and maintained by five sub-regional Metro Service Councils, an Accessibility Advisory Committee, a Citizens Advisory Council, a Technical Advisory Committee, as well as several other non-elected planning and advisory committees that provide guidance and leadership on numerous Metro programs and initiatives. The objective of Community Relations is to ensure Metro's connectivity to stakeholders whether it relates to daily issues, operations, studies, initiatives, construction activity impacts and preparation for safe use of a system once built and ready for service. All of these agency activities require a measure of public participation. In close coordination is Metro's Customer Relations Department whose staff receive, track and respond to all travel inquiries, comments, and complaints from the general public.

⁷ See Attachments 1 and 2 for a list of projects.

At the fore of **Community and Municipal Affairs** is the understanding that members of a “community” live, work and travel in local jurisdictions within Los Angeles County. In this baseline acknowledgment, there are qualities and characteristics of a community that are known, such as the cultural or ethnic composition and what values may be expressed and reflected through local elected representation. When a study or initiative is taken up by Metro, this information is integral to the design and implementation of a public participation program that will incorporate these factors. In addition, a number of other considerations, such as convenient meeting locations, announcements in local publications and identification of organizations, serve, in combination, to establish both qualitative and quantitative standards for engagement.

When consultant support is part of the plan, great effort is made to contract with outreach specialists who have a depth of knowledge about a study area, including bilingual skills for the diverse needs of communities. Consultants must provide detailed written records of public feedback to Metro for every meeting they attend and every touchpoint they have with the community. Metro must consider all comments - positive and negative - and employ them to affect meaningful decisions. When multiple jurisdictions are involved in the joint study or initiative (for example, when SCAG, Caltrans and/or other agencies partner with Metro), Metro will ensure that at least the Minimum Baseline Thresholds outlined in this Plan are upheld.

As the Metro system ages and expands, the need to address and resolve day-to-day operational issues is increasingly important. Community and Municipal Affairs managers coordinate internally with Operations, Planning, Customer Relations, and other business units to build strategic relationships with the 88 cities of Los Angeles County, Councils of Government, business and civic organizations and other key stakeholders around the County on behalf of Metro. A lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhance existing partnerships with cities and stakeholders and regularly attend city council meetings; bring issues/concerns to resolution proactively; and lead outreach efforts for all agency initiatives, bus and rail operations, planning studies, projects and programs. These Managers lead all communications on operational issues and respond quickly to complaints, comments and suggestions from these stakeholders. The Service Councils, Citizens Advisory Council, Technical Advisory Committee, and other advisory committees described further down provide valuable guidance and feedback on daily operational issues, updates and challenges.

When a project proceeds into construction, the **Construction Relations** team steps in to manage the community impacts called out in the environmental planning documents. This team is the beneficiary of the expertise developed in the study and

planning stage where very specific issues have been memorialized and now require in-the-field strategies for palliative measures that sustain communities through the rigors of system construction. Metro Construction Relations is co-located in field offices with the Project Team including Construction Management and the Contractor.

In July 2013, Metro's Board of Directors approved a Metro Construction Relations Model to support construction mitigation for all transit and highway projects. This model established a baseline of outreach and communications efforts that communities affected by construction can expect. It includes pre-construction surveys of residents and businesses, methods and strategies for keeping the public informed, processing and response to complaints, palliative measures for construction impacts, maintaining safety, access and business visibility and informing the public of claims procedures. Public participation during construction includes regularly scheduled public meetings conveniently located within the community.

Significantly, most contact with the community is via one-on-one interaction with the Construction Relations staff that is available daily and, if required, round the clock to address community concerns. Almost every Metro project is staffed with bi-lingual expertise reflective of the ethnicity and Limited English Proficient Population of the project area. Informational materials are distributed in as many languages as necessary to successfully communicate project information to the community including all time-sensitive notifications. For continued public participation through the end of the project, Metro holds regularly scheduled community meetings where input on construction schedules and activities are shared and feedback is sought regarding traffic controls, hours of work, and possible impacts to scheduled community events or activities.

As the final year of construction commences on a new at-grade rail system or segment, Metro's **Transit Safety Programs** is responsible for increasing public awareness and knowledge amongst the residents of Los Angeles County on how to live, work and travel safely around trains and grade crossings to reduce pedestrian, vehicle and bicycle accidents. The program covers a 1.5 mile radius of all Metro at-grade light rail lines, and countywide as requested. The team activates a comprehensive community outreach plan by presenting to schools and facilities, including community centers, senior centers, health care institutions, libraries and places of worship on a yearly basis. The outreach plan leaves a permanent impression through the use of safety and site specific presentations, Safety Orientation Tours, On the Move Riders Clubs, participation at community events/activities and deployment of Rail Safety Ambassadors. On many of Metro's alignments, this involves engagement with communities where several languages may be represented. All materials and

presentations are matched to the diversity of the community and its language requirements for successful communications.

To continuously address Metro's bus and rail service issues, five sub-regional Service Councils have been established. The **Metro Service Councils** are staffed by Operations personnel with participation from Community and Municipal Affairs. Council member appointments are made by local jurisdictions and COGs for approval by the Metro Board of Directors. As a condition of membership, Council members must live, work, or represent the communities within the boundaries of the designated region they represent. These Councils meet on a monthly basis, receive public input on Metro service, review and recommend service changes, receive presentations on all agency initiatives and meet quarterly with the Chief Executive Officer of the agency. All Service Council Meetings are publicly noticed in accordance with the Brown Act and, as such, are open to the public. The Councils, which have been active for over a decade, have proven to be a valuable, sustained source of community input and meaningful public participation.

Metro's **Accessibility Advisory Committee (AAC)** meets monthly and is facilitated by the Office of Civil Rights. The purpose of the AAC is to provide feedback on accessibility-related issues regarding Metro's services (including over 200 bus and rail routes) and facilities, which must be fully accessible to all customers, including those with disabilities. AAC agendas are available in alternative formats upon request and live captioning is provided at every AAC meeting.

The Metro **Citizens Advisory Council (CAC)** was authorized by State Charter as an advisory body of community representatives from throughout the region to consult, obtain and collect public input on those matters of interest and concern to the community and communicate key feedback and CAC recommendations to staff and the Metro Board. Issues may also be assigned to the CAC by Metro for its review, consideration, and recommendation. The CAC meets twice monthly, once at the beginning of the month for their Executive Committee Meeting, and once towards the end of the month for the General Assembly Committee Meeting. Every Metro Board member may appoint up to four members to the CAC.

Metro's **Technical Advisory Committee (TAC)** was established by state law in 1977 and is staffed by Metro's Planning department. It has undergone periodic reviews of its membership, functions and responsibilities based upon the changing needs of Metro; however, its function remains relatively unchanged. The TAC reviews, evaluates, and provides comment on various transportation proposals and alternatives within Los Angeles County. Transportation issues transmitted to the committee include the funding, operation, construction and maintenance of streets and freeways, bus and rail transit, demand and system management, accessibility for the disabled and air quality

improvements. The TAC meets monthly and is currently composed of thirty-five voting and non-voting members representing countywide agencies. In addition, the TAC includes four subcommittees: Bus Operations, Streets and Freeways, Local Transit Systems, and Transportation Demand Management/Air Quality.

In addition, several other non-elected planning and advisory committees provide important guidance and leadership on a variety of Metro projects, programs and subject-area initiatives. For example, Metro started the Bicycle Roundtable in 2010 to discuss bicycle-related issues with the community. It provides a regular forum for LA County's bicycle community to engage with Metro staff on Bike Planning, including the Bike Share Program, which among other things helps address first mile/last mile issues. Such stakeholder participation will increase in importance as bicycling becomes ever more integrated into Metro's transportation system.

The Crenshaw/LAX Community Leadership Council (CLC) is another example of a corridor-based transportation advisory body which was formed in 2010 for the purpose of sustained involvement by representatives who serve in a liaison role to the greater community as this light rail transit project is brought to fruition into operations⁸. Similarly, the Regional Connector Community Leadership Council (RCCLC) was formed in 2012 to provide a continuum of station-area working groups to advise Metro through construction.

Another example of an advisory committee is the Boyle Heights Design Review Advisory Committee which was established in 2013 to advise Metro on the design of Metro joint development (JD) projects within Boyle Heights; to serve as the formal means through which the community members are involved in the evaluation of the JD design process; and to act as representatives of residents, businesses, and institutions in the project area.

With this encompassing framework, Metro's Community Relations team has achieved the objective of sustaining quality relationships with our stakeholders where we make the agency accountable for public participation in all key areas of the agency's stated mission, vision and goals.

Finally, **Metro's Customer Relations** department is the communication link to ensuring that customers receive timely and accurate responses to their travel inquiries, resolution to their complaints/concerns and assistance with Transit Access Pass (TAP) services. There are three different functional units within the department and they are: Metro Information Contact Center, TAP Information Contact Center and Customer

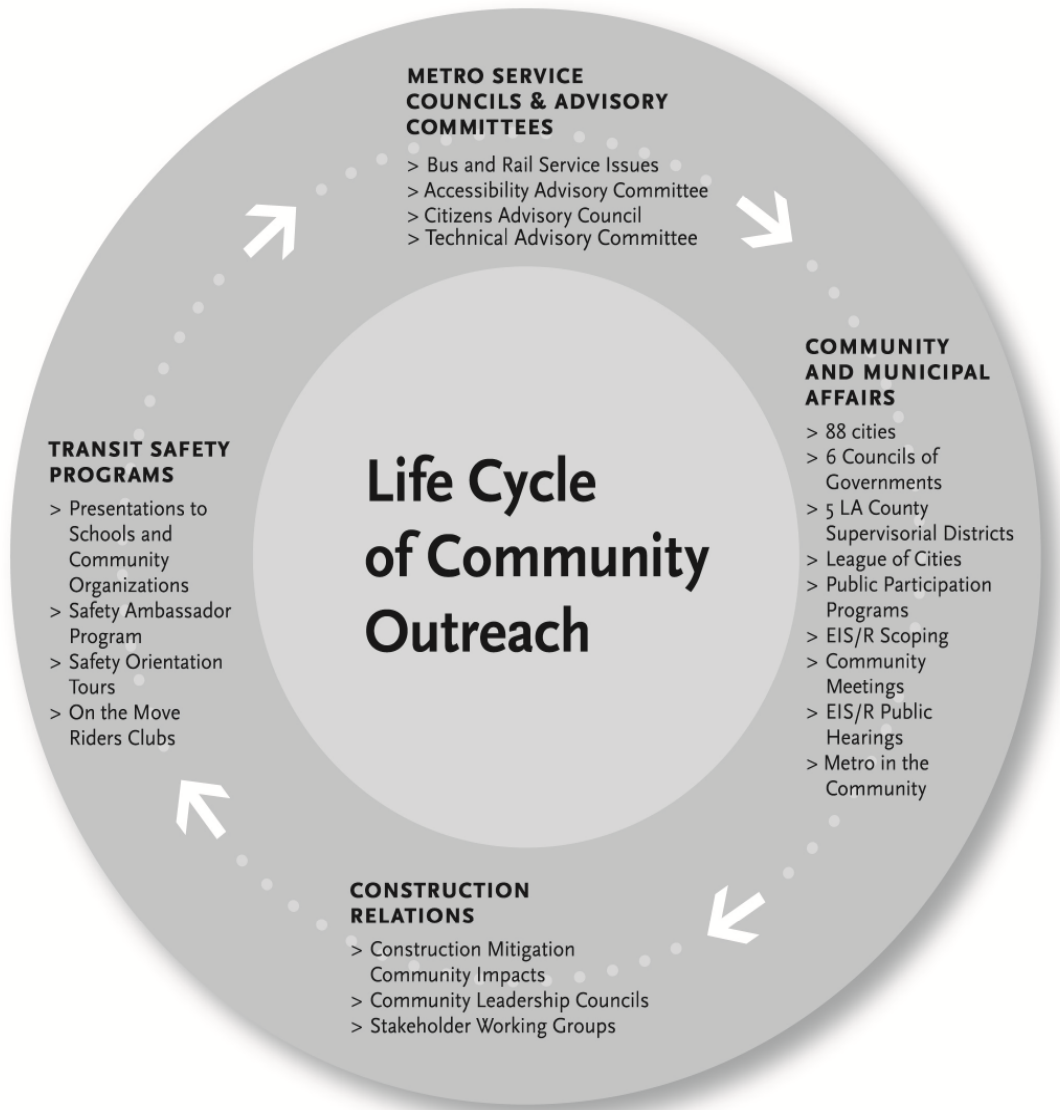
⁸ See Section 4. "Range of Public Participation Methods Employed by Metro" for more information.

Complaints. The two contact centers respond to and support regional programs/services and Customer Complaints receives, tracks and addresses customer comments/complaints from the general public.

Metro's Information Contact Center provides route, schedule, fare and other transit information to an average of two and a half million customers annually who call 323.GOMETRO for trip planning and travel assistance, seven days a week. It also maintains schedule, route, fare and stop data for 70 transit properties including Metro, in and around Los Angeles, Ventura, Orange, Riverside and San Bernardino Counties that is uploaded on Metro Trip Planner. The TAP Information Contact Center responds to regional customers, who call 866.TAPTOGO (866.827.8646) or send emails to TAPTOGO.NET requesting assistance with TAP services weekdays including the twenty-six local transit agencies on TAP, plus Metro.

The Customer Complaints team receives, tracks, investigates and responds to all complaints, inquiries and suggestions received via phone, email, internet, written correspondence and walk-in customers regarding Metro services, programs and projects. It is also responsible for responding to the customerrelations@metro.net email box and the agency's switchboard weekdays.

“The Life Cycle of Community Outreach” graphic below depicts traditional points of community interaction based on proactive and required outreach.



3. Strategies, Methods, and Procedures

The strategies, methods, and procedures outlined here are integral components to the effectiveness of Metro's Plan in meeting and exceeding Federal guidelines. They are consistent with the letter of law and legislative intent of: Title VI Civil Rights Act of 1964, Executive Order 12898 (Executive Order for Federal Agencies to address Environmental Justice in Minority Populations and Low-Income Populations) and FHWA's Title VI program obligations. The Plan is also responsive to the direction of FTA Circular 4703.1 that provides guidance "in order to incorporate environmental justice principles into plans, projects and activities that receive funding from FTA." Guidelines from FTA Circular 4702.1B, directing recipients on the responsibilities to integrate their programs and activities to include Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005) also are acknowledged by specific outreach activities defined in this section.

The strategies, overarching methods description and procedures summarized present comprehensive and targeted ventures customized to serve the public and meet Federal law and guidelines. They also broaden the value of transit service through stakeholder access and deliberations.

Metro's charge is to develop strategic plans and implementing methods to be consistent with Circular 4702.1B as follows:

- a. ensure level and quality of public transportation service is provided in non-discriminatory manner
- b. promote full and fair participation in public transportation decision-making without regard to race, color or national origin
- c. ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

In addition, and consistent with FTA Circular 4703.1, Metro conducts an Environmental Justice Analysis, as required, that:

"avoids, minimizes and mitigates disproportionately high and adverse effects, ensures the full and fair participation by all potentially affected communities and prevents the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations."

Race/Ethnicity/Income/Persons with Physical Disabilities – LA County in 2015

Category	Percentage
Race/Ethnicity	
African American/Black (not Hispanic)	8%
American Indian/Alaskan	.2%
Asian/Asian American	13.8%
Native Hawaiian/Other Pac. Islander	.2%
Hispanic	48.1%
White (not Hispanic)	27.2%
Other	.3%
Multiracial	2.2%
Income	
Median Household Income (2010-2014)	\$55,870
Per Capita Income (2010-2014)	\$27,987
Persons Below Federal Poverty Level (2010-2014)	14.6%
Persons With Physical Disabilities	
Persons with Vision Difficulty	1.9%
Persons with Hearing Difficulty	2.4%
Persons with Ambulatory Difficulty	5.3%

Source: 2010-2014 American Community Survey (ACS) 5- Year estimates

Languages Spoken in Los Angeles County (With More Than 1,000 LEP Persons)

Limited English Proficiency (LEP) Populations: The 2010-2014 ACS 5- Year estimates show a total population of 9,974,203 for Los Angeles County. Data on languages spoken in Metro’s service area is gathered from multiple sources for the Four Factor Analysis⁹. Of the 9,329,565 people who are at least 5 years old, an estimated 2,407,270 people, or 25.80%, speak English less than “well”. The table below shows the breakdown of those languages for Los Angeles. Maps included in the 2013 Factor One LEP Analysis¹⁰ show concentrations of LEP groups by language within the County of

⁹ Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at www.metro.net/civilrights.

