

Metro

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



Agenda - Final

Wednesday, June 20, 2018

2:00 PM

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

Planning and Programming Committee

Jacquelyn Dupont-Walker, Chair

Hilda Solis, Vice Chair

Kathryn Barger

Mike Bonin

Ara Najarian

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

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

PUBLIC INPUT

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.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the item.

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.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

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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
- d. Any other unlawful interference with the due and orderly course of said meeting.

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Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

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

CALL TO ORDER**ROLL CALL****APPROVE Consent Calendar Item(s): 21, 22, 23**

Consent Calendar items are approved with one motion unless held by a Director for discussion and/or separate action.

CONSENT CALENDAR**21. SUBJECT: LOS ANGELES UNION STATION FORECOURT
AND ESPLANADE IMPROVEMENTS**[2018-0260](#)**RECOMMENDATION**

CONSIDER:

- A. EXECUTE Modification No. 9 to Task Order No. PS2999200FFO2TO1 under Contract No. PS4010-3041-FF-XX, with Kleinfelder, Inc., for the Union Station Master Plan (USMP), to provide additional environmental services in the amount of \$58,293.80 increasing the Total Task Order Value from \$1,079,936.79 to \$1,138,230.59; and
- B. INCREASE Contract Modification Authority (CMA) for Task Order No. PS2999200FFO2TO1 for USMP by \$250,000, from \$250,000 to \$500,000, in support of additional services related to the Project.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Task Order Log](#)
[Attachment C - DEOD Summary](#)
[Attachment D - Project Map](#)
[Attachment E - Project Funding](#)

22. SUBJECT: CONGESTION MANAGEMENT PROGRAM OPT-OUT[2018-0122](#)**RECOMMENDATION**

APPROVE initiating the process for Metro and all Los Angeles County local jurisdictions to opt out of the California Congestion Management Program (CMP), in accordance with State CMP statute.

Attachments: [Attachment A - CMP Legislation](#)
[Attachment B - Draft CMP Opt Out Resolution](#)
[Presentation](#)

23. **SUBJECT: FEDERAL FUNDING EXCHANGE WITH COUNTY OF LOS ANGELES ON STATE ROUTE 126/COMMERCE CENTER DRIVE INTERCHANGE PROJECT**

[2018-0282](#)

RECOMMENDATION

APPROVE the amendment of the repayment schedule of federal Surface Transportation Program-Local (STP-L) funds with non-federal funds of the Exchange Agreement between the County of Los Angeles (County) and the Los Angeles County Metropolitan Transportation Authority (Metro) for the State Route 126/Commerce Center Drive Interchange Project, as shown in Attachment A.

Attachments: [Attachment A - STPL Amendment 2](#)
[Attachment B - 2011 Exchange Agreement for the SR-126Commerce Center Drive Interchange.pdf](#)
[Attachment C - Repayment Schedule](#)

NON-CONSENT

24. **SUBJECT: EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR**

[2017-0798](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING the Locally Preferred Alternative (LPA) as Alternative #4 (modified): At-grade Light Rail Transit (LRT) with the Rail Maintenance and Storage Facility Option B;
- B. AUTHORIZING the Chief Executive Officer to:
1. EXECUTE Modification No. 16 to Contract No. PS4370-2622 with KOA Corporation (KOA) to exercise Option B for the Project's Final Environmental Impact Statement/Report (EIS/EIR) in the amount of \$699,255, increasing the total contract value from \$5,559,918 to \$6,259,173;
 2. EXECUTE Modification No. 17 to Contract No. PS4370-2622 with KOA for technical analysis including advanced conceptual engineering (ACE), first/last mile planning, a connectivity study with the Metro Orange Line and grade crossing safety analysis in support of an at-grade LRT Alternative #4, in the amount of \$2,021,013, increasing the total contract value from \$6,259,173 to \$8,280,186; and
 3. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS4370-2622 in the amount of \$400,000, increasing the total amount from \$1,039,443 to \$1,439,443.

- Attachments:** [Attachment A - Executive Summary of the Draft EIS EIR](#)
 [Attachment B - Public Comment Summary Report](#)
 [Attachment C - Project Description and Map of Recommended Locally Preferred Alternative](#)
 [Attachment D - Map of Maintenance and Storage Facility Option B](#)
 [Attachment E - Procurement Summary](#)
 [Attachment F - Contract Modification Change Order Log](#)
 [Attachment G - DEOD Summary](#)

25. SUBJECT: ARTS DISTRICT/6TH STREET STATION [2018-0360](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to enter into a funding agreement with the City of Los Angeles to undertake pre-design activities, prepare an Environmental Impact Report (EIR) and conduct public engagement for a potential Arts District/6th Street Station for an amount of \$500,000.

- Attachments:** [Attachment A - LA City Council Transportation Committee Motion, May 15, 2018](#)
 [Attachment B - Arts District 6th Street Station Vicinity Map](#)
 [Attachment C - Metro Board Motion January 2017 \(Item#41\)](#)

26. SUBJECT: TRANSIT ORIENTED COMMUNITIES POLICY [2018-0168](#)

RECOMMENDATION

CONSIDER:

- A. ADOPTING the Transit Oriented Communities Policy (Attachment A); and
- B. DIRECTING staff to develop a TOC Implementation Plan including metrics, and report back to the Board with the Implementation Plan in 18 months.

- Attachments:** [Attachment A - TOC Policy Final](#)
 [Attachment B - Transportation Nexus](#)
 [Attachment C - HQT Map](#)

SUBJECT: GENERAL PUBLIC COMMENT [2018-0375](#)

GENERAL PUBLIC COMMENT

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S
SUBJECT MATTER JURISDICTION

Adjournment



Board Report

File #: 2018-0260, File Type: Contract

Agenda Number: 21.

PLANNING AND PROGRAMMING COMMITTEE JUNE 20, 2018

**SUBJECT: LOS ANGELES UNION STATION FORECOURT
AND ESPLANADE IMPROVEMENTS**

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. EXECUTE Modification No. 9 to Task Order No. PS2999200FFO2TO1 under Contract No. PS4010-3041-FF-XX, with Kleinfelder, Inc., for the Union Station Master Plan (USMP), to provide additional environmental services in the amount of \$58,293.80 increasing the Total Task Order Value from \$1,079,936.79 to \$1,138,230.59; and
- B. INCREASE Contract Modification Authority (CMA) for Task Order No. PS2999200FFO2TO1 for USMP by \$250,000, from \$250,000 to \$500,000, in support of additional services related to the Project.

ISSUE

The Metro Board of Directors certified the LAUS Forecourt and Esplanade Improvements (Project) Final Environmental Impact Report (FEIR) on March 1, 2018. Since then, staff has initiated design, stakeholder engagement and interagency coordination with the City of Los Angeles.

The Project has federal funding in place and is undergoing review under the National Environmental Policy Act (NEPA) with Caltrans as the Lead Agency. Caltrans has requested additional technical studies related to cultural resources and has advised that the project environmental clearance timeline will be delayed. Staff is requesting Contract Modification No. 9 and an increase in contract modification authority to cover the cost of the additional technical studies that are being requested by Caltrans, timeline extension, additional meetings, and coordination with the State Historic Properties Officer (SHPO) that will be required to secure the NEPA environmental clearance.

DISCUSSION

The project will reconfigure the public right-of-way in front of Union Station and the LAUS forecourt to expand pedestrian and bike facilities on Alameda and Los Angeles Street and create a civic plaza in

front of the station (Attachment D, Project Map). Staff has secured approximately \$20M in grant and matching funds (Attachment E, Funding Table) to design and implement all of the Project improvements with the exception of construction funds for the forecourt.

The Project elements include:

- Alameda Esplanade: Roadway configuration on Alameda Street between Arcadia Street and Cesar E. Chavez Avenue to narrow the roadway and widen pedestrian and bicyclist facilities.
- Los Angeles Crossing: Consolidated raised intersectional crossing at Alameda and Los Angeles Street, closure of a portion of Los Angeles Street north of the raised median (while maintaining two-way travel on Los Angeles Street in the portion south of the median) and closure of the northern LAUS driveway and a two-way bike path within the extended El Pueblo Plaza.
- LAUS Forecourt: Repurposing the existing surface parking lot as a new civic plaza with sustainable features.
- Arcadia Street: Repurposing the northern travel lane as a dedicated El Pueblo tour bus parking zone.

Contract Modification

Staff is requesting Contract Modification No. 9 in the amount of \$58,293.80 and an increase in CMA for up to \$250,000 to prepare additional cultural resources technical studies that are being requested by Caltrans (such as Historic Properties Treatment Plan), allow for an extension of the performance period, and coordination meetings with Caltrans and other relevant agencies.

DETERMINATION OF SAFETY IMPACT

The modifications to the Kleinfelder task order contract will not have a direct impact on the safety of our customers and employees. Ultimately, they will result in implementation of the project being studied and will create safer connections for Metro transit patrons, including transit connections to the surrounding neighborhood destinations and job centers.

FINANCIAL IMPACT

There is sufficient funding in the FY19 budget in Cost Center Number 4530, Strategic Initiatives, under Project Number 405557, Union Station Master Plan, to accommodate Modification No. 9 and the \$250,000 CMA for Kleinfelder.

Since this is a multi-year contract/project, the cost center manager and Chief Planning Officer will be accountable for budgeting the cost in future years.

Impact to Budget

Source of funds is Local - General Fund ROW lease revenues. These funds are eligible for bus and rail operating and capital expenses. The modifications will not impact ongoing bus and rail operating and capital costs, the Proposition A and C and TDA administration budget or the Measure R administration budget.

ALTERNATIVES CONSIDERED

The Board may consider not approving Contract Modification No. 9 and increase in the CMA. This is not recommended. Metro secured two Active Transportation Program grants and is required to undertake NEPA analysis, which is underway. Caltrans as the Lead Agency has requested additional studies and has called for a delay in the environmental clearance timeline that will necessitate modifying the contract with Kleinfelder to carry out the work. Without the Contract Modification No. 9 and increase in the CMA, staff will be unable to modify the contract with Kleinfelder and will be unable to deliver the additional cultural resources technical studies required by Caltrans to complete the project, complete the NEPA process, and finalize design or construct the project.

NEXT STEPS

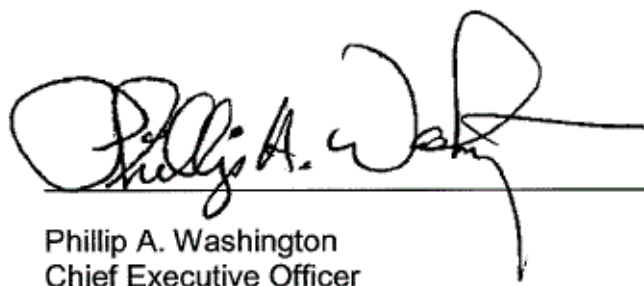
Upon Board approval, staff will execute Modification No. 9 to Task Order No. PS2999200FFO2TO1 with Kleinfelder and coordinate with Caltrans to advance the necessary environmental documentation and coordination needed to complete the NEPA environmental clearance.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Task Order Log
Attachment C - DEOD Summary
Attachment D - Project Map
Attachment E - Project Funding

Prepared by: Elizabeth Carvajal, Senior Director, Transit Oriented Communities, (213) 922-3084
Jenna Hornstock, EO, Transit Oriented Communities, (213) 922-7437

Reviewed by: Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051
Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

LOS ANGELES UNION STATION FORECOURT AND ESPLANADE
IMPROVEMENTS / PS4010-3041-FF-XX

1.	Contract Number: PS4010-3041-FF-XX (Task Order No. PS2999200FF02TO1)		
2.	Contractor: Kleinfelder, Inc.		
3.	Mod. Work Description: Complete environmental clearance under the National Environmental Policy Act (NEPA) for the Los Angeles Union Station Forecourt and Esplanade Improvements.		
4.	Work Description: Union Station Master Plan		
5.	The following data is current as of: 05/17/18		
6.	Contract/TO Completion Status:		Financial Status:
	Award Date:	06/24/15	Awarded Task Order Amount: \$749,392
	Notice to Proceed (NTP):	06/24/15	
	Original Completion Date:	08/30/17	Value of Mods. Issued to Date (including this action): \$388,839
	Current Est. Complete Date:	02/28/19	Total Amount (including this action): \$1,138,231
7.	Contract Administrator: Lily Lopez		Telephone Number: (213) 922-4639
8.	Project Manager: Elizabeth Carvajal		Telephone Number: (213) 922-3084

A. Contract Action Summary

This Board Action is to approve Modification No. 9 to Task Order No. PS2999200FF02TO1 under Contract No. PS4010-3041-FF-XX to provide additional environmental services under the Union Station Master Plan Programmatic Environmental Impact Report (USMP PEIR) Task Order Contract. This Modification will require the Contractor to provide additional technical studies related to cultural resources in order to complete environmental clearance under the NEPA.

All Task Order Modifications are handled in accordance with Metro's Acquisition Policy. The contract/task order type is firm fixed price. All other terms and conditions remain in effect.

On June 24, 2015, Task Order No. PS2999200FF02TO1 for the firm fixed price of \$749,392 was issued to Kleinfelder, Inc., a contractor on the Countywide Planning Bench, Discipline 2 (Environmental Planning).

Refer to Attachment B – Task Order Log for modifications issued to date.

B. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), cost analysis, and technical analysis.

Proposal Amount	Metro ICE	Negotiated Amount
\$58,294	\$60,003	\$58,294

ATTACHMENT B

**TASK ORDER LOG - PS2999200FFO2TO1
COUNTYWIDE PLANNING BENCH/CONTRACT NO. PS4010-3041
TASK ORDER LOG VALUE ISSUED TO DATE**

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Provide analysis and environmentally cleared Stage 1 at the project level and Stage 2 and 3 and the program level.	Approved	10/14/15	\$89,970
2	No Cost Time Extension	Approved	11/21/16	\$0
3	Prepare the analysis and noticing required under the National Environmental Policy Act (NEPA) for the Los Angeles Union Station Forecourt and Esplanade Improvements.	Approved	01/25/17	\$82,533
4	No Cost Time Extension	Approved	07/26/17	\$0
5	Additional services to finalize Environmental Review.	Approved	11/03/17	\$54,144
6	Perform additional work to complete the certification of the Final Environmental Impact Report (EIR) and NEPA Clearance for the project.	Approved	01/31/18	\$35,090
7	Additional cultural resource services	Approved	03/28/18	\$49,862
8	Prepare an Addendum to the LAUS Forecourt and Esplanade Improvements Final.	Approved	05/07/18	\$18,946
9	Provide additional technical studies related to cultural resources in order to complete environmental clearance under the NEPA.	Pending	Pending	\$58,294
	Task Order Modification Total:			\$388,839
	Original Task Order Amount:	06/24/15		\$749,392
	Total:			\$1,138,231

TASK ORDER LOG

COUNTYWIDE PLANNING BENCH/CONTRACT NO. PS4010-3041 TASK ORDER LOG VALUE ISSUED TO DATE

Discipline No./ Description	Contract No.	Contractor	Value of Task Orders Issued to Date
1/Transportation Planning	PS4010-3041-O-XX	David Evans & Associates, Inc.	\$459,587.68
	PS4010-3041-BB-XX	IBI Group	\$792,951.46
	PS4010-3041-F-XX	Cambridge Systematics, Inc.	\$4,166,426.74
	PS4010-3041-U-XX	Fehr & Peers	\$1,978,617.34
	PS4010-3041-YY-XX	STV Corporation	\$490,954.00
	PS4010-3041-I-XX	CH2M Hill, Inc.	\$286,865.00
	PS4010-3041-DD-XX	Iteris, Inc.	\$1,911,605.06
	PS4010-3041-Y1-XX	HDR Engineering, Inc.	\$1,641,541.24
	PS4010-3041-Y1-XX	KOA Corporation	\$298,142.85
	PS4010-3041-RR-XX	Parsons Transportation Group	\$1,832,178.00
	PS4010-3041-EE-XX	Kimley Horn & Associates, Inc.	\$291,005.46
	PS4010-3041-A-XX	AECOM Technical Services, Inc.	\$2,655,179.96
	PS4010-3041-QQ-XX	Parsons Brinckerhoff, Inc.	\$1,832,178.00
		Subtotal	\$18,637,232.79
2/Environmental Planning	PS4010-3041-FF-XX	Kleinfelder, Inc. <i>This Pending Action</i>	\$1,079,936.97 + \$58,293.80
		Subtotal	\$1,138,230.77

6/Architecture	PS4010-3041-RR-XX	Parsons Transportation Group	\$115,817.00
	PS4010-3041-W-XX	Gensler	\$269,041.34
		Subtotal	\$384,858.34
7/Urban Design	PS4010-3041-W-XX	Gensler	\$406,905.18
		Subtotal	\$406,905.18
9/Environmental Graphic Design	PS4010-3041-WW-09	Selbert Perkins Design	\$248,361.00
		Subtotal	\$248,361.00
11/Financial Analysis	PS4010-3041-I-XX	CH2M Hill, Inc.	\$587,011.00
	PS4010-3041-A-XX	AECOM Technical Services, Inc.	\$95,976.53
		Subtotal	\$682,987.53
12/Land Use and Regulatory Planning	PS4010-3041-BB-XX	IBI Group	\$1,286,323.00
		Subtotal	\$1,286,323.00
13/Sustainability/Active Transportation	PS4010-3041-U-XX	Fehr & Peers	\$1,950,067.67
	PS4010-3041-XX-13	Stantec Consulting Services, Inc.	\$618,390.76
		Subtotal	\$2,568,458.43
14/Database Technical Services	PS4010-3041-PP-14	Novanis	\$1,310,664.93
	PS4010-3041-KKK-14	Accenture	\$101,000
		Subtotal	\$1,411,664.93
17/Community Outreach/ Public Education & Research Services	PS4010-3041-EEE-17	The Robert Group	\$771,839.00
	PS4010-3041-D	Arellano Associates	\$564,877.00
		Subtotal	\$1,336,716.00
Total Task Orders Awarded to Date			\$28,043,444.17
Board Authorized Not-To-Exceed (NTE) Cumulative Total Value			\$30,000,000.00
Remaining Board Authorized NTE Cumulative Total Value			\$1,956,555.83

DEOD SUMMARY

UNION STATION MASTER PLAN FORECOURT AND ESPLANADE
IMPROVEMENTS/PS2999200FFO2TO1 / PS4010-3041-FF-XX

A. Small Business Participation

Kleinfelder Inc. made an 18.05% Small Business Enterprise (SBE) commitment. The project is 47% complete. Kleinfelder Inc. is currently exceeding their commitment with an SBE participation of 19.43% utilizing Environmental Consultant Sapphos Environmental. Kleinfelder has indicated that MARRS Services and Entech Consulting will be utilized as task orders are issued for their scopes of work after completion of work by traffic consultants.

Small Business Commitment	18.05% SBE	Small Business Participation	19.43% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Entech Northwest, Inc.	3.47%	0.00%
2.	MARRS Services, Inc.	1.35%	0.00%
3.	Sapphos Environmental, Inc.	13.23%	19.43%
	Total	18.05%	19.43%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

C. Living Wage Service Contract Worker Retention Policy Applicability

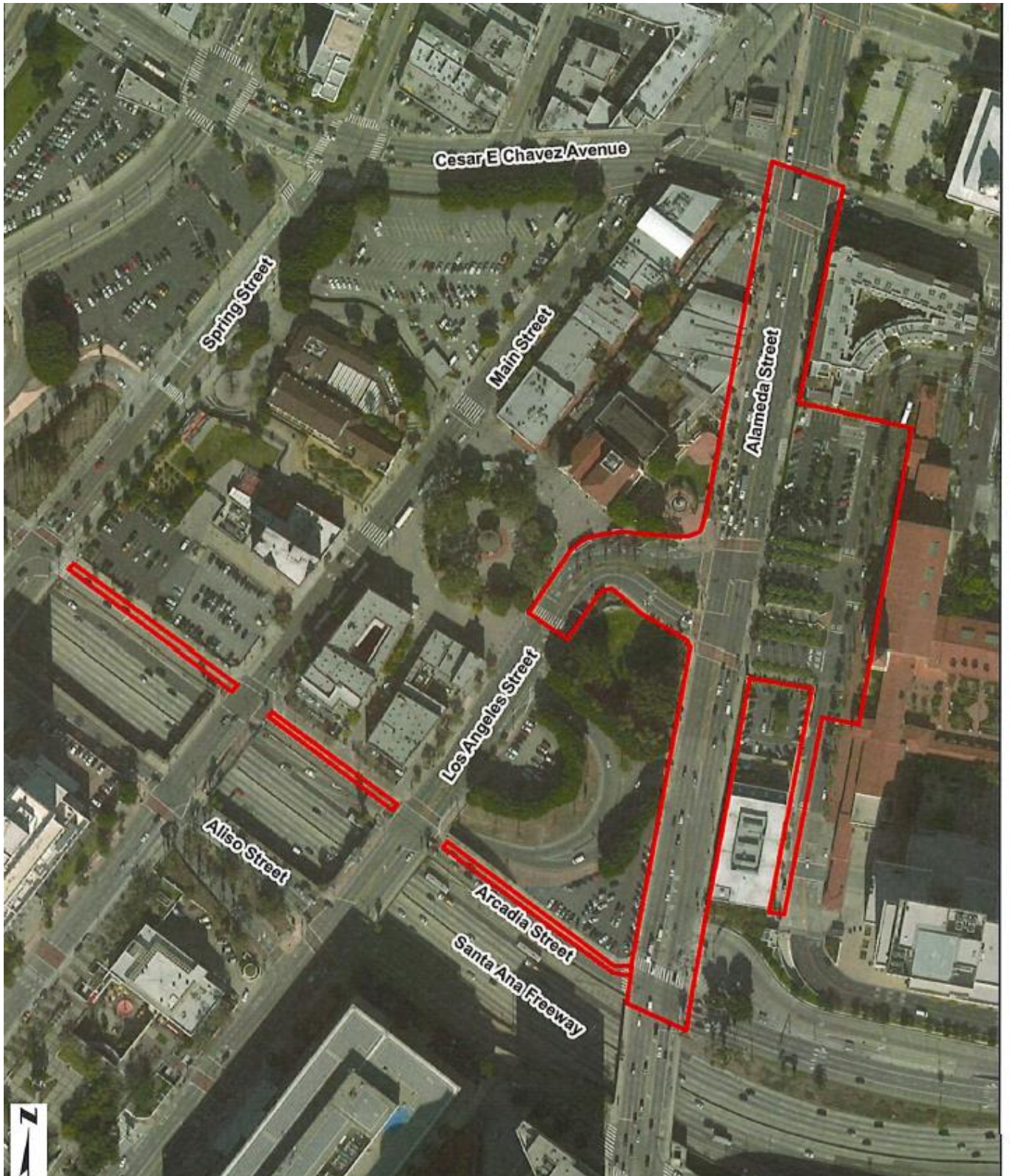
The Living Wage and Service Contract Worker Retention Policy is not applicable to this Modification.


D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.

Attachment D: Project Map

Los Angeles Union Station Forecourt and Esplanade Improvements



 LAUS Forecourt and Esplanade Improvements

Attachment E: Funding Table

Los Angeles Union Station Forecourt and Esplanade Improvements

Project Cost \$	\$20,162,925.00 (does not include Forecourt construction)
Cost Type	Design and construction

Revenue

Funding Source	Type	Amount	Status
Federal	Active Transportation Program (FHWA) Cycle 2 and Cycle 3	\$17,666,464.00	Committed
State			
Local	Proposition A (LA County Open Space District Grant)	\$1,000,000.00	Committed
	Metro Local	\$1,496,461.00	Committed
Total Revenue		\$20,162,925.00	

**Board Report**

File #: 2018-0122, **File Type:** Program**Agenda Number:** 22.

**PLANNING AND PROGRAMMING COMMITTEE
JUNE 20, 2018****SUBJECT: CONGESTION MANAGEMENT PROGRAM OPT-OUT****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

APPROVE initiating the process for Metro and all Los Angeles County local jurisdictions to opt out of the California Congestion Management Program (CMP), in accordance with State CMP statute.

ISSUE

Metro is required by state law to prepare and update on a biennial basis a Congestion Management Program (CMP) for the County of Los Angeles. The CMP process was established as part of a 1990 legislative package to implement Proposition 111, which increased the state gas tax from 9 to 18 cents. The intent of the CMP was to tie the appropriation of new gas tax revenues to congestion reduction efforts by improving land use/transportation coordination.

While the CMP requirement was one of the pioneering efforts to conduct performance-based planning, the approach has become antiquated and expensive. CMP primarily uses a level of service (LOS) performance metric which is a measurement of vehicle delay that is inconsistent with new state-designated performance measures, such as vehicle miles travelled (VMT), enacted by SB 743 for California Environmental Quality Act (CEQA) transportation analysis.

Pursuant to California Government Code §65088.3 (Attachment A, C.G.C. §65000 et seq.), jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of the county's population formally adopt resolutions requesting to opt out of the program. Given that the CMP has become increasingly out of step with regional, state, and federal planning processes and requirements, staff recommends that Metro initiate the process to gauge the interest of local jurisdictions and other stakeholders in opting out of State CMP requirements.

DISCUSSION

Under the CMP, the 88 incorporated cities plus the County of Los Angeles share various statutory responsibilities, including monitoring traffic count locations on select arterials, implementing transportation improvements, adoption of travel demand management and land use ordinances, and mitigating congestion impacts.

The framework for the CMP is firmly grounded in the idea that congestion can be mitigated by continuing to add capacity to roadways. This is evidenced by the primary metric that drives the program which is LOS. Recent state laws and rulemaking, namely AB 32 (California Global Warming Solutions Act of 2006), SB 375 (Sustainable Communities and Climate Protection Act of 2008), SB 743 (Environmental quality: transit oriented infill projects, judicial review streamlining for environmental leadership development projects) and SB 32 (California Global Warming Solutions Act of 2006), all move away from LOS directly or indirectly. Therefore, the CMP contradicts these key state policies and Metro's own efforts to promote a more sustainable and equitable region.

A number of counties have elected to opt out of the CMP over the years including San Diego, Fresno, Santa Cruz and San Luis Obispo counties. The reasons for doing so are varied but generally concern redundant, expensive, administrative processes that come with great expense, little to no congestion benefit and continue to mandate the use of LOS to determine roadway deficiencies.

The passage of Measure M and the update of the Long Range Transportation Plan present Metro with an opportunity to consider new ways to measure transportation system performance, measures that complement efforts to combat climate change, support sustainable, vibrant communities and improve mobility. For Metro and cities alike, the continued administration of the CMP is a distraction at best or an impediment at worst to improving our transportation system.

Over the last several years, the CMP has become increasingly outdated in relation to the direction of Metro's planning process and regional, state, and federal transportation planning requirements. Additional reasons to opt out of the CMP include:

- Relieves Metro and local jurisdictions of a mandate to use a single measure (LOS) to determine roadway deficiencies.
- Eliminates the risk to local jurisdictions of losing their state gas tax funds or being ineligible to receive state and federal Transportation Improvement Program funds, as a result of not being in compliance with CMP requirements or performance standards.
- Eliminates the administrative and financial burden to cities associated with the preparation of documents to demonstrate conformance with the CMP.

ALTERNATIVES CONSIDERED

Metro could continue to implement the CMP as adopted by the Board or look to update the program. We do not recommend this as we have examined multiple ways to adapt state legislative requirements, but we have been unable to fit Los Angeles county mobility complexities to statutory requirements in a manner that achieves consensus of our stakeholders over the twenty-five-year life of the program. Opting out of the CMP gives Metro the flexibility to implement mobility improvements through the programs and projects in the Long Range Transportation Plan adopted by the Board, while furthering improvements to transportation capacity, choice and cost-effectiveness.

DETERMINATION OF SAFETY IMPACT

This Board action will have no adverse impact on safety standards for Metro.

FINANCIAL IMPACT

There is no impact to the current fiscal year budget, nor any anticipated impact to future budgets or the continued flow of state gas tax revenues to local jurisdictions. The recommended action may have a positive impact on Metro and local jurisdiction budgets in future years by eliminating the annual costs associated with implementing the CMP. Annual costs to local agencies vary based on size but generally require a staff commitment of 25-60 hours per jurisdiction plus the cost of conducting traffic counts at the 164 CMP intersections at a cost of approximately \$250 per intersection. For Metro the annual burden of administering the CMP is approximately 1.2 Full Time Equivalent (FTE).

NEXT STEPS

Upon Board approval, staff will proceed in consulting with local jurisdictions and other interested stakeholders as follows:

- Consult with the Metro Technical Advisory Committee (TAC) regarding opting out of the CMP and conduct a workshop of our stakeholders to receive input on the interest in opting out of the CMP.
- With the concurrence of the TAC and workshop participants, request local jurisdictions to consider adopting draft resolution (Attachment B) to opt out of the program.
- Upon receipt of formally-adopted resolutions from a majority of local jurisdictions representing a majority of the population, notify the State Controller, Caltrans, and SCAG that Los Angeles County has opted out of the CMP in accordance with statutory requirements.

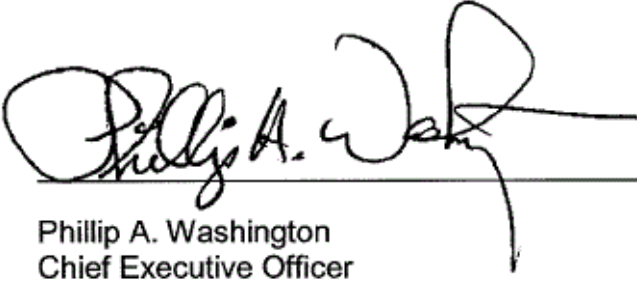
ATTACHMENTS

Attachment A - CMP legislation

Attachment B - Draft Resolution to Opt Out of the Congestion Management Program in Los Angeles County

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GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]

(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66210]

(Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 2.5. Transportation Planning and Programming [65080 - 65086.5]

(Heading of Chapter 2.5 amended by Stats. 1977, Ch. 1106.)

65082.

(a) (1) A five-year regional transportation improvement program shall be prepared, adopted, and submitted to the California Transportation Commission on or before December 15 of each odd-numbered year thereafter, updated every two years, pursuant to Sections 65080 and 65080.5 and the guidelines adopted pursuant to Section 14530.1, to include regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program.

(2) Major projects shall include current costs updated as of November 1 of the year of submittal and escalated to the appropriate year, and be listed by relative priority, taking into account need, delivery milestone dates, and the availability of funding.

(b) Except for those counties that do not prepare a congestion management program pursuant to Section 65088.3, congestion management programs adopted pursuant to Section 65089 shall be incorporated into the regional transportation improvement program submitted to the commission by December 15 of each odd-numbered year.

(c) Local projects not included in a congestion management program shall not be included in the regional transportation improvement program. Projects and programs adopted pursuant to subdivision (a) shall be consistent with the capital improvement program adopted pursuant to paragraph (5) of subdivision (b) of Section 65089, and the guidelines adopted pursuant to Section 14530.1.

(d) Other projects may be included in the regional transportation improvement program if listed separately.

(e) Unless a county not containing urbanized areas of over 50,000 population notifies the Department of Transportation by July 1 that it intends to prepare a regional transportation improvement program for that county, the department shall, in consultation with the affected local agencies, prepare the program for all counties for which it prepares a regional transportation plan.

(f) The requirements for incorporating a congestion management program into a regional transportation improvement program specified in this section do not apply in those counties that do not prepare a congestion management program in accordance with Section 65088.3.

(g) The regional transportation improvement program may include a reserve of county shares for providing funds in order to match federal funds.

(Amended by Stats. 2003, Ch. 525, Sec. 7. Effective January 1, 2004.)

CHAPTER 2.6. Congestion Management [65088 - 65089.10]

(Chapter 2.6 added by Stats. 1989, Ch. 106, Sec. 9.)

65088.

The Legislature finds and declares all of the following:

- (a) Although California's economy is critically dependent upon transportation, its current transportation system relies primarily upon a street and highway system designed to accommodate far fewer vehicles than are currently using the system.
- (b) California's transportation system is characterized by fragmented planning, both among jurisdictions involved and among the means of available transport.
- (c) The lack of an integrated system and the increase in the number of vehicles are causing traffic congestion that each day results in 400,000 hours lost in traffic, 200 tons of pollutants released into the air we breathe, and three million one hundred thousand dollars (\$3,100,000) added costs to the motoring public.
- (d) To keep California moving, all methods and means of transport between major destinations must be coordinated to connect our vital economic and population centers.
- (e) In order to develop the California economy to its full potential, it is intended that federal, state, and local agencies join with transit districts, business, private and environmental interests to develop and implement comprehensive strategies needed to develop appropriate responses to transportation needs.
- (f) In addition to solving California's traffic congestion crisis, rebuilding California's cities and suburbs, particularly with affordable housing and more walkable neighborhoods, is an important part of accommodating future increases in the state's population because homeownership is only now available to most Californians who are on the fringes of metropolitan areas and far from employment centers.
- (g) The Legislature intends to do everything within its power to remove regulatory barriers around the development of infill housing, transit-oriented development, and mixed use commercial development in order to reduce regional traffic congestion and provide more housing choices for all Californians.
- (h) The removal of regulatory barriers to promote infill housing, transit-oriented development, or mixed use commercial development does not preclude a city or county from holding a public hearing nor finding that an individual infill project would be adversely impacted by the surrounding environment or transportation patterns.

(Amended by Stats. 2002, Ch. 505, Sec. 1. Effective January 1, 2003.)

65088.1.

As used in this chapter the following terms have the following meanings:

- (a) Unless the context requires otherwise, "agency" means the agency responsible for the preparation and adoption of the congestion management program.
- (b) "Bus rapid transit corridor" means a bus service that includes at least four of the following attributes:
 - (1) Coordination with land use planning.
 - (2) Exclusive right-of-way.
 - (3) Improved passenger boarding facilities.
 - (4) Limited stops.
 - (5) Passenger boarding at the same height as the bus.
 - (6) Prepaid fares.
 - (7) Real-time passenger information.
 - (8) Traffic priority at intersections.
 - (9) Signal priority.

(10) Unique vehicles.

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

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

(e) “Infill opportunity zone” means a specific area designated by a city or county, pursuant to subdivision (c) of Section 65088.4, that is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3 of the Public Resources Code, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

(f) “Interregional travel” means any trips that originate outside the boundary of the agency. A “trip” means a one-direction vehicle movement. The origin of any trip is the starting point of that trip. A roundtrip consists of two individual trips.

(g) “Level of service standard” is a threshold that defines a deficiency on the congestion management program highway and roadway system which requires the preparation of a deficiency plan. It is the intent of the Legislature that the agency shall use all elements of the program to implement strategies and actions that avoid the creation of deficiencies and to improve multimodal mobility.

(h) “Local jurisdiction” means a city, a county, or a city and county.

(i) “Multimodal” means the utilization of all available modes of travel that enhance the movement of people and goods, including, but not limited to, highway, transit, nonmotorized, and demand management strategies including, but not limited to, telecommuting. The availability and practicality of specific multimodal systems, projects, and strategies may vary by county and region in accordance with the size and complexity of different urbanized areas.

(j) (1) “Parking cash-out program” means an employer-funded program under which an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. “Parking subsidy” means the difference between the out-of-pocket amount paid by an employer on a regular basis in order to secure the availability of an employee parking space not owned by the employer and the price, if any, charged to an employee for use of that space.

(2) A parking cash-out program may include a requirement that employee participants certify that they will comply with guidelines established by the employer designed to avoid neighborhood parking problems, with a provision that employees not complying with the guidelines will no longer be eligible for the parking cash-out program.

(k) “Performance measure” is an analytical planning tool that is used to quantitatively evaluate transportation improvements and to assist in determining effective implementation actions, considering all modes and strategies. Use of a performance measure as part of the program does not trigger the requirement for the preparation of deficiency plans.

(l) “Urbanized area” has the same meaning as is defined in the 1990 federal census for urbanized areas of more than 50,000 population.

(m) Unless the context requires otherwise, “regional agency” means the agency responsible for preparation of the regional transportation improvement program.

(Amended by Stats. 2013, Ch. 386, Sec. 3. (SB 743) Effective January 1, 2014.)

65088.3.

This chapter does not apply in a county in which a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program.

(Added by Stats. 1996, Ch. 293, Sec. 4. Effective January 1, 1997.)

65088.4.

(a) It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs.

(b) Notwithstanding any other provision of law, level of service standards described in Section 65089 shall not apply to the streets and highways within an infill opportunity zone.

(c) The city or county may designate an infill opportunity zone by adopting a resolution after determining that the infill opportunity zone is consistent with the general plan and any applicable specific plan, and is a transit priority area within a sustainable communities strategy or alternative planning strategy adopted by the applicable metropolitan planning organization.

(Amended by Stats. 2013, Ch. 386, Sec. 4. (SB 743) Effective January 1, 2014.)

65088.5.

Congestion management programs, if prepared by county transportation commissions and transportation authorities created pursuant to Division 12 (commencing with Section 130000) of the Public Utilities Code, shall be used by the regional transportation planning agency to meet federal requirements for a congestion management system, and shall be incorporated into the congestion management system.

(Added by Stats. 1996, Ch. 1154, Sec. 4. Effective September 30, 1996.)

65089.

(a) A congestion management program shall be developed, adopted, and updated biennially, consistent with the schedule for adopting and updating the regional transportation improvement program, for every county that includes an urbanized area, and shall include every city and the county. The program shall be adopted at a noticed public hearing of the agency. The program shall be developed in consultation with, and with the cooperation of, the transportation planning agency, regional transportation providers, local governments, the department, and the air pollution control district or the air quality management district, either by the county transportation commission, or by another public agency, as designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county.

(b) The program shall contain all of the following elements:

(1) (A) Traffic level of service standards established for a system of highways and roadways designated by the agency. The highway and roadway system shall include at a minimum all state highways and principal arterials. No highway or roadway designated as a part of the system shall be removed from the system. All new state highways and principal arterials shall be designated as part of the system, except when it is within an infill opportunity zone. Level of service (LOS) shall be measured by Circular 212, by the most recent version of the Highway Capacity Manual, or by a uniform methodology adopted by the agency that is consistent with the Highway Capacity Manual. The determination as to whether an alternative method is consistent with the Highway Capacity Manual shall be made by the regional agency, except that the department instead shall make this determination if either (i) the regional agency is also the agency, as those terms are defined in Section 65088.1, or (ii) the department is responsible for preparing the regional transportation improvement plan for the county.

(B) In no case shall the LOS standards established be below the level of service E or the current level, whichever is farthest from level of service A except when the area is in an infill opportunity zone. When

the level of service on a segment or at an intersection fails to attain the established level of service standard outside an infill opportunity zone, a deficiency plan shall be adopted pursuant to Section 65089.4.

(2) A performance element that includes performance measures to evaluate current and future multimodal system performance for the movement of people and goods. At a minimum, these performance measures shall incorporate highway and roadway system performance, and measures established for the frequency and routing of public transit, and for the coordination of transit service provided by separate operators. These performance measures shall support mobility, air quality, land use, and economic objectives, and shall be used in the development of the capital improvement program required pursuant to paragraph (5), deficiency plans required pursuant to Section 65089.4, and the land use analysis program required pursuant to paragraph (4).

(3) A travel demand element that promotes alternative transportation methods, including, but not limited to, carpools, vanpools, transit, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including, but not limited to, flexible work hours, telecommuting, and parking management programs. The agency shall consider parking cash-out programs during the development and update of the travel demand element.

(4) A program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts. This program shall measure, to the extent possible, the impact to the transportation system using the performance measures described in paragraph (2). In no case shall the program include an estimate of the costs of mitigating the impacts of interregional travel. The program shall provide credit for local public and private contributions to improvements to regional transportation systems. However, in the case of toll road facilities, credit shall only be allowed for local public and private contributions which are unreimbursed from toll revenues or other state or federal sources. The agency shall calculate the amount of the credit to be provided. The program defined under this section may require implementation through the requirements and analysis of the California Environmental Quality Act, in order to avoid duplication.

(5) A seven-year capital improvement program, developed using the performance measures described in paragraph (2) to determine effective projects that maintain or improve the performance of the multimodal system for the movement of people and goods, to mitigate regional transportation impacts identified pursuant to paragraph (4). The program shall conform to transportation-related vehicle emission air quality mitigation measures, and include any project that will increase the capacity of the multimodal system. It is the intent of the Legislature that, when roadway projects are identified in the program, consideration be given for maintaining bicycle access and safety at a level comparable to that which existed prior to the improvement or alteration. The capital improvement program may also include safety, maintenance, and rehabilitation projects that do not enhance the capacity of the system but are necessary to preserve the investment in existing facilities.

(c) The agency, in consultation with the regional agency, cities, and the county, shall develop a uniform data base on traffic impacts for use in a countywide transportation computer model and shall approve transportation computer models of specific areas within the county that will be used by local jurisdictions to determine the quantitative impacts of development on the circulation system that are based on the countywide model and standardized modeling assumptions and conventions. The computer models shall be consistent with the modeling methodology adopted by the regional planning agency. The data bases used in the models shall be consistent with the data bases used by the regional planning agency. Where the regional agency has jurisdiction over two or more counties, the data bases used by the agency shall be consistent with the data bases used by the regional agency.

(d) (1) The city or county in which a commercial development will implement a parking cash-out program that is included in a congestion management program pursuant to subdivision (b), or in a deficiency plan pursuant to Section 65089.4, shall grant to that development an appropriate reduction in the parking requirements otherwise in effect for new commercial development.

(2) At the request of an existing commercial development that has implemented a parking cash-out program, the city or county shall grant an appropriate reduction in the parking requirements otherwise

applicable based on the demonstrated reduced need for parking, and the space no longer needed for parking purposes may be used for other appropriate purposes.

(e) Pursuant to the federal Intermodal Surface Transportation Efficiency Act of 1991 and regulations adopted pursuant to the act, the department shall submit a request to the Federal Highway Administration Division Administrator to accept the congestion management program in lieu of development of a new congestion management system otherwise required by the act.

(Amended by Stats. 2002, Ch. 505, Sec. 4. Effective January 1, 2003.)

65089.1.

(a) For purposes of this section, “plan” means a trip reduction plan or a related or similar proposal submitted by an employer to a local public agency for adoption or approval that is designed to facilitate employee ridesharing, the use of public transit, and other means of travel that do not employ a single-occupant vehicle.

(b) An agency may require an employer to provide rideshare data bases; an emergency ride program; a preferential parking program; a transportation information program; a parking cash-out program, as defined in subdivision (f) of Section 65088.1; a public transit subsidy in an amount to be determined by the employer; bicycle parking areas; and other noncash value programs which encourage or facilitate the use of alternatives to driving alone. An employer may offer, but no agency shall require an employer to offer, cash, prizes, or items with cash value to employees to encourage participation in a trip reduction program as a condition of approving a plan.

(c) Employers shall provide employees reasonable notice of the content of a proposed plan and shall provide the employees an opportunity to comment prior to submittal of the plan to the agency for adoption.

(d) Each agency shall modify existing programs to conform to this section not later than June 30, 1995. Any plan adopted by an agency prior to January 1, 1994, shall remain in effect until adoption by the agency of a modified plan pursuant to this section.

(e) Employers may include disincentives in their plans that do not create a widespread and substantial disproportionate impact on ethnic or racial minorities, women, or low-income or disabled employees.

(f) This section shall not be interpreted to relieve any employer of the responsibility to prepare a plan that conforms with trip reduction goals specified in Division 26 (commencing with Section 39000) of the Health and Safety Code, or the Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(g) This section only applies to agencies and employers within the South Coast Air Quality Management District.

(Added by Stats. 1994, Ch. 534, Sec. 2. Effective January 1, 1995.)

65089.2.

(a) Congestion management programs shall be submitted to the regional agency. The regional agency shall evaluate the consistency between the program and the regional transportation plans required pursuant to Section 65080. In the case of a multicounty regional transportation planning agency, that agency shall evaluate the consistency and compatibility of the programs within the region.

(b) The regional agency, upon finding that the program is consistent, shall incorporate the program into the regional transportation improvement program as provided for in Section 65082. If the regional agency finds the program is inconsistent, it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program.

(c) (1) The regional agency shall not program any surface transportation program funds and congestion mitigation and air quality funds pursuant to Sections 182.6 and 182.7 of the Streets and Highways Code in a county unless a congestion management program has been adopted by December 31, 1992, as

required pursuant to Section 65089. No surface transportation program funds or congestion mitigation and air quality funds shall be programmed for a project in a local jurisdiction that has been found to be in nonconformance with a congestion management program pursuant to Section 65089.5 unless the agency finds that the project is of regional significance.

(2) Notwithstanding any other provision of law, upon the designation of an urbanized area, pursuant to the 1990 federal census or a subsequent federal census, within a county which previously did not include an urbanized area, a congestion management program as required pursuant to Section 65089 shall be adopted within a period of 18 months after designation by the Governor.

(d) (1) It is the intent of the Legislature that the regional agency, when its boundaries include areas in more than one county, should resolve inconsistencies and mediate disputes that arise between agencies related to congestion management programs adopted for those areas.

(2) It is the further intent of the Legislature that disputes that may arise between regional agencies, or agencies that are not within the boundaries of a multicounty regional transportation planning agency, should be mediated and resolved by the Secretary of Transportation, or an employee of the Transportation Agency designated by the secretary, in consultation with the air pollution control district or air quality management district within whose boundaries the regional agency or agencies are located.

(e) At the request of the agency, a local jurisdiction that owns, or is responsible for operation of, a trip-generating facility in another county shall participate in the congestion management program of the county where the facility is located. If a dispute arises involving a local jurisdiction, the agency may request the regional agency to mediate the dispute through procedures pursuant to subdivision (d). Failure to resolve the dispute does not invalidate the congestion management program.

(Amended by Stats. 2014, Ch. 345, Sec. 2. (AB 2752) Effective January 1, 2015.)

65089.3.

The agency shall monitor the implementation of all elements of the congestion management program. The department is responsible for data collection and analysis on state highways, unless the agency designates that responsibility to another entity. The agency may also assign data collection and analysis responsibilities to other owners and operators of facilities or services if the responsibilities are specified in its adopted program. The agency shall consult with the department and other affected owners and operators in developing data collection and analysis procedures and schedules prior to program adoption. At least biennially, the agency shall determine if the county and cities are conforming to the congestion management program, including, but not limited to, all of the following:

(a) Consistency with levels of service standards, except as provided in Section 65089.4.

(b) Adoption and implementation of a program to analyze the impacts of land use decisions, including the estimate of the costs associated with mitigating these impacts.

(c) Adoption and implementation of a deficiency plan pursuant to Section 65089.4 when highway and roadway level of service standards are not maintained on portions of the designated system.

(Amended by Stats. 1996, Ch. 293, Sec. 3. Effective January 1, 1997.)

65089.4.

(a) A local jurisdiction shall prepare a deficiency plan when highway or roadway level of service standards are not maintained on segments or intersections of the designated system. The deficiency plan shall be adopted by the city or county at a noticed public hearing.

(b) The agency shall calculate the impacts subject to exclusion pursuant to subdivision (f) of this section, after consultation with the regional agency, the department, and the local air quality management district or air pollution control district. If the calculated traffic level of service following exclusion of these

impacts is consistent with the level of service standard, the agency shall make a finding at a publicly noticed meeting that no deficiency plan is required and so notify the affected local jurisdiction.

(c) The agency shall be responsible for preparing and adopting procedures for local deficiency plan development and implementation responsibilities, consistent with the requirements of this section. The deficiency plan shall include all of the following:

(1) An analysis of the cause of the deficiency. This analysis shall include the following:

(A) Identification of the cause of the deficiency.

(B) Identification of the impacts of those local jurisdictions within the jurisdiction of the agency that contribute to the deficiency. These impacts shall be identified only if the calculated traffic level of service following exclusion of impacts pursuant to subdivision (f) indicates that the level of service standard has not been maintained, and shall be limited to impacts not subject to exclusion.

(2) A list of improvements necessary for the deficient segment or intersection to maintain the minimum level of service otherwise required and the estimated costs of the improvements.

(3) A list of improvements, programs, or actions, and estimates of costs, that will (A) measurably improve multimodal performance, using measures defined in paragraphs (1) and (2) of subdivision (b) of Section 65089, and (B) contribute to significant improvements in air quality, such as improved public transit service and facilities, improved nonmotorized transportation facilities, high occupancy vehicle facilities, parking cash-out programs, and transportation control measures. The air quality management district or the air pollution control district shall establish and periodically revise a list of approved improvements, programs, and actions that meet the scope of this paragraph. If an improvement, program, or action on the approved list has not been fully implemented, it shall be deemed to contribute to significant improvements in air quality. If an improvement, program, or action is not on the approved list, it shall not be implemented unless approved by the local air quality management district or air pollution control district.

(4) An action plan, consistent with the provisions of Chapter 5 (commencing with Section 66000), that shall be implemented, consisting of improvements identified in paragraph (2), or improvements, programs, or actions identified in paragraph (3), that are found by the agency to be in the interest of the public health, safety, and welfare. The action plan shall include a specific implementation schedule. The action plan shall include implementation strategies for those jurisdictions that have contributed to the cause of the deficiency in accordance with the agency's deficiency plan procedures. The action plan need not mitigate the impacts of any exclusions identified in subdivision (f). Action plan strategies shall identify the most effective implementation strategies for improving current and future system performance.

(d) A local jurisdiction shall forward its adopted deficiency plan to the agency within 12 months of the identification of a deficiency. The agency shall hold a noticed public hearing within 60 days of receiving the deficiency plan. Following that hearing, the agency shall either accept or reject the deficiency plan in its entirety, but the agency may not modify the deficiency plan. If the agency rejects the plan, it shall notify the local jurisdiction of the reasons for that rejection, and the local jurisdiction shall submit a revised plan within 90 days addressing the agency's concerns. Failure of a local jurisdiction to comply with the schedule and requirements of this section shall be considered to be nonconformance for the purposes of Section 65089.5.

(e) The agency shall incorporate into its deficiency plan procedures, a methodology for determining if deficiency impacts are caused by more than one local jurisdiction within the boundaries of the agency.

(1) If, according to the agency's methodology, it is determined that more than one local jurisdiction is responsible for causing a deficient segment or intersection, all responsible local jurisdictions shall participate in the development of a deficiency plan to be adopted by all participating local jurisdictions.

(2) The local jurisdiction in which the deficiency occurs shall have lead responsibility for developing the deficiency plan and for coordinating with other impacting local jurisdictions. If a local jurisdiction responsible for participating in a multi-jurisdictional deficiency plan does not adopt the deficiency plan in accordance with the schedule and requirements of paragraph (a) of this section, that jurisdiction shall be considered in nonconformance with the program for purposes of Section 65089.5.

- (3) The agency shall establish a conflict resolution process for addressing conflicts or disputes between local jurisdictions in meeting the multi-jurisdictional deficiency plan responsibilities of this section.
- (f) The analysis of the cause of the deficiency prepared pursuant to paragraph (1) of subdivision (c) shall exclude the following:
- (1) Interregional travel.
 - (2) Construction, rehabilitation, or maintenance of facilities that impact the system.
 - (3) Freeway ramp metering.
 - (4) Traffic signal coordination by the state or multi-jurisdictional agencies.
 - (5) Traffic generated by the provision of low-income and very low income housing.
 - (6) (A) Traffic generated by high-density residential development located within one-fourth mile of a fixed rail passenger station, and
(B) Traffic generated by any mixed use development located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing, as determined by the agency.
 - (g) For the purposes of this section, the following terms have the following meanings:
 - (1) "High density" means residential density development which contains a minimum of 24 dwelling units per acre and a minimum density per acre which is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre shall automatically be considered high density.
 - (2) "Mixed use development" means development which integrates compatible commercial or retail uses, or both, with residential uses, and which, due to the proximity of job locations, shopping opportunities, and residences, will discourage new trip generation.
- (Added by Stats. 1994, Ch. 1146, Sec. 7. Effective January 1, 1995.)*

65089.5.

- (a) If, pursuant to the monitoring provided for in Section 65089.3, the agency determines, following a noticed public hearing, that a city or county is not conforming with the requirements of the congestion management program, the agency shall notify the city or county in writing of the specific areas of nonconformance. If, within 90 days of the receipt of the written notice of nonconformance, the city or county has not come into conformance with the congestion management program, the governing body of the agency shall make a finding of nonconformance and shall submit the finding to the commission and to the Controller.
- (b) (1) Upon receiving notice from the agency of nonconformance, the Controller shall withhold apportionments of funds required to be apportioned to that nonconforming city or county by Section 2105 of the Streets and Highways Code.
- (2) If, within the 12-month period following the receipt of a notice of nonconformance, the Controller is notified by the agency that the city or county is in conformance, the Controller shall allocate the apportionments withheld pursuant to this section to the city or county.
- (3) If the Controller is not notified by the agency that the city or county is in conformance pursuant to paragraph (2), the Controller shall allocate the apportionments withheld pursuant to this section to the agency.
- (c) The agency shall use funds apportioned under this section for projects of regional significance which are included in the capital improvement program required by paragraph (5) of subdivision (b) of Section 65089, or in a deficiency plan which has been adopted by the agency. The agency shall not use these funds for administration or planning purposes.
- (Added by renumbering Section 65089.4 by Stats. 1994, Ch. 1146, Sec. 6. Effective January 1, 1995.)*

65089.6.

Failure to complete or implement a congestion management program shall not give rise to a cause of action against a city or county for failing to conform with its general plan, unless the city or county incorporates the congestion management program into the circulation element of its general plan.
(Added by renumbering Section 65089.5 by Stats. 1994, Ch. 1146, Sec. 8. Effective January 1, 1995.)

65089.7.

A proposed development specified in a development agreement entered into prior to July 10, 1989, shall not be subject to any action taken to comply with this chapter, except actions required to be taken with respect to the trip reduction and travel demand element of a congestion management program pursuant to paragraph (3) of subdivision (b) of Section 65089.
(Added by renumbering Section 65089.6 by Stats. 1994, Ch. 1146, Sec. 9. Effective January 1, 1995.)

65089.9.

The study steering committee established pursuant to Section 6 of Chapter 444 of the Statutes of 1992 may designate at least two congestion management agencies to participate in a demonstration study comparing multimodal performance standards to highway level of service standards. The department shall make available, from existing resources, fifty thousand dollars (\$50,000) from the Transportation Planning and Development Account in the State Transportation Fund to fund each of the demonstration projects. The designated agencies shall submit a report to the Legislature not later than June 30, 1997, regarding the findings of each demonstration project.
(Added by Stats. 1994, Ch. 1146, Sec. 11. Effective January 1, 1995.)

65089.10.

Any congestion management agency that is located in the Bay Area Air Quality Management District and receives funds pursuant to Section 44241 of the Health and Safety Code for the purpose of implementing paragraph (3) of subdivision (b) of Section 65089 shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter.
(Added by Stats. 1995, Ch. 950, Sec. 1. Effective January 1, 1996.)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF _____, CALIFORNIA, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM

WHEREAS, in 1990 the voters of California passed Proposition 111 and the requirement that urbanized counties develop and implement a Congestion Management Program; and

WHEREAS, the legislature and governor established the specific requirements of the Congestion Management Program by passage of legislation which was a companion to Proposition 111 and is encoded in California Government Code Section 65088 to 65089.10; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) has been designated as the Congestion Management Agency responsible for Los Angeles County’s Congestion Management Program; and

WHEREAS, California Government Code Section 65089.3 allows urbanized counties to be exempt from the Congestion Management Program based on resolutions passed by local jurisdictions representing a majority of a county’s jurisdictions with a majority of the county’s population; and

WHEREAS, the Congestion Management Program is outdated and increasingly out of step with current regional, State, and federal planning processes and requirements, including new State requirements for transportation performance measures related to greenhouse gas reduction; and

WHEREAS, on _____ the Metro Board of Directors took action to direct Metro staff to work with local jurisdictions to prepare the necessary resolutions to exempt Los Angeles County from the Congestion Management Program.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of _____, California, as follows:

1. That the above recitations are true and correct.

2. That the City of _____ hereby elects to be exempt from the Congestion Management Program as described in California Government Code Section 65088 to 65089.10.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of _____ on the ____ day of _____ by the following vote, to wit:

AYES:

NOES:

ABSENT:

(Name), Mayor

ATTEST:

(Name), City Clerk

(SEAL)

CMP Overview

- Program Description
- Challenges
- Next Steps

What is the CMP?