¹⁰ *Ibid.*

Los Angeles, especially within the City of Los Angeles, and will be utilized for targeted customer outreach in those languages.

		TOTAL	LEP Population (Speaks English Less than Well)	Percent of Total Population over 5 yrs. old
1	Spanish or Spanish Creole	3,678,805	1,656,302	16.61%
2	Chinese	354,501	212,843	2.13%
3	Korean	183,483	112,411	1.13%
4	Armenian	171,484	86,432	0.87%
5	Tagalog	227,733	73,492	0.74%
6	Vietnamese	82,707	49,598	0.50%
7	Persian	73,447	30,391	0.30%
8	Russian	51,529	26,589	0.27%
9	Japanese	51,723	25,095	0.25%
10	Mon-Khmer; Cambodian	30,804	17,561	0.18%
11	Arabic	43,105	16,916	0.17%
12	Thai	22,847	14,109	0.14%
13	French (incl. Patois; Cajun)	39,033	6,081	0.06%
14	Hindi	23,769	5,567	0.06%
15	Hebrew	23,990	4,762	0.05%
16	Portuguese or Portuguese Creole	12,701	3,400	0.03%
17	Italian	15,372	3,021	0.03%
18	Urdu	9,081	2,830	0.03%
19	Gujarathi	9,193	2,818	0.03%
20	German	23,089	2,817	0.03%
21	Hungarian	4,736	1,607	0.02%
22	Greek	6,745	1,522	0.02%
23	Polish	5,187	1,497	0.02%
24	Serbo-Croatian	5,845	1,465	0.01%
25	Laotian	3,232	1,362	0.01%

Metro is charged with developing strategy and implementing a public access practice that informs and engages distinct socio-economic communities within large geographic swaths of Los Angeles County. However diverse, these communities are connected by an opportunity for improved transit services and the desire to reduce or improve their daily commutes to jobs, health providers, schools and businesses. The Plan formally outlines the way in which Metro provides pragmatic and cost-effective outreach that is responsive to information gathered in LEP community surveys and other public comment on the types of information and interactions deemed most useful.

This information is critical to informing Metro’s Plan. A comprehensive community outreach, public information and engagement strategy is designed to serve all stakeholders regardless of their sex or age and including LEP, minority, low-income, and people with disabilities, within the project service or study area. The strategies, methods, and overview of implementation elements present traditional outreach practices with overlays of evolving technological tools. Some of these have been established in the last few years. Metro has harnessed the power of the internet to broaden communication, public information and involvement recognizing that there are many communities without equal, daily access to the range of social media sites in use. Therefore, the development of each specific public participation plan includes the assessment of how best to effectively communicate with technology within low-income, LEP, and minority communities coupled with outreach methods to engage people with disabilities, hard to reach communities and general population stakeholders. This combined approach provides meaningful and broad public access to the public process.

The agency is informed quickly through technology that allows immediate feedback and perspective on the value of these applications in engagement. It also presents user performance measures through comments. Qualitative and quantitative results are used to adjust project/plan outreach and to contribute over time to strategic outreach planning.

Metro’s Plan provides multiple platforms for communication providing comfortable, accessible, far-reaching, broadly serving and individually engaging settings. The examples below are associated with public participation plans of the last 3 years on both regional and local plans. These strategies, methods and tools have been overlaid to foster ongoing public involvement in decision-making.

Strategies

Metro’s strategic elements include:

- Convene an advance planning team that includes technical project planners, demographic and data resource researchers and community outreach specialists to identify anticipated issues from various stakeholder positions.
- Utilize additional data resources beyond Metro’s LEP Four Factor¹¹ sources, as appropriate, to advance the effectiveness of team outreach planning in diverse socioeconomic communities.

¹¹ *Ibid.*

- Advance and integrate the principles of environmental justice through the Plan by selecting Metro team members with special cultural and linguistic abilities, as well as historical, economic and local knowledge, who can contribute to the development of a best practice palette addressing barriers and broadening input.
- Identify community leaders, government and community-based organizations to provide input on known barriers to communication.
- Analyze existing community-based informational connections, via appropriate organizations' networks and through consultation with civic, community or grassroots leadership to advance transmission of information at a grassroots level.
- Identify and create ongoing communication practices that respond to communication barriers, including multilingual platforms (including sign language translation) that will provide a means of involvement and information exchange.
- Identify a range of outreach activities that can inform members of diverse communities of new or ongoing projects and programs, or to plan in advance for a formal public hearing process.
- Develop a multi-language communication platform, based on demographic and community input that equalizes opportunities among identified stakeholders for access to information from the inception of a project through its completion and operation phase.
- Identify outreach options that provide opportunities for initial comments, and create the means by which those comments are incorporated into the ongoing outreach process and, as feasible, into the plans and projects themselves.
- Ensure that if Metro is requesting public feedback, stakeholders are given sufficient lead time to provide comments: 30-days at a minimum.
- Identify the potential uses of electronic communication, including websites, web video and social media, while ensuring the Plan takes into consideration individuals and households in low-income, minority and limited English proficiency communities who may have limited access to computers and other communications electronics.

- Measure public engagement and adjust public participation plans by monitoring website metrics and transit stakeholders' comments on websites and social media.
- Measure public engagement and adjust long-range planning services based on query and monitoring of public comment from varied customer service interactions and stakeholder groups.

Methodology and Menu of Public Participation Tools & Purpose

For every program, plan, project or other activity, Metro's technical, environmental and community outreach planners evaluate and determine the most effective methods for involving the public during the decision-making process. This advance team also identifies, designs and implements ongoing communication methods that engage Metro customers and open up opportunities for expanded participation.

As part of our public involvement process, Metro uses varied tools to encourage, facilitate, and engage the public in dialog and activities. This is sometimes accomplished through the creation of advisory groups that include varied civic, community, and government entities affected by proposed or planned projects or service changes and the dissemination of notice and project information through various formats, in person, by written notice, and those advanced through networks of technology with community partners.

Methods of outreach are tailored to engage our diverse population. We are mindful in identifying and including in this process minority and low income participants, people with limited English proficiency, and people with disabilities and in providing meaningful access to our outreach activities by making available the service of translators and providing materials in appropriate languages, adapting a wide range of media communications to advertise and increase public participation.

The menu of public participation tools follows with an explanation of its value to this process. Marketing materials and translation practices are consistent with Metro's LEP Plan¹² and Federal guidelines. Additional interpretive language assistance, whether officially required or not, is provided as needed.

¹² *Ibid.*

Menu of Public Participation Tools & Purpose

Meeting Planning - Location & Structure

First and foremost, meeting venues should be transit accessible and ADA compliant. Meeting planning takes into consideration minority, low income, and LEP community members and individuals with disabilities on varied work and family schedules. Meeting times and venues are selected to allow for greater participation of diverse groups including non-typical participants (college age, seniors, disadvantaged). Metro publicizes meetings through multiple distribution channels, is sensitive to multiple language needs, and selects transit accessible venues in compliance with the *Americans with Disabilities Act of 1990 (ADA)*.

Meeting venues are selected on a number of criteria: (1) room size (selected to accommodate anticipated attendance and ADA requirements), (2) room layouts that help facilitate dialog/input, (3) technology infrastructure for presentations or multilingual communication, (4) hours of operation of facility tied to area transit options to ensure transit dependent community attendance, and (5) geographic location within impacted or hard to reach stakeholder communities for convenience and comfort of dialog.

Selection of language services takes into consideration meeting format as well as these factors: (1) Simultaneous E/S translation – Spanish is the non-English language that is most frequently encountered in the Metro service area, and is therefore offered at virtually every public meeting. In addition, fact sheets and other handouts are translated consistent with demographic analysis. Multilingual communications are called for in many communities, and documents and translations are offered if useful and as required. ADA accommodations, such as sign language interpreters, are provided on an as-request basis provided that requests are made with at least three working days' (72 hours) advance notice. In addition, information is also made available in large print and Braille as necessary.

Meeting Types

Metro values direct interaction with community members. The following are the types of meetings designed to achieve that goal:

- Milestone Meetings (required meetings) introduce the public to the proposed projects and plans, present anticipated ongoing activities, provide ways to engage and follow the project and register comments and concerns. Meetings are translated as required given demographic and LEP factors. Collateral

materials are also developed and distributed when required and to facilitate dialog and an understanding of key stakeholder issues.

- Workshops and briefings are held to update stakeholders and resolve new or ongoing issues.
- Advisory Committees Meetings among constituents at the grassroots level offer input and resolution to issues/mitigations.
- At the introduction of a proposed project, service or plan, the schedules are translated into multiple languages as appropriate given research to reasonably facilitate meetings. At the outset, stakeholders are provided the schedule, the engagement period/s, and both formal public and Board meetings.
- Project update meetings are provided during the environmental review process. Participants include local civic, business and community organizations, elected officials and the general public. Meetings are noticed in multiple languages through mailers and e-blasts, and via new media sources (Twitter, Facebook, and blogs).
- Community relationships are enhanced through the established Metro Service Councils, a sustained source of community input for the last 15 years.

Public Meeting Notice - Delivery System

A wide variety of media are available to notice public meetings:

- US Postal Service – Traditional mail service can be employed for initial project noticing, as well as to publicize community workshop opportunities, project updates and activities during the environmental process and for construction updates and service impacts.
- Email – Email can be used in addition to traditional mailing to stakeholders and community members. Recipients have previously opted in to email communications by providing their email addresses. “E-blasts” are sent by Metro and through community partners in advance of initial milestone meetings and for updates.
- Location Placement – Meeting notices in multiple languages are often posted in high-traffic gathering places that can include: colleges, parks, libraries, community and senior centers, farmers’ markets, cultural events, local elected officials’ offices, civic and other community based organizations.

- Transit – Meeting leaflets or “Take-ones” and related collateral may also be available on buses and rail, notifying riders of upcoming meetings and providing basic Metro contact information.
- Community Networking – Metro frequently partners with civic and business organizations, non-profits and individuals to distribute notices through their proprietary channels and social media networks. Metro’s team attends and distributes notices at cultural and neighborhood events when feasible. Metro provides content to varied community groups for posting on community calendars including transit coalitions and economic development councils.
- Posters – Multilingual posters at terminal points can also be used as an effective means of noticing meetings and directing individuals to general information about Metro.

Online communications – meetings, updates and ongoing communications

- The Metro Rider’s guide, available on www.metro.net, provides web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro offers Google Translate on every web page for language accessibility above Title VI requirements.
- Metro’s “The Source” is a transit blog presented in English; its Spanish-language counterpart is “El Pasajero.” The Source announces meetings, project updates, proposed project plans, video presentations, Board actions and other transportation news. Readers can also comment on stories or share them on their own personal social media sites.
- Metro has created landing pages for many of its projects, with up-to-date information available in bi- or multilingual formats, as appropriate. Visitors are invited to provide comments, stream recorded meetings, view PowerPoint presentations, and sign up to receive email updates about the specific project.
- Metro strategically utilizes online advertising in English, Spanish and other commonly-used languages, targeted to demographic groups and project parameters in such platforms as Facebook, Twitter, and others.
- Metro is actively engaged in popular social media sites Facebook and Twitter to launch outreach campaigns, provide project updates, and direct users to information, meeting announcements and special events.
- Metro monitors its social media outlets to ensure content is appropriate and useful, gauge areas of concern and interest as well as measure customer satisfaction.

Metro's Comment Guidelines will be updated to include platforms such as Twitter, Instagram, and other social media platforms as needed. Staff will also be trained on the policy.

- The public is invited to contact project staff through project helplines. The system allows callers to leave messages and staff with appropriate language skills return calls. The public is advised of the project specific helpline through Metro's website, printed materials, ads and in-person outreach.
- E-mail updates - As projects develop and reach milestones, e-mail updates are sent to community stakeholders. Metro also shares these email updates with its key stakeholders, including partners and community based organizations, to distribute the email updates through their own networks.

Other language access sites or tools

A Metro advisory card has been prepared listing how to get language assistance services. As identified in Metro's LEP Plan¹³, the information is listed in nine languages other than English. Pocket transit guides are also offered in nine languages, distributed at meetings and through customer service sites. These can assist stakeholders with long-term interest in the plan, project or service change action, to more easily access community meetings and get additional information in-language.

Broadcast and print media

- Media alerts and releases are distributed to multi-lingual news sources, media briefings for minority-owned and distributed newspapers
- Purchase of display ads in Spanish-language media and other outlets as appropriate
- Press releases are distributed to websites, blogs, Facebook/Twitter

(For a complete list of media outlets, see Attachment 4 - Database of Media.)

Additional approaches to communications

- Business Webinars are announced on the project website, notice is emailed to stakeholders, promoted via a project's social media sites, on regional blogs, and local organizations' websites.
- Virtual meetings and simultaneous broadcast of meetings are often used via Ustream, GotoMeeting, Periscope and Metro's website.

¹³ *Ibid.*

- YouTube videos are produced and posted to provide broad accessibility and include: news programs, transit project information, bus routes, rail services, safety and security as well as public meetings. Information posted is often relayed in multiple languages and includes video dubbing and subtitles for some public service messages.
- Door-to-door campaigns in various languages in both residential and business communities are employed to increase participation and access of potentially affected stakeholders.

On-going Communication Activities & Approaches

- Briefing Meetings/Workshops are established in addition to required meetings to bring the public up to date on project elements, respond to initial comments, and address specific conflicts or concerns of community members.
- One-on-one and group briefings are conducted with community leaders, elected officials and staff, and individual stakeholders.
- Scoping meetings are held to present the public with initial discussion and results or changes.
- Specific design meetings engage the public by introducing the technical considerations and offer solutions to potential impacts or present design opportunities
- Tours are offered to area stakeholders for better understanding of the proposed project/service change.

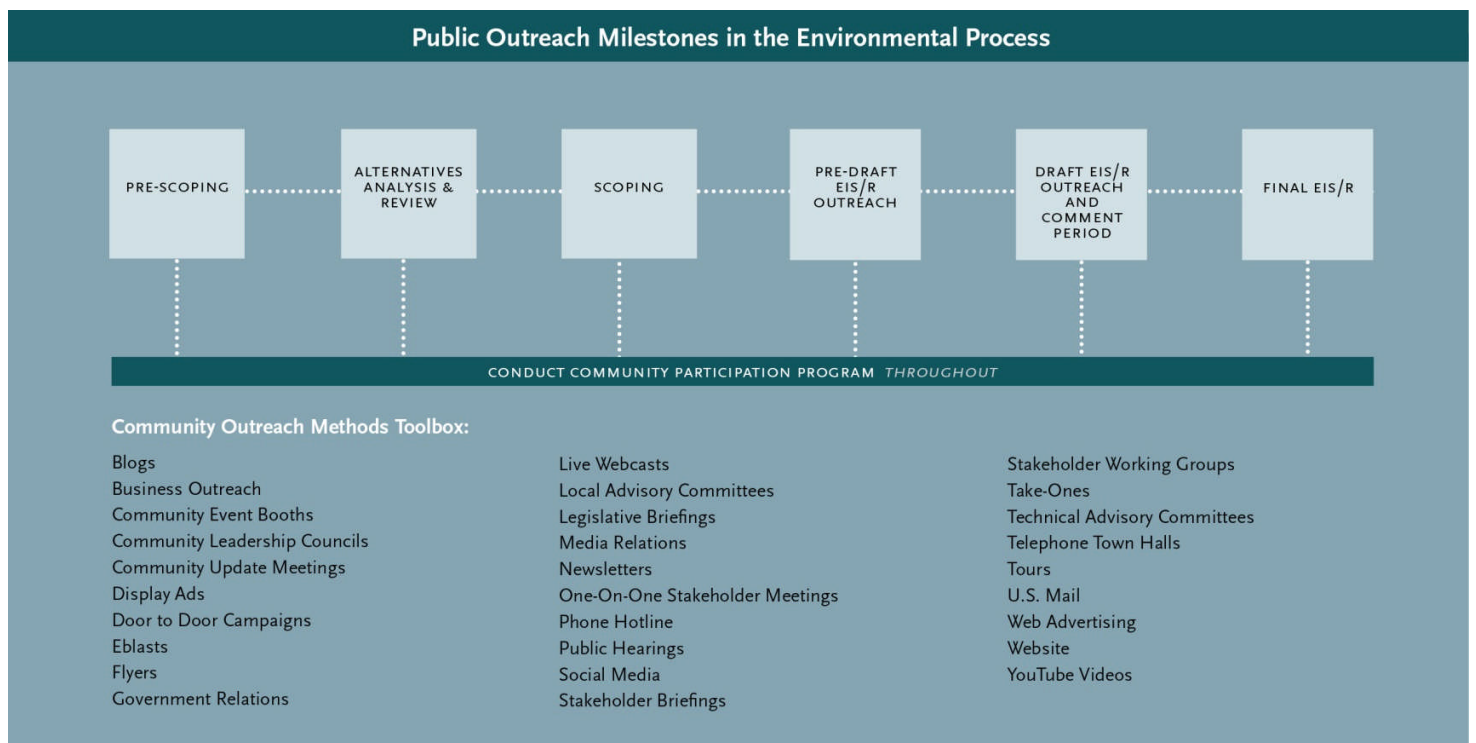
Evolving Practices - All Stakeholders Including LEP, Minority, Low Income, and Individuals with Disabilities

- **Management: “Advance Team” Assignment** - Staff with multilingual, cultural, historical, economic or special community knowledge provide early input to outreach strategies partnering with technical staff on planning matters and statistical experts to design outreach approach.
- **Technology: Public Engagement Platform Development** - The launch of an internet-based Interactive GeoSocial Map presents a model for enhanced public participation, allowing close examination of proposed transit projects by stakeholders living anywhere within the Los Angeles County 4,751 square miles. Users may examine various perspectives and details of routes, post comments on maps and images to be viewed by all interested parties and further shared on social media sites such as Facebook and Twitter. This innovative informational tool, also compatible with varied phone applications, brings greater involvement and a new level of engagement typically found

through community meetings. In addition to its value as a public participation element, it also contributes as a project monitoring and tracking mechanism.