- State Mandated Program
- Attempts to link transportation and land use decisions to mitigate congestion
- Defines transportation deficiencies using Level of Service standard
- Requires biennial monitoring, reporting and review
- Nonconformance can result in withholding of gas tax revenues



Why Opt Out of the CMP?

- CMP is outdated in relation to regional, state, and federal transportation planning requirements.
- Relieves Metro and local jurisdictions of a mandate to use Level of Service to determine roadway deficiencies.
- Eliminates the risk to local jurisdictions of losing their state gas tax funds
- Eliminates the administrative and financial burden to cities to demonstrate conformance with the CMP.



CMP not consistent with Metro Best Practices

- Metro performance measures consider Vehicle Miles Traveled (VMT) reduction and safety improvement.
 - “Congestion” must address the broader context of mobility and access, among other metrics.
- Cities retain flexibility in determination and mitigation of impacts
- Metro self-help measures bolster financial resources available to mitigate

Requested Action

- CMP statute allows for opt-out without penalty, if a majority of local jurisdictions representing a majority of the county's population, formally adopt resolutions requesting to opt out of the program;
- If approved, staff will
 - Conduct outreach;
 - Coordinate with local jurisdictions; and
 - Report progress.

**Board Report**

File #: 2018-0122, **File Type:** Program**Agenda Number:**

**PLANNING AND PROGRAMMING COMMITTEE
JUNE 20, 2018****SUBJECT: CONGESTION MANAGEMENT PROGRAM OPT-OUT****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

APPROVE initiating the process for Metro and all Los Angeles County local jurisdictions to opt out of the California Congestion Management Program (CMP), in accordance with State CMP statute.

ISSUE

Metro is required by state law to prepare and update on a biennial basis a Congestion Management Program (CMP) for the County of Los Angeles. The CMP process was established as part of a 1990 legislative package to implement Proposition 111, which increased the state gas tax from 9 to 18 cents. The intent of the CMP was to tie the appropriation of new gas tax revenues to congestion reduction efforts by improving land use/transportation coordination.

While the CMP requirement was one of the pioneering efforts to conduct performance-based planning, the approach has become antiquated and expensive. CMP primarily uses a level of service (LOS) performance metric which is a measurement of vehicle delay that is inconsistent with new state-designated performance measures, such as vehicle miles travelled (VMT), enacted by SB 743 for California Environmental Quality Act (CEQA) transportation analysis.

Pursuant to California Government Code §65088.3 (Attachment A, C.G.C. §65000 et seq.), jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of the county's population formally adopt resolutions requesting to opt out of the program. Given that the CMP has become increasingly out of step with regional, state, and federal planning processes and requirements, staff recommends that Metro initiate the process to gauge the interest of local jurisdictions and other stakeholders in opting out of State CMP requirements.

DISCUSSION

Under the CMP, the 88 incorporated cities plus the County of Los Angeles share various statutory responsibilities, including monitoring traffic count locations on select arterials, implementing transportation improvements, adoption of travel demand management and land use ordinances, and mitigating congestion impacts.

The framework for the CMP is firmly grounded in the idea that congestion can be mitigated by continuing to add capacity to roadways. This is evidenced by the primary metric that drives the program which is LOS. Recent state laws and rulemaking, namely AB 32 (California Global Warming Solutions Act of 2006), SB 375 (Sustainable Communities and Climate Protection Act of 2008), SB 743 (Environmental quality: transit oriented infill projects, judicial review streamlining for environmental leadership development projects) and SB 32 (California Global Warming Solutions Act of 2006), all move away from LOS directly or indirectly. Therefore, the CMP contradicts these key state policies and Metro's own efforts to promote a more sustainable and equitable region.

A number of counties have elected to opt out of the CMP over the years including San Diego, Fresno, Santa Cruz and San Luis Obispo counties. The reasons for doing so are varied but generally concern redundant, expensive, administrative processes that come with great expense, little to no congestion benefit and continue to mandate the use of LOS to determine roadway deficiencies.

The passage of Measure M and the update of the Long Range Transportation Plan present Metro with an opportunity to consider new ways to measure transportation system performance, measures that complement efforts to combat climate change, support sustainable, vibrant communities and improve mobility. For Metro and cities alike, the continued administration of the CMP is a distraction at best or an impediment at worst to improving our transportation system.

Over the last several years, the CMP has become increasingly outdated in relation to the direction of Metro's planning process and regional, state, and federal transportation planning requirements. Additional reasons to opt out of the CMP include:

- Relieves Metro and local jurisdictions of a mandate to use a single measure (LOS) to determine roadway deficiencies.
- Eliminates the risk to local jurisdictions of losing their state gas tax funds or being ineligible to receive state and federal Transportation Improvement Program funds, as a result of not being in compliance with CMP requirements or performance standards.
- Eliminates the administrative and financial burden to cities associated with the preparation of documents to demonstrate conformance with the CMP.

ALTERNATIVES CONSIDERED

Metro could continue to implement the CMP as adopted by the Board or look to update the program. We do not recommend this as we have examined multiple ways to adapt state legislative requirements, but we have been unable to fit Los Angeles county mobility complexities to statutory requirements in a manner that achieves consensus of our stakeholders over the twenty-five-year life of the program. Opting out of the CMP gives Metro the flexibility to implement mobility improvements through the programs and projects in the Long Range Transportation Plan adopted by the Board, while furthering improvements to transportation capacity, choice and cost-effectiveness.

DETERMINATION OF SAFETY IMPACT

This Board action will have no adverse impact on safety standards for Metro.

FINANCIAL IMPACT

There is no impact to the current fiscal year budget, nor any anticipated impact to future budgets or the continued flow of state gas tax revenues to local jurisdictions. The recommended action may have a positive impact on Metro and local jurisdiction budgets in future years by eliminating the annual costs associated with implementing the CMP. Annual costs to local agencies vary based on size but generally require a staff commitment of 25-60 hours per jurisdiction plus the cost of conducting traffic counts at the 164 CMP intersections at a cost of approximately \$250 per intersection. For Metro the annual burden of administering the CMP is approximately 1.2 Full Time Equivalent (FTE).

NEXT STEPS

Upon Board approval, staff will proceed in consulting with local jurisdictions and other interested stakeholders as follows:

- Consult with the Metro Technical Advisory Committee (TAC) regarding opting out of the CMP and conduct a workshop of our stakeholders to receive input on the interest in opting out of the CMP.
- With the concurrence of the TAC and workshop participants, request local jurisdictions to consider adopting draft resolution (Attachment B) to opt out of the program.
- Upon receipt of formally-adopted resolutions from a majority of local jurisdictions representing a majority of the population, notify the State Controller, Caltrans, and SCAG that Los Angeles County has opted out of the CMP in accordance with statutory requirements.

ATTACHMENTS

Attachment A - CMP legislation

Attachment B - Draft Resolution to Opt Out of the Congestion Management Program in Los Angeles County

Prepared by: Paul Backstrom, Manager, Countywide Planning & Development, (213) 922-2183
Mark Yamarone, DEO, Countywide Planning & Development, (213) 418-3452
Kalieh Honish, EO, Countywide Planning & Development, (213) 922-7109
Manjeet Ranu, SEO, Countywide Planning & Development, (213) 418-3157

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



Phillip A. Washington
Chief Executive Officer

**Board Report**

File #: 2018-0122, **File Type:** Program**Agenda Number:**

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JUNE 20, 2018****SUBJECT: CONGESTION MANAGEMENT PROGRAM OPT-OUT****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

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Pursuant to California Government Code §65088.3 (Attachment A, C.G.C. §65000 et seq.), jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of the county's population formally adopt resolutions requesting to opt out of the program. Given that the CMP has become increasingly out of step with regional, state, and federal planning processes and requirements, staff recommends that Metro initiate the process to gauge the interest of local jurisdictions and other stakeholders in opting out of State CMP requirements.

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Over the last several years, the CMP has become increasingly outdated in relation to the direction of Metro's planning process and regional, state, and federal transportation planning requirements. Additional reasons to opt out of the CMP include:

- Relieves Metro and local jurisdictions of a mandate to use a single measure (LOS) to determine roadway deficiencies.
- Eliminates the risk to local jurisdictions of losing their state gas tax funds or being ineligible to receive state and federal Transportation Improvement Program funds, as a result of not being in compliance with CMP requirements or performance standards.
- Eliminates the administrative and financial burden to cities associated with the preparation of documents to demonstrate conformance with the CMP.

ALTERNATIVES CONSIDERED

Metro could continue to implement the CMP as adopted by the Board or look to update the program. We do not recommend this as we have examined multiple ways to adapt state legislative requirements, but we have been unable to fit Los Angeles county mobility complexities to statutory requirements in a manner that achieves consensus of our stakeholders over the twenty-five-year life of the program. Opting out of the CMP gives Metro the flexibility to implement mobility improvements through the programs and projects in the Long Range Transportation Plan adopted by the Board, while furthering improvements to transportation capacity, choice and cost-effectiveness.

DETERMINATION OF SAFETY IMPACT

This Board action will have no adverse impact on safety standards for Metro.

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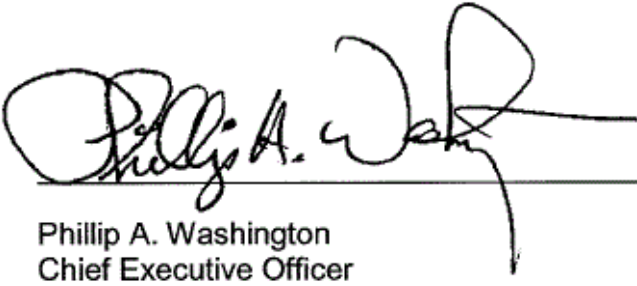
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Phillip A. Washington
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Reviewed by: Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

**Board Report**

File #: 2018-0122, **File Type:** Program**Agenda Number:**

**PLANNING AND PROGRAMMING COMMITTEE
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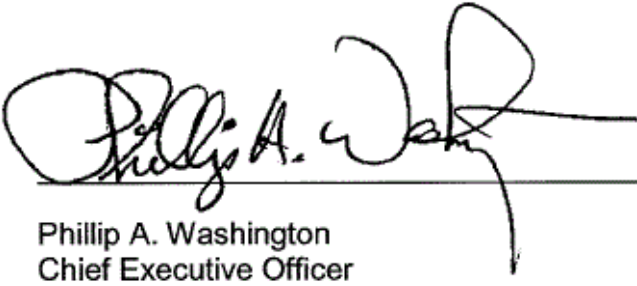
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Reviewed by: Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

**Board Report**

File #: 2018-0282, **File Type:** Agreement**Agenda Number:** 23.

**PLANNING AND PROGRAMMING COMMITTEE
JUNE 20, 2018****SUBJECT: FEDERAL FUNDING EXCHANGE WITH COUNTY OF
LOS ANGELES ON STATE ROUTE 126/COMMERCE
CENTER DRIVE INTERCHANGE PROJECT****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

APPROVE the amendment of the repayment schedule of federal Surface Transportation Program-Local (STP-L) funds with non-federal funds of the Exchange Agreement between the County of Los Angeles (County) and the Los Angeles County Metropolitan Transportation Authority (Metro) for the State Route 126/Commerce Center Drive Interchange Project, as shown in Attachment A.

ISSUE

The County is requesting to amend the repayment schedule for the balance remaining from the exchange of federal STP-L funds with non-federal funds for the State Route 126/Commerce Center Drive Interchange Project. Board approval is required in order to amend the existing agreement repayment schedule; otherwise the County would become in default with the terms of the Exchange Agreement.

DISCUSSION

On October 27, 2011, the Board approved the Exchange Agreement between the County and Metro for the exchange of federal STP-L funds administered by Metro with non-federal County funds. The 2011 agreement (Attachment B) allowed the County to use up to \$41 million of STP-L funds that would otherwise be distributed by formula to other local agencies for the construction of the State Route 126/Commerce Center Drive Interchange Project. This in turn allowed Metro to negotiate agreements to exchange the non-federal funds as they become available with participating local agencies. The Exchange Agreement was developed to benefit smaller local agencies that can more efficiently and expeditiously utilize more flexible non-federal transportation funding and to ensure that the County is able to draw down as much of the available STP-L funding as possible. The County agreed to repay \$13 million on July 1, 2014 and up to \$28 million on July 1, 2016.

On June 18, 2014, due to a project delay resulting from bird nesting season, the Board approved the County's request to amend the repayment schedule for the \$13 million from July 1, 2014 to June 30,

2015 and up to \$28 million from July 1, 2016 to June 30, 2017. Due to subsequent delays encountered during the construction phase, the County did not incur all costs by June 30, 2017. A revised repayment schedule of \$16 million by July 1, 2017 and up to \$12 million due by July 1, 2018 was requested and approved by the Metro on May 25, 2017.

Construction began in August 2013 was completed in October 2017. Since then the County has been working to close out the project. To date the County has remitted \$29 million to Metro and carries a balance of up to \$12 million, which is currently due on July 1, 2018. The County is requesting to split the final payment of up to \$12 million into two payments: \$5 million by July 1, 2018, and up to \$7 million by July 1, 2019 (Attachment C).

This amended repayment request is a result of a combination of stop notices and additional construction engineering expenditures. Approximately \$1.1 million has been withheld from payment to the contractor due to stop notices filed by multiple sub-contractors and suppliers for unpaid balance of services they completed. These services included paving, construction of concrete barriers, placement of soil cement, and labor. The prime contractor and the County are in the process of resolving stop notice claims by the end of the calendar year.

DETERMINATION OF SAFETY IMPACT

Amending the repayment schedule of the Exchange Agreement will not have any adverse safety impacts on Metro's employees or patrons.

FINANCIAL IMPACT

Federal STP-L funds are suballocated funds based on population and are administered through Caltrans. The funds are not part of the Metro budget nor are they available for Metro capital or operating uses. As federal funds, STP-L dollars are subject to strict programming and administrative requirements from the Federal Highway Administration and Caltrans.

Funds received from the County are placed in an interest-bearing account for Project 500014 for pass-through allocations to local agencies participating in the STP-L Exchange Program, with a two percent (2%) administrative fee assessed by Metro. If no funds are received, no exchanges are made. Accordingly, slower repayment by the County will simply defer Metro's ability to offer pass-through allocations to participating local agencies. No other impacts are expected.

Impact to Budget

Amending the Agreement will have no impact to the current Metro budget or for Fiscal Year (FY) 2019. The 2% administrative fee for staff allocation requested in the FY 2019 budget will draw down existing administrative fees accrued from past STP-L exchanges.

ALTERNATIVES CONSIDERED

The Board may choose not to approve amending the repayment schedule of the Exchange

Agreement. Staff does not recommend this alternative because that would bring the County into default with outstanding payments subject to withholding by Metro from the County's: i) Proposition A local return funds; ii) then from Proposition C local return funds; iii) then from Measure R local return funds; iv) and then from any unobligated STP-L balance funds. We also do not recommend this alternative because local agencies would not be able to expedite their transportation projects and may run the risk of having their STP-L funds lapse.

NEXT STEPS

With Board approval, staff will amend the repayment schedule with the County for the balance of STP-L funds. As the County funds are repaid, staff will also continue to negotiate and execute exchange agreements with eligible participating local agencies and ensure that the funds being made available are properly administered and used on STP-L eligible projects in a timely fashion.

ATTACHMENTS

Attachment A - Proposed 2018 Amendment to Exchange Agreement

Attachment B - 2011 Exchange Agreement for the SR-126/
Commerce Center Drive Interchange Project

Attachment C - Repayment Schedule

Prepared by: doreen Morrissey, Principal Transportation Planner, Countywide Planning & Development, (213) 418-3421

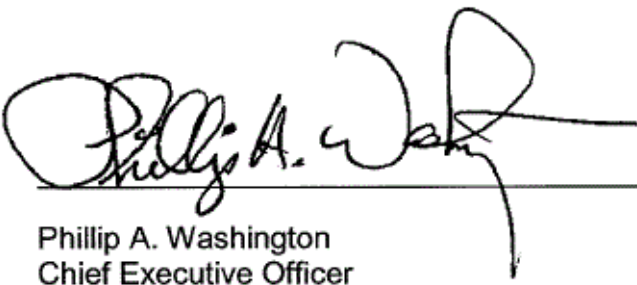
Nancy Marroquin, Senior Manager, Countywide Planning & Development,
(213) 418-3086

Ashad Hamideh, Senior Director, Countywide Planning & Development, (213) 922-4299

Wil Ridder, EO, Countywide Planning & Development, (213) 922-2887

Laurie Lombardi, SEO, Countywide Planning & Development, (213) 418-3251

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



Phillip A. Washington
Chief Executive Officer

AMENDMENT NO. 2 TO
EXCHANGE AGREEMENT

This AMENDMENT NO. 2 to EXCHANGE AGREEMENT (this "AMENDMENT"), is dated as of June 28, 2018 by and between County of Los Angeles, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), and the Los Angeles County Metropolitan Transportation Authority ("Metro").

RECITALS:

A. COUNTY and Metro entered into an Exchange Agreement dated October 31, 2011, which was amended on June 20, 2017, as amended (the "Existing Agreement"), which Existing Agreement provides for the exchange of federal Surface Transportation Program-Local (STP-L) funds for non-federal funds in connection with the State Route 126/Commerce Center Drive Interchange Improvement Project ("the Project"). COUNTY's repayment of the exchanged funds would occur on two specified dates: July 1, 2014 (up to \$13 million) and July 1, 2016 (up to \$28 million).

B. In June 2014, the Metro Board approved amending the repayment schedule so the first payment would be changed from July 1, 2014 to June 30, 2015, and the second payment would be changed from July 1, 2016 to June 30, 2017. However this was not documented in an amendment.

C. In May 2017, the Metro Board approved amending the repayment schedule by splitting the second payment (up to \$28 million) that was due on June 30, 2017 into two payments: \$16 million due July 1, 2017 and up to \$12 million due July 1, 2018. This was documented in Amendment No. 1.

D. In June 2018, the Metro Board approved amending the repayment schedule by splitting the second payment (up to \$12 million) that was due on July 1, 2018 into two payments: \$5 million due on July 1, 2018 and up to \$7 million due July 1, 2019. This is documented in Amendment No. 2.

E. To Date, COUNTY has remitted and Metro received two payments totaling \$29 million due under the Existing Agreement.

F. COUNTY and Metro desire to amend the Existing Agreement for the new payment dates as provided herein.

AGREEMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

1. Section 2d as Exchange Agreement previously amended and replaced with Amendment No. 1, is hereby amended by deleting it in its entirety and replacing it with the following:

In consideration for the \$41 million in STP-L funds provided by Metro, to pay Metro an amount equal to the total amount of STP-L funds used by COUNTY as follows: on June 30, 2015, payment of the sum of \$13.0 million; on July 1, 2017, payment of the sum of \$16.0 million; on July 1, 2018, payment of the sum of \$5.0 million; and on July 1, 2019, an amount to make up the remaining balance owing up to \$7.0 million. The final payment of up to \$7.0 million on July 1, 2019 to Metro will be equal to the total federal funding utilized and reimbursed from the \$41.0 million in STP-L funds less the \$13.0 million payment made by the COUNTY on June 30, 2015, the \$16.0 million payment made by the COUNTY on July 1, 2017, and the \$5 million due on July 1, 2018.

2. Except as set forth above, the terms and conditions of the Exchange Agreement will remain unchanged.

Signature page follows

IN WITNESS WHEREOF, the parties have caused this Amendment No. 2 to be duly executed and delivered as of the above date.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Phillip A. Washington
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____
Deputy

Date: _____

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

By: _____
John T. Walker
Interim Deputy Director

Date: _____

MOU.STPL8099

EXCHANGE AGREEMENT

This Exchange Agreement ("AGREEMENT"), made and entered into as of October 31, 2011 by and between the County of Los Angeles, a political subdivision of the State of California (hereinafter referred to as "COUNTY") and the Los Angeles County Metropolitan Transportation Authority, the regional transportation planning authority for the County of Los Angeles (herein after referred to as "LACMTA").

WITNESSETH

WHEREAS, COUNTY desires to perform the grade-separated interchange at the SR-126/Commerce Center Drive intersection, widening of SR-126, and realignment of Henry Mayo Drive (hereinafter referred to as "PROJECT"); and

WHEREAS, COUNTY is willing to perform or cause to be performed, all work necessary to construct PROJECT; and

WHEREAS, COUNTY is further willing to administer PROJECT with federal funds, in accordance with all requirements and restrictions related to those funds; and

WHEREAS, PROJECT total construction cost is currently estimated to be \$55,000,000, of which \$9,200,000 is funded with a Proposition C 25% grant through the LACMTA Call for Projects (Project ID 8099) and the remaining \$45,800,000 will be ultimately financed with Westside Bridge and Major Thoroughfare Construction Fee (B&T) District funds as fees are collected; and

WHEREAS, COUNTY desires to exchange \$41,000,000 of COUNTY funds for \$41,000,000 of Federal Surface Transportation Program-Local (STP-L) funds to be programmed by LACMTA for transportation purposes; and

WHEREAS, the LACMTA Board has authorized the transfer of STP-L funds with COUNTY in exchange for an equal amount of COUNTY funds; and

WHEREAS, In exchange for the STP-L funds, the COUNTY has agreed to pay to LACMTA an amount equal to the total amount of STP-L funds used by COUNTY as follows: \$13.0 million on July 1, 2014, and a final payment to make up the remaining balance owing up to \$28.0 million on July 1, 2016.

WHEREAS, COUNTY's final payment on July 1, 2016 to LACMTA will be equal to the total Federal funding utilized and reimbursed from \$41.0 million in STP-L funds towards the eligible construction costs of the PROJECT less \$13.0 million payment made by the COUNTY on July 1, 2014. ; and

WHEREAS, current PROJECT schedule estimates advertising for construction bids in November 2011. The construction is anticipated to take approximately two years to complete; and

WHEREAS, an exchange of funds as proposed herein is beneficial to and in the general interest of COUNTY and LACMTA, as well as other local agencies within the County of Los Angeles.

NOW THEREFORE, in consideration of the mutual benefits to be derived by COUNTY and LACMTA and of the promises contained herein contained, it is hereby agreed as follows:

(1) LACMTA AGREES:

To program STP-L funds to the COUNTY in the amount of \$41,000,000 in exchange for the COUNTY's payment to LACMTA of an amount equal to the amount of STP-L funds County actually receives under this Agreement ("COUNTY Funds"). LACMTA shall program the COUNTY Funds for transportation purposes. LACMTA shall complete such programming upon full execution of this AGREEMENT.

- a. To accept COUNTY's payment of COUNTY Funds, in the manner specified in Paragraph (2) below.
- b. To make the COUNTY Funds available to agencies for qualifying transportation projects and administrative expenses.

(2) COUNTY AGREES:

- a. To accept LACMTA's programming of STP-L funds, to take all steps necessary to draw down on the STP-L funds, and to expend the STP-L funds in accordance with the STP-L expenditure guidelines pursuant to Title 23, Section 133 of the SAFETEA-LU or subsequent reauthorizations, including STP-L fund lapsing policy. COUNTY understands the STP-L funds can only be used towards eligible construction costs of the PROJECT. COUNTY understands that STP-L funds are contingent upon availability from the Federal Government.
- b. To notify LACMTA of the obligation of STP-L funds by means of submitting a copy of the State of California Department of Transportation (Caltrans) approval (E76 form, or other official Caltrans notification of approval and obligation) upon receipt from Caltrans.
- c. To notify LACMTA of the actual amount of STP-L funds used by COUNTY. If COUNTY does not use the entire \$41 million STP-L fund allocation, COUNTY shall "timely deobligate" such unused portion so that LACMTA can reprogram such unused allocation to other project sponsors. For purposes of this Agreement, "timely deobligate" shall mean the FHWA date of deobligation, as documented and reported by Caltrans, is at least nine (9) months before the date such funds are scheduled to lapse or otherwise expire.

d. In consideration for the \$41 million in STP-L funds provided by LACMTA, to pay LACMTA an amount equal to the total amount of STP-L funds used by COUNTY as follows: on July 1, 2014, payment of the sum of \$13.0 million and on July 1, 2016, an amount to make up the remaining balance owing up to \$28.0 million. The final payment of up to \$28 million on July 1, 2016 to LACMTA will be equal to the total Federal funding utilized and reimbursed from the \$41.0 million in STP-L funds less \$13.0 million payment made by the COUNTY on July 1, 2014.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

a.. DEFAULT: A Default under this Agreement is defined as any one or more of the following: (i) COUNTY fails to pay the scheduled payments described in section 2(d) above, ; (ii) COUNTY fails to cause Caltrans to “timely deobligate” any unused portion of the STP-L funds; or (iii) COUNTY fails to otherwise perform its obligations set forth in this Agreement.

b. REMEDIES: In the event of a default by COUNTY, LACMTA shall provide written notice of such Default to COUNTY with a 30-day period to cure the Default. In the event COUNTY fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period the satisfaction of LACMTA, LACMTA shall follow the remedy procedure set forth in Section 3(i) below, and if, after following such procedure, LACMTA still has not received the full annual payment due in a fiscal year, LACMTA and Authority shall have any and all rights and remedies against COUNTY which may now or hereafter be available to it in law or in equity as set forth in Section 3(ii) below.

(i). In the event of a default by COUNTY, then COUNTY authorizes that such outstanding payments due to LACMTA (either the amount due from County’s failure to meet the payment schedule set forth in Section 2(d) or the amount COUNTY has failed to “timely deobligate” calculated at the time of default) shall be paid from and hereby authorizes LACMTA to withhold the following COUNTY funds in the following priority: First, from the COUNTY’s Proposition A local return funds, then from Proposition C local return funds, then from Measure R local return funds, and then from any unobligated STP-L balance funds. After LACMTA has withheld and offset the applicable amount of funds to satisfy COUNTY’s outstanding obligation, LACMTA shall transfer the balance of such local return funds and/or unobligated STP-L balance funds to the COUNTY in accordance with the applicable state laws or ordinances.

(ii) The remedies described herein are non-exclusive. LACMTA and COUNTY shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

c. In the event that there is any legal court (e.g., Superior Court of the State of California, County of Los Angeles, or the U.S. District Court for the Central District of California) proceeding between the parties to enforce or interpret this AGREEMENT, to protect or establish

any rights or remedies hereunder, the prevailing party shall be entitled to its costs and expenses, including reasonable attorney's fees.

d. COUNTY shall fully indemnify, defend and hold LACMTA and its officers, agents and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property and environmental obligations, any legal fees and any claims for damages of any nature whatsoever arising out of (i) a breach of COUNTY's obligations under this Agreement or (ii) any act or omission of COUNTY or its officers, agents, employees, contractors or subcontractors in the performance of the Project or the work described herein;

e. LACMTA shall fully indemnify, defend and hold COUNTY and its officers, agents and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property and environmental obligations, any legal fees and any claims for damages of any nature whatsoever arising out of (i) a breach of LACMTA's obligations under this Agreement or (ii) any act or omission of LACMTA or its officers, agents, employees, contractors or subcontractors in the performance of the Project or the work described herein;

f. This AGREEMENT may be amended or modified only by mutual written consent of LACMTA and COUNTY.

g. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

COUNTY:

Ms. Gail Farber
Director of Public Works
County of Los Angeles
P.O. Box 1460
Alhambra, CA 91802-1460

LACMTA:

Mr. Arthur T. Leahy
Chief Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
ATTN: FRANK FLORES

Executive Officer

h. This AGREEMENT constitutes the entire understanding between the parties with respect to the subject matter herein.

i. This AGREEMENT shall be governed by California law.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the Los Angeles County Metropolitan Authority on October 31, 2011, 2011, and by the County of Los Angeles on 10/19/11, 2011.

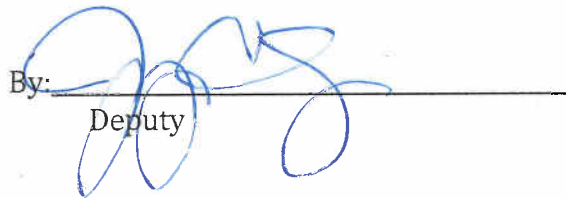
LACMTA:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: 
Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

Andrea Sheridan Ordin
County Counsel

By: 
Deputy

COUNTY:

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS


By: 
Patrick V. DeChellis
Deputy Director

Table 1. Repayment Schedule

Board Action	First Payment		Second Payment		Receipt Amount (\$ millions)
	(\$ millions)	Due	(\$ millions)	Due	
5/26/2011	\$13	7/1/2014	up to \$28	7/1/2016	-
6/26/2014	\$13	6/30/2015	up to \$28	6/30/2017	\$13
5/25/2017	\$16	7/1/2017	up to \$12	7/1/2018	\$16
6/28/2018	\$5	7/1/2018	up to \$7	7/1/2019	



Board Report

File #: 2017-0798, File Type: Contract

Agenda Number: 24.

PLANNING AND PROGRAMMING COMMITTEE JUNE 20, 2018

SUBJECT: EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. APPROVING the Locally Preferred Alternative (LPA) as Alternative #4 (modified): At-grade Light Rail Transit (LRT) with the Rail Maintenance and Storage Facility Option B;
- B. AUTHORIZING the Chief Executive Officer to:
- EXECUTE Modification No. 16 to Contract No. PS4370-2622 with KOA Corporation (KOA) to exercise Option B for the Project's Final Environmental Impact Statement/Report (EIS/EIR) in the amount of \$699,255, increasing the total contract value from \$5,559,918 to \$6,259,173;
 - EXECUTE Modification No. 17 to Contract No. PS4370-2622 with KOA for technical analysis including advanced conceptual engineering (ACE), first/last mile planning, a connectivity study with the Metro Orange Line and grade crossing safety analysis in support of an at-grade LRT Alternative #4, in the amount of \$2,021,013, increasing the total contract value from \$6,259,173 to \$8,280,186; and
 - INCREASE Contract Modification Authority (CMA) specific to Contract No. PS4370-2622 in the amount of \$400,000, increasing the total amount from \$1,039,443 to \$1,439,443.

ISSUE

Metro is the lead agency for the California Environmental Quality Act (CEQA) EIR clearance and the Federal Transit Administration (FTA) is the lead agency for the National Environmental Policy Act (NEPA) EIS clearance. As the lead agency for the CEQA clearance, Metro has, in coordination with the FTA and the cities of Los Angeles and San Fernando, completed an environmental analysis for the East San Fernando Valley Transit Corridor Project.

Board action on the selection of an LPA is needed to prepare the Final EIS/EIR and remain on schedule, with an opening date of 2027. Selection of the LPA and preparation of the Final EIS/EIR

collectively is a key milestone in the project delivery process. The Project is included in the Measure M Expenditure Plan and is included in the Twenty-Eight by '28 Initiative.

BACKGROUND

The East San Fernando Valley Transit Corridor (ESFVTC) Project is a proposed 9.2-mile transit corridor that would extend north from the Metro Orange Line (MOL) for 6.7 miles in the median or along the curb of Van Nuys Boulevard, and then northwest on or adjacent to San Fernando Road for 2.5 miles to the Sylmar/San Fernando Metrolink Station.

At the November 20, 2013 meeting, the Board received and filed an update on the initial phases of the Draft EIS/EIR for the ESFVTC Project (Item #25). At that time, Bus Rapid Transit (BRT) and LRT were the build alternatives identified to be studied and \$170.1 million had been reserved for the Project in Metro's 2009 Long Range Transportation Plan (LRTP). While working on the environmental document, Metro found that all the build alternatives would cost more than what had been reserved for the Project in the 2009 LRTP, with the LRT alternatives projected to cost significantly more. The Federal Transit Administration (FTA) as lead agency for the EIS, declined to advance the joint environmental document because a reasonable and achievable funding package was not identified. Subsequently in November 2016, Measure M was passed by Los Angeles County voters, which estimated \$1.3 billion in funding for the Project. With a funding package identified, the FTA agreed to proceed with environmental review.

If LRT is chosen as the preferred alternative, the LRT tracks adjacent to San Fernando Road would operate on the westerly portion of the Metro-owned railroad right-of way (ROW) and Metrolink would operate on the easterly portion of the ROW. The Project's Draft EIS/EIR assessed four build alternatives along with the required Transportation Systems Management (TSM) and No-Build alternatives. The build alternatives include two BRT (curb running and median running) and two LRT (standard LRT and low-floor LRT/tram) alternatives. The number of stations considered ranged from 14 to 28 and both at-grade and partial-subway alternatives were considered. If LRT is selected as the preferred alternative, the environmental document also evaluated three candidate locations for a maintenance and storage facility (MSF).

The ESFVTC Project is identified in the Measure M ordinance as a "high-capacity transit project, mode to be determined, that connects the Orange Line Van Nuys Station to the Sylmar/San Fernando Metrolink Station. Consisting of 14 stations along 9.2 miles". Per the Measure M Expenditure Plan, \$1.331 billion has been estimated for the Project in 2015 dollars. Staff's LPA recommendation for the ESFVTC Project is consistent with the ordinance.

DISCUSSION

A detailed description of each of the alternatives is provided in the attached Executive Summary to the Draft EIS/EIR (Attachment A). The full Draft EIS/EIR is available on the Project website at: www.metro.net/projects/east-sfv <<http://www.metro.net/projects/east-sfv>>. A description and factors to consider for each alternative are described below.

Build Alternative 1 - Curb-Running BRT

In the evaluation of the curb-running BRT alternative, it was determined that frequent intersections and a high concentration of businesses exist along Van Nuys Boulevard. A motor vehicle would need to enter the curbside BRT lane to navigate a right-turn into a parking lot or onto one of the many intersecting roadways. This motor vehicle movement would significantly impact the alternative's operating efficiencies and substantially affect vehicular access to businesses.

Build Alternative 2 - Median-Running BRT

This alternative would realize superior BRT operation efficiencies by operating in an exclusive lane in the middle of Van Nuys Boulevard and avoiding most motor vehicle conflicts. However, because an articulated bus can only seat 57 passengers, overcrowding could be a problem, especially if bus spacing is not maintained. Because bus stops for local buses are currently at approximate 1/4-mile intervals on Van Nuys Boulevard, and because median-running BRT would have stops every 3/4 of a mile, local buses would remain in the curb lane and not benefit from the median bus lane.

Build Alternative 3 - Low-Floor LRT/Tram

The low-floor LRT/tram alternative would operate similar to existing local bus service with stops at approximate 1/3-mile intervals. There would be 28 stations with median platforms that would be elevated about two feet thereby matching the height of low-floor train cars. A technical review found that having 28 stations over a 9.2-mile alignment would result in poor operating efficiencies (42 minutes to travel end-to-end by 2040). Because of the frequent stops, the alternative's travel speed would be less than that of the BRT alternatives.

Build Alternative 4 - LRT At-Grade and Subway

This alternative would resemble other Metro-operated LRT systems with high floor trains, an elevated station platform, and spacing that would enable the system to realize significant operating efficiencies (14 stations). The alternative includes 2.5-miles of subway and three underground stations (Sherman Way, Van Nuys Metrolink Station, and Roscoe Boulevard). However, the analysis found that a short subway segment would cost an additional \$1.4 billion, doubling the Project cost, but only reduce passenger travel time by approximately two minutes. For this reason, the recommended LPA is deemed "modified" because it does not include the subway segment. The alternative would realize significant efficiency improvements (29 minutes to travel end-to-end by 2040), and the highest projected corridor boardings (47,400 by 2040).

Maintenance and Storage Facility (MSF)

Should the Board identify a rail alternative as the LPA, a MSF is required. Staff considered three candidate sites: Option A - west of the MOL Van Nuys Station; Option B - west of Van Nuys Boulevard and immediately south of the Metrolink tracks; and Option C - west of Van

Nuys Boulevard and immediately north of Metrolink tracks. All options would be within a ¼-mile of the alignment and are 25 to 30 acres in size. When the community was notified of the three MSF options, significant opposition to Option A materialized due to the number of businesses that would be affected/displaced. A limited number of comments were received pertaining to Options B and C; however, a letter was received from Los Angeles City Council District 6 which covers this area, in support of Option B. Comments were received in support of a fourth option (not included in the Draft EIS/EIR) that would be on LADWP land to the east of the Van Nuys Metrolink Station. Metro looked at this land but determined that it was more than a ¼-mile from the alignment and would require navigating through LADWP property to access. In addition, LADWP provided a comment letter stating their intention to use this land for planned expansion as early as 2019 and that it was therefore unavailable.

Public Outreach

The Draft EIS/EIR was released for a 60-day public review period on September 1, 2017. Metro hosted five public hearings and in total, more than 900 comments were received. Per the “Public Comment Summary Report” (Attachment B), the two most common comments received were:

- 1) Support for an at-grade LRT alternative with 14 stations; and
- 2) Opposition to Maintenance and Storage Facility Option A, which is adjacent to the MOL Van Nuys Station

Two comments were received that require additional study, both of which can be addressed as part of the Final EIS/EIR:

Southern California Regional Rail Authority (SCRRA) - The SCRRA requested additional safety analysis be undertaken along the 2.5-mile shared railroad ROW that is adjacent to San Fernando Road and between Van Nuys Boulevard and the Sylmar/San Fernando Metrolink Station. There are six at-grade intersections along this span of ROW where a single regional rail track currently exists. In response, staff will undertake a more detailed “LRT Grade-Crossing and Safety Study” as a part of the technical analysis recommended in this report to support the Final EIS/EIR.

The SCRRA letter also cited Metro’s Brighton to Roxford Double Track Study, which includes the addition of a second mainline track along the same span of ROW that is proposed for use by the light rail project. This would create a total of four tracks including two for the East San Fernando Valley light rail project and two for the Brighton to Roxford regional rail project in the segment between Van Nuys Boulevard and the Sylmar/San Fernando Metrolink Station. Initial reviews indicate the ROW width is adequate to accommodate all four tracks, however, staff will undertake a more detailed advanced conceptual engineering design as a part of the technical analysis recommended in this report to support the Final EIS/EIR and to insure that a future regional rail track is not precluded.

City of San Fernando - The City of San Fernando expressed support for LRT, but requested that Metro work to minimize the need to acquire industrial properties in the City. There is sufficient room for LRT, the existing single regional rail track, and a Class 1 bike path for most of the one-mile

segment that passes through the City. However, because the ROW narrows north of Brand Boulevard, staff initially thought industrialized land acquisition would be required. Staff has re-reviewed the ROW and is now confident that it can significantly reduce or eliminate acquisitions of industrialized properties in the City of San Fernando. To insure that impacts to industrial properties are minimized to the greatest extent possible, staff will undertake Advanced Conceptual Engineering (ACE) in close coordination with the City of San Fernando as a part of the technical analysis recommended in this report to support the Final EIS/EIR.

Additional Considerations

- Van Nuys Station/MOL Connection - After the ESFVTC Draft EIS/EIR was near completion, Metro initiated, as a separate study, the MOL-BRT Improvement Study. The MOL-BRT study is considering a grade-separated BRT station at Van Nuys Boulevard. The current ESFVTC Draft EIS/EIR envisions an at-grade to at-grade station connection with the MOL. If the MOL project independently selects a grade separation at Van Nuys Boulevard, the MOL aerial station will require a vertical connection to the ESFVTC. In that scenario, a connectivity study is needed to identify modifications to the ESFVTC to enable the Project to properly connect with the MOL. This connectivity study would be concurrently conducted with the preparation of the Final EIS/EIR as a part of the technical analyses recommended in this report. Each Project has independent utility as they don't connect; rather the ESFVTC's southern terminus would be under the MOL's Van Nuys Station, where transit users would be able to transfer via a vertical connection (i.e., escalator, stairs, and/or elevator).
- First/Last Mile (F/LM) - In December 2016, the Board directed staff to include F/LM components in all LRT Transit Corridor Studies. The Board policy requires that F/LM be integrated in the planning and delivery of the transit project, and allows that those F/LM improvements included in the project may be implemented by the local agency and counted toward satisfying the 3% local match requirement, which is reflected in the Measure M implementing guidelines. However, those projects where such cost and scope are finalized in advance of the F/LM plans are considered "transitional", and separate funding outside the rail project budget must be secured to implement an F/LM plan.

Because the policy was not in place before the Draft EIS/EIR was substantially written and submitted to the FTA for review for the Project, it will be concurrently addressed in parallel with the Final EIS/EIR phase. The F/LM study will be developed based on the Project. However, it will not be environmentally cleared as part of the Project EIS/EIR. Funds to undertake the F/LM studies are included in the technical studies recommended in this report. Consistent with the F/LM procedures and policies approved by the Board, F/LM recommended improvements emerging from LRT Transit Corridor plans must be included in the project scope and cost estimate, which is determined when 30% design is completed, to be a potential basis for 3% cost contributions.

Prior to proceeding with the above technical studies, an LPA needs to be selected by the Board in order to focus further work on a single Project that can be environmentally cleared when the Board

reviews and acts on the Final EIS/EIR and the FTA reviews and acts on the Final EIS. The Draft EIS/EIR analysis and community support have developed a strong consensus for the selection of LRT as the preferred mode for the Project. The MSF Site Option B (Attachment D) emerged as the recommended site for LRT maintenance and storage over Site Options A and C. Work on the above technical studies will be managed by the prime consultant, KOA, Inc., and performed by sub-consultants on the consultant team, as supervised by Metro staff. A Notice to Proceed will be issued following Board approval of the recommendations in this report.

Summary of Public Comments

As summarized in Attachment B, Metro hosted five public hearings and in an effort to increase public participation, public hearings were held at various locations and times of day. An additional informational meeting was held on October 10, 2017 to address specific concerns from property owners and tenants whose properties were identified for potential acquisition.

Approximately 350 persons attended and more than 900 comments were received by mail, email, through the Project website, and in-person at public hearings and community events. Some of the more common comments included:

- Strong preference for LRT;
- Strong opposition to MSF Option A;
- Significant support for a 14-station LRT option;
- Property acquisition concerns;
- Concerns pertaining to potential construction-related impacts;
- Support for potential transit connections to:
 - Future Metro Projects (Sepulveda Transit Project, MOL Improvements)
 - Amtrak and Metrolink;
- General safety and security concerns with public transit; and
- Concerns pertaining to the loss of on-street parking and loss of bike lanes

Community input has been encouraged and received at every step of the ESFVTC Project development.

LPA Recommendation

Based on the technical evaluation and public stakeholder input, Alternative 4, modified to be at-grade LRT only, is recommended as the LPA (Attachment C). The operating efficiencies that would be realized through LRT Alternative 4, along with the number of corridor boardings that the alternative is projected to generate, best matched the Project's purpose and need to:

- Improve north-south mobility
- Provide more reliable operations and connections between key transit hubs/routes
- Enhance transit accessibility/connectivity to local and regional destinations
- Provide additional transit options in a largely transit-dependent area
- Encourage mode shift to transit

The modified LRT Alternative 4 recommendation matches Metro's Metro M commitment to San Fernando Valley voters to construct a "high-capacity" transit project that extends from the MOL to the Sylmar San Fernando Metrolink station (9.2 miles). A three-car train set can accommodate up to 400 riders, which is far greater capacity than can be achieved with the other BRT alternatives evaluated.

The projected total cost for Alternative 4 with mix of at-grade and subway is \$2.7 billion (2014 dollars), which exceeds the \$1.331 billion (2015 dollars) estimated for the Project in the Measure M Expenditure Plan. However, by changing the subway portion of the alignment to at-grade, the projected total cost would be within range of the Measure M estimate. Due to its higher capacity, the LRT alternative could operate with a shorter headway and thereby have less of an impact to traffic. The train's capacity would also reduce overcrowding, which is a common issue for the articulated buses that currently operate on Van Nuys Boulevard. This corridor has some of the highest bus boardings in Metro's system, because of a high number of transit-dependent riders.

The LRT recommendation is also in-line with comments received during the Draft EIS/EIR 60-day public review period. The community voiced strong support for a rail alternative that would reduce travel time through and within the corridor. Although the community was supportive of the 2.5-mile subway, most stated that they'd prefer to have an at-grade LRT system now, rather than wait for additional funds to be identified for a subway. In addition, some voiced concern over the construction impacts (including additional ROW acquisitions) that would occur if a subway were built.

The Draft EIS/EIR also evaluated three potential MSF sites. Based on a technical analysis of all three and public input, Option B (Attachment D) is recommended. MSF Option B is strategically located at the mid-point of the alignment and is the only option which does not significantly impact residential properties. Significant opposition to Option A (adjacent to the MOL) was expressed by the community, while Option B was the only MSF option that received support comments including letters from a local Los Angeles City Councilmember and Panorama City Neighborhood Council. It is unknown at this time if the future Sepulveda Transit Corridor can share the Option B MSF, as that project is in the early phase of a Feasibility Study in which alignments and modes are under preliminary evaluation.

The LRT recommendation is consistent with the goals/objectives outlined in the Metro Equity Platform Framework in that the Project alignment is located in a disadvantaged, underserved community where access to premium transit service is limited. There is a high concentration of minority communities residing in the ESFVTC study area including a significant concentration of Hispanic or Latino 71.7% (35% higher than the City of Los Angeles and 24% higher than the County). Approximately 17.5% of the households in the study area are below the poverty level, which is 0.2% higher than the City and 3.5% higher than the County. The ESFVTC Project will provide residents with direct connections to the Antelope Valley and Ventura County Metrolink lines and to the MOL, which connects to the Metro Red Line. Through these regional connections, underserved populations will have access to employment and educational opportunities, which otherwise would be much more difficult to reach without the Project. The F/LM Project component will promote equity and sustainability by connecting underserved neighborhoods to the Metro transit network. The community will be included in the process of identifying the pedestrian, bicycling, landscaping and other F/LM enhancements.

DETERMINATION OF SAFETY IMPACT

Approval of this item will not impact the safety of Metro's customers or employees.

FINANCIAL IMPACT

The FY19 budget includes \$1.2M for the contract modifications in Project 465521, East San Fernando Valley Transit Corridors, Cost Center 4350, Systemwide Team 2. Board approval of this item will allow Metro staff to continue to develop the Project to its next milestones: completing the environmental process and initiating preliminary engineering.

Since this is a multi-year project, the cost center manager and the Chief Planning Officer will be accountable for budgeting the cost in future years, including any option exercised.

Impact to Budget

The funding sources include Measure M (35% - Transit Construction) and Measure R (35% - Transit Capital), which are not eligible for bus and rail operating expenses.

At this time, the total estimated cost for the Project is approximately \$1.3 billion and consistent with the total cost previously reported to the Board (as part of the Draft EIR/EIS and Measure M Expenditure Plan). Staff is concurrently pursuing funding for the Project, in accordance with the funding sources identified in the Long Range Transportation Plan Financial Forecast (Metro's system-wide funding plan for Board-approved projects). The Project was recently awarded approximately \$202 million in State Transportation Improvement Program (STIP) funds, as well as \$205 million in SB1 - Gas Tax Transit Intercity Rail Capital Program (TIRCP) funds. These funds will be available for the Project's future construction costs.

ALTERNATIVES CONSIDERED

The Board may decide to not select a LPA for the ESFVTC Project. This is not recommended, as it would delay the Project, making it difficult to meet the Measure M Expenditure Plan schedule. Alternately, the Board may decide to not select the LRT alternative as the Project's LPA. This is not recommended because the LRT alternative would realize the greatest operating efficiencies, would accommodate far more riders and attract more boardings, and is the alternative that enjoys overwhelming support from the impacted community.

The Board may decide to select another alternative as the Project's LPA. The other alternatives evaluated in the Draft EIS/EIR are identified below, along with staff's reasoning for why the alternative was not recommended:

- Alternatives 1 and 2: Curb-running and median-running BRT - both the BRT alternatives had capacity concerns as an articulated BRT has a maximum capacity of 69 riders, which is far less than a three car LRT train-set which has a capacity of 400 persons. Overcrowding is a frequent problem for articulated buses that currently operate on Van Nuys Boulevard. In addition, the operation efficiencies that would be realized by the alternatives would not be significantly superior to those enjoyed by existing bus service. The community voiced strong support for LRT and opposition to BRT.

- Alternative 3: Low-Floor LRT/Tram - This alternative includes 28 stations (approximate 1/3-mile intervals) which resulted in operating efficiencies that were less than that of the BRT alternatives. The low-floor stations would help efficiencies, but the unique configuration would prevent trains from seamlessly connecting with other LRT lines if extended in the future. The community was very receptive to LRT, but strongly preferred a fourteen station design that could operate at greater speeds and reduce travel time.
- Alternative 4 (unmodified): At-Grade and Subway - This alternative without the proposed modification to eliminate the subway segment is double the project cost estimate in Measure M, has greater property impacts, and would substantially delay the timeline for delivery of the project; it is therefore not recommended.

If at-grade LRT is chosen as the LPA, the Board may also decide to not select Option B as the LPA for a MSF to house and service the trains. In addition to Option B, two additional locations were evaluated for an MSF in the Draft EIS/EIR. These MSF options are identified below along with staff's reasoning for why the Option is not recommended:

- MSF Option A: This MSF option, which would be located to the west of the Van Nuys MOL Station, resulted in significant opposition from the community. The area has many businesses due to the zoning in place.
- MSF Option C: This MSF option would be located to the west of Van Nuys Boulevard and immediately north of the Metrolink tracks in Panorama City. The option proved to be more difficult to access due to the dip in Van Nuys Boulevard where Metrolink passes. There are also several multi-unit residential properties to the north of the option that would be impacted by a train yard's noise and vibration.

NEXT STEPS

After selection of an LPA, staff will initiate work on the Project's Final EIS/EIR. Staff anticipates returning to the Board in early 2019 for Project Certification and then approaching the FTA to obtain a Record of Decision (ROD).

Upon Board approval, staff will execute Modifications No. 16 and 17 to Contract No. PS4370-2622 with KOA and work will immediately commence on the LRT Grade Crossing and Safety Analysis; ACE; Van Nuys Station Connectivity Study; and the F/LM analysis. Staff anticipates this effort to take eight to twelve months to complete.

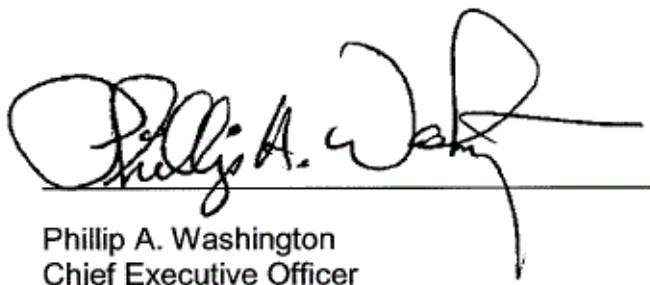
Staff will also release a Request for Proposals (RFP) for the Project's preliminary engineering phase. By releasing the RFP now, staff will be ready to approach the Metro Board for authorization to award PE immediately following Board Certification of the Project.

ATTACHMENTS

Attachment A - Executive Summary of the Draft EIS/EIR
Attachment B - Public Comment Summary Report
Attachment C - Project Description and Map of Recommended Locally Preferred Alternative
Attachment D - Map of Maintenance and Storage Facility (MSF), Option B
Attachment E - Procurement Summary
Attachment F - Contract Modification/Change Order Log
Attachment G - DEOD Summary

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EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT

DRAFT ENVIRONMENTAL IMPACT STATEMENT/
DRAFT ENVIRONMENTAL IMPACT REPORT

EXECUTIVE SUMMARY



Metro



U.S. Department of
Transportation
Federal Transit Administration

ES.1 Introduction

The East San Fernando Valley Transit Corridor Project is a vital public transit infrastructure investment that would provide improved transit service along the busy Van Nuys Boulevard and San Fernando Road corridors serving the eastern San Fernando Valley. The proposed project would extend from the Sylmar/San Fernando Metrolink Station on the north to the Metro Orange Line on the south and provide area residents, businesses, and transit-dependent populations with improved mobility and access to the regional transit system. Figure ES-1 shows the regional Los Angeles County Metropolitan Transportation Authority (Metro) transit lines expected to be operational by the year 2040 and illustrates how the East San Fernando Valley Transit Corridor Project would improve access to the regional system.

In addition to mobility benefits, the East San Fernando Valley Transit Corridor Project would provide the project area with transportation, economic, land use, and environmental benefits. The analyses presented in this Draft Environmental Impact Study/Environmental Impact Report (Draft EIS/EIR) documents the impacts to the environment that could occur due to the project, as required by federal National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) regulations. It also illustrates how improved mobility to and from the project area has the potential to boost economic development and improve social justice by providing better access to employment, educational and health facilities, and activity centers. Improved transit connectivity and service would also increase transit ridership, which in turn could result in environmental benefits due to reduced vehicle trips, reductions in vehicle miles traveled, less roadway congestion, and improved air quality.

The East San Fernando Valley Transit Corridor Project is included in the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan /Sustainable Communities Strategy (RTP/SCS), adopted in April 2016. The RTP/SCS also outlines several projects in and around the project area aimed at maximizing the effectiveness, safety, and reliability of Southern California's transportation system.

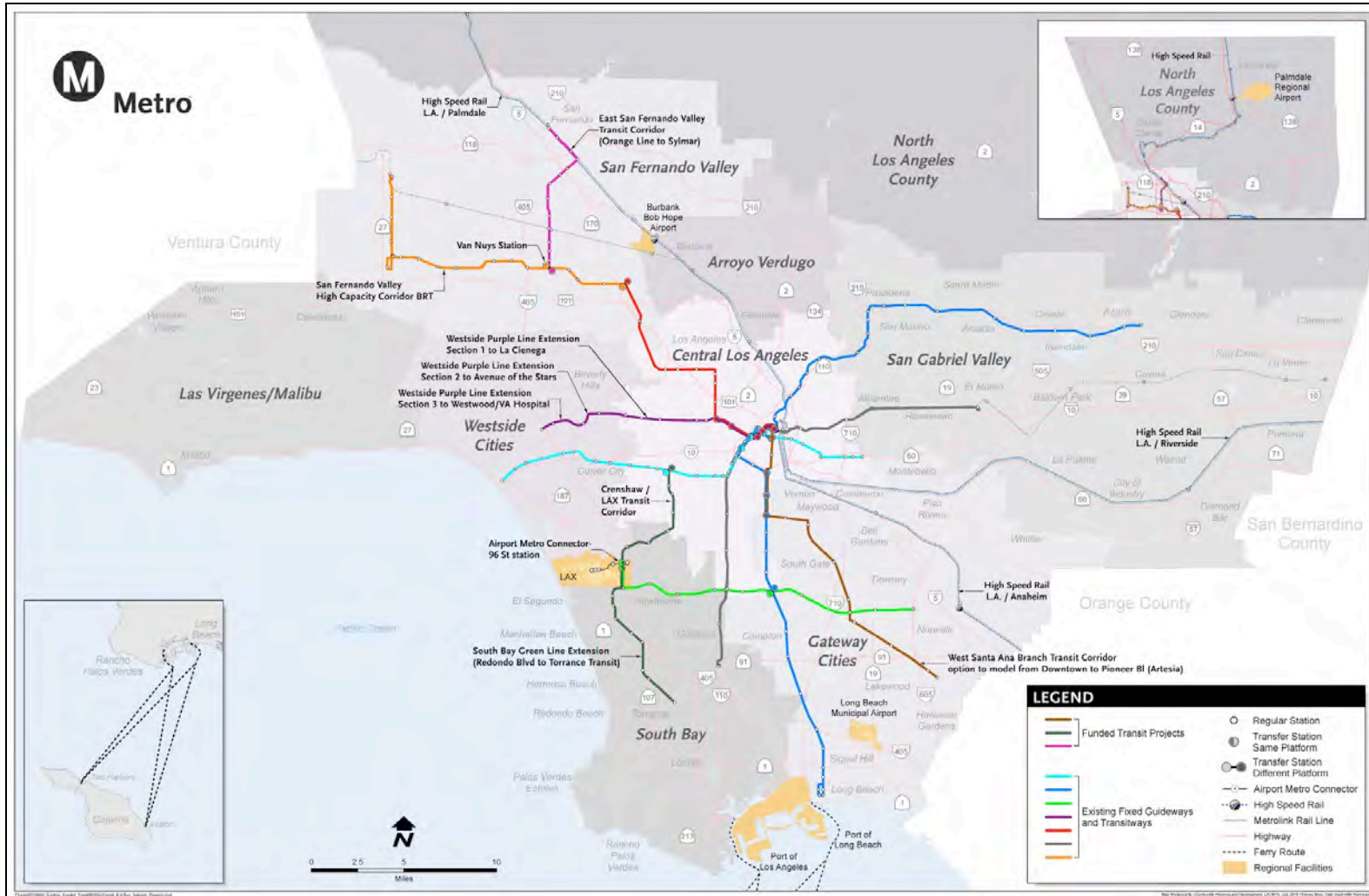
Project milestones for the East San Fernando Valley Transit Corridor Project include:

- Publication of the Draft EIS/EIR
- Public review and comment on the Draft EIS/EIR (45 days following publication)
- Publication of the Final EIS/EIR – Release of the Final EIS/EIR document is based on the condition that funding is available to allow for construction of the project within three years after issuance of the Record of Decision (ROD)
- Metro Board of Directors approves a project and adopts a Mitigation Monitoring and Reporting Program (MMRP) and CEQA Findings

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ES.6	Next Steps
ES.7	Summary of Environmental Consequences and Mitigation Measures

Figure ES-1: Existing and Proposed BRT and Rail Lines



Source: Metro, 2016.