- Online/Digital Communication for Input and Telephone Town Halls:** In 2016, Metro reached over 2.7 million Angelenos with promoted posts on social media and educational content on The Source, Metro’s English language blog, regarding the Long Range Transportation Plan (LRTP). On Twitter and Facebook, Metro used the hashtag #MetroPLan to encourage public feedback on the LRTP and engage the public directly in a conversation about details of the plan. An online virtual meeting was held where participants asked questions and shared their views in real time. In addition, more than 47,947 people participated in 14 telephone town halls to discuss Metro’s draft expenditure plan. Metro will continue to develop these fun, user-friendly and effective digital communication tools to maximize public input and community engagement.

4. Range of Public Participation Methods Employed by Metro



A range of public participation strategies, methods and tools are developed and used to engage diverse communities and create on-going public access, participation and input throughout the environmental process. While Metro’s outreach planning begins early and continues past the environmental approval, the purpose of this section is to present specific examples of how

barriers to communication are identified and addressed, engagement is strengthened, input is garnered, issues are resolved and projects are adapted to reflect the public's values.

A comprehensive public participation plan is one that provides early and on-going access for all stakeholders while demonstrating the principles of environmental justice and meeting the statutory obligations placed on Federal recipients under Title VI non-discriminatory regulations. Through the principles and practices herein, each public outreach process engages varied stakeholders: residents, businesses, transit users, elected officials, local area industries, local organizations and others. The parameters for development of each public participation plan are based on required analytical methods, such as demographic analysis, language assessments, customer and employee surveys articulated through the Four Factor Analysis¹⁴. Other considerations include the type of plan, program, or service and resources available. Additionally, Metro applies further community analysis beyond LEP's Four Factors to examine linguistic, cultural, historic, economic, and social barriers that may prevent stakeholders from participating in the public decision-making process.

Once the public process has been initiated, continual adjustments are made to improve outreach, deliver information and encourage participation. Targeted measures are customized to relay project design or respond to community issues, to facilitate discussion on determined disproportionate/disparate impacts or to expand and balance participation among stakeholders. Project updates are provided on a continuum via Metro's website, social media and multi-language print venues including localized community network bulletins and newspapers to promote further vetting at a grassroots level.

The following five Public Participation Plan examples summarize customized outreach eliminating communication barriers, promoting participation and input, resolving issues and delivering meaningful participation.

- Crenshaw/LAX Community Leadership Council (CLC)
- Regional Connector Little Tokyo Working Group (LTWG) and Community Leadership Council (RCCLC)
- I-710 Community Participation Framework
- Metro ExpressLanes Corridor Advisory Groups
- Metro Bike Share Crowd Sourcing Outreach

Introduction: Given the large geographic reach of each of these projects, the Public Participation Plan provided a range of measures to promote inclusive and meaningful

¹⁴ *Ibid.*

involvement. The full description of each mentioned project's Public Participation Plan can be provided upon request or referred to in Metro's Title VI Triennial Program Update¹⁵.

The five (5) cases below illustrate customized outreach elements designed to: respond to a community's specific concern or request, advance communication and participation within low-income, limited English proficiency and/or minority community, expand and balance participation among diverse stakeholders, provide a heightened and on-going communication system between interested parties, identify and address issues of greatest impact or concern, and expand benefits to project-adjacent communities through dialog.

Project: Crenshaw/LAX Light Rail Transit Project

Description: The Crenshaw/LAX Light Rail Transit Project is an 8.5 mile alignment from the Exposition/Crenshaw station on the north following Crenshaw Blvd south and west to the Metro Green Line connection. The project purpose is to improve public transit service and mobility in the Crenshaw Corridor between Wilshire and El Segundo Blvds. The overall goal of the project is to improve mobility in the corridor by connecting with existing lines such as the Metro Green Line and the Expo Line. The alignment traverses both South Los Angeles and the City of Inglewood, comprised primarily of minority populations.

Customized Approach - Establishment of Crenshaw/LAX Community Leadership Council (CLC) for Sustained Involvement & Continuity through Project Buildout

In addition to Metro's traditional and targeted outreach measures engaged during early deliberations, in 2010 Metro pioneered the formation of the CLC. The CLC is a corridor-based transportation advisory body, formed for the purpose of sustained involvement by representatives who will serve in a liaison role to the greater community as the LRT is brought to fruition into an operating system. The mission of the CLC is to promote community-based dialogue around opportunities arising from the Crenshaw/LAX Line development and engage a wide base of community stakeholders with ongoing project activities throughout communities located along the Project alignment in a way that's equitable, beneficial, resourceful and meets the needs of the community. The CLC is racially diverse, and includes representatives from small business, faith-based organizations, labor, local media, academia, local empowerment congress, chambers, local economic development corporations and law enforcement. Participation in the CLC also allows for engagement on topics that have direct correlation to the assets of a new transit system linking the corridor to Metro's countywide rail and transit system. The CLC, led by Co-Chairs representing the City of Los Angeles and the City of

¹⁵ Metro's 2016 Title VI Triennial Program Update can be found in the *Title VI Program Update* which will be available at www.metro.net/civilrights.

Inglewood, meets on a quarterly basis and is assisted in their duties by a series of Working Groups.

Working Groups are topic-specific groups open to the public that convene quarterly or as-needed to set goals, strategize and implement working plans that support the project area communities and/or the Crenshaw/LAX Transit Project. These Working Groups serve as a platform to share information, address community concerns and develop work plans related to community opportunities arising from the Project. The four working groups include:

- 1) Community Engagement**
Solicit input and encourage dialogue in the community on topics surrounding the Project.
- 2) Economic Development**
Establish opportunities for job creation, commercial development, capital investment, jobs and small business development within the project area.
- 3) Quality of Life**
Identify opportunities to improve quality of life for the community within the areas of mobility, safety and environmental health.
- 4) Special Projects**
Additional areas of community interest

Result: Metro, working with the CLC, has succeeded in fostering greater awareness of and involvement in the new transit line and the attendant mobility and economic development benefits that will accrue to the community. Additionally, the CLC was instrumental in identifying the need for an additional station at the historic Leimert Park, a center of community, family, artistic and business activities. On June 27, 2013, Metro's Board of Directors approved a contract to build the line including stations at Leimert Park and Westchester/Veterans.

Project: Regional Connector Transit Project

Description: The Metro Regional Connector Project connects the Metro Gold, Blue and Expo Lines through downtown Los Angeles from the Little Tokyo/Arts District Station to the 7th Street/Metro Center Station. The 1.9-mile alignment will serve Little Tokyo, the Arts District, Civic Center, The Historic Core, Broadway, Grand Avenue, Bunker Hill, Flower St. and the Financial District.

This new Metro Rail extension will also provide a one-seat ride for travel across Los Angeles County. From the Metro Gold Line, passengers will be able to travel from Azusa to Long Beach and from East Los Angeles to Santa Monica without transferring to and from the Red/Purple lines.

Customized Approach - Formation of Little Tokyo Working Group for Impact Issues Resolution and Collaboration with Diverse Area Stakeholders

In addition to required technical and demographic analysis leading to a multi-lingual platform for communication, outreach measures were developed to address cultural, historic and economic impact concerns among stakeholders. One of the communities in the project area, Little Tokyo, is one of only three remaining "Japantowns" in the United States. Over the years, Little Tokyo has experienced the loss of some significant portions of its community to the construction of several city, state, and federal buildings via eminent domain. Many community members saw the Regional Connector as one more attempt to encroach into Little Tokyo, further reducing its size and negatively impacting the community's cultural identity and economic viability. This unease peaked when the Little Tokyo community coalesced against both of the build alternatives initially proposed for study in the Draft EIS/EIR at several Metro Board and community meetings in the summer and fall of 2009.

In 2010, recognizing the unique challenges and opportunities of the proposed project, Metro developed a response to specific input raised during public discussions, intended to respond to specific stakeholder concern on design and impacts as well as to identify mitigation measures.

This outreach culminated in the formation of the Little Tokyo Working Group (LTWG), comprised of Metro staff and leaders of the Little Tokyo Community Council (LTCC), which represents over 100 business and community organizations. It included engagement of a wide diversity of stakeholders and opinion leaders including business organizations, chambers of commerce, business improvement districts (BIDs), neighborhood councils, community councils, arts organizations, and residential groups in downtown Los Angeles.

The LTWG worked collaboratively to develop an alternative and discussed possible mitigation measures that could address the construction and operational impacts of the Regional Connector. Metro also provided funding to hire a consultant to assist the community in acquiring an in-depth understanding of the environmental process and develop potential mitigation measures for documentation in the Draft EIS/EIR.

Result: The ongoing work with the LTWG led to the development of a new alternative that not only was acceptable to Little Tokyo stakeholders, but also generated widespread enthusiasm and support for the Regional Connector. In February 2010, in response to the LTWG and LTCC, the Metro Board of Directors approved the addition of the new alternative to the Draft EIS/EIR for a full environmental evaluation. Significant numbers of Little Tokyo community members attended the Board meeting to show their support for the new alternative and to commend

Metro for addressing their concerns. Following the conclusion of the Draft EIS/EIR public review period, the Metro Board of Directors designated the Fully Underground LRT Alternative as the Locally Preferred Alternative (LPA) at the October 28, 2010 meeting.

Henceforth, the Metro Board approved the Project in 2012, refined to reduce project impacts and improve design in response to input from the Little Tokyo community and other stakeholders in the project area. This interaction led the Metro Board to approve a fully underground light rail transit alternative, which in turn, generated considerable community support for the project. The community engagement process continues today with an alignment-wide Regional Connector Community Leadership Council (RCCLC) led by an executive committee comprised of the chairs from each of the three station areas, 1st St/Central Av, 2nd St/Broadway St, 2nd Pl/Hope St, and the Financial District. The advisory body meets monthly to review construction activities, monitor mitigation compliance, and to identify unique means of leveraging this transit investment to foster economic vitality. The Regional Connector Community Leadership Council will remain in place throughout construction to further stakeholder participation. Furthermore, bi-monthly project wide construction update meetings, with in-language assistance, are held to keep the general public appraise on the project.

Project: I-710 Corridor EIR/S

Description: The I-710 Corridor has long been a vital transportation artery for goods movement from the Ports of Los Angeles and Long Beach. The Corridor stretches 18 miles from the ports moving north through the Gateway Cities region which is home to one of the most socio-economically diverse areas in the County. The Ports together form the largest container-port complex in the country, and the 5th largest in the world. As a result of population growth, cargo container growth, increasing traffic and an aging infrastructure the I-710 freeway now suffers from serious congestion and safety issues. Expressed community priorities are to improve air quality and public health, increase mobility, reduce congestion, improve safety and assess alternative, green, goods movement technologies.

Customized Approach: Formation of Varied Stakeholder Committees Influencing Regional Decision-Makers & Funders

In this case, Metro developed a Community Participation Framework to identify and address the range of local issues and gather feedback on an on-going basis to inform decision-makers and the partner agencies.

The community participation framework for the I-710 Corridor Project Study encourages corridor communities to stay informed about the project, and to provide input throughout the process. Local Advisory Committees (LACs) represent the communities along the corridor, and

are made up of residents and business owners from each community the project touches. The Chair of each LAC sits on the Corridor Advisory Committee, along with other appointees representing corridor-wide interests.

The primary responsibility of the Corridor Advisory Committee is to advise the Project Committee (PC), which is made up of elected officials and funding partners, which in turn provide recommendations to a high-level Executive Committee comprised of members of County Board of Supervisors, Chairpersons of the funding partners, and the co-chairs of the Project Committee. There is also a Technical Advisory Committee (TAC), made up of technical experts from corridor jurisdictions, city and community staffs and Funding Partners who advise the PC on technical aspects of the project. The Executive Committee (EC) is the highest level committee, and is comprised of representatives from Los Angeles County and the Funding Partner agencies, as well as the co-Chairs of the PC. This committee provides policy direction and final recommendations to Caltrans and FHWA.

Result: The participation framework has promoted superior dialogue within the study area, and often times resulted in significant changes to the project during the planning phases, such as greater attention to health issues and incorporation of state-of-the-art technology in the goods movement industry and the addition of complete street elements to the project. Upon review of the extensive feedback received during the Draft EIR/EIS public comment period, Metro, Caltrans, and the project Funding Partners decided in March 2013 to move forward with a Recirculated DEIR/Supplemental DEIS (RDEIR/SDEIS) to be released for public review and comment in Fall 2016. The project team continues to work closely with the advisory committees to provide progress updates and receive feedback.

Project: Metro ExpressLanes Corridor Advisory Groups

Description: Metro and State of California Department of Transportation (Caltrans) District 7, along with other L.A. County municipal operators, partnered in a one-year demonstration program during which existing carpool lanes on the I-10 El Monte Busway and I-110 Harbor Transitway were converted to High Occupancy Toll (HOT) lanes— called Metro ExpressLanes. The Program was primarily funded with a \$210 million congestion reduction demonstration grant from the U.S. Department of Transportation (USDOT), and today it is self-sustaining and made permanent by the state legislature in 2014. The I-110 ExpressLanes opened November 10, 2012; the I-10 ExpressLanes opened February 23, 2013. These are the first toll lanes in Los Angeles County.

Customized Approach: Corridor Advisory Groups in LEP & Low Income Communities Established to Collaborate with Area Stakeholders to Expand Project Involvement

Early in the planning phase, Metro recognized that robust stakeholder outreach was needed to inform and involve the diverse populations along the I-10 and I-110 in the

City of Los Angeles, South Bay and San Gabriel Valley. In January 2009, the Metro Board approved a Public Outreach and Communications Plan that outlined a strategy to reach diverse groups of people and interests – including minority, Limited English Proficiency, and low-income communities – throughout the I-110 and I-10 project areas. Three Corridor Advisory Groups (CAGs) were established, comprised of stakeholders along the I-10, I-110 North and I-110 South corridors. The CAGs facilitated community participation and collaboration with businesses, community groups, institutional/cultural groups, employers, City of Los Angeles neighborhood councils, local governance and councils of governments, and legislative representatives, among others.

Metro held numerous CAG meetings to share information about the program and get feedback on everything from the concept of operations to the toll rates and tolling policy to the mitigation for low-income commuters. Eight public hearings were held during the environmental planning phase and another seven public hearings were held to collect public feedback on the performance of the program in 2014. Meetings were held with Spanish and Mandarin translation provided, and were advertised in foreign-language and English newspapers as well as ethnic newspapers along the corridors. Since its inception the program team has conducted more than 400 grassroots stakeholder briefings with neighborhood councils, community organizations, and local city councils to get meaningful community input.

Result: Whenever there is talk of pricing the issue of fairness is raised. Senate Bill 1422 (Ridley-Thomas), which conveyed tolling authority to Los Angeles County Metro, required that Metro assess the impact of the program on low income commuters and provide mitigation. As a result, in March 2010 the Metro Board authorized the implementation of a Low Income Assistance Plan for low-income commuters that is the first of its kind in the country. With the Low Income Assistance Plan, residents of Los Angeles County with an annual household income (family of 3) equal to or below \$40,180 (twice the 2015 federal poverty level) qualify for a \$25 credit when they set up their account.

Since the Low Income Assistance Program began in 2012, more than 7,991 L.A. County households have enrolled. When transponders became available, Metro executed a countywide and targeted paid media campaign in English, Spanish and Mandarin to get the word out to diverse communities throughout the County. The campaign included billboards, radio and TV advertising, focus groups, social media, eblasts, briefings, information tables, and mobile van events reaching thousands of residents in LA County. The Metro ExpressLanes Mobile Van “MEL” was also launched to distribute transponders and provide Program information with particular emphasis in low-income and hard to reach areas. To date, over 245 MEL events and information

tables have been held at community fairs, schools, churches, businesses and conferences reaching thousands of residents directly in their neighborhoods.

During the evaluation phase, the team launched another multilingual paid media campaign, conducted focus groups on carpools and the Low Income Assistance Plan, and garnered extensive media coverage as well as more than 670 public comments.

In response to comment, Metro has increased transit service significantly in the ExpressLanes to provide more options that do not require payment of a toll. As a result of the increased transit investment there has been a 126% increase in Metro Silver Line ridership from 2011.

In addition, all net toll revenues must be invested in transit improvements in the corridors where they are generated. This offers a unique opportunity to advance the Long Range Transportation Plan (LRTP) and Metro's goals for a more sustainable countywide transportation system. During Round One, over \$20 million was distributed in the I-10 and I-110 corridors to increase mobility through a series of integrated strategies (transit operations, transportation demand management, transportation systems management, active transportation, and capital investments).

The Corridor Advisory Group and its Net Toll Revenue Grant Program Subcommittee continues to meet at least twice a year to provide strategic guidance and valuable feedback on the Grant Program, process, and eligibility guidelines. The Subcommittee, which was formed in 2014, reviews staff recommendations for grant recipients. In 2016, they will meet again to evaluate applications for the Round Two grants to ensure that the process is open, transparent, fair, and accountable.

Project: Metro Bike Share Crowd Sourcing Outreach

Metro partnered with the City of Los Angeles to launch the Downtown Los Angeles Metro Countywide Bike Share Pilot Program in Summer 2016. The Pilot Program features up to 1,000 bicycles and 80 stations in Downtown Los Angeles. The Program provides a fleet of bicycles that can be borrowed for short periods from strategically placed bike share stations. This user-friendly bike share system will increase transportation choices for people making short trips and traveling to and from transit stations. There are options to expand the system countywide to other bike-ready communities throughout Los Angeles County in future years. Metro is supporting communities throughout the region as they prepare to join the Metro Bike Share program, and working with other cities that are launching bike share programs, such as Santa Monica and Long Beach, to create an interoperable system.

Customized Approach: Engage Social Media, Grassroots Outreach and Local Business Districts to Maximize Stakeholder Involvement in the Station Siting Process

In Summer 2014, Metro's Bike Share team developed a list of pilot bike share stations in downtown Los Angeles, Long Beach and Pasadena using community input received through an interactive crowd sourcing map. In December 2014 the team further refined that list by taking additional public suggestions for bike share locations throughout the county. Metro received a tremendous response with suggested locations identified from Arleta to Pomona.

Result: Based on preliminary studies and this robust public feedback process involving stakeholders throughout LA County, over 100 possible station locations were identified for the pilot program in Downtown Los Angeles.

Metro is further refining station locations based on additional public feedback. In November 2015 a crowd sourcing website – www.metro.net/bikeshare – was launched which allowed members of the public to view the map of proposed Bike Share station locations and say why they liked or disliked a location directly on the map. Business Improvement Districts and community organizations shared this link with their networks, and the team encouraged feedback from stakeholders who live and work throughout Downtown Los Angeles through social media networks.

In addition, the Bike Share team provided numerous briefings to BIDs and community organizations in Downtown Los Angeles to collect input from residents, businesses and property owners on their Bike Share station siting preferences. This engagement program involved the community at every step of the planning process by allowing hundreds of stakeholder to state their station preferences. The terrific response from the public is expected to result in a strong sense of ownership and involvement among users when the program is launched in Summer 2016.

5. Public Engagement Measures and Objectives

- **Monitoring and Tracking**

In Los Angeles County, an immense service area encompassing 10 million residents, the responsiveness of the public transit system to public opinion is essential to the sustainability of the system. In order to meet the needs and expectations of residents and stakeholders, Metro's Plan must be monitored, fine-tuned and adjusted.

The Plan has been developed utilizing a wide range of analytical tools, data sources – including the Four Factor Analysis¹⁶ – culturally- and community-informed human resources, social media, partnerships with community-based organizations and institutions including government, engagement of area businesses and informed and applied outreach practices.

Metro’s metric for monitoring and tracking public engagement and participation in projects/programs/service changes, is based on and evaluated concurrently at four levels:

- Metro’s Community Relations Team management, which convenes weekly to assess the methods employed and provide assessment and approval of reasoned adjustments in county-wide outreach based on updated community input, staff experiences, desires and concerns of transit stakeholders, participation levels, new project information and issues to be conveyed.
- The project team is comprised of staff who are vested in grassroots community engagement and who solicit, receive and record input as the public process is initiated. This recordkeeping and observation of community engagement provide insight to short-term adjustments and informs long-term strategic planning.
- Responses from social media messaging can be assessed on a virtually daily basis through web analytics.
- In order to continually provide excellence in service and support for all Metro customers, including people with Limited English Proficiency, Metro surveys its customers twice a year in English and Spanish as well as maintains a website with the survey in the seven other languages identified in Metro's Limited English Proficiency Plan Four Factor Analysis. Metro assesses the languages spoken in the communities of interest at the outset of environmental planning studies for new projects. For public meetings, Metro often provides translation into Spanish or another language known to be prevalent in the community where the meeting is occurring. The agency also provides translation into other languages at meetings if the request is received at least three working days (72 hours) prior to the meeting and meeting notices provide basic information for how to request this translation.

In addition, under Title VI reporting measures and LEP Plan updates, the public is surveyed through various methods on Metro’s public engagement measures and objectives. These were considered in developing this Plan model.

¹⁶ Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at www.metro.net/civilrights

The previously presented best practice project examples are perhaps the most compelling measure of meaningful access: projects that carry the impression of community comment through program design.

6. Conclusion

This Plan must, first and foremost, be accountable to the public. This plan ensures that no person shall on the grounds of race, color, national origin, sex, disability, age or any other protected category described by state or federal law be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Metro programs or activities. This Plan has been assembled to capture the methods, innovations and measurements representative of the agency's commitment to meet and exceed the prescribed requirements as a recipient of public investment, Title VI regulations, FTA Circular instructions in consideration of Environmental Justice, FHWA requirements, and on behalf of Limited English Proficient, low-income, and minority communities and individuals with disabilities.

7. CEO Signature Page

Phillip A. Washington, Chief Executive Officer

Date:

8. Resources Page

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litvakj@metro.net

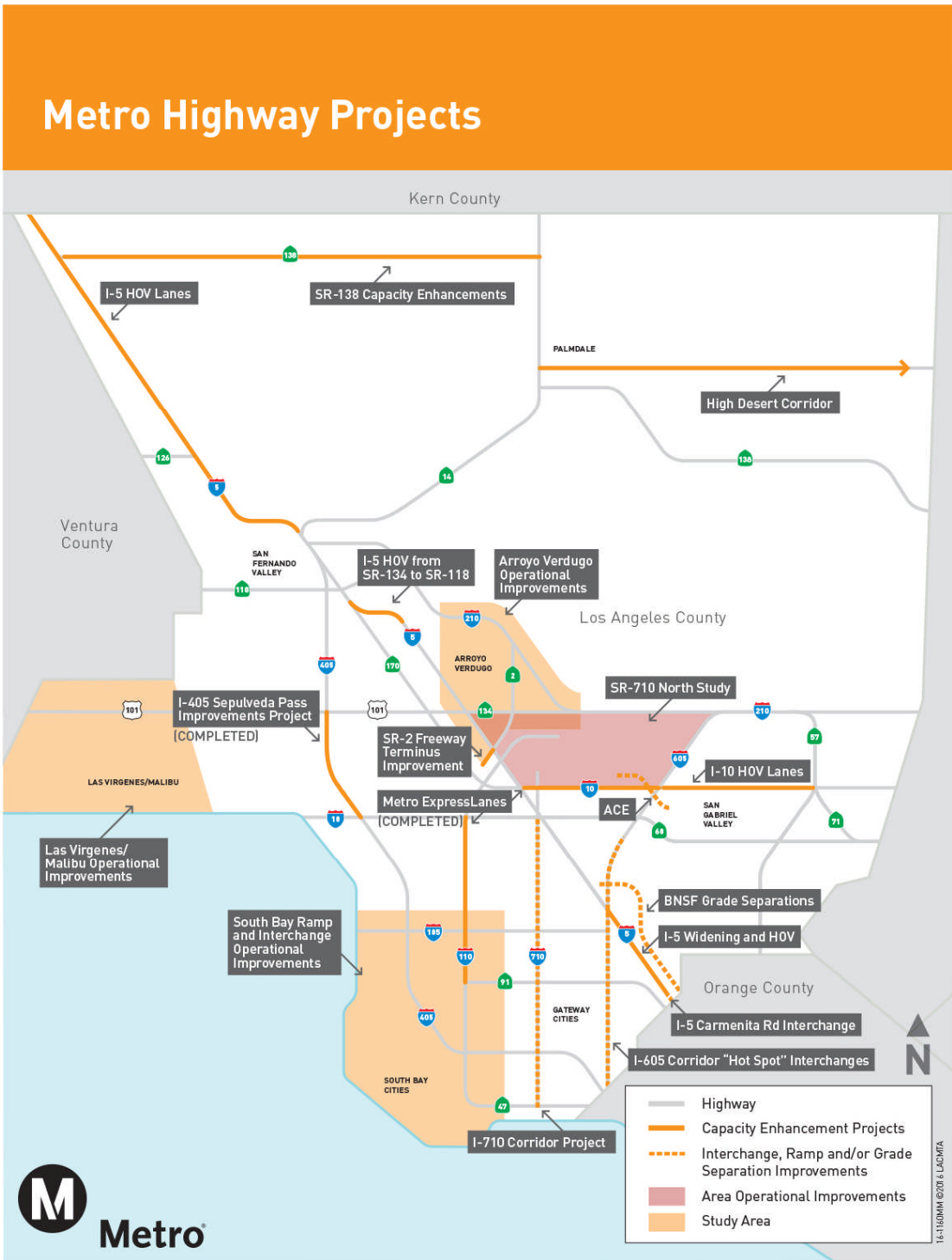
9. Attachments (see following pages)

- Attachment 1 - Metro Transit Projects
- Attachment 2 - Metro Highway Projects
- Attachment 3 - Database of Stakeholders
- Attachment 4 - Database of Media Including Ethnic Media
- Attachment 5 - Metro's 2016 Draft Public Participation Plan Outreach Summary
- Attachment 6 - Metro's 2016 Draft Public Participation Plan Comment Matrix and Letter

Metro Transit Projects



Attachment 2 – Metro Highway Projects



Attachment 3 - Database of Stakeholders

Active Transportation Stakeholders (including Bicycle and Pedestrian)
Advertising Firms
Advocacy Organizations
Airports (including Burbank, John Wayne, Long Beach, Los Angeles World, Santa Monica, and Van Nuys Airports)
Braille Institute
Business Improvement Districts
Business Organizations and Trade Associations (including LA County Business Federation, Valley Industry Alliance and Valley Industry and Commerce Association)
Carpoolers and Vanpoolers
Chambers of Commerce
Citizens Advisory Committees
City and County Commissions, including commissions on disabilities
City and County Staff throughout the 88 cities and unincorporated areas of LA County (including City Managers, City Planning and Public Works Departments)
City Planning Associations
Civic Clubs (including Rotary and Kiwanis)
Commercial Bus, Taxi, and Car Share Services, Car Rental Agencies, and Transportation Network Companies (including Uber and Lyft)
Community Advisory Groups
Community Fairs and Festivals
Community Food Banks and Pantries
Community Leadership Councils
Community-Based and Nonprofit Organizations
Constituents/Residents (Members of the General Public)
Councils of Government (including Arroyo Verdugo, Gateway Cities, North County Transportation Coalition, Las Virgenes-Malibu, San Fernando Valley, San Gabriel Valley, South Bay Cities and Westside Cities) and Southern California Association of Governments
Cultural/Arts Organizations
Developers/Real Estate Firms
Educational Institutions (including K-12, Higher Ed, Trade Schools and Apprenticeship Programs) and School Bus Services
Employee Transportation Coordinators
Energy Industry
Entertainment Industry and Major Entertainment Venues

Environmental Justice Advocates
Environmental Organizations and Conservancy Groups (Air, Soil, and Water Quality and Remediation)
Farmers Markets
Federal, State, and Local Elected Officials and Staff (including Senators, Members of Congress, State Senators and Assemblymembers, County Supervisors, Mayors and City Councilmembers representing the 88 cities and unincorporated areas of LA County)
Financial Institutions
Foundations
Government Agencies (including General Services Administration)
Healthcare Industry / Hospitals and Medical Institutions
Homeowners Associations, Block Clubs, and Community/Neighborhood Watch Groups
Hospitality Industry (including LA Tourism and Convention Board, tourist and visitor centers)
Independent Living Councils
LA County Economic Development Corporation
LA River Advocates and Organizations
Labor Organizations (including Unions, Project Labor Agreement Stakeholders)
Law Enforcement Sector and Public Safety Organizations (including California Highway Patrol, LA Sheriff's Department Transit Services Bureau, and Police and Fire Departments through LA County)
League of Cities
Legal Sector
Logistics Firms (including Delivery Services and United States Parcel Services)
Los Angeles County Economic Development Corporation
Media, Blogs and Social Media Outlets
Metro Service Councils, Citizens Advisory Council, and Other Advisory Committees (including the Accessibility Advisory Committee, Blue Ribbon Committee, Technical Advisory Committee and Subcommittees, Measure R Oversight Committee, and Transportation Business Advisory Council)
Native American Tribal Organizations
Neighborhood and Town Councils
Office of the Inspector General
Parks and Recreation Groups

Ports (including California Association of Port Authorities, Ports of Los Angeles and Long Beach, and San Pedro Cruise Ports)
Professional Organizations
Public Agencies
Public Libraries
Regional Centers (for individuals with developmental disabilities and their families)
Rail Companies and Agencies (including Amtrak, BNSF, High Speed Rail, and Metrolink)
Rancho Los Amigos
Religious Organizations and Faith-Based Institutions
Senior Centers
Social Service Agencies
Stakeholder Working Groups and Outreach Advisory Committees
Trade Associations
Transit Advocates (including Bus Riders Union)
Transit Agencies and Providers
Transportation Agencies and Advocates (including AAA)
Trucking Associations
Vendors, Consultants and Contractors
Veterans Administration
WorkSource Centers

Attachment 4 - Database of Media Including Ethnic Media

<u>Major Dailies/General Market/Wire Services</u>
LA Times-Full Run
Los Angeles News Group Metro (Includes Daily News, Long Beach Press-Telegram, Torrance Daily Breeze, San Gabriel Valley Tribune, Pasadena Star News, Whittier Daily News)
City News Service
Associated Press
Reuters
UPI
Bloomberg News
New York Times
EFE (Spanish Language News Group)
Notimex
<u>Westside Central/Downtown Los Angeles</u>
The Malibu Times
Santa Monica Mirror
Santa Monica Daily Press
Beverly Hills Courier
Beverly Hills Weekly
Los Angeles Independents (Part of Wave Nwsp Group. Includes the LA Independent and Wave Culver City Star)
Prk Labrea Nws/Bev Press
L. A. Downtown News
The Argonaut
Culver Cty Nws/Blue Pacific
Culver City Observer Grp
Includes: Culver City Observer, Santa Monica Observer
Inglewood Today Weekly
Our Weekly LA
L.A. Business Journal
Beach Reporter
UCLA Daily Bruin
Wehonews.com
Brentwood News
L.A. Weekly
Watts Times