- California Environmental Quality Act (CEQA) Notice of Determination (NOD)
- Federal Transit Administration (FTA) approves Record of Decision (ROD). Following the Federal ROD, the proposed project can proceed to final design, construction, and operation. The schedule of these milestones will be refined as the project nears the end of the state and federal mandated environmental review process.

ES.2 Purpose and Need

Purpose

The East San Fernando Valley Transit Corridor Project would provide new service and/or infrastructure that would improve passenger mobility and connectivity to regional activity centers, increase transit service efficiency (speeds and passenger throughput), and make transit service more environmentally beneficial via reductions in greenhouse gas emissions.

The purposes of the proposed project are summarized as follows:

- Improve mobility in the eastern San Fernando Valley by introducing an improved north-south transit connection between key transit hubs/routes;
- Enhance transit accessibility/connectivity for residents within the study area to local and regional destinations;
- Provide more reliable transit service within the eastern San Fernando Valley;
- Provide additional transit options in an area with a large transit-dependent population, including the disabled, high-transit ridership; and
- Encourage modal shift to transit in the eastern San Fernando Valley, thereby improving air quality.

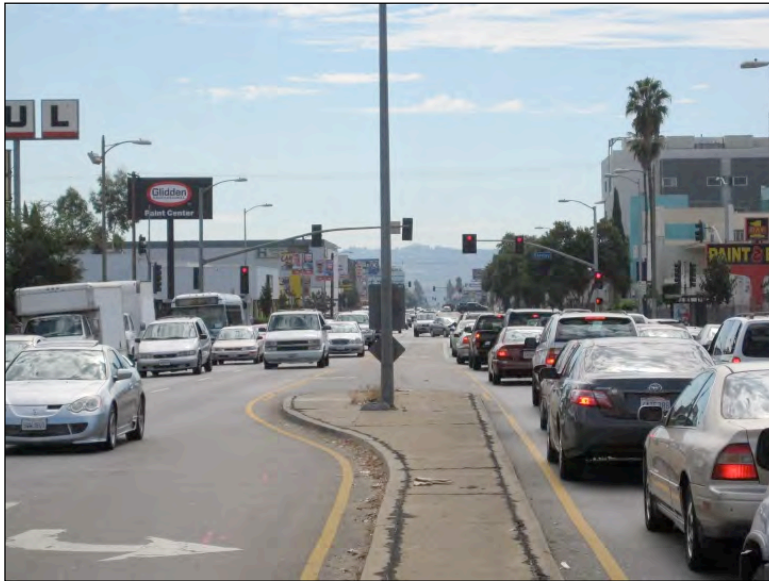
Need

The following mobility challenges within the project study area will continue to grow if no action is taken, due, in large part, to continued population growth, which increases the demand for transit service along the Van Nuys Boulevard corridor, a corridor that already has high population density and transit-dependent persons who rely on transit for daily transportation, including commuting:

- **Mobility challenges resulting from increased roadway congestion, affecting study area bus service** - Based on the Metro travel forecast model, the number of congested roadway segments (a portion of the roadway located between two intersections) in the study area is expected to increase from 126 to 162, a 29 percent increase in the AM peak hour and from 103 to 159, a 54 percent increase in the PM peak hour. Average speeds on these segments are expected to decrease by up to 12 miles per hour (mph) during the AM and PM peak hours. The increase in congested segments will result in lower vehicle speeds and increased travel delay in the study area, reducing mobility. Based on travel projections from the Metro model, the number of study intersections currently operating at LOS E or F along the Van Nuys Boulevard corridor will more than double by the year 2040.

Photo ES-1 shows typical existing congested conditions along the corridor.

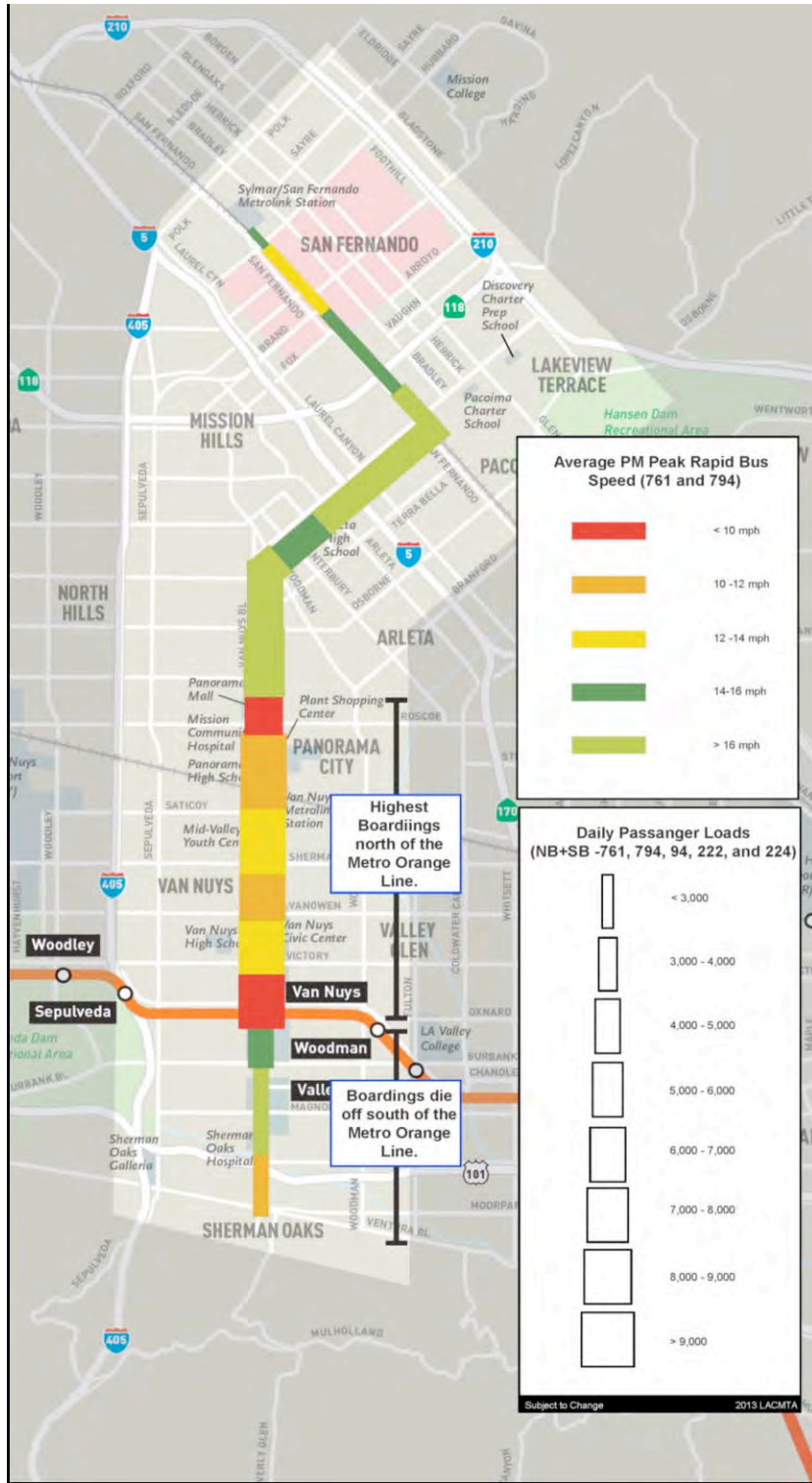
Photo ES-1: Existing Congestion on Van Nuys Boulevard Corridor



Source: Metro, 2016.

- **Increasing travel demand** - According to the Metro model, the person-trip distribution for the project study area indicates that a high number of travel trips tend to be localized to the communities within the area. Approximately 50 percent of the trips stay within the study area, with a large portion of trips occurring between the northern communities of the City of San Fernando and Pacoima and the southern communities of Mission Hills and Panorama City. These southern communities have a higher number of activity centers that include Kaiser Permanente Hospital, several high schools, and the Panorama Mall. A significant proportion of the overall study area trip distribution is to and from the Van Nuys Civic Center area, as demonstrated in Figure ES-2, constituting approximately 52 percent of all study area trips. These general trip trends are expected to remain similar in 2040 and show a high attraction of trips between the central study area and the Civic Center area. Because of the centralized trip patterns, transit accessibility and connectivity are integral to study area resident travel needs, especially to those who are transit dependent (35 percent). A total of 10 percent of households do not own a car and the average adult poverty ratio is 2.26 persons per acre compared to 1.08 per acre for Los Angeles County. These residents rely on Metro and City of Los Angeles Department of Transportation bus services for work and non-work trips within the study area and the greater Los Angeles County area. By 2040, the trip pattern is expected to remain similar, with a high number of trips (approximately 50 percent) staying within the study area. Local trips will remain a significant contributor to traffic and transit trends. Therefore, providing enhanced transit connections and accessibility to surrounding destinations is critical for residents that rely on public transit.
- **Transit service performance and reliability is decreasing due to increased congestion** - The existing bus service along the study area corridors does not meet the Metro on-time performance goal of 80 percent. This is directly correlated to levels of roadway congestion and related vehicular speeds, which together reduce the mobility of area bus riders. As congestion continues to increase, the reliability of bus service for riders will also worsen, because further congestion will further decrease bus speeds.

Figure ES-2: Existing Bus Boarding Distribution for Van Nuys Boulevard Corridor



Source: Metro, 2016.

- **Large transit-dependent population and expected growth in ridership** - The Van Nuys Boulevard corridor has the seventh highest total transit boardings on the Metro Bus system. This corridor is served by Rapid Line 761 and Local Line 233, which have combined passenger boardings that are the second highest in the San Fernando Valley, with the Metro Orange Line boardings at a slightly higher number. Sepulveda Boulevard and San Fernando Road also have some of the highest total boardings of all transit corridors in the San Fernando Valley. The demand in passenger boardings is constituted by both transit dependent and discretionary riders. The overall population density and the transit dependent population density are both more than twice as high in the study area as in the urbanized area of the County as a whole. The study area average of 0.53 zero-vehicle households per acre is 77 percent higher than the 0.30 County average. The study area average transit dependent population of 7.04 persons per acre is more than 100 percent higher than the 3.21 County average. The study area average of 2.26 adult persons below the poverty line per acre is over two times the 1.08 County average. Although population density and transit dependent population characteristics are expected to stay the same or improve slightly, study area population is expected to increase by almost 12 percent by the year 2040, and area employment will increase by approximately 15 percent. With the increase in population and employment growth, it is likely that there will be an increase in bus crowding (Photo ES-2).

Photo ES-2: Existing Bus Crowding



Source: Metro, 2016.

- **Exceeding air quality criteria pollutant standards within the study area** - Standards for many of the criteria pollutants monitored within the east San Fernando Valley have been exceeded multiple times during each of the previous three years of collected data (2010 – 2012). The traffic analysis indicates that travel speeds, vehicular delay, and congestion will worsen by 2040. This will result in increased gas consumption, and vehicle emissions in the study area. The increase in delay at the study intersections is expected to increase vehicle emissions and fuel consumption.

ES.3 Alternatives Considered

The following six alternatives include the No-Build Alternative, Transportation Systems Management (TSM) Alternative, two Bus Rapid Transit (BRT) alternatives, and two rail alternatives are evaluated in this Draft EIS/EIR:

- No-Build Alternative
- TSM Alternative
- BRT Alternatives
 - Alternative 1 – Curb-Running BRT Alternative
 - Alternative 2 – Median-Running BRT Alternative
- Rail Alternatives
 - Alternative 3 – Low-Floor Light Rail Transit (LRT)/Tram Alternative
 - Alternative 4 – LRT Alternative

All build alternatives (Alternatives 1 through 4) would operate over 9.2 miles, either in a dedicated bus lane or guideway (6.7 miles) and/or in mixed-flow traffic lanes (2.5 miles), from the Sylmar/San Fernando Metrolink station on the north to the Van Nuys Metro Orange Line station on the south, with the exception of Alternative 4, which includes a 2.5-mile segment within Metro-owned railroad right-of-way adjacent to San Fernando Road and Truman Street and a 2.5-mile underground segment beneath portions of the City of Los Angeles communities of Panorama City and Van Nuys.

No-Build Alternative

The No-Build Alternative represents projected conditions in 2040 without implementation of the project (Figure ES-1). No new transportation infrastructure would be built within the project study area, aside from projects that are currently under construction or funded for construction and operation by 2040. These projects include highway and transit projects funded by Measure R and specified in the current constrained element of the *Metro 2009 Long-Range Transportation Plan* (LRTP) and the 2016 Southern California Association of Governments (SCAG) *Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS). Existing infrastructure and future planned and funded projects assumed under the No-Build Alternative include:

- Existing Freeways – Interstate 5, and Interstate 405, State Route 118, and U.S. 101;
- Existing Transitway – Metro Orange Line;
- Existing Bus Service – Metro Rapid and Metro Local Service;
- Los Angeles Department of Transportation Commuter Express, and DASH;
- Existing and Planned Bicycle Projects – Bicycle facilities on Van Nuys Boulevard and connecting east/west facilities; and
- Other Planned Projects – Various freeway and arterial roadway upgrades, upgrades to the Metrolink system and the proposed California High-Speed Rail Project.

This alternative establishes a baseline for comparison to other alternatives in terms of potential environmental effects, including adverse and beneficial environmental effects.

TSM Alternative

The TSM Alternative emphasizes transportation systems upgrades, which may include relatively low-cost transit service improvements such as increased bus frequencies and minor modifications to the roadway network. Additional TSM Alternative transit improvements that may be considered include, but are not limited to traffic signalization improvements, bus stop amenities/ improvements, and bus schedule restructuring.

The TSM Alternative could include enhanced operating hours and increased bus frequencies for Rapid Line 761 and Local Line 233. Under this Alternative, the Metro Rapid Line 761 and Metro Local Line 233 bus routes would retain existing stop locations (see Figure ES-3). It would not change the existing bus operations on San Fernando Road, including those of Metro Local Line 244 and Metro Rapid Line 794. This alternative would add 20 additional buses to the existing Metro Local 233 and Metro Rapid 761 bus routes. These buses would be similar to existing Metro 60-foot articulated buses (shown in Photo ES-3), and each bus would have the capacity to serve up to 75 passengers (57 seats x 1.30 passenger loading standard). Buses would be equipped with transit signal priority equipment to allow for improved operations and on-time performance.

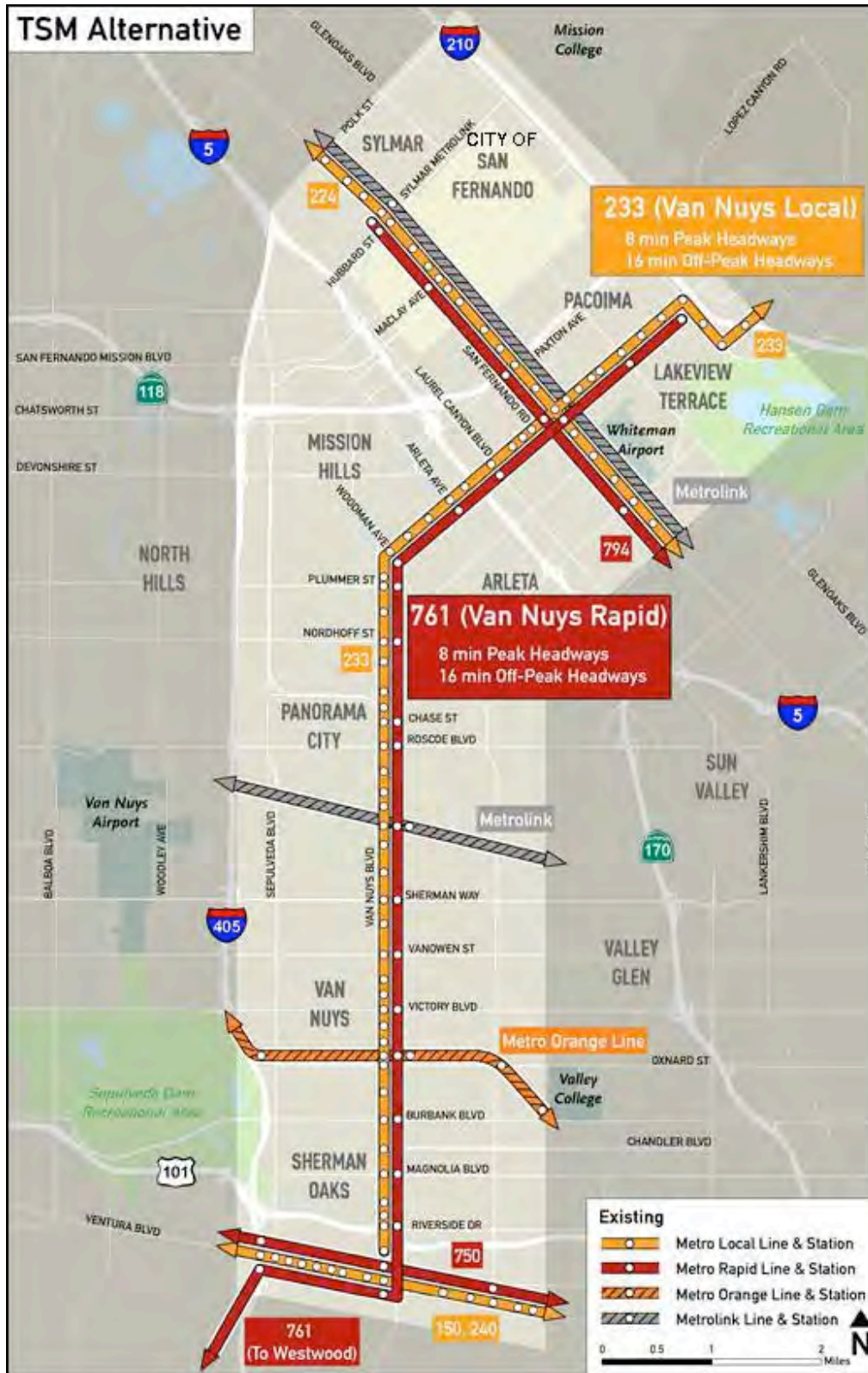
It should be noted that modifications were made in December 2014 to one of the primary Metro bus routes operating on Van Nuys Boulevard after this project analysis was already underway. Metro Rapid Line 744 was added connecting Pacoima in the east to Northridge in the west, and traveling for a large portion of the route (north-south) along Van Nuys Boulevard, and replacing the Metro Rapid Line 761. For the purposes of this study, the evaluation was based on the routes (Metro Rapid Line 761 and Metro Local Line 233) that were already in place in 2012 when the transportation modeling for this study began.

Photo ES-3: Example of Metro 60-Foot Articulated Bus



Source: Metro Transportation Library and Archives, 2015.

Figure ES-3: TSM Alternative



Source: STV, 2014.

The existing Metro Division 15 Maintenance and Storage facility (MSF) located in Sun Valley would be able to accommodate the 20 additional buses with the implementation of the TSM Alternative. Operational changes would include reduced headway (elapsed time between buses) times for Metro Rapid Line 761 and Metro Local Line 233, as follows:

- Metro Rapid Line 761 would operate with headways reduced from 10 minutes to 8 minutes during peak hours (7 a.m. to 9 a.m. and 4 p.m. to 7 p.m. on weekdays) and from 17.5 minutes to 12 minutes during off-peak hours.
- Metro Local Line 233 would operate with headways reduced from 12 minutes to 8 minutes during peak hours and from 20 minutes to 16 minutes during off-peak hours.

BRT Alternatives

Alternative 1 – Curb-Running BRT Alternative

Under the Curb-Running BRT Alternative, the BRT guideway would incorporate 6.7 miles of existing curb lanes (i.e., lanes closest to the curb) along Van Nuys Boulevard between San Fernando Road on the north and the Metro Orange Line on the south. This alternative would be similar to the Metro Wilshire BRT Project with a dedicated bus lane that could operate 24-hours a day or only during peak periods. The lanes would be dedicated curb-running bus lanes for Metro Rapid Line 761 and Metro Local Line 233, and for other transit lines that operate on short segments of Van Nuys Boulevard. In addition, this alternative would incorporate 2.5 miles of mixed-flow lanes, where buses would operate in the curb lane along San Fernando Road and Truman Street between Van Nuys Boulevard and Hubbard Avenue for Metro Line 761. Metro Line 233 would continue north on Van Nuys Boulevard to Lakeview Terrace. These improvements would result in an improved Metro Rapid Line 761 (hereafter referred to as 761X) and an improved Metro Local Line 233 (hereafter referred to as 233X). The route of the Curb-Running BRT Alternative is illustrated in Figure ES-4.

From the Sylmar/San Fernando Metrolink station:

- Metro Rapid Line 761X would operate within roadway travel lanes on Truman Street and San Fernando Road.
- At Van Nuys Boulevard, Metro Rapid Line 761X would turn southwest and travel south within a curb-running dedicated bus lane along Van Nuys Boulevard.
- The alternative would continue to be curb running along Van Nuys Boulevard until reaching the Metro Orange Line Van Nuys station where Metro Rapid Line 761X service would be integrated into mixed-flow traffic.
- Metro Line 761X would then continue south to Westwood as under existing conditions, though it should be noted that in December 2014 the Metro Rapid Line 761 was re-routed to travel from Van Nuys Boulevard to Ventura Boulevard, and then to Reseda Boulevard, while a new Metro Rapid Line 788 travels from Van Nuys Boulevard through the Sepulveda Pass to Westwood.

Metro Local Line 233X would operate similar to how it currently operates between the intersections of Van Nuys and Glenoaks Boulevards to the north and Van Nuys and Ventura Boulevards to the south. However, Metro Local Line 233X would operate with improvements over existing service because it would utilize the BRT guideway where its route overlaps with the guideway along Van Nuys Boulevard.

Figure ES-4: Alternative 1 – Curb-running BRT



Source: KOA and ICF International, 2014.

Transit service would not be confined to only the dedicated curb lanes. Buses would still have the option to operate within the remaining mixed-flow lanes to bypass right-turning vehicles, a bicyclist, or another bus at a bus stop.

The Curb-Running BRT Alternative would operate in dedicated bus lanes, sharing the lanes with bicycles and right turning vehicles. However, on San Fernando Road and Truman Street, no dedicated bus lanes would be provided. The Curb-Running BRT Alternative would include 18 bus stops.

Alternative 2 – Median-Running BRT Alternative

The Median-Running BRT Alternative consists of approximately 6.7 miles of dedicated median-running bus lanes between San Fernando Road and the Metro Orange Line, and would have operational standards similar to the Metro Orange Line. The remaining 2.5 miles would operate in mixed-flow traffic between the Sylmar/San Fernando Metrolink Station and San Fernando Road/Van Nuys Boulevard. The Median-Running BRT Alternative is illustrated in Figure ES-5.

Similar to the Curb-Running BRT Alternative, the Median-Running BRT (Metro Rapid Line 761X) would operate as follows from the Sylmar/San Fernando Metrolink station:

- Within mixed-flow lanes on Truman Street and San Fernando Road.
- At Van Nuys Boulevard, the route would turn southwest and travel south within the median of Van Nuys Boulevard in a new dedicated guideway.
- Upon reaching the Van Nuys Metro Orange Line Station, the dedicated guideway would end and the Rapid Line 761X service would then be integrated into mixed-flow traffic.
- The route would then continue south to Westwood, similar to the existing route. Similar to Alternative 1, it should be noted that in December 2014 the Metro Rapid Line 761 was re-routed to travel from Van Nuys Boulevard to Ventura Boulevard, and then to Reseda Boulevard, while a new Metro Rapid Line 788 travels from Van Nuys Boulevard through the Sepulveda Pass to Westwood.

Metro Local Line 233 would operate similar to existing conditions between the intersections of Van Nuys and Glenoaks Boulevards to the north and Van Nuys and Ventura Boulevards to the south. Rapid Bus stops that currently serve the 794 and 734 lines on the northern part of the alignment along Truman Street and San Fernando Road would be upgraded and have design enhancements that would be Americans with Disabilities Act (ADA) compliant. These stops would also serve the redirected 761X line:

1. Sylmar/San Fernando Metrolink Station
2. Hubbard Station
3. Maclay Station
4. Paxton Station
5. Van Nuys/San Fernando Station

Along the Van Nuys Boulevard segment, bus stop platforms would be constructed in the median. Seventeen median stations and four curb bus stops would be included.

Figure ES-5: Alternative 2 – Median-running BRT



Source: KOA and ICF International, 2014.

Rail Alternatives

Alternative 3 – Low-Floor LRT/Tram Alternative

The Low-Floor LRT/Tram Alternative would operate along a 9.2-mile route from the Sylmar/San Fernando Metrolink station to the north to the Van Nuys Metro Orange Line station to the south. The Low-Floor LRT/Tram Alternative would operate in a median dedicated guideway for approximately 6.7 miles along Van Nuys Boulevard between San Fernando Road and the Van Nuys Metro Orange Line station. The Low-Floor LRT/Tram Alternative would operate in mixed-flow traffic lanes on San Fernando Road between the intersection of San Fernando Road/Van Nuys Boulevard and just north of Wolfskill Street. Between Wolfskill Street and the Sylmar/San Fernando Metrolink station, the Low-Floor LRT/Tram would operate in a median dedicated guideway. It would include 28 stations. The route of the Low-Floor LRT/Tram Alternative is illustrated in Figure ES-6.

The Low-Floor LRT/Tram Alternative would operate along the following route:

- From the Sylmar/San Fernando Metrolink station, the Low-Floor LRT/Tram would operate within a median dedicated guideway on San Fernando Road.
- At Wolfskill Street, the Low-Floor LRT/Tram would operate within mixed-flow travel lanes on San Fernando Road to Van Nuys Boulevard.
- At Van Nuys Boulevard, the Low-Floor LRT/Tram would turn southwest and travel south within the median of Van Nuys Boulevard in a new dedicated guideway.
- The Low-Floor LRT/Tram would continue to operate in the median along Van Nuys Boulevard until reaching its terminus at the Van Nuys Metro Orange Line Station.

Based on Metro's *Operations Plan for the East San Fernando Valley Transit Corridor Project*, the Low-Floor LRT/Tram Alternative would assume a similar travel speed as the Median-Running BRT Alternative, with speed improvements of 18 percent during peak hours/peak direction and 15 percent during off-peak hours.

The Low-Floor LRT/Tram Alternative would operate using low-floor articulated vehicles that would be electrically powered by overhead wires, as in the example shown in Photo ES-4. This Alternative would include supporting facilities, such as an overhead contact system (OCS), traction power substations (TPSS), signaling, and a maintenance and storage facility (MSF).