Larchmont Chronicle
Random Length News
<u>San Fernando Valley</u>
Daily News
Valley News Group (Includes Warner Center News, Valley Vantage and Las Virgenes Enterprise)
SVF Sun\El Sol
The Toluca Times
Chatsworth Patch
Encino Patch
San Fernando Valley Business Journal
Glendale News Press
Santa Clarita Signal
Toluca Times
Van Nuys Press
<u>San Gabriel Valley</u>
San Gabriel Valley News Group
Eastern Group
Pasadena Weekly
Beacon Media Full Group (Includes Pasadena Independent, Arcadia Weekly, Monrovia Weekly, San Gabriel Sun, Sierra Madre Weekly, Temple City Tribune, Azusa Beacon, Duarte Dispatch, El Monte Reader, Rosemead Reader)
The Outlooks
Includes La Canada Flintridge Outlook and Pasadena Outlook
Mid Valley News
East L.A. Times
South Pasadena Review
Whittier Daily News
Alhambra Source
<u>South Bay</u>
Torrance Daily Breeze
Beach Reporter
PV Peninsula News
Herald Pubs Group (Includes: El Segundo Herald, Torrance Tribune, Hawthorne Press Tribune, Inglewood News, Lawndale Tribune)
Easy Reader
Gardena Valley News
Inglewood Today

Inglewood News
Morningside Park Chronicle
California Crusader
Long Beach Post
L.A. Focus
<u>Gateway Cities</u>
Long Beach Press Telegram
Los Angeles Wave Publications Group (Include Wave West, Wave East, NE Wave, The Press, Herald American, Lynwood Press)
Downey Patriot
The Compton Bulletin
Cerritos Comnty News Group (Includes Los Cerritos Community News, Norwalk Community News, Pico Rivera Community News, La Mirada Lamplighter, Downey Community News)
Gazette Newspapers (Includes Downtown Gazette, Grunion Gazette)
Signal Tribune (Signal Hill)
<u>Antelope Valley</u>
Antelope Valley Press
Antelope Valley Times
<u>African-American</u>
L.A. Watts Times
Los Angeles Sentinel
Inglewood Today
<u>Spanish</u>
La Opinion
Impacto USA
Hoy
Dia a Dia
La Voz Libre
CNN Latino
CNN Espanol
Vida Nueva
<u>Other including Armenian, Asian and Jewish Media</u>
China Press
Chinese Daily News
World Journal News
Sing Tao Daily
The Korea Daily

The Korea Times
The Rafu Shimpo
Sereechai News Inc.
Asbarez Armenian Daily Newspaper
Nor Gyank
Philippine Media
Asian Journal Pub, Inc.
Asian Pacific News
Panorama
Asian Pacific News
Jewish Journal
Epoch Times
International Daily News
Japanese Daily Sun
Bridge
Frontline
LaLaLa
Vivinavi
Nikkansan
Japan Up
<u>Major Television Stations/Cable</u>
KCBS/KCAL 2/9
KNBC 4
KTLA 5
KABC 7
KTTV 11
KMEX 34
KTAN & LA 18
KWHY 22
KVEA 52
KAZA 54
KBS 24
KRCA 62
LA City View 35
ETTV America (Chinese)
Skylink TV
Crown City News
CNN

KCET
Time Warner Cable
Asahi TV
Annenberg TV News
MBC
NTDTV
TVKZU
Telemundo
Univision
Time Warner Cable News Channel Antelope Valley
UTB
NHK
<u>Major Radio Stations</u>
KNX
KFWB
KFI
KCRW
KPCC
KPFK
KROQ
KABC Radio
KWKW Radio
Metro Networks
Radio Exitos
Univision Radio
KCSN
National Public Radio
Voce of America
Radio Korea
Radio Manila
Radio Seoul
<u>Blogs</u>
L.A. Streetsblog
Curbed L.A.
Laist.com
BlogDowntown
The Source
El Pasajero

Latinola.com
USC Neon Tommy
Huffington Post
L.A. Observed
Planetizen
Transit Coalition
Metroped.net
Latino California
The Eastsider
The Voice
<i>Trades</i>
Passenger Transport
Fleets and Fuels
Engineering News Record
Mass Transit
Metro Magazine
Builders & Developers
Building Trade News

Attachment 5 - Metro's 2016 Draft Public Participation Plan Outreach Summary

Background

In February 2016, Metro Community Relations released the Draft Public Participation Plan (Plan) for a 30-day public comment period concluding March 12, 2016. The FTA requires Metro to issue a Plan as part of its Title VI Program Update every three years. This plan guides all of Metro's outreach to gather important public input on possible changes to bus and rail service, new projects in planning and in construction, fares and other programs. Metro sought the public's input to help make this plan the best it can be.

Outreach on Draft Plan

Metro sent an e-blast to more than 11,000 stakeholders county-wide, presented at Metro's five sub-regional Service Councils, Citizens Advisory Council, Accessibility Advisory Committee, and LA County Commission on Disabilities. Metro also spread the word through social media, The Source and El Pasajero. Based on the public feedback, the Draft Plan was revised and will be submitted to the Metro Board of Directors for their consideration.

- Metro went above and beyond what was legally required in seeking public input to help make the Draft Plan the best it can be.
- The Plan that was approved by the Metro Board in 2013 was updated in early 2016 by a multidisciplinary committee of Metro Departments, including Marketing, Construction Relations, Community and Municipal Affairs, Local Programming, Transit Safety Programs, Digital Communications, Office of Civil Rights, Customer Relations, the Office of Strategic Initiatives, and Public Relations.
- In addition to the Plan, this committee updated other documents as part of the 2016 Title VI Program Update, including the Four Factor Analysis (led by Strategic Initiatives and Marketing) and Triennial Program Update (led by Community Relations).

Outreach Plan and Schedule

A variety of methods were employed to get meaningful public feedback on the Plan.

- Metro asked members of the public to say what they thought by sending comments to communityrelations@metro.net or Metro Community Relations, One Gateway Plaza, MS 99-13-1, Los Angeles, CA 90012 by 3/12/16
- Members of the public visited metro.net/communityrelations to:
 - View the Draft Plan in English and other languages, including Armenian, Chinese, Japanese, Korean, Russian, Spanish, Thai, and Vietnamese
 - Learn about meetings where the plan was presented
 - View the presentation

Feb/Mar 2016 - Public Comment Period

A 30-day comment period was held for the Draft Plan from Friday, February 12 – Saturday, March 12, 2016, during which time Metro used the following outreach methods to maximize public feedback:

- Posted the plan in nine languages (English plus eight languages listed above) on the Community Relations website – metro.net/about/community-relations/.
- Every Voice Counts (EVC) – CEO Brief
 - Placed a paragraph in CEO’s EVC Brief on Friday, Feb. 19th to announce availability of the Plan to the Metro Board.
- Sent eblast to the following stakeholders*:
 - Federal, State and Local Elected Officials throughout LA County
 - City Managers, Public Works Directors, and Planning Directors
 - Key Organizations, Non-profits and Businesses throughout LA County
 - Cultural and Ethnic Stakeholders throughout LA County
 - Metro’s Rider Relief Transportation Program Stakeholders
 - Metro Advisory Councils and Committee Members, including Metro Service Councils, TAC and TAC Subcommittees, Measure R Oversight Committee, Accessibility Advisory Committee, Office of the Inspector General, and Blue Ribbon Committee
 - COG Executive Directors
 - Construction Project Databases

*These stakeholders were encouraged to eblast the Plan to their networks to further broaden the reach.

- Provided presentations on the plan at all five Metro Service Councils, Accessibility Advisory Committee, Citizens Advisory Council, and LA County Commission on Disabilities on the following dates and included a link to the presentation on the Community Relations webpage:
 - San Fernando Valley Service Council- Wednesday, February 3, 2016 at 6:30 pm at Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl
 - San Gabriel Valley Service Council- Monday, February 8, 2016 at 5 pm at Metro Division 9 building (adjacent to the El Monte Station) in El Monte, 3449 Santa Anita Ave, 3rd Floor Service Council Room
 - Westside/Central Service Council- Wednesday, February 10, 2016 at 5 pm at Metro Gateway Headquarters, adjacent to Union Station
 - Accessibility Advisory Committee – Thursday, February 11, 2016 at 10:30 am at Metro Gateway Headquarters, adjacent to Union Station
 - Gateway Cities Service Council- Thursday, February 11, 2016 at 6 pm at Salt Lake Park Community Center in Huntington Park, 3401 E Florence Av
 - South Bay Service Council- Friday, February 12, 2016 at 9:30 am at Inglewood City Hall, One Manchester Bl
 - LA County Commission on Disabilities on Wednesday, February 17 and April 20, 2016 at 1 pm, 500 W. Temple Ave., 3rd floor room 374A

- Citizens Advisory Council- Wednesday, February 24, 2016 at 6:30 pm and Friday, May 6, 2016 at 12pm at Metro Gateway Headquarters, adjacent to Union Station
- Spread the word via Facebook (facebook.com/losangelesmetro), Twitter (@metrolosangeles), The Source, Metro English language blog, and El Pasajero, Metro's Spanish language blog.

In Spring 2016, after the 30-day public comment period, Metro's multidisciplinary committee:

- Tabulated Public Comments.
 - 46 comments were received, including:
 - 3 related to Advisory Councils' Roles
 - 3 related to Environmental Justice
 - 3 were General comments
 - 13 related to Goals and Guiding Principles
 - 3 related to Language Translation
 - 2 related to Media
 - 3 related to PPP examples
 - 2 related to PPP outreach
 - 3 related to Stakeholder outreach
 - 4 related to Service Change outreach
 - 3 related to Service Councils' Roles
 - 2 related to Strategies, Methods and Procedures
 - 2 related to Website and Social Media Policy
- Revised the Draft Plan in response to the public comments.

Afterwards, the 2016 Plan was submitted to the Metro Board of Directors for their consideration.

Attachment 6 - Metro's 2016 Draft Public Participation Plan Comment Matrix and Letter

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
SFV Service Council Chair Michael Cano	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: Is the draft plan in all of the languages that it will be presented?	Verbal: Yes, It's in Armenian, Cambodian, Chinese, Japanese, Korean, Russian, Spanish, Thai and Vietnamese. - Community Relations Manager Karen Swift	No.
SFV Service Council Member Jess Talamantes	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: You forgot Tagalog.	A federally required Four Factor Analysis of Limited English Proficiency (LEP) persons found that with the number of Metro riders, the English fluency reported in this community, and resources available, Tagalog was not one of the eight non-English languages identified in Metro's 2013 LEP Plan.	No.
SFV Service Council Member Yvette Lopez-Ledesma	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: I think this is great. I can't stress enough the value of community outreach, and you've done an excellent job and now it's time to just work on Metro to be really able to make sure this outreach -- let people know about things that are coming like the corridor and the planning process, but also in encouraging people, you know, to use the service.	N/A	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Mr. Timberlake	Mon., Feb 8, 2016	San Gabriel Valley (SGV) Service Council at 5 pm, Metro Division 9 building in El Monte, 3449 Santa Anita Ave, 3rd Floor Service Council room	Verbal: Mr. Timberlake commented on public participation at hearings when a bus line is proposed for cancellation or to be assumed by another municipal operator. He has ridden three of the lines proposed for cancellation and hardly anyone he spoke to on the bus knew about the proposed changes. He suggested placing an 8 1/2" by 11" sign on the bulkhead with information about the bus line. It should be large enough that people see it. Of the 30 people he spoke with, only 2 knew that the line was proposed for cancellation. The take one brochures are not enough to inform people of proposed changes.	Despite Metro's best efforts to notify the public, some stakeholders were unaware of the service change proposals. Staff has taken a step to select time and locations for public hearings that may be scheduled for July 2016 that would affect service. By having this step already completed, additional time is being allowed for Metro to advertise the hearing dates and times and to further provide opportunities for more people to obtain the required information.	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Member Maria Sipin	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I'm looking at the life cycle of community outreach, and it strikes me as really interesting that the Metro service councils seem to be in its own little bubble, in its own world, detached. I would think it would have some relation to community and municipal affairs or have more of a list below it, but I also understand that we focus on bus and rail service issues.	Verbal: All of these core functions relate to one another. The Community Relations Department is comprised of community and municipal affairs managers, construction relations managers, and transit safety managers. Although they are not Metro staff, Service Councils provide them guidance and leadership. Service Councils also provide feedback on the service of the system comes to the community and municipal affairs managers, and that feedback is factored into their activities as well as into the agency's big picture endeavors. - Community Relations Manager Eric Geier	Yes. The Accessibility Advisory Committee and Citizens Advisory Council were added to the Metro Service Councils' unit of the The Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Member Maria Sipin	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I really wanted to hear from you how you think we could operate better in terms of these meetings. I think our last discussion at our last meeting talked about some of our ways that we can improve getting better attendance in this room. Just stepping back, how do you view the service councils and do you have any recommendations you can make in terms of how we can better improve these meetings and how we operate?	Verbal: There have been suggestions to hold the meeting at a different location. I understand the challenges that come along with that, but I also understand the benefits. There's a lot of the services that goes on the Westside. It is the "Westside/Central" service council but as I look around the room and see folks that are from further west, getting Downtown at 5 pm on a weekday night isn't necessarily the easiest thing to do. I think there's definitely credence to seeing about holding the meeting in another location. - Community Relations Manager Eric Geier	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
See above.	See above.	See above.	See above.	<p>Verbal: We also have live web casts, media relations, newsletters, public hearings and social media. While it might not necessarily be apparent from the attendance at the service council meetings, a lot of the times service council members do work outside of the meetings. They inform their own stakeholders and public interest groups about the things that they are educated about and that they weigh in on here at the meetings. They are seen in the community when there are community meetings held for draft EIS/EIR and workshops regarding station naming or other public events. They're all interrelated.</p>	See above.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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See above.	See above.	See above.	See above.	<p>Service councils all vary specifically in terms of the organizational charts under bus and rail service. But over the last year or two particularly, the current Metro Board has been looking more and more towards Service Councils to make sure that everything from fare structures, to bus service changes, to larger projects, are brought before them. Their functions are becoming more integrated. Unfortunately it's not always reflected in the attendance at the meetings. - Service Council Analyst Dolores Ramos</p>	See above.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Member Elliott Petty	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: The FTA requires that the plan be responsive to environmental justice principles. Can you define what those types of principles are that the FTA put forth?	Verbal: We do a Title VI analysis for service changes that studies distributive equity, and who's receiving the services that are being paid for using federal or other tax dollars. That is one of the essential parts, and we look at not only the individuals who are being affected by the projects but the wider community, and that's part of the environmental justice activity. - Deputy Executive Officer Gary Spivack	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: Have transit systems done any disparate impact studies to make sure that your impacts, when you make service changes, aren't impacting certain communities [disproportionately]. If they are, how do you respond to that so that it's very clear?	Verbal: The most basic example I can give is the outreach we provide to different audiences and different languages. Metro studies what language groups use our system and are in L.A. County. As a result of that, information regarding all public meetings is listed in nine languages on the front of every single service council agenda. We also provide translation of major documents on the website, including the draft public participation plan which was translated into nine languages. - Service Council Analyst Dolores Ramos	No.
WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: If you have a service change on a line, does that trigger a public hearing?	Verbal: Yes. In fact, as a result of the public hearing that we're going to have after this meeting, all of the information will be transcribed and put into the analysis, and we will make recommendations back to the service council in March relative to the hearing comments. - Deputy Exeucutive Officer Gary Spivack	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I didn't know if this public participation plan was different than the public hearing policy so I wanted to make sure.	Verbal: It's the whole ball of wax relative to what we're doing as an agency and how we communicate to the public. - Deputy Executive Officer Gary Spivack	Yes. A footnote was added to Goals and Guiding Principles to clarify that the Plan's new Minimum Baseline Thresholds for Public Outreach are in addition to the guidelines for public hearings on fares and service changes.
AAC Board Member	Thu., Feb 11, 2016	Accessibility Advisory Committee (AAC) at 10:30 am, Metro Gateway Headquarters	Verbal: I highly recommend that you add Metro's AAC to the ["Life Cycle of Community Outreach"] process wheel.	Verbal: We think this is a great idea. The graphic will be revised to include the AAC. - Sr. Community Relations Officer Bronwen Keiner	Yes. The Accessibility Advisory Committee and Citizens Advisory Council were added to the Metro Service Councils' unit of the Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more. In addition, a paragraph summarizing the role of the AAC was added to the Goals and Guiding Principles section.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
AAC Board Member	Thu., Feb 11, 2016	Accessibility Advisory Committee (AAC) at 10:30 am, Metro Gateway Headquarters	Verbal: You should have city and county commissions on disabilities on your stakeholder list. Independent Living Councils (ILCs) need to be informed on this as well. We need an email on this so we can distribute it to our contacts, too.	Verbal: An e-blast regarding the PPP was sent to county-wide stakeholder database on Friday, 2/12. Metro asked staff and members of the AAC to forward it along to their own contacts and stakeholders in turn. In addition, contacts for the ILCs and city and county commissions on disabilities will be added to Metro's stakeholder database to receive updates on all Metro's projects, and programs. - Sr. Community Relations Officer Bronwen Keiner	Yes. ILCs and contacts for the city and county commissions on disabilities have been added to the Database of Stakeholders as noted in Attachment 3.
AAC Staff Person Yvonne Price	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: Recommended that the PPP be presented at the LA County Commission on Disabilities (LACCOD) as well.	Verbal: Excellent suggestion. Follow-up: Joanna Lemus provided an update at the LACCOD meeting on 2/16 and Bronwen Keiner provided the presentation at the LACCOD meeting on 4/20. Commissioners provided input at both meetings.	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
J.K. Drummond	Fri., Feb 12, 2016	South Bay Service Council at 9:30 am, Inglewood City Hall, One Manchester Bl	Verbal: J.K. Drummond commented on the Draft Public Participation Plan presentation on Metro's outreach to gather important public input on possible changes to rail and bus service. He feels outreach has been inadequate and in one case distorted. Maps of all the proposed changes should be available at all of the Council meetings along with maps of routes outside of the South Bay. Residents connect with lines outside the South Bay and the changes affect them. The legal descriptions on the public change notice were inadequate. He feels maps are needed.	Metro staff have not traditionally provided maps of service changes at the time that a hearing date is selected. Other brochures describe the change, but do not include maps because of space requirements and costs for advertising. Metro meets all of the requirements for providing information to the public regarding service changes. Metro staff will investigate the possibility of including maps for future notifications.	No.
Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Suggest that Metro have surveys on the bus to gather input from customers who may not have internet accessibility.	Metro surveys its customers twice a year in English and Spanish as well as maintains a website with the survey in the seven other languages identified in Metro's 2013 Limited English Proficiency Plan Four Factor Analysis.	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Comment that input taken at outreach events is not being effectively shared with Metro employees. The impression is that many outreach events are led by consultants who do not make an effort to share the public's concerns.	Good feedback. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. A section was added to the Goals and Guiding Principles explaining that consultants must provide detailed written records of public feedback received to Metro.
Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Comment that some feel that feedback is provided however changes are not seen.	Good feedback. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. A section was added to the Goals and Guiding Principles explaining that Metro must consider all comments received and employ them to affect meaningful change.
CAC Member Tony Banash	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Asked "What is environmental justice?" He hears this buzzword a lot.	Verbal: Responded that "incorporating environmental justice principles into plans, etc." means that Metro is responsible for conducting effective outreach to communities throughout LA County - equitably across geographic regions - including to minority and low-income communities that have been historically disadvantaged. - Sr. Community Relations Officer Bronwen Keiner	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Wally Shidler	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Noted that 80% of Metro ridership is below the federal poverty level, and that this ridership is very diverse. He asked, "What does Metro need to do to get a more economically diversified ridership?"	Verbal: Responded that this was a good comment and would be considered in the updated Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. The Goals and Guiding Principles section was updated to highlight Metro's diverse ridership. A Minimum Baseline Threshold was added to require that Metro look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
CAC Member Seymour Rosen	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Thinks we need to look at transportation differently here in LA County than they do in other cities such as San Francisco, Chicago, etc. because LA is so much larger and spread out geographically.	Verbal: We definitely agree with this point, and we will consider it as we update the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. See above.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Hank Fung read the entire Draft Plan and made several comments/suggestions: o Overall, he thinks it's a good document with lots of good examples. He suggested that the SR710 Conversations be added as they are a very well-done model for public participation and education.	Verbal: Thanked him and replied that this is exactly the type of feedback that we are looking for. All of Mr. Fung's comments will be considered in the update of the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	No.
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: The Plan should clarify "What is Metro's role?". How does Metro differ from Caltrans and the local jurisdictions, etc. in terms of project implementation, funding, etc? On the clarification, basically it's describing how this plan relates to other plans. For instance SCAG and Caltrans have their own PPPs, how does this relate, which one is followed for planning activities like the SR-710 North project? Because, in that project, Caltrans is preparing the EIR but Metro is involving in funding it through Measure R. Email Follow-Up (3/12/16): Coordination/relationship between Metro, SCAG, and Caltrans public participation plans - which plan is considered controlling depending on which project?	See above.	Yes. A sentence explaining that when multiple jurisdictions are involved in the same study or initiative (for example, when SCAG, Caltrans and/or other agencies partner with Metro), Metro will ensure that the Minimum Baseline Thresholds outlined in this Plan are upheld, at the least.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: We should re-evaluate whether to use traditional Chinese or simplified Chinese in the written translation. Simplified Chinese is used among more recent immigrants and people from Taiwan whereas traditional Chinese is used by older immigrants from mainland China. So there are political implications. Email Follow-up (3/12/16): - Recognize diversity of Asian community, particularly Chinese (Simplified and Traditional Chinese writing, Mandarin and Cantonese dialects, among others).	This comment is important and will be considered in Metro's 2016 Limited English Proficiency Plan Four Factor Analysis.	No.
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: There should be a broad social media policy that covers all of Metro's social media pages and it should be welcoming to encourage an active dialogue, free speech and a variety of opinions. For example, Hank was blocked from the ExpressLanes Twitter page for posting something controversial but not foul or defamatory, yet he is still actively posting on the Metro general Facebook page. Why was he blocked from one and not the other? The policies need to be consistent.	Both Hank Fung and Erik Griswold have been unblocked from the ExpressLanes Twitter page.	Yes. An explanation of Metro's social media monitoring was included in the Online Communications section of the Strategies, Methods and Procedures. A sentence was added to note that Metro's Comment Guidelines will be updated to include platforms such as Twitter, Instagram, and other social media platforms as needed. Staff will also be trained on the policy.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
See above.	See above.	See above.	<p>Email Follow-Up (3/12/16): - Need a social media policy, especially for blocking. Public agencies should not be blocking people from reading their tweets or comments - this should be a hard and fast rule. If people are being abusive then the proper tool is to mute the person, or block them from posting comments on Facebook or the comment board in question. In particular, Erik Griswold's critical tweets on the Expresslanes site were not abusive and he should be unblocked. When individuals are muted, there needs to be a process of warning that person and due process. If they are making threats against Metro personnel or property, there should be existing procedures to refer them to law enforcement to determine if they are a threat and take appropriate action.</p>	See above.	See above.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Hank Fung	3/12/2016	Email	Need to have community meetings in transit accessible locations, and at times accessible to the public. Public hearings, especially, like at the sector councils need to be held at 6 pm or later, in places where there is transit access until 8 or 9 pm. For events and workshops that gear to both practitioners and nonprofits, put them in the late afternoon. I think the time for the active transportation plan workshops, for example, in the late afternoon were a good example, to allow people to participate in their work time if it is work related, while interested stakeholders not participating for work can leave early to attend. Also, live stream these meetings to allow those who are not present to watch presentations. This is easy to do with Periscope and Ustream, and has been done before with some Metro projects - but needs to be more consistent.	Verbal: Thanked him and replied that this is exactly the type of feedback that we are looking for. All of Mr. Fung's comments will be considered in the update of the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. A Minimum Baseline Threshold on "Community Meeting Locations and Times" was added to the Goals and Guiding Principles to require that all Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at night and on the weekends. Venues will also be near the communities of interest. In addition, Periscope was added to the Strategies, Methods and Procedures section under "Additional approaches to communications" as a way Metro may often live streams community meetings.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Hank Fung	3/12/2016	Email	When there are presentations for CAC, steering committees like 710 TAC, etc. they should be posted within 7 days of them being presented. Once it is going out at a public meeting, it should be for public consumption. Create a policy for posting handouts, documents, etc. so that they are all online so people who couldn't make in person meetings have access to documents.	See above.	Yes. A Minimum Baseline Threshold on "Community Meeting Noticing" was added to the Goals and Guiding Principles to require that stakeholders are given a minimum of 10 days' notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. It also requires that meeting and hearing materials will also be posted online for those who are unable to attend in person.
CAC Member Hank Fung	3/12/2016	Email	News sites: Include Antelope Valley news outlets like the Antelope Valley Press, Antelope Valley Times, Time Warner Cable NewsChannel Antelope Valley, etc. The Antelope Valley is part of LA County, too!	See above.	Yes. Antelope Valley news outlets, include Antelope Valley Press, Antelope Valley Times, Time Warner Cable News Channel Antelope Valley were added to Metro's Database of Media outlined in Attachment 4.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Hank Fung	3/12/2016	Email	I think Metro could do better outreach to suburban city councils. Major utilities and County departments often attend city council meetings to share progress of items and projects. It would be nice for Metro to make presentations to the city councils of some of these outlying cities so that elected officials can feel connected to the agency and know what is going on. Work with the city managers to get a block of time, but even if it's not available, showing up to a public meeting and giving a three minute summary of activities every few months would help.	See above.	Yes. A Minimum Baseline Threshold was added to the Goals and Guiding Principles section to require that Metro look at community decision-making processes through several lenses, including rural areas. In addition, a paragraph was added to the Implementation of Guiding Principles ensuring that a lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhanced existing partnerships with cities and stakeholders and regularly attend city council meetings.
CAC Member Jerard Wright	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Jerard Wright asked if there was a Source article about the Draft Plan.	Verbal: Yes, the link to the Source article is here: http://thesource.metro.net/2016/02/14/for-your-consideration-metros-draft-public-participation-plan/ - Sr. Community Relations Officer Bronwen Keiner	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Bill Weisman	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Bill Weisman commented that he has been active on the SR710 Community Advisory Committee. He said he's noticed that some Metro projects have contracted with outside consulting firms and some haven't. He asked, "What is the criteria for whether an outside consultant is hired?" He also noted that with the I-710 S lane addition and other projects, communities in historically disadvantaged neighborhoods are disproportionately affected by proposed infrastructure projects than others in more affluent areas.	Verbal: Traditionally Metro contracts with outside consultants if a project is large in size and has a definitive time-frame and scope of work. Metro typically contracts with outside consultants for projects in the environmental phase but typically not in construction or transit safety programs. The comment on disproportionate impacts is also noted. - Sr. Community Relations Officer Bronwen Keiner and Community Relations Manager Danielle Valentino	No.
CAC Member Darrell Clarke	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Darrell Clarke noted that Metro does a good job with our capital projects, but day-to-day operational issues are increasingly important. We need to do a better job of communicating with the public on operational issues, updates and challenges. Many CAC discussions revolve around this topic of operations and special attention to operations outreach should be highlighted in the Draft Plan.	Verbal: This is an excellent comment that will be considered as we update the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. A paragraph was added to the Implementation of Guiding Principles section outlining Metro's pressing need to resolve operational issues as the system ages and expands and guidelines for how Community Relations, Service Councils and advisory committees will communicate and coordinate to address daily operational issues, updates and challenges.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
CAC Member Tony Banash	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Tony Banash commented that the Citizens Advisory Council (CAC) has a clearly outlined mandate and code of conduct (Tony was specifically commenting on the short paragraph that is printed on the back of the CAC Agenda template that has been used since 2003). Follow-up: Per Tony's feedback, Metro needs to more clearly describe what the CAC does and to not repeat what in the past has resulted in a "gag order" on comments by CAC members.	Verbal: We think this is a great idea. The graphic will be revised to move the CAC into the Service Councils and Advisory Committees unit. More detailed information is also being added on the CAC's purpose and mandate.- Sr. Community Relations Officer Bronwen Keiner	Yes. The CAC and Accessibility Advisory Committee were added to the Metro Service Councils and Advisory Committees' unit of the Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more. In addition, details clarifying the CAC's purpose and mandate were added to the Goals and Guiding Principles section.
CAC Member Dalila Sotelo	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Dalila Sotelo asked presenter Bronwen Keiner to return in May to provide feedback on what we heard from constituents and explain how we incorporated their comments, suggestions and edits into the Draft Plan. That way the CAC could review the Final Draft before it is submitted to the Board for their consideration in the Fall.	Verbal: Bronwen responded that she would return in May to report on the updated Plan and would also provide a report on the updated Four Factor Analysis (focus groups on multi-lingual outreach in LA County). - Sr. Community Relations Officer Bronwen Keiner Follow Up: Bronwen Keiner and Jeff Boberg presented to the CAC Executive Committee on 5/6.	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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Commission Member	Wed., Apr 20, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: This is a very thorough process that Metro goes through for outreach. I would like to suggest that contacts for the Regional Centers in LA County (offices for individuals with developmental disabilities and their families) should be in your database to receive updates and information. A lot of people there accessing those services also ride the bus.	This is an excellent comment. Community Relations will ensure that contacts for the LA County Regional Centers are already in or have been added to Metro's outreach database and will receive information and updates on all of Metro projects, programs and initiatives.	Yes. Contacts for the LA County Regional Centers have been added to Metro's Database of Stakeholders as noted in Attachment 3.
Aaron Paley	3/4/2016	Email	Just read it over. Looks fine to me! Thank you for sharing.	N/A	No.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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Jim Stoker	3/4/2016	Email	<p>1. Large areas of Los Angeles County have been left out of this plan. In particular, Palmdale and Lancaster seem to be missing in action. High desert residents already feel abandoned by most government agencies.</p>	<p>These comments - #1 regarding a need for outreach to the High Desert Corridor and #2 a need for Metro to engage the average commuter at every decision opportunity - were considered in the update of the Plan and related changes were made to the Goals and Guiding Principles.</p>	<p>Yes. 1. A Minimum Baseline Threshold was added to the Goals and Guiding Principles section to require that Metro look at community decision-making processes through several lenses, including rural areas. In addition, a paragraph was added to the Implementation of Guiding Principles ensuring that a lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhanced existing partnerships with cities and stakeholders and regularly attend city council meetings.</p>

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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See above.	See above.	See above.	<p>2. The most vexing issue with the Metro Community Relations activities has been completely missed: That this group merely advances existing Metro strategies and projects. There is no provision made for hearing and acting on proposals for new projects, alternatives to existing projects, or outside expert opinions relating to proposed or ongoing Metro projects. In short, the Community Relations plan merely describes how Metro will work to manipulate public opinion to its own ends. Probably this is why most current Metro programs are totally irrelevant to the average commuter – except for painful fact that those same commuters are being asked to PAY for those projects.</p>	See above.	<p>2. Metro established eight Minimum Baseline Thresholds for Public Outreach to ensure that the public is involved in all stages of the life cycle of each project, program or initiative, from planning to operations. The Plan encourages public participation at every decision opportunity so that all perspectives are heard and everyone, particularly the average commuter, has a say on everything from changes bus and rail service, new projects in planning and in construction, fares and other programs.</p>

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

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See above.	See above.	See above.	3. This plan fails to address the importance of giving voice to those who will be significantly impacted – either positively or negatively, in the near term or long run – by Metro projects. In fact, recent experience has shown that the hearings are slanted toward and located near only those segments of the population who might see a project in positive light. The intent seems to be to create the impression of unanimous support and commendation of Metro programs.	3. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. 3. A section was added to the Goals and Guiding Principles to explain that Metro is required to consider all comments received - positive and negative - and employ them to affect meaningful change. It also requires that Metro pay particular attention to those who will be significantly impacted, especially those who rely on walking, bicycling, buses and trains to meet their daily needs.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
See above.	See above.	See above.	<p>4. Lastly, this plan fails to deal with the “elephant in the room”: the prevailing public sentiment that Metro has, for decades, spent lavishly without accomplishing anything. Vast, expensive Metro transportation initiatives have been total failures in terms of ridership and benefit to the communities they were meant to serve. Community Relations staff must do the impossible: address decades of negative public sentiment concerning Metro in particular, and Public Transportation in Los Angeles county in general. This will require a radical departure from any strategy ever employed by Metro in trying to shape public opinion – and probably a rebuilding of the entire transit agency from the ground up.</p>	<p>4. This comment is an opinion that Metro's transportation initiatives have been total failures. We respectfully disagree. Metro's investments in public transportation throughout LA County have improved the quality of life for millions of Angelenos. Ridership exceeds 450 million rides a year, 1.4 million rides a day, on 2,200 buses and 99 miles of rail and subway. The system helps ease congestion and get people where they want to go. Metro is expanding through the public's investment, and we have a strong foundation in place to plan for future transportation needs.</p>	<p>4. No change was made to the Plan.</p>