Because the Low-Floor LRT/Tram Alternative would fulfill the current functions of the existing Metro Rapid Line 761 and Metro Local Line 233, these bus routes would be modified to maintain service only to areas outside of the project corridor. Thus, Metro Rapid Line 761 (referred to as 761S with reduced service) would operate only between the Metro Orange Line and Westwood, and Metro Local Line 233 (referred to as 233S with reduced service) would operate only between San Fernando Road and Glenoaks Boulevard. It is most likely that this area would continue to be served by a neighboring bus line or that the 233S route is modified, so that it is not serving such a limited geographic area. Metro Operations would make such modifications based on observation of the line's performance and feedback from the communities it serves. It should be noted that in December 2014 the Metro Rapid Line 761 was re-routed to travel from Van Nuys Boulevard to Ventura Boulevard, and then to Reseda Boulevard, while a new Metro Rapid Line 788 now travels from Van Nuys Boulevard through the Sepulveda Pass to Westwood and provides peak period freeway express service.

Figure ES-6: Alternative 3 – Low-Floor LRT/Tram



Source: KOA and ICF International, 2014.

Photo ES-4: Examples of Low-Floor LRT/Tram Vehicle Types



Portland Streetcar Tram Vehicle/Siemens S70 Low-Floor LRT Vehicle on Portland's MAX System



San Diego Trolley Siemens S70 Low-Floor LRT Vehicle/Stadler Variotram in Munich, Germany

Stations for the Low-Floor LRT/Tram Alternative would be constructed at various intervals along the entire route. There are portions of the route where stations would be closer together and other portions where they would be located further apart. With the Low-Floor LRT/Tram Alternative, 28 ADA compliant stations are proposed.

Alternative 4 – LRT Alternative

Similar to the Low-Floor LRT/Tram Alternative, the LRT would be powered by overhead electrical wires; however, it is relevant to note the onboard commuter load capacities for Alternatives 3 and 4. A low-floor and high-floor LRT vehicle have different load capacities, 100 versus 133, respectively. Using the San Diego Trolley low-floor vehicle as an example, their 90-foot low-floor vehicle has a commute/load capacity of 100 persons. Additionally, aisles are narrower and include step(s) to get to some/many seats. Additionally, seats above 'trucks' have less leg room. The low floor combined with the area dedicated to the trucks/wheels and the longer cab areas result in reduced capacity. For comparison, Metro's 90-foot high-floor model has a commute/load capacity of 133 passengers, and is the vehicle type that would likely be used for Alternative 4 (shown in Photos ES-5 and ES-6).

Photo ES-5: Example of Metro 90-Foot LRT Vehicle



Source: Metro, 2016.

Photo ES-6: Metro LRT Vehicle



Source: Metro, 2016.

Under Alternative 4, the LRT would travel in a dedicated guideway from the Sylmar/San Fernando Metrolink station adjacent to San Fernando Road south to Van Nuys Boulevard, from San Fernando Road to the Van Nuys Metro Orange Line Station, over a distance of approximately 9.2 miles (Figure ES-7). The LRT Alternative includes a segment in exclusive right-of-way through the Antelope Valley Metrolink railroad corridor, a segment with semi-exclusive right-of-way in the middle of Van Nuys Boulevard, and an underground segment beneath Van Nuys Boulevard from just north of Parthenia Street to Hart Street.

Figure ES-7: Alternative 4 – LRT



Source: KOA and ICF International, 2014.

The LRT Alternative would be similar to other street-running LRT lines that currently operate in the Los Angeles area, such as the Metro Blue Line, Metro Gold Line, and Metro Exposition Line. The LRT would travel along the median for most of the route, with a subway of approximately 2.5 miles in length between Vanowen Street and Nordhoff Street. On the surface-running segment, the LRT Alternative would operate at prevailing traffic speeds and would be controlled by standard traffic signals.

Stations would be constructed at approximately 1-mile intervals along the entire route. There would be 14 stations, three of which would be underground at locations near Sherman Way, the Van Nuys Metrolink station, and Roscoe Boulevard. Entry to the three underground stations would be provided from an entry plaza and portal. The entry portals would provide access to stairs, escalators, and elevators leading to an underground LRT station mezzanine level, which, in turn, would be connected via additional stairs, escalators, and elevators to the underground LRT station platforms

Similar to the Low-Floor LRT/Tram Alternative, the LRT Alternative would require a number of additional elements to support vehicle operations, including an OCS, TPSS, communications and signaling buildings, and a MSF.

ES.4 Comparison of Alternatives


















Physical and operating characteristics of alternatives evaluated in this Draft EIS/EIR are summarized in Figure ES-8. The environmental effects of the alternatives are summarized in Table ES-1. The selection of criteria to evaluate the alternatives is based on their effectiveness in providing transit improvements that meet the project objectives, as reflected in the project purpose and need, while taking into account each alternative's environmental impacts, including effects on project area circulation and access, safety, property acquisition, and displacement, as well as the operating performance of each alternative and cost. The criteria are listed below.

- Travel and Mobility Benefits and Impacts;
- Regional Connectivity;
- Cost-Effectiveness;
- Environmental Benefits and Impacts;
- Economic and Land Use Considerations;
- Community Input; and
- Financial Capability.

Summary of Environmental Impacts

In compliance with NEPA and CEQA guidelines, this Draft EIS/EIR studied potential environmental consequences associated with construction and operation of the Alternatives described above.

Figure ES-8: Comparison of Alternatives

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT COMPARISON OF ALTERNATIVES							
CONSIDERATIONS *		NO BUILD	TSM	CURB RUNNING BRT Alternative 1	MEDIAN RUNNING BRT Alternative 2	MEDIAN RUNNING TRAM Alternative 3	MEDIAN RUNNING LRT Alternative 4
	LEFT-TURN RESTRICTIONS AT CERTAIN INTERSECTIONS	-	-	-	✓	✓	✓
	STREET PARKING RESTRICTIONS	-	-	✓	✓	✓	✓
	FUTURE BIKE LANE RESTRICTIONS	-	-	✓	✓	✓	✓
	REDUCES CURRENT SIDEWALK WIDTHS	-	-	-	✓	✓	✓
	TRAVEL LANES IN EACH DIRECTION	3	3	2	2	2	2
	POTENTIAL REAL ESTATE ACQUISITION	-	-	-	-	✓	✓
	REQUIRES NEW RAIL MAINTENANCE STORAGE FACILITY (MSF)	-	-	-	-	✓	✓
2040 OPERATIONAL CHARACTERISTICS *							
	AVERAGE SPEED (MPH)	11.3	11.3	13.4	15.0	13.1	19.2
	TRAVEL TIME (MINUTES)	49	48	41	37	42	29
	CAPITAL COSTS IN 2014 \$ (APPROXIMATE) \$170 MILLION CURRENTLY IDENTIFIED	-	\$ 35.2 M	\$294 M	\$402 M	\$1.3 B	\$2.67 - \$2.79 B
	CAPACITY PER VEHICLE	75	75	75	75	266	400

*SUBJECT TO CHANGE

Source: Metro, 2015.

Due to the highly urbanized nature of the project area, potential environmental impacts pertain primarily to the built environment. Over 20 categories of environmental impacts were evaluated. Environmental impact categories where at least one alternative would have a substantial adverse effect or significant impact remaining after mitigation are discussed below under unavoidable substantial adverse effects/significant impacts remaining after mitigation. Table ES-1 summarizes effects/impacts, mitigation measures, and impacts remaining after mitigation associated with each alternative.

Unavoidable Substantial Adverse Effects/Significant Impacts

At least one of the alternatives (see Table ES-1) would have unavoidable adverse effects/significant impacts on the following environmental resources:

Traffic and Bicycle Facilities: The build alternatives, Alternatives 1 through 4, would result in reductions in roadway capacity due to the conversion of existing motor vehicle lanes to accommodate the BRT and rail alternatives. As a consequence, significant traffic impacts could occur at 16 to 32 study intersections, depending on the alternative. Mitigation measures such as lane configuration changes that would increase capacity of the roadways or restrictions in allowable turning movements, were considered infeasible due to right-of-way (ROW) constraints or secondary effects to upstream and downstream locations. Since no feasible mitigation measures exist that would reduce these impacts below the level of significance, impacts would be significant and unavoidable. Additionally, existing bicycle lanes on Van Nuys Boulevard would be removed and future bicycle lanes designated for implementation along Van Nuys Boulevard would not be feasible under the build alternatives, which would conflict with the City of Los Angeles Bicycle Plan. Therefore, impacts on bicyclists and bicycle facilities would remain significant.

Community and Neighborhood: The unavoidable significant adverse impacts described above due to removal of bicycle lanes would also be considered a significant adverse community and neighborhood impact. Additionally, under Alternatives 3 and 4, construction and operational impacts on social and community interactions due to business displacements, and operational visual impacts on sensitive viewers would be significant after implementation of proposed mitigation measures.

Visual and Aesthetics: Alternatives 3 and 4 would result in potentially significant impacts to the visual environment within the project corridor. The visual changes in communities along the project corridor due to the introduction of new vertical structures affecting scenic views of the surrounding mountains and foothills would result in an adverse effect under NEPA and a significant impact under CEQA after mitigation.

Air Quality: Construction of Alternatives 1 through 4 would result in localized PM10 and PM2.5 emissions during construction that would exceed local thresholds. Even with implementation of mitigation measures, emissions thresholds would be exceeded and impacts would remain significant during construction.

Safety and Security: Implementation of Alternative 1 would result in impacts, after mitigation, on bicycle safety due to the removal of existing bike lanes. In addition, Alternatives 2 through 4 would result in impacts, after mitigation, on pedestrian sidewalk safety due to narrowing of sidewalks, bicycle safety due to the removal of existing bike lanes, and potential impacts on emergency vehicle response time due to turn restrictions and the increased congestion resulting from the removal of mixed-flow travel lanes.

More information regarding the proposed project's environmental impacts is provided in Chapter 3, Transportation Impacts and Mitigation, and Chapter 4, Environmental Analysis, Consequences, and Mitigation. All impacts and mitigation measures associated with each alternative are summarized below in Table ES-1.

ES.5 Issues to Be Resolved and Areas of Controversy

Areas of Controversy

Public comments submitted during the scoping period expressed concerns regarding the issues listed below. Please note that these comments are meant to provide a synopsis of the top trending themes. A detailed description of the comments received during the scoping period is provided in Appendix CC, the Final Scoping Report.

- A strong preference by the public for LRT, despite the high cost, which is viewed as the best mode of transit, with higher carrying capacity and better mobility benefits;
- A feeling among some community members that the San Fernando Valley is not receiving its fair share of investment in rail, compared to other parts of the county;
- Concerns expressed about the effects on local businesses of removing on-street parking along Van Nuys Boulevard;
- Concerns about economic impacts on adjacent businesses during project construction;
- Concerns over the loss of traffic lanes to accommodate the project and increased congestion in the motor vehicle lanes due to the project;
- Strong opposition to extending the project limits south of the Metro Orange Line, by community members south of the Metro Orange Line;
- Concerns about the location of the maintenance facility and potential impacts on the surrounding community;
- Concerns that BRT would be slower, carry fewer people, and have limited benefits compared with LRT;
- Concerns that LRT is too expensive and BRT can provide almost the same level of benefits at a much lower cost;
- Concerns about any potential elimination of existing Metro Local and Rapid bus routes and stops;
- Strong support for inclusion of bicycle lanes as part of this project, and opposition to their removal; and
- Concerns about fare increases to pay for this project.

Issues to Be Resolved

Operating Characteristics of Alternative 3 within Downtown San Fernando

If Alternative 3, the Low-Floor LRT/Tram Alternative is selected as the preferred alternative, Metro would continue to coordinate with the City of San Fernando regarding mutually agreeable operating characteristics, such as operating the alignment within a median/dedicated guideway on San Fernando Road and developing an appropriate design that is compatible and appropriate for this multi-modal corridor. Potential operating and design issues to be considered include transit, automobile, and pedestrian access and safety issues as well as pedestrian bridge implementation, lane removal, tree removal, OCS pole installation, and tram station designs and locations.

Connection with Metro Orange Line

The Metro Orange Line intersects the southern terminus of the alignment (shown in Photo ES-7). Currently, the Metro Orange Line is a BRT that operates in a dedicated right-of-way with an average of 30,000 boardings per day. The Metro Orange Line Van Nuys Station is also a major transfer point. In planning this project, special consideration should be given to how this project intersects with the Metro Orange Line and how to best facilitate transfer to/from both services.

Photo ES-7: Existing Metro Orange Line Connection with Van Nuys Boulevard



Source: KOA, 2015.

Uncertainties and Opportunities with California High Speed Rail

California’s High-Speed Rail (CAHSR) Project is in the planning phase, and could potentially include a segment near or within the proposed project study area (Figure ES-9). If the CAHSR alignment plans progress with a preferred alignment in the vicinity of the proposed project area, coordination with the California High-Speed Rail Authority would continue to occur to ensure that the CAHSR Project does not conflict with this planned proposed project.

Figure ES-9: Possible California High Speed Rail Planned within the Study Area

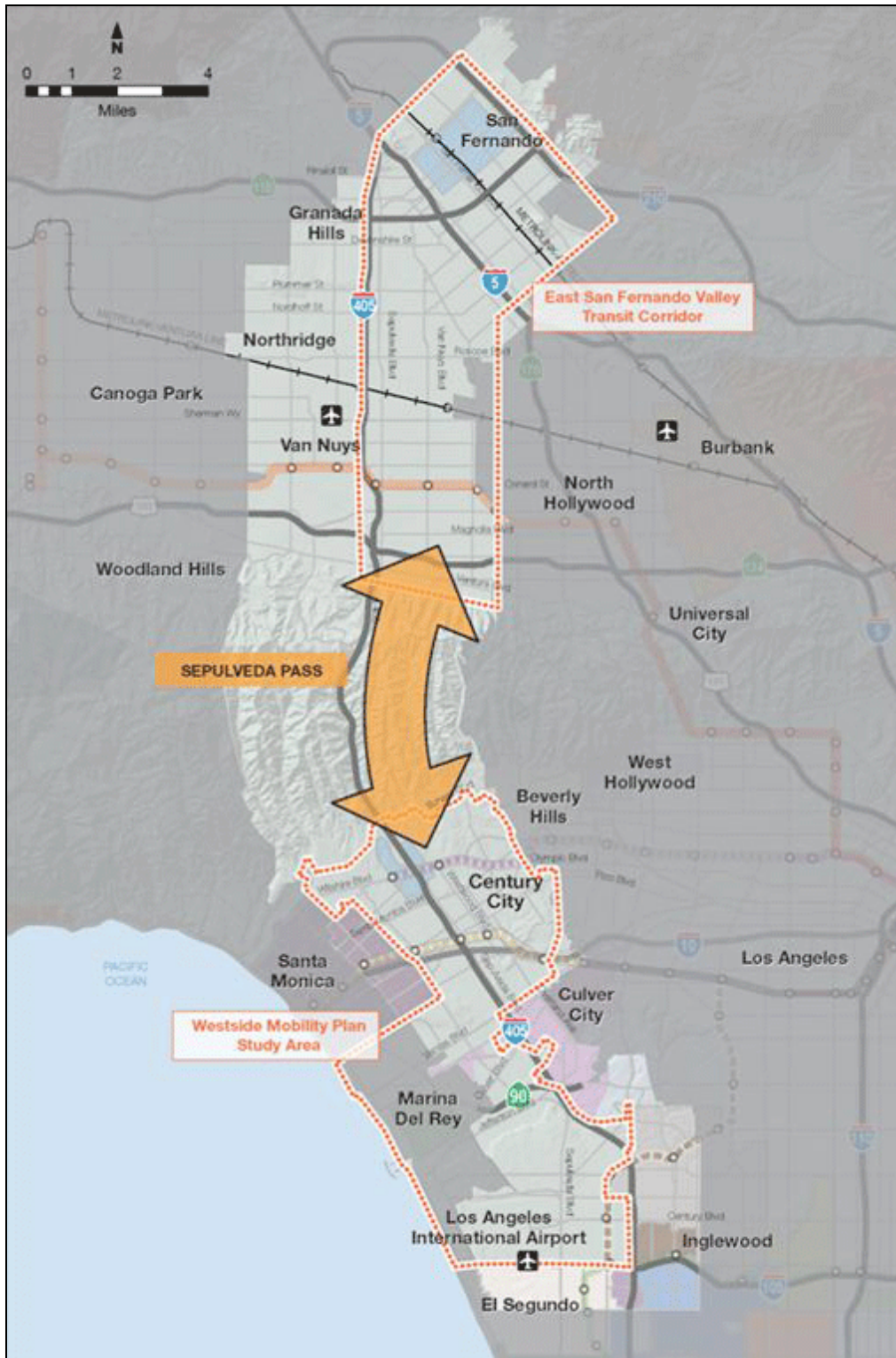


Source: State of California High Speed Rail Authority, 2016.

Uncertainties and Opportunities with Sepulveda Pass Transit Project

Along with planning for this proposed project, Metro is also studying how best to provide improved transit service through the Sepulveda Pass connecting the San Fernando Valley and the Westside (e.g. Westwood, Brentwood, West LA, Culver City). Selection of a preferred alternative for the East San Fernando Valley Transit Corridor Project will recognize the Sepulveda Pass Project and consider any potentially feasible and advantageous points for connecting the two corridors (Figure ES-10).

Figure ES-10: Sepulveda Pass Transit Connection



Source: Metro, 2016.

Bus Shelters and City Bus Shelter Advertising Contracts

Any proposed changes to the existing bus shelters (Photos ES-8) and benches as part of the proposed project would need to be coordinated and approved in consultation with the City of Los Angeles. Since the City has an exclusive contract with a bus stop advertising company and proposed project changes would have to be coordinated per the City’s contract.

Photo ES-8: Bus Shelter/Bus Shelter Advertising



Source: Google Maps, 2016.

Specific Effects on Landmark Palm Trees in the Civic Center

One of the most noticeable visual elements along the Van Nuys Boulevard corridor is the dual row of palm trees in the Van Nuys Civic Center portion of the corridor (Photo ES-9). The impact assessment for the median-running BRT and both LRT alternatives indicated that the guideway requirements would require the removal of some portion of these trees. It is Metro’s intent to hold focused community urban design and station area meetings during final design of the project to obtain input on the re-planting of the trees. The community will be informed during the meetings about drought-tolerant California native plants and trees that could be considered for sun protection/shade as part of the landscaping plan that would be developed during final design.

Photo ES-9: Landmark Palm Trees along Van Nuys Boulevard in the Van Nuys Civic Center



Source: Metro, 2016.

Specific Effects on Mature Trees in the City of San Fernando’s Downtown

One of the most noticeable visual elements along San Fernando Road through downtown San Fernando is the mature street trees on each side of the street (shown in Photo ES-10). The impact assessment for the Low-Floor LRT /Tram Alternative indicated that the guideway requirements would require the removal of some portion of these trees. It is Metro’s intent to hold focused community urban design and station area meetings to obtain input on the re-planting of the trees with final design of the project. The community will be informed during the meetings about drought-tolerant California native plants and trees that could be considered for sun protection/shade as part of the landscaping plan that would be developed during final design.

Photo ES-10: Mature Trees along San Fernando Boulevard in Downtown San Fernando



Source: Metro, 2016.

Pedestrian Safety Improvements at Nearby Schools

A number of private and public schools are either adjacent to or near Van Nuys Boulevard and the San Fernando Road corridors (Photos ES-11 through ES-13). The Metro Board will need to consider whether additional pedestrian safety measures are warranted, beyond Metro’s current pedestrian safety program.

Photo ES-11: San Fernando Middle School Photo ES-12: Arleta High School



Source: Google Maps, 2016.



Source: Google Maps, 2016.

Photo ES-13: Panorama High School



Source: Google Maps, 2016.

Specific Effects of Project on Left Turns into Businesses

Alternatives 2, 3, and 4 would eliminate some mid-block, or outside of intersection left-turns into properties on Van Nuys Boulevard. There are businesses throughout the corridor where delivery trucks access the business via a left turn (Photo ES-14). A formal outreach effort would be established to work with the businesses on a new access plan that would continue to provide access while being compatible with the operation of a median-running alternative, should one be the selected alternative.

Photo ES-14: Truck Making a Left Turn along Van Nuys Corridor



Source: Metro, 2016.

Project Funding

Capital Funding Sources

Metro's approved 2009 LRTP reserved \$170.1 million for the project, which is the present worth in 2014 dollars, escalated to the year of expenditure. The following combination of federal, state, and local revenue sources are eligible sources of funding for the East San Fernando Valley Transit Corridor Project:

- **Federal Sources**
 - o Congestion Management and Air Quality (CMAQ)
 - o Regional Surface Transportation Program (RSTP)
 - o Other future FTA funding
- **State Sources**
 - o Regional Improvement Program (RIP)
 - o Traffic Congestion Relief Program (TCRP)
 - o Cap and Trade
- **Local Sources**
 - o Measure R Sales Tax
 - o Local Agency Funds
 - o Proposition A Sales Tax
 - o Proposition C Sales Tax

2016 Transportation Sales Tax Ballot Measure

Los Angeles County is expected to grow by 2.4 million people by 2057. Metro is updating its Long Range Transportation Plan (LRTP) to enhance mobility and quality of life for Los Angeles County to position the region for future growth and meet transportation needs. The foundation for the updated LRTP is a transportation sales tax ballot measure which provides a vision, through nine categories of funding for the variety of transit related infrastructure and programs needed to build and operate a balanced multi-modal transportation system. Specifically, the potential ballot measure identifies major highway and transit projects evaluated and sequenced based on performance metrics approved by the Metro Board of Directors at its December 2015 meeting. The potential ballot measure also includes projects identified by staff that are necessary to improve and enhance system connectivity; promote bicycling and walking; support Americans with Disabilities Act (ADA)/paratransit services for the disabled; discounts for students and seniors; investments to fund bus and rail operations; ongoing system maintenance and repair, including repair of bridges and tunnels; and funds for repair and enhancement of local streets and roads. To fund these projects and programs, the Metro Board agreed, at its June 2016 meeting, to place a measure on the ballot in November 2016 that would augment Measure R with a new half-cent sales tax, and extend the current Measure R tax rate to 2057.

In March 2016, the Metro Board released the draft Potential Ballot Measure Expenditure Plan for public review. The draft Plan anticipates approximately \$120+ billion (year of expenditure (YOE)) over a 40+ year period. It relies on the following funding assumptions: a ½ cent sales tax augmentation to begin in FY18; an extension of an existing ½ cent sales tax rate beyond the current expiration of Measure R in 2039; with a combined one cent sales tax sunset in the year 2057 and a partial extension for ongoing repairs, operations, and debt service. The draft Expenditure Plan currently identifies the East San Fernando Valley Transit Corridor Project for a total of \$1.33 billion in funding, including \$810 million of potential ballot measure revenues and \$520 million of funding from other LRTP revenues. The project as defined in the draft Expenditure Plan would be a high-capacity transit project, mode to be determined, that connects the Orange Line Van Nuys Station to the Sylmar/San Fernando Metrolink Station with a minimum of 14 stations over 9.2 miles.

L RTP Priority Projects

In order to accelerate a project in the LRTP, the funds must be available and the Metro Board must approve an amendment to the 2009 LRTP. Metro is currently working to update the LRTP, which will include the approval of the East San Fernando Valley Transit Corridor Project, its new schedule and its new funding. When this occurs and the new dates of construction are known, if warranted, a supplemental environmental analysis will be conducted.

ES.6 Next Steps

- Draft EIS/EIR Comment Period – A 45-day comment period will begin with publication of the Notice of Availability of the Draft EIS/EIR.
- Metro Board adopts the Locally Preferred Alternative – The Metro Board of Directors may choose to select a Locally Preferred Alternative (LPA) in the spring of 2017.
- Upon adoption of the LPA, the Metro Board may initiate the Final EIR. FTA’s approval to initiate the Final EIS may be contingent upon having funding in place. The Metro Board must obtain funds to allow the initiation of a Final EIS as described above in Issues to be Resolved.

ES.7 Summary of Environmental Consequences and Mitigation Measures

Metro is committed to satisfying applicable federal, state, and local environmental regulations and to applying reasonable mitigation measures to reduce adverse effects and significant impacts. Measures to mitigate potential effects and impacts for the project alternatives are identified in this Draft EIS/EIR. Metro Board of Directors authorizes the completion of the Final EIR when they approve a project alternative, the Board will also adopt a Mitigation Monitoring and Reporting Program (MMRP), which lists all of the committed mitigation measures and CEQA Findings. Upon approval of the proposed project, these mitigation measures will become part of the proposed project, and will be considered binding under CEQA.

Table ES-1, below, provides a summary of all the impacts and mitigation measures associated with each alternative.

East San Fernando Valley Transit Corridor

PUBLIC COMMENT SUMMARY



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Attachment A Public Comment Summary Table

1.1 Public Scoping Activities and Meetings

Opportunities for public participation are required throughout the environmental clearance phase at key milestones. The first major milestone during the environmental review process begins with “Scoping.” During the Scoping Period, stakeholders had various opportunities to provide input on the issues they felt should be addressed in the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). The Scoping Period officially started on March 1, 2013, when the Federal Transit Administration (FTA) issued a Notice of Intent (NOI) and Metro issued a Notice of Preparation (NOP). The Public Scoping Period ended on May 6, 2013.

Community outreach activities were completed during the Scoping Period to ensure that the public, stakeholders, and agencies had an opportunity to learn about the study and comment on the scope of the DEIS/DEIR. The following key activities were completed as part of the public participation program during this phase:

- Scoping Meeting Notification Activities
- Digital Engagement Activities
- Elected Officials Briefing
- Four Public Scoping Meetings
- One Interagency Scoping Meeting

1.1.1 Summary of Scoping Comments Received

To maximize the opportunities to receive public input regarding the East San Fernando Valley Transit Corridor Project, Metro collected comments in a variety of ways including:

- Comment forms at the four Public Scoping Meetings
- Verbal comments during the question and answer portion of meetings
- Email
- US Mail
- Telephone
- Facebook (using the “Scoping comments” app)
- Twitter (using #EastSFVScoping).

During this round of meetings, Metro received 258 formal comments from various stakeholders on a variety of topics relevant to the study process and the overall project. A synopsis of those comments is provided below.

- Strong support for a light rail transit (LRT) alternative.
- Support for a continuous connection with the Sepulveda Transit Corridor Project.
- Desire to accommodate bicycle lanes along the project corridor area; if not along Van Nuys Boulevard, then on other parallel streets.
- Frustration over funding available for the rail alternatives and perceived “unfair share” of funds being allocated for San Fernando Valley projects.
- Need to alleviate overcrowding on Metro Lines 761, 233 and the Metro Orange Line.
- Desire that this project bring additional local jobs to the San Fernando Valley.
- Questions regarding how the project would interface with the Metro Orange and Red Lines, Metrolink and California High Speed Rail.
- Concerns about potential impacts to businesses during construction, specifically the potential loss of revenue and jobs.
- Information on why the project did not continue south of the Metro Orange Line in dedicated lanes and desire for segment to be reconsidered.
- Better schedule/timeline for when the project could be completed.
- Suggestions that the maintenance storage facility be built in Panorama City.
- Recommendations that improved service (and connections) are provided to residents north of San Fernando Road in the communities of Pacoima and Lake View Terrace and west of the Sylmar/San Fernando Metrolink Station to Olive View Medical Center and Los Angeles Mission College.
- Inclusion of local artists to showcase artwork at the future stations.
- Support for converting the Metro Orange Line to light rail.

2.1 Notification and Meetings for Public Review Period

The DEIS/DEIR was released for public review on September 1, 2017, when the FTA and Metro issued a Notice of Availability (NOA) to notify Federal, State, Tribal, regional, and local government agencies, as well as organizations and individuals, of the completion of the DEIS/DEIR, and to request comments on the environmental document pursuant to Section 15087 of the California Environmental Quality Act (CEQA) Guidelines. The document was made available for review online at (<https://www.metro.net/projects/east-sfv/>, by clicking on the Draft EIS/EIR tab) and at various local libraries during the Public Review Period, which was held from September 1, 2017 to October 30, 2017.

Community outreach activities were completed during the Public Review Period in English and Spanish to ensure that the public, stakeholders, and agencies had an opportunity to learn and comment on the DEIS/DEIR, including potential impacts, benefits, and other findings related to the alternatives studied. The following key activities were completed as part of the public participation program during this phase:

- Notification of Public Review Period and upcoming meetings via print newspaper ads, e-blasts, and distribution of take-one notices along the entire corridor and on Metro bus lines serving the corridor;
- Digital engagement activities on Facebook, Twitter, and The Source;
- Elected officials briefings; and
- Project information and Public Hearing invitation drop-off material delivered to corridor neighborhood and community groups.