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Richard Stanger	3/9/2016	Email	Thanks for the opportunity to comment on the public participation process. Metro needs to make sure its web pages for the projects are up-to-date. For example, the drawings for the Expo II line have been those for Expo I from the beginning. If the public wants to compare the progress on Expo II with the EIS/R drawings, that has never been possible. (This may be the first time someone's pointed this out, which of course is no excuse.)	This comment is appreciated and was transmitted to the web team. Follow-up: Metro's updated Expo Line Phase 2 to Santa Monica website debuted in April 2016: https://www.metro.net/projects/expo-santa-monica/ . It includes links to the Expo Phase 1 website and www.buildexpo.org website which provides links to the Expo EIR for both phases.	Yes. A phrase was added to the Online Communications section under Strategies, Methods and Procedures to ensure that project landing pages are kept up-to-date with the newest maps and information.
Ann Dorsey	3/10/2016	Email	I am quite impressed with the measures that Metro takes to make it possible for the public to provide feedback regarding Metro Projects. I appreciated being able to comment on the EIR for the plans to extend the 710. It is difficult for me to be at meetings so having the option to read over and comment on projects through the internet makes it possible for me to participate.	This comment is appreciated, and an update to the Plan will be made.	Yes. A Minimum Baseline Threshold on "Community Meeting and Public Hearing Noticing" was added to the Goals and Guiding Principles to, among other things, require that meeting and hearing materials are posted online for those who are unable to attend community meetings in person.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Kevin Burton	3/10/2016	Email	This is a comment on Metro's Draft Public Participation Plan. In the section on Metro's Los Angeles County Stakeholders, p. 5, please add a short paragraph describing Metro's Bicycle Roundtable, which provides a regular forum for L.A. County's bicycle community to engage with Metro staff on its Bike Planning services for bicyclists, including the Bike Share Program, which among other things helps address first mile/last mile issues. Such stakeholder participation will increase in importance as bicycling becomes ever more integrated into Metro's transportation system.	This is a great suggestion. The Plan will be revised to include Metro's multiple non-elected planning and advisory committees.	Yes. Three paragraphs were added to the end of the Goals and Guiding Principles section describing Metro's multiple non-elected planning and advisory committees, including the Bicycle Roundtable. These committees provide important guidance and leadership on a variety of Metro projects, programs and subject-area initiatives.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Rey Fukuda	3/11/2016	Email	<p>To whom it may concern: Little Tokyo Service Center would like to add the following comments to the Draft Plan.</p> <p>General:</p> <ul style="list-style-type: none"> - provide more time for public comment (the email was received this Monday, so we had 5 business days to comment) - have Japanese translation done by someone fluent in Japanese (the translation was very very hard to understand) <p>How to hold meetings:</p> <ul style="list-style-type: none"> - have more visuals in the plan, pictures of meetings, examples of committees etc - use of participatory planning tools for things like mapping - using popular education methods at meetings such as many visuals, interactive activities, use of real life examples, art 	<p>These are excellent suggestions. Although the Plan was circulated for a 30-day comment period, this stakeholder said he only had 5 business days to comment. Language translation should be provided by fluent language speakers. In addition, meetings should employ visual and participatory planning tools. The Plan will be updated to reflect these comments.</p>	<p>Yes. A bullet was added to the Strategies section to ensure that if Metro is requesting public feedback, stakeholders are given sufficient lead time to provide comments: 30-days at a minimum. In the Goals and Guiding Principles, two Minimum Baseline Thresholds on Language Translation were added to ensure that translation is performed by fluent speakers. In addition, a Minimum Baseline Threshold on Non-traditional Popular Education Methods was added to ensure that Metro uses visual and interactive educational methods to increase public awareness and understanding.</p>
Rey Fukuda	3/11/2016	Email	<p>Outreach:</p> <ul style="list-style-type: none"> - using bus and train ad space to promote meetings - flyering on busses and trains for specific area meetings (match the train with meeting. e.g. Goldline Mariachi Plaza for a Boyle Heights specific meeting) 	<p>These are great suggestions. The Plan will be updated to reflect these comments.</p>	<p>Yes. A Minimum Baseline Threshold on Community Meeting Noticing was added to the Goals and Guiding Principles to ensure that ads and take-one notices are placed on adjacent buses and trains for specific area meetings whenever possible.</p>

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Rey Fukuda	3/11/2016	Email	Ethnic Media outlets - rename "Other" to "Other including Asian and Jewish media" (or some description instead of just other) Under "Other" add the following: - Bridge - Frontline - LaLaLa - Vivinavi - Nikkansan - Japan Up TV - UTB - NHK	See above.	Yes. The Database of Media "Other" section was renamed to "Other, including Armenian, Asian and Jewish media" and updated to include the outlets noted here.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Joanne Kumamoto	3/17/2016	Email	I spoke to Ann Kerman on Monday regarding some thoughts on the draft Public Participation Plan on some general observations, not such a cookie cutter approach to Public Participation. Look at neighborhood and community decision making process through several lenses, including neighborhood and community values in Los Angeles County (urban/rural, special ethnic and cultural pockets, etc.) Community structures. Inclusion and/or exclusion of the METRO process. Ann suggested I send my observations in and that the staff will figure out how to include these in the plan.	Metro agrees wholeheartedly with these suggestions, and a new Minimum Baseline Threshold will be added to the Plan reflecting this key principle.	Yes. A Minimum Baseline Threshold on Neighborhood/Community Lenses was added to the Goals and Guiding Principles. This key principle will ensure that Metro utilizes an inclusive and tailored approach to public participation at every at every decision opportunity, paying particular attention to neighborhood and community values in Los Angeles County and users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Investing in Place	3/11/2016	Letter via John Guevarra, Communications and Research Associate, Investing in Place	See attached comment letter.	The thoughtful and insightful letter from Investing in Place - particularly their comments about inclusive, multilingual and socioeconomically equitable outreach - are excellent suggestions that have contributed to several updates to the Plan. We agree that as the system expands, it is critical that Metro bridges connections with communities and individuals who have deep relationships and insights into community specific needs and tailors outreach to users with the most need.	Yes. Several key principles have been incorporated into the Plan to reflect these excellent comments. #1) The Goals and Guiding Principles section has been updated to reflect the acute need for Metro to deepen relationships with stakeholders county-wide, particularly with those who have the greatest need who use public transit as a primary method of getting around. As suggested, a key principle from the USC Program for Environmental and Regional Equity was incorporated as a Minimum Baseline Threshold to ensure that public outreach targets users who rely on walking, bicycling, buses and trains to meet their daily needs.

**Metro's 2016 Draft Public Participation Plan
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
See above.	See above.	See above.	See above.	See above.	<p>#2) New Minimum Baseline Thresholds incorporated the suggestions to provide community meetings and materials in multiple languages, hold meetings that are flexible around working hours and encourage meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips. #3) Additional Thresholds were added to ensure that the surrounding neighborhoods and civic engagement organizations are involved at every decision making opportunity and that popular education programs are utilized to increase awareness and understanding.</p>

March 11, 2016



Metro Community Relations
One Gateway Plaza, MS 99-13-1
Los Angeles, CA 90012

VIA EMAIL: communityrelations@metro.net

Re: Feedback on Metro's Public Participation Plan (PPP)

Dear Metro Office of Community Relations,

We the undersigned thank you for the opportunity to comment on Metro's Public Participation Plan (PPP). We commend Metro's Office of Community Relations for updating the PPP and adhering to the Federal Transit Administration's Title VI standards of the Civil Rights Act of 1964.

After reviewing Metro's PPP, in theory, it is on the right track to ensuring broad community engagement. That said, many of Metro's strategic elements listed on page 11 are great on paper and in practice, we believe the USC Program for Environmental and Regional Equity (USC PERE) report, "An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County,"¹ and Prevention Institute's Healthy, Equitable, Active Land Use (HEALU) Network platform² can serve as a valuable resource for fulfilling Metro's methodology of public participation. For instance, Metro should continue bridging connections with community-specific projects by working with community development organizations that have deep relationships and insights into community specific needs and opportunities, have planning expertise and explore unconventional - but effective - approaches like popular education programs to explain harder to decipher technical details.

To summarize a section on community engagement from the USC PERE report, the four following principles can help ground Metro's public participation process:

- Ensure the surrounding neighborhoods and the fabric of civic engagement organizations are involved in all stages of the planning process, especially users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
- Ensure that community input is reflected in the research, policy alternatives, and project outcome indicators.
- Ensure that any conflicts represented in community dialogue are worked through and not just avoided.
- Last, ensure that partnerships are sustained from project to project.

¹ USC Program for Environmental and Regional Equity. (2013). An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County. https://dornsife.usc.edu/assets/sites/242/docs/Executive_Summary_Agenda_for_Equity_PERE_A.pdf

² Prevention Institute. (2016). Healthy, Equitable, Active Land Use (HEALU) Network platform. *Forthcoming.*



In addition, Prevention Institute’s forthcoming report can provide guiding points for an equitable public participation process:

- Target investments for community-based “anchor” organizations to build and sustain community engagement in land use processes.
- Invest resources for anchor organizations to elevate the scope and scale of existing community-level training and capacity building initiatives (including collateral materials) to maximize their collective impact and improve health equity outcomes.
- Develop inclusive outreach and public engagement standards modeled on the City of Seattle’s *Inclusive Outreach and Public Engagement* approach.
- Develop and promote early consultation and engagement practices for major land use projects that are grounded in a health equity ethos. Government agencies, the private sector, and community-based anchor organizations should collaborate to ensure healthy equitable and active land uses.
- Prioritize engagement in “high need” or “disadvantaged” communities following Seattle’s example; that city’s Department of Transportation devotes particular attention to engaging people in neighborhoods with high concentrations of immigrants, walking seniors, children, low-income households, and traffic injury “hot spots.”
- Infuse an ethos of equity into high-visibility development initiatives like the development of Transit Oriented Communities. This initiative can explicitly prioritize healthy, equitable development for the communities that need it most; this includes protecting low-income communities from the negative health impacts of displacement.
- Pilot innovative land use policies and projects in low-income communities of color, and apply the lessons learned from successful efforts to drive policy change.

Specifically, Metro should continue strengthening stakeholder engagement on project selection and investment allocation.

A particular best practice we have seen at Metro, and we applaud, is the Corridor Advisory Group (CAG) process on page 24 and 25, particularly on Metro’s Express Lanes efforts. We commend the CAG for ensuring diverse and meaningful public engagement and efforts with local community based organizations. Jessica Meaney, Managing Director of Investing in Place, and several other community-based organizations were invited to a participant in Metro’s Express Lanes CAG and appreciate the opportunity to be involved in all stages of the project process and have the opportunity to impact project and funding outcomes. We believe the CAG process can be improved with not only engaging stakeholders for the entire project timeline, but to sustain and grow the relationships with stakeholders in the area for the entire lifecycle of the project.

Los Angeles County Metropolitan Transportation Authority (Metro) is unique among the nation’s transportation agencies. It serves as transportation planner and coordinator, designer, builder and operator for one of the country’s largest, most populous counties. More than 9.6 million people – nearly one-third of California’s residents – live, work, and play within its 1,433-square-mile service area. Metro is responsible for the continuous improvement of an efficient and effective

transportation system for Los Angeles County for all types of travel - highways, buses, trains, local roads and sidewalks. Because transportation shapes communities' access to health-promoting resources like jobs, housing, healthy food, safe places to play and be physically active, and more, Metro has a unique opportunity to shape the health of Angelenos. Prioritizing engagement and investments in “high need” or “disadvantaged” communities would infuse an ethos of health equity into Metro’s work and set a precedent for other regions across the nation.

With an unprecedented opportunity to invest in our transportation system given Measure R and a potential 2016 transportation sales tax measure, we believe it’s critical that Metro continue to grow and expands its efforts to engage the public in a meaningful and equitable way by structuring their engagement process based on best practices. With the fact that many Spanish-speaking and low-income communities use our public transportation as a primary method of getting around, and over half of Los Angeles County will be Latino by 2040, we highly recommend Metro continue to emphasize access to multi-lingual resources, holding meetings that are flexible around working hours, measure the effectiveness of community outreach, and to encourage meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.

We appreciate Metro’s commitment to achieving their objective of sustaining quality relationships with stakeholders early and being accountable to the public participation process. Please contact Jessica Meaney at (213) 210-8136 or jessica@investinginplace.org with any feedback or questions on this letter.

Sincerely,

Megan McClaire
Director of Healthy City
Advancement Project California

Wesley Reutimann
Project Director
Bike San Gabriel Valley

Jessica Meaney
Managing Director
Investing in Place

Tamika Butler
Executive Director
Los Angeles County Bicycle Coalition

Veronica Padilla-Campos
Executive Director
Pacoima Beautiful

Manal J. Aboelata, MPH
Managing Director
Prevention Institute

Sandra McNeill
Executive Director
T.R.U.S.T. South LA

Fernando Cazares
California Manager, Climate-Smart Cities
Trust for Public Land



Board Report

File #: 2016-0625, File Type: Contract

Agenda Number: 34.

EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

SUBJECT: RENEWAL OF LEASE AGREEMENT WITH CALTRANS AT LOCATION 403

ACTION: AUTHORIZE THE CEO TO EXECUTE THE RENEWAL OF A FIVE-YEAR LEASE AGREEMENT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Location 403 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years.

ISSUE

Metro staff has negotiated the renewal of the lease agreement with Caltrans to provide for the continued use of Location 403 for employee parking.

Approval of the lease agreement requires board approval.

DISCUSSION

Metro has leased Location 403 from Caltrans since 1999 for employee parking for Division 2. This site is located under the Santa Monica Freeway at the southeast intersection of 16th Street and Griffith Avenue. This site consists of approximately 72,825 square feet and provides parking for approximately 200 employees.

The current lease expired on September 30, 2015 and has continued on month to month holdover. The current monthly rent is \$9,949.

Negotiations for a new five-year lease commenced in June 2015, however, the negotiations were unusually protracted due to Metro's efforts to negotiate competitive rental rates. Metro staff appraised the site and concluded that the fair market rental rate for this site is approximately \$11,600 per month or \$0.16 per square foot. Caltrans and Metro staff subsequently agreed to this rental rate. Staff believes that the new rental rate for this location is fair and reasonable.

Staff is developing a facility master plan to assess and optimize the use and service deployment at the Bus Divisions. Division 2 is included in the assessment, and this may impact the use of Location 403. If an alternative or modified facility use is identified for Division 2, the lease terms include a termination clause that states the lease may be terminated by either party, given 90-day prior notice.

DETERMINATION OF SAFETY IMPACT

This Board Action will not have an impact on safety standards for Metro operations.

FINANCIAL IMPACT

Current funding for the payment of rent for the lease is included in the FY17 budget in cost center 0651, Non-Departmental Real Estate, under project number 306006, task number 01.001, Bus Operations. The total rental cost for the lease for the term covering October 1, 2016 to September 30, 2021 is estimated to be \$739,000. The cost center manager, DEO of Real Estate, will budget the cost in future years.

Impact to Budget

The source of funds for this lease agreement will come from Federal, State, and Local sources that are eligible for Operating projects.

ALTERNATIVES CONSIDERED

The alternative is to not approve the lease agreement. This alternative is not recommended because Location 403 provides employee parking for staff at Division 2. The location is paved and fenced. There are no available properties in the area that could replace this location. Caltrans cannot sell this property because it is airspace under the freeway.

NEXT STEPS

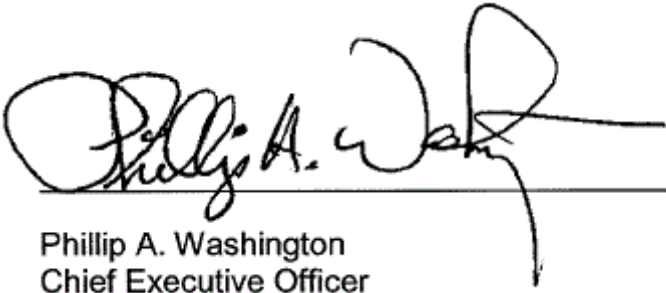
Execute the lease agreement with Caltrans, subject to County Counsel approval as to form.