Metro held the following five Public Hearings during the Public Comment Period for the DEIS/DEIR:

Thursday, September 14, 2017, 6:00 – 8:00 p.m.
City of San Fernando Regional Pool Facility
208 Park Ave., San Fernando, CA 91340

Monday, September 18, 2017, 8:30 – 11:00 am
Zev Yaroslavsky Family Support Center
7555 Van Nuys Blvd., Van Nuys, CA 91405

Monday, September 18, 2017, 5:00 pm – 8:00 pm
Valley Municipal Building, Council Chambers
14410 Sylvan St, 2nd Floor, Van Nuys, CA 91401

Wednesday, September 20, 2017, 9:00 am - 11:30 am
Pacoima Charter Elementary School Auditorium
11016 Norris Ave, Pacoima, CA 91331

Saturday, September 23, 2017, 9 am to 12 pm
St. Mark's, Episcopal Church,
14646 Sherman Way, Van Nuys, CA 91405

During the first month of the Public Review Period, Metro received a number of comments from property owners and tenants who had been notified that their property was identified for potential acquisition. In response, Metro extended the Public Review Period from October 16, 2017 to October 30, 2017 and held a focused informational meeting with these property/business owners and tenants at the following date, time, and location. To publicize this meeting, Metro notified the public via e-blast and door-to-door noticing in the three locations identified as potential maintenance and storage facilities.

October 10, 2017, 5:00 pm -8:30 pm
Van Nuys State Building Auditorium,
6150 Van Nuys Boulevard, Van Nuys, CA 91401

At each Public Hearing, Metro presented an overview of the project purpose and need, project description, the alternatives analyzed in the DEIS/DEIR, a summary of impacts and mitigation measures, and next steps in the environmental process, including selection of a preferred alternative. Metro staff informed the attendees that while the DEIS/DEIR described and analyzed the four build alternatives as defined in the document, Metro could in fact select a preferred alternative that includes a combination of different components, such as an at grade LRT alternative with 14 stations (which would be a hybrid of Alternatives 3 and 4 analyzed in the DEIS/DEIR). The Public Hearings were held along different segments of the project corridor and at locations that were accessible by bus. For the convenience of those attending the Public Hearings, two nighttime meetings, two daytime meetings, and one weekend meeting were held.

Chapter 3

Summary of Comments Received During Public Review Period of DEIS/DEIR

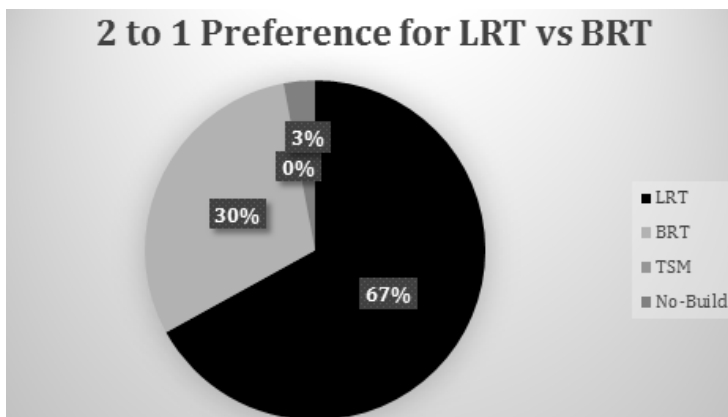
3.1 Tally of Comments Received

During the Public Review Period, Metro received 933 formal individual comments via US mail, email, and the project website (<https://www.metro.net/projects/east-sfv/>; by clicking on “Contact Us”), at the five Public Hearings and at numerous community events where Metro hosted an informational table. Additionally, Metro received a unified petition and letters containing almost 1,700 comments related to the location of a Maintenance and Storage Facility (MSF). MSF-related comments were summarized independently from all other comments because they focused solely on the location of the MSF and they would have skewed the summary of the remaining comments had they been analyzed jointly. A summary table of all of the comments received is included in Appendix A.

Professional judgment was exercised in determining comments received by type, as many comments did not indicate an affiliation. Of the comments received, study area residents and individual commenters represented the largest group of commenters (over 80 percent). Businesses, including owners and their representatives (11 percent), governmental groups and agencies (2 percent) and stakeholder groups (4 percent) collectively represented 16 percent of all comments. The comments are summarized into the following major categories:

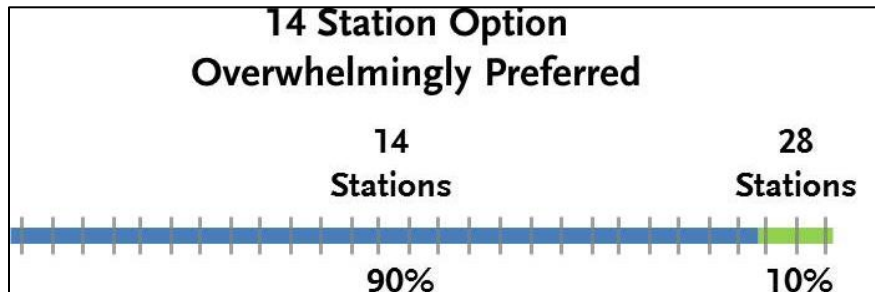
Preferred Travel Mode

Metro received over six hundred (600) comments related to travel mode preference. Over two-thirds of these comments favored light rail transit (LRT); about 30 percent preferred bus rapid transit (BRT), and about three percent favored the No-Build Alternative.



Number of Stations (LRT)

Over seventy comments received pertained to a preferred number of stations under the LRT alternative. An overwhelming majority of those comments (90 percent) expressed preference for a 14-station LRT option, while 10 percent preferred LRT with 28 stations.



At-Grade Versus 2.5-mile Subway

Over ninety comments identified at-grade LRT service or a combination of at-grade service and a 2.5-mile subway segment as preferred options. Of these comments, 56 percent preferred at-grade LRT service, while 44 percent preferred the at-grade with subway segment option.

Maintenance and Storage Facility (MSF) Location

Metro received nearly 2,000 comments (mainly from the unified petition and letters comprised of almost 1,700 business owners, employees and proprietors) that weighed in solely on the location of a Maintenance and Storage Facility (MSF) if LRT is selected as the locally preferred alternative (LPA).

Ninety-four (94) percent of these comments expressed opposition to Option A. Option B emerged as the site with the highest level of support, with five (5) percent of all MSF-related comments in support of the Option B site. This includes a letter of support from City of Los Angeles Council District 6, which represents the area covering all three potential MSF sites. Council District 6 expressed support for the Option B site as the preferred location for the MSF. Additionally, the Panorama City Neighborhood Council and the Van Nuys Neighborhood Council, which cover the areas surrounding the potential MSF sites, also expressed support for building the MSF at the Option B site.

3.2 Additional Themes and Issues in the Comments Received

Some additional themes and issues that emerged in the public comments received consist of the following:

- Property acquisition concerns
- General safety and security concerns
- Potential connection with other Metro projects (Metro Orange Line, Sepulveda Transit Corridor)
- Loss of on-street parking
- Loss of bike lanes
- Construction-related impacts
- Unfamiliarity with new transit technology (LRT) among existing bus riders along the corridor
- Scarcity of land zoned for industrial uses in the East San Fernando Valley

Chapter 4 Issues to be Addressed

Further study and coordination regarding the following issues is recommended, before finalizing project design plans for the proposed ESFVTC project:

- A Grade Crossing Safety Study at five intersections along the San Fernando rail right-of-way: Paxton, Jesse/Wolfskill, Brand, Maclay, and Hubbard should be undertaken in response to the Southern California Regional Rail Authority's (SCRRA's) Comment Letter stating a concern for expanded at-grade rail operations in that segment of the corridor and California Public Utilities Commission (CPUC) requirements for design and operating criteria.
- Additional engineering analysis and refinement should be undertaken for the segment of the ESFVTC alignment within the City of San Fernando in response to a Comment Letter from the City of San Fernando stating concerns over potential property acquisitions adjacent to the San Fernando rail right-of-way (ROW). This should include ongoing coordination with SCRRA (Metrolink) and the City of San Fernando to ensure that the ESFVTC project can allow for a future second Metrolink track on the ROW and to address the City's concerns, as they pertain to minimizing the need for ROW acquisitions.
- A Connection Study should be undertaken that would coordinate the design efforts and planning, including a connection, between the ESFVTC and the Metro Orange Line Improvements Project.

**Attachment A: East San Fernando Valley Transit Corridor -
Public Comment Period Summary Table**

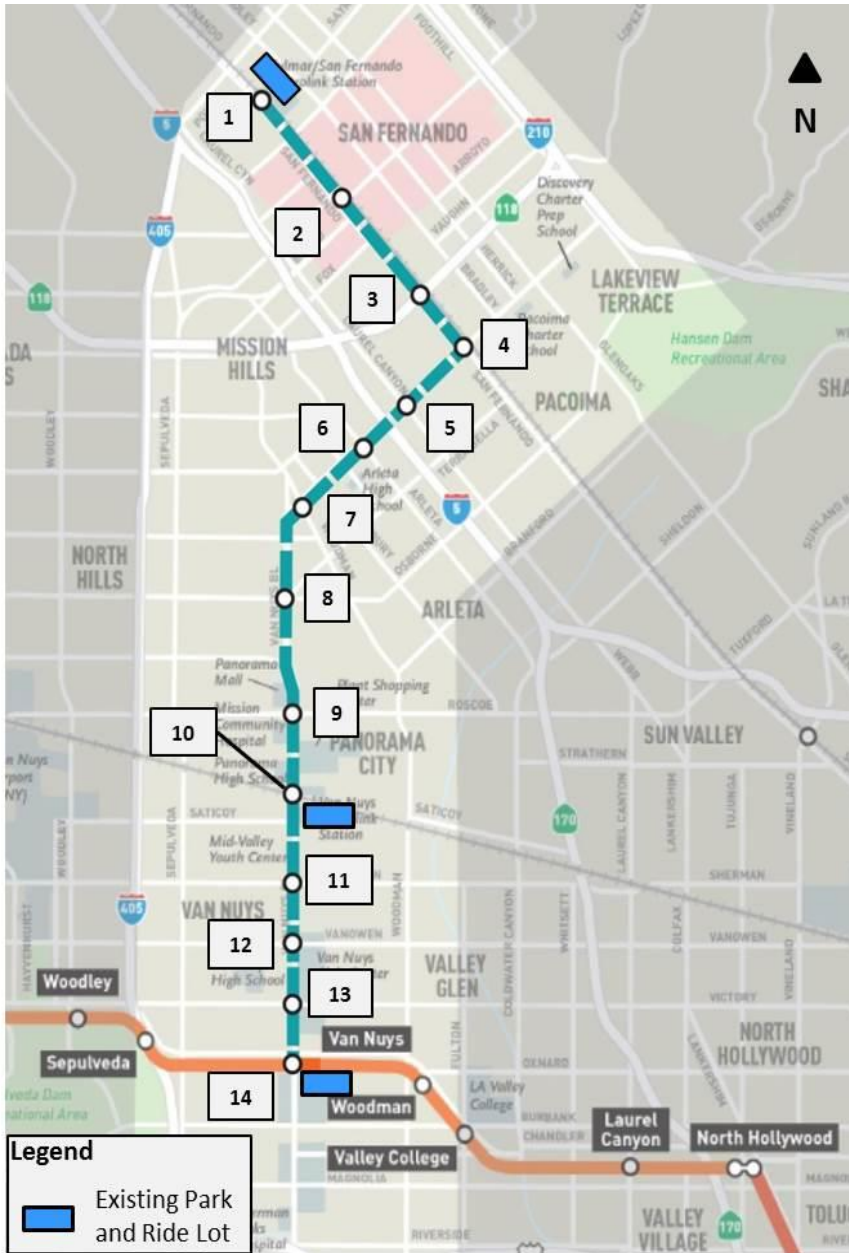
East San Fernando Valley Transit Corridor DEIS/R - Public Comment Summary Table

Count	Preferred Mode				# of LRT Stations		Grade Preferences		MSF Comments Only	
	LRT	BRT	TSM	NB	28-stations	14-stations	At-grade	At-grade & 2.5-mile Subway	Oppose MSF Option A	All other MSF comments
	67%	30%	0%	3%	10%	90%	56%	44%	94%	6%
	434	192	1	21	7	66	54	42	1862	128

Commenter by Type	#	%
Residents/Individuals	784	84%
Businesses	98	11%
Government/Agencies	15	2%
Stakeholder Groups (including residential groups)	36	4%
Total	933	

ESFVTC: Alignment Map, Station Locations & Project Description

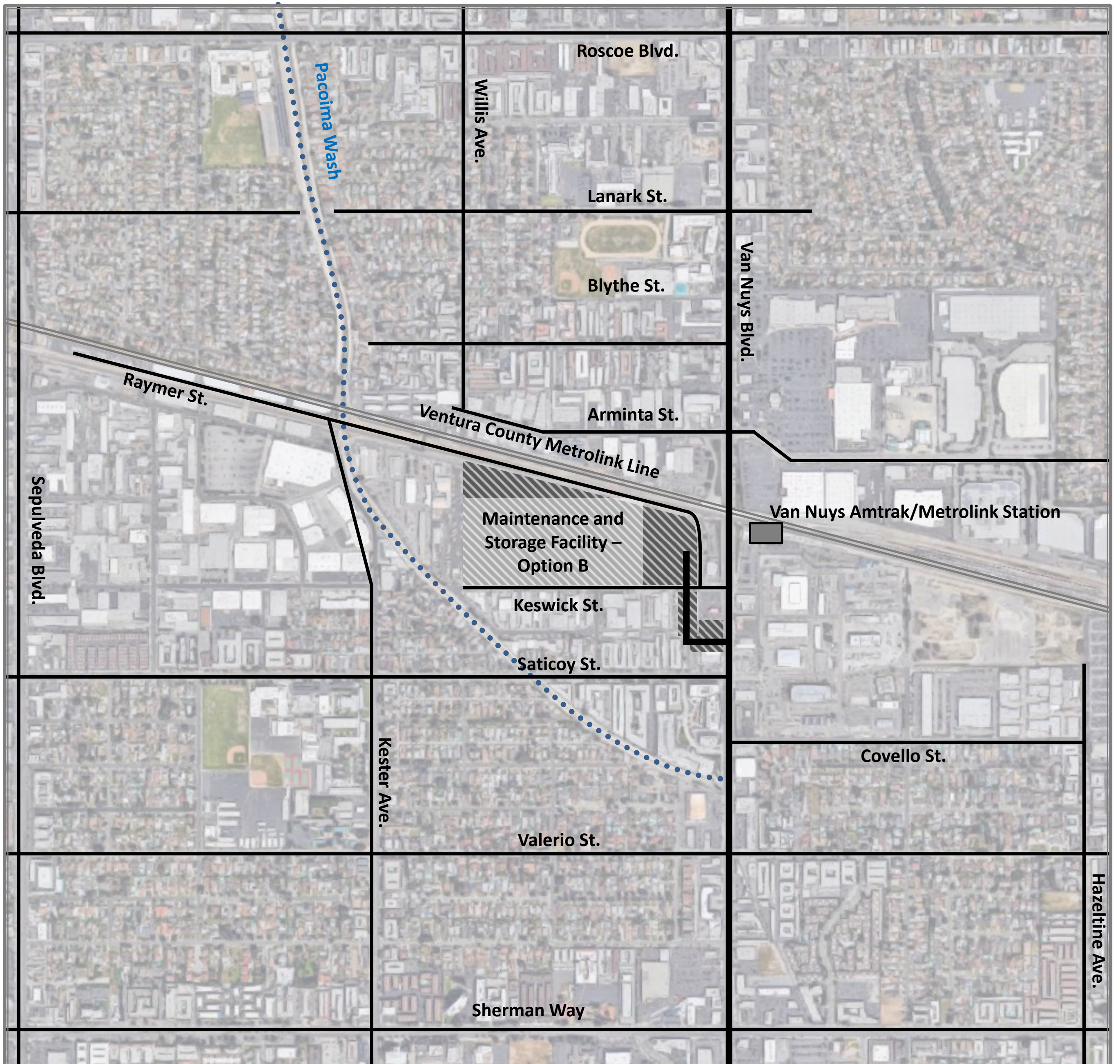
Staff recommended LPA: 9.2 Mile, At-grade, Light Rail Alignment with 14 Stations



1. Sylmar/San Fernando Metrolink Station
2. Maclay Station
3. Paxton Station
4. Van Nuys/San Fernando Station
5. Laurel Canyon Station
6. Arleta Station
7. Woodman Station
8. Nordhoff Station
9. Roscoe Station
10. Van Nuys Metrolink Station
11. Sherman Way Station
12. Vanowen Station
13. Victory Station
14. Van Nuys Metro Orange Line Station

The staff-recommended modified Alternative 4, At-grade, Light Rail Transit (LRT) with 14 Stations alternative would extend north from the Van Nuys Metro Orange Line Station, in the median of Van Nuys Boulevard for a distance of approximately 6.7 miles. At the intersection of Van Nuys Boulevard and San Fernando Road, the alignment would transition onto the Metro-owned railroad right-of-way that runs parallel to San Fernando Road and where the Antelope Valley Metrolink line currently operates. It would proceed northwest along the San Fernando railroad right-of-way for approximately 2.5 miles, terminating at the Sylmar/San Fernando Metrolink station.

Maintenance and Storage Facility – Option B Map



PROCUREMENT SUMMARY

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR LOCALLY PREFERRED
ALTERNATIVE AND CONTRACT MODIFICATIONS / PS4370-2622

1.	Contract Number: PS4370-2622		
2.	Contractor: KOA Corporation		
3.	Mod. Work Description: Exercise Option B for final EIS/R and technical analysis in support of at-grade Alternative #4		
4.	Contract Work Description: Professional services to complete the AA, DEIS/R and CE for the East San Fernando Valley Transit Corridor project including options for final environmental clearance and clearance of other near and mid-term bus speed improvements.		
5.	The following data is current as of: 05/30/18		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	04/28/11	Contract Award Amount: \$3,554,641
	Notice to Proceed (NTP):	04/28/11	Total of Modifications Approved: \$2,005,277
	Original Complete Date:	01/22/14	Pending Modifications (including this action): \$2,720,268
	Current Est. Complete Date:	12/31/19	Current Contract Value (with this action): \$8,280,186
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Walt Davis		Telephone Number: (213) 922-3079

A. Procurement Background

This Board Action is to approve Contract Modification No. 16 to exercise Option B for the Project's final environmental impact statement/report (EIS/R) and Contract Modification No. 17 issued in support of technical analysis of an at-grade Alternative #4. The period of performance will be extended 18 months through December 31, 2019.

This Contract Modification was processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed price.

On April 28, 2011, the Board awarded Contract No. PS4370-2622 with KOA Corporation in the firm fixed amount of \$4,106,366 for professional services to complete the AA, DEIS/R and CE for the East San Fernando Valley Transit Corridor (formerly known as Van Nuys Rapidway) project including options for final

environmental clearance and clearance of other near and mid-term bus speed improvements. The period of performance was 32 months.
Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost Analysis

The recommended prices have been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical analysis, fact finding, and negotiations.

Contract Modification No. 16 is to exercise Option B for the Project’s final EIS/R which was negotiated and awarded in April 2011 as the Metro ICE below. To exercise Option B, a new proposal was required based on the current market environment and rates. The negotiated amount is higher than the awarded amount due to the current market rates.

Proposal Amount	Metro ICE	Negotiated Amount
\$721,897	\$551,725	\$699,255

Contract Modification No. 17 in support of technical analysis of an at-grade Alternative #4 includes advance conceptual engineering (ACE), first/last mile planning, connectivity study with the Metro Orange Line and grade crossing safety analysis. The negotiated amount includes refinements pertaining to the ACE and the grade crossing safety analysis which are required to satisfactorily complete the work.

Proposal Amount	Metro ICE	Negotiated Amount
\$2,069,686	\$1,852,186	\$2,021,013

CONTRACT MODIFICATION/CHANGE ORDER LOG

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR LOCALLY PREFERRED
ALTERNATIVE AND CONTRACT MODIFICATIONS / PS4370-2622

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Alignment alternatives and traffic analysis	Approved	02/24/12	\$449,941
2	Draft and Final EIS/EIR	Approved	02/28/13	\$1,090,851
3	Supplemental parking analysis	Approved	04/19/13	\$5,103
4	Supplemental analysis	Approved	07/23/13	\$200,000
5	Reallocation of tasks	Approved	04/30/14	\$0
6	Period of performance (POP) extension through 12/31/15	Approved	08/29/14	\$0
7	Expansion of number of alternatives and maintenance yards to be environmentally cleared	Approved	03/11/15	\$177,871
8	POP extension through 2/5/16	Approved	12/23/15	\$0
9	POP extension through 3/4/16	Approved	02/04/16	\$0
10	Reallocation of tasks and co cost time extension through 12/31/16	Approved	03/04/16	\$0
11	White paper defining hybrid rail alternative, period of performance extension through 12/31/17 and addition of DBE subcontractor	Approved	11/29/16	\$68,758
12	Spanish translation services and addition of DBE subcontractor	Approved	05/24/17	\$12,753
13	POP extension through 1/31/18	Approved	12/28/17	\$0
14	POP extension through 3/5/18	Approved	01/30/18	\$0
15	POP extension through 6/29/18	Approved	03/05/18	\$0
16	Exercise Option B for final EIS/R	Pending	06/28/18	\$699,255
17	Technical analysis in support of at-grade Alternative #4 and POP extension through 12/31/19	Pending	06/28/18	\$2,021,013
	Modification Total:			\$4,725,545
	Original Contract:		04/28/11	\$3,554,641
	Total:			\$8,280,186

DEOD SUMMARY

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR LOCALLY PREFERRED
ALTERNATIVE AND CONTRACT MODIFICATIONS / PS4370-2622**A. Small Business Participation**

KOA Corporation (KOA) made a 29.20% Disadvantaged Business Enterprise (DBE) commitment. The project is 84% complete and current DBE participation is 25.48%, which represents a 3.72% shortfall. KOA's Project Manager explained that at the beginning of the project, Metro removed the video simulation scope, which eliminated DBE CLR Analytics' scope of work, and other DBEs were scheduled to perform at the latter phase of the project.

KOA reaffirmed its 29.20% DBE commitment in its work plan submitted May 21, 2018. In addition to work performed under the current contract, for the proposed modification, KOA made a 42.88% DBE commitment to three (3) additional firms. According to KOA, the added DBEs will perform community outreach, first/last mile planning, and advanced conceptual engineering.

Notwithstanding, Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that KOA is on schedule to meet or exceed its DBE commitment. If KOA is not on track to meet its small business commitment, Metro staff will ensure that a plan is submitted to mitigate shortfalls. Additionally, access has been provided to Metro's tracking and monitoring system to more key stakeholders over the contract to ensure that all parties are actively tracking Small Business progress.

Small Business Commitment	DBE 29.20%	Small Business Participation	DBE 25.48%
----------------------------------	-------------------	-------------------------------------	-------------------

	DBE Subcontractors	Ethnicity	% Committed	Current Participation¹
1.	W2 Design, Inc.	Asian Pacific American	3.62%	3.43%
2.	CNS Engineers, Inc.	Asian Pacific American	8.94%	3.38%
3.	Wagner Engineering Survey	Caucasian Female	8.26%	6.66%
4.	Diaz Yourman Associates	Hispanic American	3.18%	2.93%
5.	CLR Analytics	Asian Pacific	0.80%	0.00%

		American		
6.	Cogstone Resource Management	Caucasian Female	0.52%	0.29%
7.	Galvin Preservation Associates	Caucasian Female	3.88%	6.06%
8.	Lenax Construction Services	Caucasian Female	Added	2.13%
9.	Katherine Padilla & Associates	Hispanic American Female	Added	0.18%
10.	Universal Reprographics, Inc.	Caucasian Female	Added	0.42%
	Total		29.20%	25.48%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this Contract.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.

**Board Report**

File #: 2018-0360, **File Type:** Project**Agenda Number:** 25.

**PLANNING AND PROGRAMMING COMMITTEE
JUNE 20, 2018****SUBJECT: ARTS DISTRICT/6TH STREET STATION****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to enter into a funding agreement with the City of Los Angeles to undertake pre-design activities, prepare an Environmental Impact Report (EIR) and conduct public engagement for a potential Arts District/6th Street Station for an amount of \$500,000.

ISSUE

On May 15, 2018, the Los Angeles City Council Transportation Committee approved a motion (Attachment A) to authorize the transfer of \$500,000 to Metro for “project expenditures associated with the environmental clearance and pre-design activities of the Arts District/6th Street Metro Station”. A vicinity map of the Arts District/6th Street Station is in Attachment B. Final action on the City’s proposed appropriation is tentatively scheduled for June 19 or 20, 2018.

To receive and administer these funds, Metro will need to enter into a funding agreement with City of Los Angeles prior to initiating pre-design study, the Environmental Impact Report (EIR) and public engagement. Metro will be the lead agency, pursuant to the California Environmental Quality Act (CEQA). All costs, including additional costs, will be the responsibility of the City of Los Angeles. These additional costs may include, but are not limited to, advanced engineering design, additional work on technical studies, and responses to comments on the Draft EIR and public engagement direct costs.

The Arts District/6th Street Station is not in the financially constrained Long Range Transportation Plan. Conducting this work does not commit Metro to funding and delivering the Arts District/6th Street Station and extension of heavy rail transit to it.

BACKGROUND

In January 2017 the Metro Board passed a motion directing staff to “initiate a holistic assessment of Metro’s long-term needs at Division 20 and accommodation of future Arts District station access” (Attachment C). In May 2017, this assessment was presented to the Metro Board, including

a preferred location for a potential new heavy rail station serving the Arts District to be located at 6th Street instead of an alternative site at 3rd Street. A Draft EIR was then prepared for the Division 20 Portal Widening and Expansion Project and public hearings were held in March/April 2018. Design of the Division 20 Portal Widening and Turnback Facility Project has completed Preliminary (30%) Design and is now nearing completion of 60% design. The design is following the direction to not preclude a future Arts District/6th Street Metro Station. Metro is now preparing the Final EIR for the Division 20 project.

The West Santa Ana Branch Updated Northern Alignment Options Screening Report considered an option for Light Rail Transit to connect to Heavy Rail Transit at a potential Arts District/6th Street. However, on May 24, 2018, the Metro Board did not carry forward that alternative as part of the West Santa Ana Branch project. As a result, the potential Arts District/6th Street Station can be studied and reviewed as a separate project since it has independent utility.

DISCUSSION

The funding agreement with the City of Los Angeles will cover an environmental report, and the development of a station design including related tracks and platforms, vertical circulation elements and linkages to adjacent private development and the 6th Street Bridge and Arts Park. Any right-of-way requirements that could involve property owners or railroad operators (BNSF, Amtrak and Metrolink) will be identified. Very close development coordination will also be required between the Arts District/6th Street Station and Metro's Maintenance of Way Building, which is currently under construction. Coordination with the LA River Bike Path Gap Closure project, a recently awarded contract, as well as the California High Speed Rail Authority will also be needed. The Federal Transit Administration will also be consulted.

The Arts District/6th Street Station and heavy rail extension to it are not currently included in Metro's adopted Long Range Transportation Plan (LRTP) or unconstrained project list. Metro has submitted this project for inclusion in the Southern California Association of Government's Regional Transportation Plan (RTP) Strategic Project list (fiscally unconstrained/unfunded), pursuant to prior Board action, and it is currently awaiting approval.

The City of Los Angeles' proposed Downtown Los Angeles Community Plan Updates (DTLA 2040; <https://www.dtl2040.org/>) clearly envisions a transit-oriented community within the Arts District and adjacent areas, along with existing land use patterns. The City's new 6th Street viaduct, which is presently being constructed, is designed to improve the connection by pedestrians, bicyclists, buses and automobiles from communities to the east to downtown-including the Arts District- which enhances access to opportunity by communities that were significantly constrained when the freeway network was built decades ago.

The confluence of changing land use patterns and mobility opportunities suggests there is merit in studying this potential project. By doing so, Metro's many public and private partners will have a clearer, conceptual understanding of what the project would be, its timeline and the cost. Metro's recently-adopted Equity Platform Framework will guide the process for studying and evaluating a potential Arts District/6th Street Station.