ATTACHMENTS

Attachment A - Plot Plan for Location 403
Attachment B - Summary of Lease Agreement Key Terms

Prepared by: Thurman Hodges, Director, Real Property Management & Development,
(213) 922-2435
Velma C. Marshall, Deputy Executive Officer- Real Estate, (213) 922-2415
Calvin Hollis, Senior Executive Officer, (213) 922-7319

Reviewed by: Therese McMillan, Chief Planning Officer, (213) 922-7077



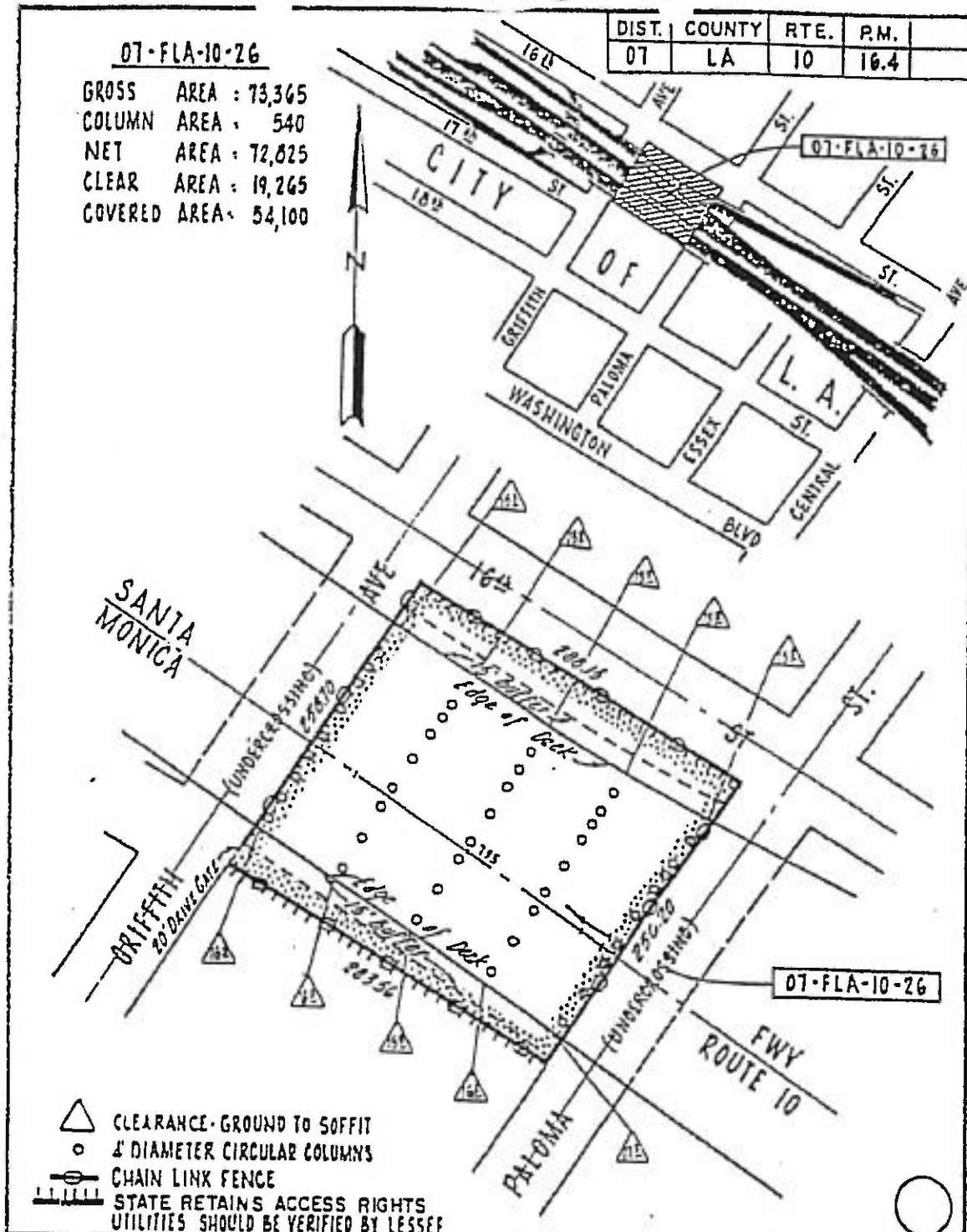
Phillip A. Washington
Chief Executive Officer

PLOT PLAN FOR LOCATION 403

07-FLA-10-26

GROSS AREA : 73,365
 COLUMN AREA : 540
 NET AREA : 72,825
 CLEAR AREA : 19,265
 COVERED AREA : 54,100

DIST.	COUNTY	RTE.	P.M.
07	LA	10	16.4



- CLEARANCE - GROUND TO SOFFIT
- 4' DIAMETER CIRCULAR COLUMNS
- CHAIN LINK FENCE
- STATE RETAINS ACCESS RIGHTS UTILITIES SHOULD BE VERIFIED BY LESSEE

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION - DISTRICT 07

INVENTORY **FREWAY LEASE AREA**

07-FLA-10-26

SCALE: NONE
 DRWN: DF CHKD: KD
 DATE: OCT. 1982
 25659-C

REF. MAP: F2080-2 APPR MAP 25037-C

ATTACHMENT B

SUMMARY OF LEASE AGREEMENT KEY TERMS

Premises	The Premises for Location 403 consists of consists of approximately 72,825 square feet and is located at the southeast intersection of 16 th Street and Griffith Avenue.
Term	The term of the lease agreement is five (5) years commencing October 1, 2016. Metro has the option to extend the term of the lease for an additional five-year (5-year) period with 180 days prior written notice.
Rent	Metro shall pay Caltrans a fixed monthly rental, in the amount of Eleven Thousand Six Hundred (\$11,600) Dollars, for the first year of the Lease term. The rent increases three percent (3%) per year over the term of the lease and any extension.
Use	Location 403 is used for employee parking for Division 2.
Termination	The lease may be terminated by either party on 90-days prior written notice.



Board Report

File #: 2016-0626, File Type: Contract

Agenda Number: 35.

EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

SUBJECT: RENEWAL OF LEASE AGREEMENT WITH CALTRANS AT TERMINAL 28

ACTION: AUTHORIZE THE CEO TO EXECUTE THE RENEWAL OF A FIVE-YEAR LEASE AGREEMENT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Terminal 28 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years.

ISSUE

Metro staff has negotiated the renewal of the lease agreement with Caltrans to provide for the continued use of Terminal 28 for Bus Operations.

Approval of the lease agreement requires board approval.

DISCUSSION

Metro has maintained Terminal 28 as a bus layover site since 1976. The terminal is located under the Santa Monica Freeway at the southeast intersection of Hill Street and 17th Street. This site, which consists of approximately 68,135 square feet, accommodates buses serving the downtown area, West Los Angeles, the San Fernando Valley, El Monte, and the San Gabriel Valley. Terminal 28 is a critical location for layovers because there is insufficient on-street parking in the Central Business District for the buses. The site also services as a staging area for buses during special events and is the only close-in location that has adequate restroom facilities for the bus operators.

The current lease expired on December 31, 2014 and has continued on month to month holdover. The current monthly rent is \$10,023.

Negotiations for a new five-year lease commenced in June 2014, however, the negotiations were unusually protracted due to Metro's efforts to negotiate competitive rental rates. Based on their rental survey, Caltrans had requested an increase to \$15,000 per month or \$0.22 per square foot for

Terminal 28. Metro staff appraised the site and concluded that the fair market rental rate for Terminal 28 is approximately \$11,600 per month or \$0.17 per square foot. Caltrans and Metro staff subsequently agreed on this rental rate.

Staff believes that the new rental rate for this location is fair and reasonable.

DETERMINATION OF SAFETY IMPACT

This Board Action will not have an impact on safety standards for Metro operations.

FINANCIAL IMPACT

Current funding for the payment of rent for this lease is included in the FY17 budget in cost center 0651, Non-Departmental Real Estate, under project number 306006, task number 01.001, Bus Operations. The total rental cost for this lease for the term covering October 1, 2016 to September 30, 2021 is estimated to be \$739,000. The cost center manager, DEO of Real Estate, will budget the cost in future years.

Impact to Budget

Source of funds for this lease renewal will come from Federal, State, and Local sources that are eligible for Operating projects.

ALTERNATIVES CONSIDERED

The alternative is to not approve the lease agreement. This alternative is not recommended because Terminal 28 is critical for bus operations. The location is paved, fenced and includes bus operator rest room facilities. There are no available properties in the area that could replace this location. Caltrans cannot sell this property because it is airspace under the freeway.

NEXT STEPS

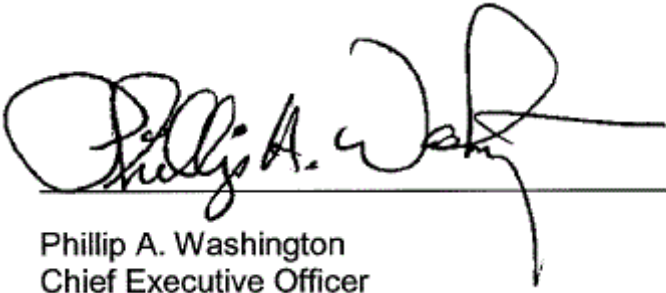
Execute the lease agreement with Caltrans, subject to County Counsel approval as to form

ATTACHMENTS

Attachment A - Plot Plan for Terminal 28
Attachment B - Summary of Lease Agreement Key Terms

Prepared by: Thurman Hodges, Director, Real Property Management & Development,
(213) 922-2435
Velma C. Marshall, Deputy Executive Officer- Real Estate, (213) 922-2415
Calvin Hollis, Senior Executive Officer, (213) 922-7319

Reviewed by: Therese McMillan, Chief Planning Officer, (213) 922-7077

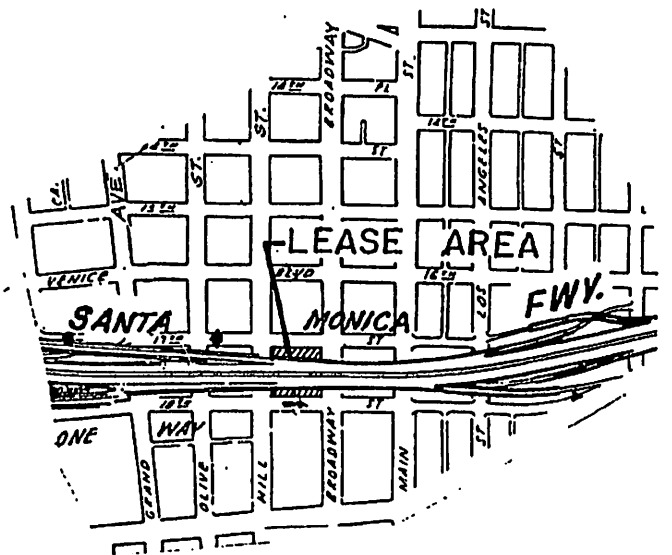
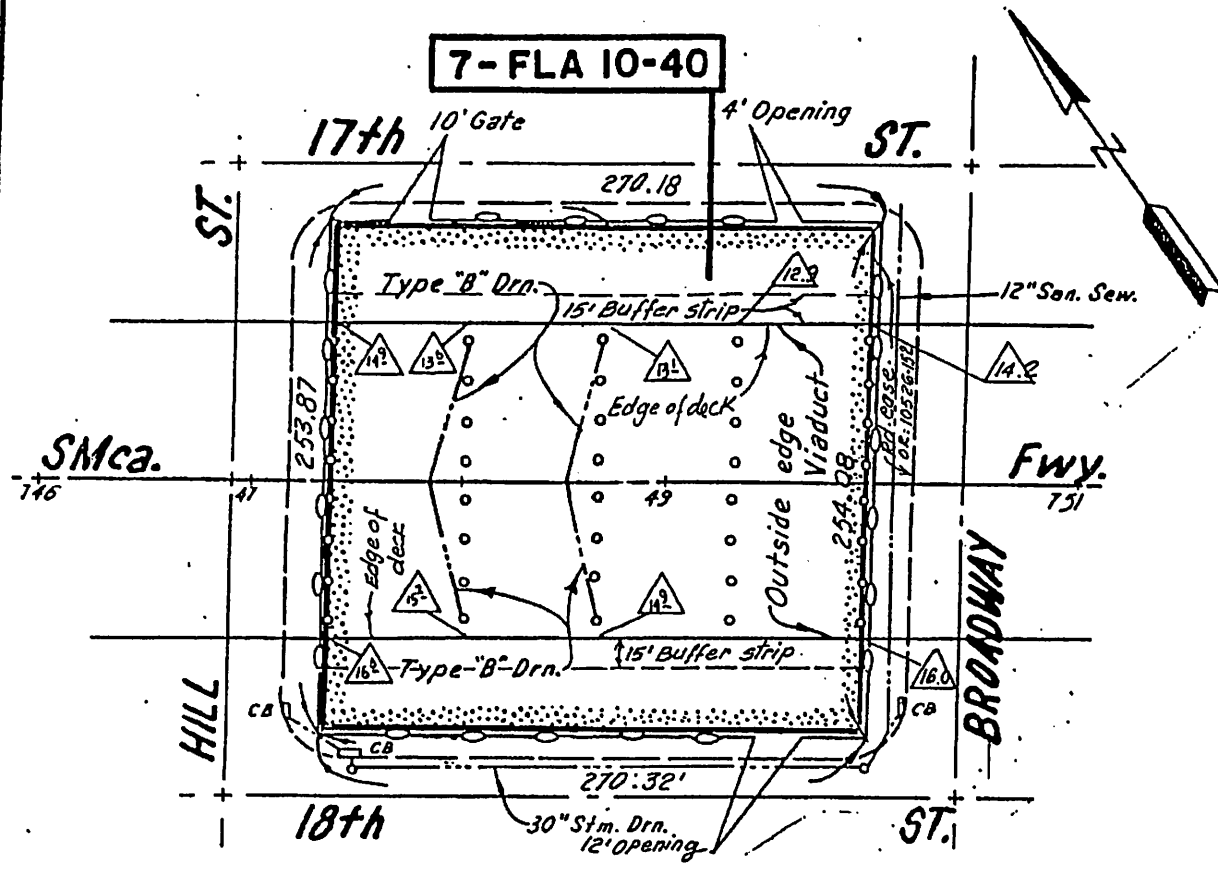


Phillip A. Washington
Chief Executive Officer

CITY OF LOS ANGELES

DIST.	COUNTY	RTE.	P.M.
07	LA	10	15.4

7-FLA 10-40

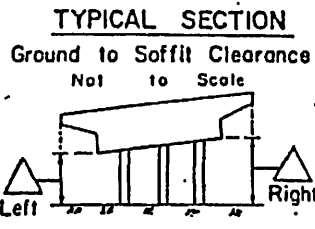


APPROXIMATE AREAS

COVERED AREA	= 42,029 SF
CLEAR AREA	= 28,608 SF
GROSS AREA	= 68,637 SF
COLUMN AREA	= 502 SF
NET AREA	= 68,135 SF

- CHAIN LINK FENCE
- 4' DIAMETER CIRCULAR COLUMN
- |||| STATE RETAINS ACCESS RIGHTS

NOTE: Complete and Accurate Utility Data Should Be Verified By The Lessee



STATE OF CALIFORNIA- DEPARTMENT OF TRANSPORTATION- DISTRICT 07

EXHIBIT A FLA 07-LA 10-40 "A"

SCALE: NONE
DRAWN: LG CHKD: JCH
DATE: 10-12-89
25425-C

PLOT PLAN FOR TERMINAL 28

ATTACHMENT A

ATTACHMENT B

SUMMARY OF LEASE AGREEMENT KEY TERMS

Premises	The Premises for Terminal 28 consists of approximately 68,135 square feet and is located at the southeast intersection of Hill Street and 17 th Street..
Term	The term of the lease agreement is five (5) years commencing October 1, 2016. Metro has the option to extend the term of the lease for an additional five-year (5-year) period with 180 days prior written notice.
Rent	Metro shall pay Caltrans a fixed monthly rental, in the amount of Eleven Thousand Six Hundred (\$11,600) Dollars, for the first year of the Lease term. The rent increases three percent (3%) per year over the term of the lease and any extension.
Use	Terminal 28 is used as a bus layover yard and as a staging area for buses during special events.
Termination	The lease may be terminated by either party on 90-days prior written notice.