DETERMINATION OF SAFETY IMPACT

There is no impact to the safety of our customers and/or employees because this is an authorization to conduct administrative and study work.

FINANCIAL IMPACT

Impact to Budget

This funding agreement does not create direct costs to Metro and does not require amendments to the adopted budget.

ALTERNATIVES CONSIDERED

The Board could decline to authorize the CEO to enter into a funding agreement for this potential station and not authorize staff to conduct the associated work. Pre-design activities, preparation of an EIR and public engagement is consistent with Board directives to not-preclude a future Arts District/6th Street Station and to design improvements in Division 20 that will accommodate such a station at the Arts District/6th Street location. Funding by the City of Los Angeles enables Metro to evaluate a potential project-without committing to it-when the resources would not otherwise be available to do so.

.Next_Steps

NEXT STEPS

Upon Board approval, staff will work with the City of Los Angeles to execute a funding agreement and will initiate the procurement of consultant services to prepare the EIR, pre-design services and community outreach.

ATTACHMENTS

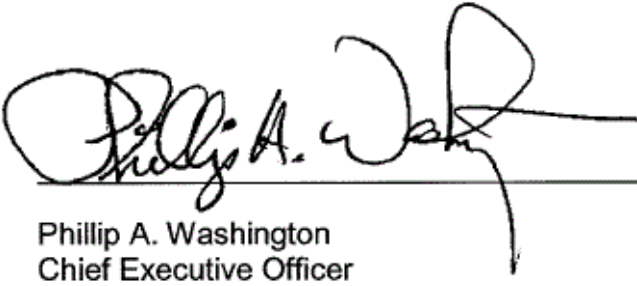
Attachment A - Los Angeles City Council Transportation Committee Motion, May 15, 2018

Attachment B - Arts District/6th Street Station Vicinity Map

Attachment C - Metro Board Motion, January 2017

Prepared by: Meghna Khanna, Senior Manager (213) 922-3931
David Mieger, Executive Officer (213) 922-3040
Manjeet Ranu, Senior Executive Officer (213) 418-3157
Laurie Lombardi, Senior Executive Officer (213) 418-3251

Reviewed by: Therese McMillan, Chief Planning Officer (213) 922-7077
Rick Clarke, Chief Program Management Officer (213) 922-7557



Phillip A. Washington
Chief Executive Officer

MOTION

BUDGET & FINANCE

With the construction of the new 6th Street Bridge, the Arts District in Downtown Los Angeles has seen immense growth. What was once an industrial neighborhood has become a vibrant walking and biking community with new businesses and residential properties. While the growth is welcome, the neighborhood was not designed to be pedestrian or bicycle friendly.

The Bureau of Engineering is also constructing the new \$482 million dollar 6th Street Viaduct Replacement Project between Boyle Heights and the Arts District. Under the new viaduct, the \$28 million 6th Street Park, Arts, River, and Connectivity (PARC) Improvements Project will be constructed. The PARC will be comprised of a 12 acre park underneath the viaduct that will include amenities such as an Arts Plaza, dog park, athletic facilities, and connections to the future LA River Bike Path. Moreover, the City also received \$25 million dollars in grant funding to make first/last mile improvements between the new viaduct and the surrounding communities.

As a result of an increase in developments, new recreational facilities, and improved bicycle and pedestrian facilities, the neighborhood is in need of a mass transit portal in order to get people to and from the Arts District. In response to this demand, the Los Angeles County Metropolitan Transportation Authority (Metro) Board approved a motion (Garcetti – Solis – Bonin - Dupont-Walker) in 2017 that instructed Metro staff to design the proposed Division 20 Portal Widening and Turnback Facility Project in a manner that would not preclude a future 6th Street/Arts District Metro Station. Metro has proceeded to redesign their project in a way to ensure that a future station can be constructed as easily as possible.

Moving the station forward requires the initiation of environmental clearance and pre-design activities. Metro has committed to initiating the environmental clearance process as soon as funding has been secured by the Department of Transportation. The plan is to use future traffic mitigation and development fees in the Arts District, however, funding is needed immediately to begin the environmental process. Once this process is completed, it is expected that Metro and the City will seek outside funds for the construction of the station.

I THEREFORE MOVE that the Council AUTHORIZE the Controller to transfer \$500,000 from Proposition A Fund 385, Department 94 Account 94P399 "Reserve for Future Transit Service" to a new account entitled "6th Street/Arts District Metro Station" and use the funds to reimburse Metro upon review and approval of project expenditures associated with the environmental clearance and pre-design activities of the 6th Street/Arts District Metro Station; and

I FURTHER MOVE that the Council INSTRUCT the Department of Transportation to deposit \$500,000 in future Arts District traffic mitigation and development fees into the Proposition A Fund 385 Account 94P399 "Reserve for Future Transit Service" to offset the costs related to the environmental clearance and pre-design of the proposed 6th Street/Arts District Metro Station; and

I FURTHER MOVE that the Council AUTHORIZE the Department of Transportation and the City Attorney, to negotiate a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (Metro) to fund environmental clearance and design costs related to the 6th Street/Arts District Metro Station, and present the draft MOU to the Council for approval.

PRESENTED BY: 
JOSE HUIZAR
Councilmember, 14th District

SECONDED BY: 

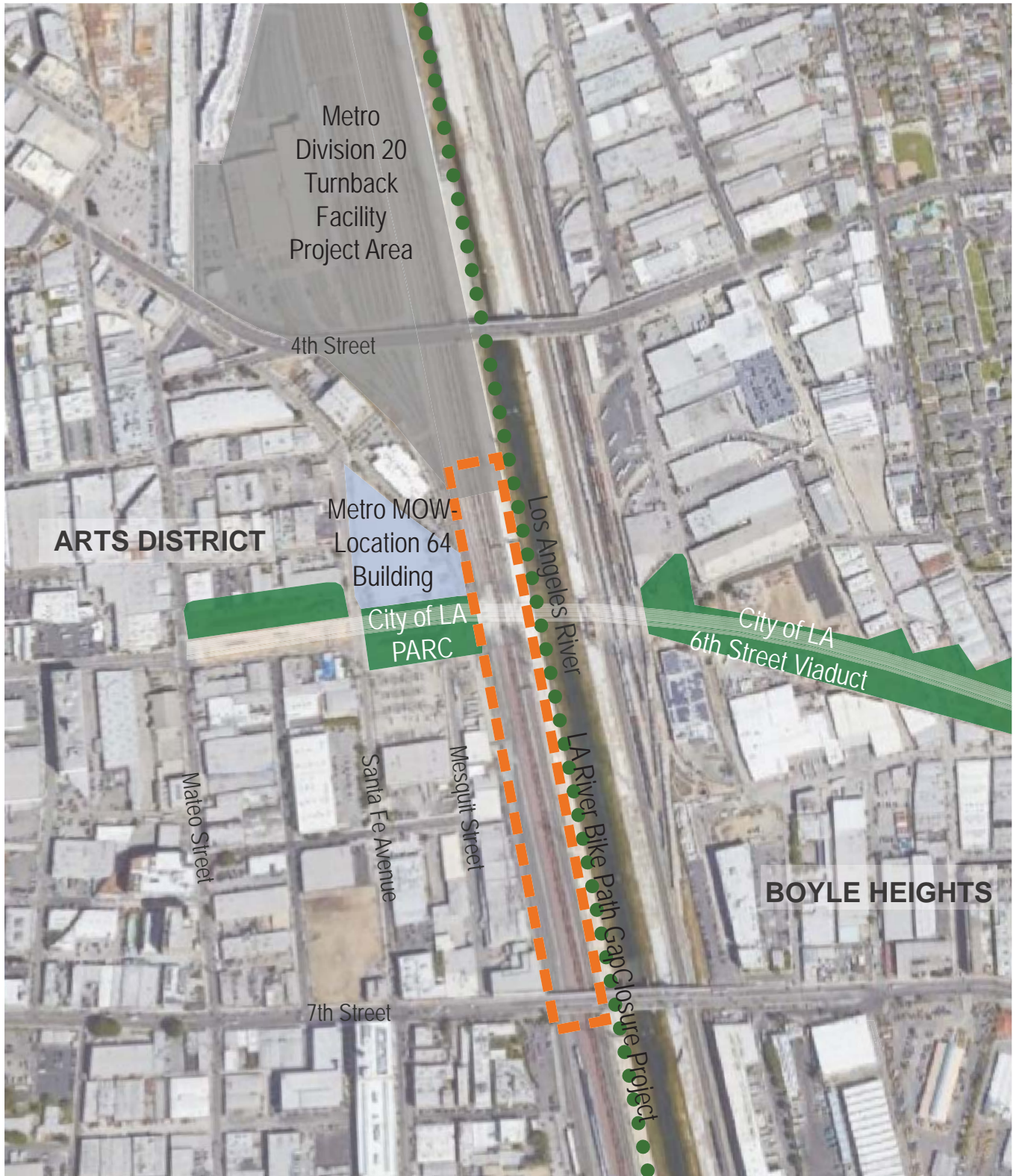
MAY 15 2018

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ORIGINAL

Attachment B: Arts District/6th Street Station Vicinity Map



 Potential Project Area

Metro



Board Report

File #:2017-0020, **File Type:**Motion / Motion
Response

Agenda Number:41

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE JANUARY 19, 2017

Motion by:

Directors Garcetti, Solis, Bonin and Dupont-Walker

January 19, 2017

Downtown Los Angeles Arts District Connectivity

Metro Rail service is intended to serve high-density areas and major trip generators throughout Los Angeles County. Transit service to these types of locations, such as the Wilshire Corridor, the Historic Core, North Hollywood, Santa Monica, Pasadena, Long Beach, and other thriving locations is important to meet the mobility needs of Los Angeles County.

There are several outstanding priorities in and around MTA's Division 20 rail maintenance facility in the Arts District. MTA must improve Division 20 to service the Purple Line Extension project. Additionally, there is an opportunity to extend rail service to the Arts District.

Combined, the Purple Line Extension Section 1 and Section 2 projects include over \$3.6 billion in federal funding and financing. These federal funds are predicated on specific service standards, namely, train service every four minutes.

The federal funding requirements compel MTA to improve the subway turn-back capabilities by constructing a facility at the Division 20 maintenance facility. These improvements must be completed to meet federal service requirements, maintain federal funding agreements, and to start service on the Purple Line Extension. Failure to do so could put over \$3.6 billion in federal funding at risk.

In addition, with the passage of Measure M, MTA's current plans for Division 20 must be revised to accommodate the acceleration of the Purple Line Extension Section 3 to 2024. This will require an expansion of subway vehicle storage, maintenance, and testing infrastructure.

At the same time, MTA has since 2010 studied extending the Red and Purple Lines from Union Station to the Arts District, with possible stations and 1st Street, 3rd Street, and/or 6th Street.

An Arts District Extension is a great opportunity to support the continued development of a transit-oriented community with a rapidly expanding population and a strong desire for transit service. The Arts District has become a widely popular arts, culture, and shopping destination with rapid

File #:2017-0020, **File Type:**Motion / Motion Response

Agenda Number:41

residential growth. There are over twenty development projects in the Arts District under construction, entitled or in the entitlement process, including 670 Mesquit, 6AM, Row DTLA, 520 Mateo Street, the Ford Motor Factory Building, 950 E. 3rd Street, At Mateo, and others. Additionally, the Arts District is the location of several major infrastructure projects that will improve the public realm, such as the 6th Street Viaduct Replacement project and MTA's LA River Waterway & System Bikepath project.

MTA's first priority for Division 20 must be to support the Purple Line Extension. However, MTA should do everything possible to extend rail service to the Arts District.

CONSIDER Motion by Garcetti, Solis, Bonin and Dupont-Walker that the Board direct the CEO to:

- A. Immediately initiate a holistic assessment of MTA's long-term needs at Division 20 and accommodation of future Arts District station access, including:
1. Turn-back facility improvements,
 2. Rail car storage, maintenance facility, and vehicle test track needs required to start service on the Purple Line Extension Section 3 in 2024 per the Measure M ordinance,
 3. Rail service expansion to the Arts District with station options at 1st Street, 3rd Street, and/or 6th Street, with connections into the Arts District, to MTA's LA River Waterway & System Bikepath project, and to the 6th Street Viaduct Replacement project,
 4. Consideration of additional property required to meet all the above needs;

FURTHER MOVE that the MTA Board direct the CEO to:

- A. Design Division 20 so as to not preclude new stations and necessary track(s) in the future if funding is identified for an Arts District station(s) on the Red/Purple Line.
- B. Work with the City of Los Angeles to develop creative strategies to establish innovative funding mechanisms dedicated to off-set the costs of new stations in the Arts District.
- C. Provide an initial report back on all the above during the April 2017 Board cycle.



Board Report

File #: 2018-0168, File Type: Policy

Agenda Number: 26.

REVISED
PLANNING AND PROGRAMMING COMMITTEE
JUNE 20, 2018

SUBJECT: TRANSIT ORIENTED COMMUNITIES POLICY

ACTION: ADOPT THE TRANSIT ORIENTED COMMUNITIES POLICY

RECOMMENDATION

CONSIDER:

- A. ADOPTING the Transit Oriented Communities Policy (Attachment A); and
- B. DIRECTING staff to develop a TOC Implementation Plan including metrics, and report back to the Board with the Implementation Plan in 18 months.

ISSUE

The voter-approved Measure M Ordinance identifies “Transit Oriented Community (TOC) investments” as an eligible transportation-related use of Local Return funds. The inclusion of TOC investments is based on the success of the Metro TOC Demonstration Program. However, a formal policy does not exist. A TOC Policy (Policy) will help ensure compliance with the Measure M Ordinance and related Board-adopted Guidelines by the cities and the county. The Policy also clarifies Metro’s role and commitment to leveraging transit investments to enhance and support complete communities.

The TOC Policy, included as Attachment A, was developed through an iterative review and discussion process with a working group made up of members, alternates, and delegates of the Policy Advisory Council (PAC), representing a diverse group of stakeholders (Working Group). The Policy also reflects feedback from the Board as provided at the May 16 meeting of the Planning and Programming Committee.

DISCUSSION

Background

The concept of Transit Oriented Communities was introduced to Metro in May 2015 by Chief Executive Officer Phillip A. Washington with the development of the TOC Demonstration Program. The aim of the TOC Demonstration Program was to identify ways to look beyond individual transit

oriented developments and identify how Metro could influence, implement and leverage its investments to have broader positive community impacts that increase ridership and improve quality of life. The TOC Policy is the evolution of the TOC Demonstration Program and will formalize Metro's definition of and approach to TOCs, clarifying Metro's role and commitment to leveraging transit investments for enhanced communities. The Local Return section of the Measure M Administrative Guidelines outlines a series of transportation purposes eligible for Local Return funds. The guidelines include "TOC Activities" as eligible transportation purposes, to be defined by the creation of a TOC Policy. Upon adoption by the Metro Board, the activities established in the Policy will be deemed transportation purposes, eligible for Measure M Local Return funds as well as other Metro transportation funds, subject to any specific compliance, requirements or regulations for those funds.

Policy Development and Stakeholder Engagement

The policy development process began at the January 9, 2018 meeting of the PAC. In addition to presenting the Policy, staff participated in a break out session with the PAC and members of the public, which included breaking into groups, brainstorming on key Policy issues to consider and report outs by each group. Following this meeting, the TOC Policy Working Group was established among PAC members, alternates, and delegates, creating a mix of representation across stakeholder groups (consumers, providers and municipalities), with the expectation that these groups collect and reflect feedback from their broader networks. The first Working Group meeting was held on January 22, 2018 and there have since been 9 meetings in total. Before each meeting, a draft section of the Policy was distributed to the Working Group to allow them time to review and engage with key stakeholders in their sectors and bring this feedback to each meeting. This created a collaborative and comprehensive policy development process.

About half-way through the Working Group process, staff returned to the PAC to provide an update on the Policy on March 13, 2018. After additional work with the Working Group, staff presented a draft Policy to the PAC on April 3, 2018. The final proposed Policy was presented at the June 5 PAC meeting.

Internal to Metro, the Policy (and related Nexus document) has been reviewed by County Counsel, the Senior Leadership Team, staff that implements the current Local Return program, and staff working on various workforce development and small business programs. These reviews ensured that language and policy direction is consistent with Metro's existing programs and initiatives and falls within administrative and legal parameters for funding.

Finally, staff participated in a Town Hall meeting hosted by ACT-LA on May 9 and presented the draft Policy to the Planning and Programming Committee at the May 16 meeting. Feedback from these discussions and additional review from the TOC Working Group has been incorporated into the final Policy. In particular, the section below on "Geographic Span" addresses feedback from the Metro Board's Planning and Programming Committee to ensure that TOC Activities have broad impact across Los Angeles County.

TOC Demonstration Program: Lessons Learned

Along with direction and feedback from core stakeholders, the TOC Policy was informed by lessons

learned from the TOC Demonstration Program, launched in October 2015. Focusing on eight (8) targeted sites, programs and projects, the TOC Demonstration Program showcased a more holistic approach to considering Metro's impact on and ability to shape transit supportive communities. Quarterly reports on the Demonstration Program shared progress on the sites/projects and also highlighted other efforts across the agency that demonstrate Metro's expansive approach to considering community. Key lessons from this exercise, which are reflected in the goals and activities in the TOC Policy, include:

1. *Clarity and commitment:* Metro must make clear our priorities in ensuring that our transit investments consider a more holistic approach to community development, and our role in identifying and addressing the positive and sometimes more challenging impacts of our investments;
2. *Deep and meaningful community engagement:* The successes realized during the TOC Demonstration Program were reflective of a commitment to meaningfully engage with stakeholders. This means developing new partnerships with organizations that can facilitate deeper engagement of harder to reach stakeholders and innovative approaches to engagement. In particular, programs such as the Business Interruption Fund, the Joint Development process of creating Development Guidelines and the recently adopted Blue Line First/Last Mile Strategic Plan are examples of a new form of partnership and innovation in community engagement.
3. *Enable and incentivize:* Metro does not have jurisdiction over land use or other community development efforts that support TOC goals, and therefore is not the entity that can enact many of the policies or programs that enable TOCs. The agency must identify ways to leverage its power as planner, builder and operator of the transit system, as well as being a major funding entity in Los Angeles County, to enable and incentivize municipalities to embrace and implement TOC supportive goals, policies and programs.
4. *Partnership and coordination:* Building on the notion of enabling and incentivizing, realizing TOC goals requires direct partnerships and close coordination with municipalities, in particular cities (and Los Angeles County), who hold regulatory land use control and ownership of the public right-of-way. Metro's efforts to achieve transit supportive land uses in station areas and corridors, implement first/last mile improvements, and facilitate joint development on Metro-owned land all require cooperation and ownership, at every stage, with cities and LA County.

These key lessons will be summarized in a final report on the TOC Demonstration Program.

Policy

The Policy defines the concept of TOCs for Metro, develops a set of goals, and establishes TOC Activities which, upon adoption by the Metro Board, will be eligible for Local Return Funds.

Definition of TOC: The Policy defines TOCs as places (such as corridors or neighborhoods) that, by their design, allow people to drive less and access transit more. A transit oriented community maximizes equitable access to a multi-modal transit network as a key organizing principle of land use planning and holistic community development. TOCs differ from Transit Oriented Development (TOD)

in that a TOD is a specific building or development project that is fundamentally shaped by close proximity to transit. TOCs promote equity and sustainable living in a diversity of community contexts by: (a) offering a mix of uses that support transit ridership of all income levels (e.g. housing, jobs, retail, services and recreation); (b) ensuring appropriate building densities, parking policies, and urban design that support accessible neighborhoods connected by multi-modal transit; (c) elevating vulnerable users and their safety in design; and (d) ensuring that transit-related investments provide equitable benefits that serve local, disadvantaged and underrepresented communities.

Goals: The Policy establishes the following set of overarching goals:

1. Increase transportation ridership and choice
2. Stabilize and enhance communities surrounding transit
3. Engage organizations, jurisdictions, and the public
4. Distribute transit benefits to all
5. Capture value created by transit

TOC Activities: The Policy also defines a set of TOC Activities, which are projects, programs, and policies that support, enable and incentivize TOCs. The TOC Activities in this Policy are intended to capture activities that are not otherwise explicitly defined in existing Metro policies or guidelines, but serve a transportation purpose. Eligible activities identified in the Policy include affordable housing, local business assistance, neighborhood amenities, grant assistance, land use planning, community engagement, and public improvements. While the Policy sets forth specific goals, the TOC Activities remain general in order to allow for innovation and for municipalities and partners to identify the appropriate programs and projects to achieve TOC goals. Staff has developed a Transportation Nexus document, included as Attachment B, to demonstrate how the TOC Activities identified serve a transportation purpose.

Geographic Span: The TOC Activities are defined according to 3 geographic areas: (1) “General Activities” which can be funded anywhere in LA County; (2) Within 0-3 miles of a High Quality Transit Stop; and (3) Within 0-1/2 mile of a High Quality Transit Stop. The Policy references the State of California definition of a High Quality Transit Stop (Stop) and notes that stops can be served by any transit operator. There are three factors that drive the use of these radii for determining eligibility of TOC Activities:

- 1) Transportation Nexus: As noted above, Board adoption of this Policy will define TOC Activities as a Transportation Purpose. Staff and our stakeholders referenced over 10 studies on the intersection of transit, land use, affordable housing and community development to develop the Transportation Nexus document (Attachment B). The radii recommendations reflect this research as well as existing Metro Board-adopted policies.
- 2) High Quality Transit Stop areas are broad: The map in Attachment C shows the area captured by the 0-1/2 mile radius around High Quality Transit Stops, for LA County. Review of the map demonstrates that this defined area, which is the most restrictive of the 3 geographic spans in the Policy, is broad and covers every region of LA County,
- 3) Matching Funds: The Measure M Local Return Guidelines require that these funds are

matched with other funding sources. State and Federal funding for transit oriented real estate activities such as affordable housing and small business development generally target a ¼ - ½ mile radius around transit stations. Matching the TOC geographic span to that of available funding sources can facilitate the ability of projects to secure matching funds.

Edits to Draft Policy: After review by the Metro Board, additional stakeholder feedback and a follow up meeting with the TOC Policy Working Group, minor typographical edits were made to the Policy. The only substantive change to the Policy was the addition of a definition for Neighborhood Serving Amenities.

Implementation: All TOC Activities are subject to the requirements of the applicable funding program. Many of the TOC Activities outlined in the Policy will be implemented by municipalities and other eligible partners; some will be directly implemented by Metro through existing programs such as Joint Development, First/Last Mile planning and the TOD Planning Grant, and others Metro will allow, enable and incentivize local partners to fund and implement. Metro staff will ask the following questions to determine which TOC Activities Metro will implement directly versus funding, enabling or incentivizing:

- *Jurisdictional role* - Is the TOC Activity within Metro's functional jurisdiction?
- *Funding sources* - Does Metro have the funds necessary to implement the activity and what governs how those funds are spent? Are the funds committed to other projects and programs?
- *Staffing Resources and Expertise* - Does Metro have sufficient and appropriate staffing resources and technical expertise to carry out the TOC Activity without impacting existing priorities, approved programs, projects and service delivery?

Implementation Plan and Metrics

During the Policy development process, stakeholders were clear in their desire for Metro to build accountability and transparency into its TOC program. Staff recommends that the Board direct development of an Implementation Plan that includes metrics, which, once completed, will be reported on through an annual TOC Report. Development of the Implementation Plan will take place over the next 18 months, concurrent with the development of the Long Range Transportation Plan (LRTP) TOC Policy Framing Paper. The framing document is part of the LRTP process and will provide further clarity on Metro's role in achieving TOC goals over the long term.

DETERMINATION OF SAFETY IMPACT

Adoption of the TOC Policy will not have a direct impact on safety. Implementation of TOC Activities, such as public improvements that lead to Complete Streets and First/Last Mile projects could improve safety for transit patrons, employees and contractors.

FINANCIAL IMPACT

Adoption of the TOC Policy will not have a financial impact to the agency. TOC Activities can be funded by Measure M Local Return funds, which are dedicated to and controlled by local municipalities, as directed in the Measure M ordinance. Other ongoing activities that realize TOC goals (for example Joint Development, First/Last Mile planning, and the TOD Planning Grant) are already part of the FY19 adopted budget.

Since Metro's internal TOC Activities are multi-year, the cost center manager and Chief Planning Officer will be accountable for budgeting the cost in future years.

Impact to Budget

Existing TOC Activities across Metro are broad and funded through a variety of sources, including Local - General Fund ROW lease revenues, as well as various grants and sales taxes. There is no one programmatic source of funds for TOC Activities. Generally, these funds are eligible for bus and rail operating and capital expenses. The adoption of the TOC Policy will not impact ongoing bus and rail operating and capital costs, the Proposition A and C and TDA administration budget or the Measure R administration budget as no additional programs or projects are being recommended.

ALTERNATIVES CONSIDERED

The Board could choose not to adopt the final TOC Policy. This is not recommended, as development of the Policy is a requirement of the adopted Local Return guidelines. In addition, the Policy was developed through a transparent and iterative process with various internal and external stakeholders, with a draft review by the Metro Board.

The Board could chose not to direct staff to develop an Implementation Plan and performance metrics. This is not recommended, as staff received clear indication from stakeholders, including testimony at the May 16th Planning and Programming Committee, that this next step is critical to creating a transparent and accountable TOC program.

NEXT STEPS

With the adoption of the TOC Policy, staff will begin work on a TOC Implementation Plan and metrics, concurrent with the LRTP TOC Topical Framing Paper. The Implementation Plan will be brought to the Board for consideration and will be followed with an annual TOC Report that will be published to ensure accountability and transparency.

The TOC Policy, along with the Implementation Plan, will replace the TOC Demonstration Program as the permanent TOC Program. Staff will prepare a summary document on lessons learned from the TOC Demonstration Program.

ATTACHMENTS


Attachment A - TOC Policy_Final - REVISED

Attachment B - Transportation Nexus

Attachment C - HQT Map

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Phillip A. Washington
Chief Executive Officer

ATTACHMENT A (REVISED)

METRO TRANSIT ORIENTED COMMUNITIES POLICY

I. POLICY CONTEXT

Traditionally transit agencies have focused their mission on a combination of planning, constructing, and operating the public transit system with a focus on moving people from station to station within that system. Community impacts associated with the transit system, both positive and negative, were relegated to local jurisdictions to manage, promote or mitigate. Since the development of the last Long Range Transportation Plan, and with the passage of Measure R in 2008 that started a massive investment in public transportation in Los Angeles County, it has become evident that the regional serving transit systems we plan, construct, and operate have a tremendous impact on the communities we serve. These investments and services can:

- Result in targeted economic development/real estate investments or disinvestments
- Change the perception of a community as a desirable place to live or work, both positively and negatively
- Provide mobility and thus enhance access to jobs, schools, health care and economic mobility
- Accelerate change to the character and cultural cohesion of a community, in both positive and negative ways

Los Angeles made clear its commitment to continuing dramatic growth of its transit system in 2016 when voters approved Measure M and an additional \$120 billion in investment over 40 years. This investment will only be successful if Metro considers: issues of access and connectivity to the system (such as first/last mile connections); a deep understanding of the demographics of the customer base (to target and adjust service); safety, timeliness and consistency of service; and the impact of the system on issues of equity and equitable opportunity in the County. It is imperative for Metro to consider community wide impacts in its planning, development, operations and third-party funding.

To achieve this integrated goal of transit expansion and consideration of community impacts, Metro must forge partnerships with the municipal partners and local communities we serve. One of the most significant ways Metro can understand, define and measure both the possibilities and the impacts of its investments in public transit is to develop policies and procedures that promote Transit Oriented Communities (TOCs), as a path for communities to maximize the benefits of Measure M investments. This

TOC Policy is a step toward defining Metro’s goals in how we consider, fund, enable, and/or incentivize activities that support the development of balanced communities throughout Los Angeles County.

II. PURPOSE

The purpose of this policy is to:

- a. Define the concept of TOCs for Metro and develop the goals and objectives of Metro’s approach to enabling TOCs.
- b. Define those “TOC Activities” that will be considered a “transportation purpose” and thus are eligible activities for funding under the Measure M guidelines, by Metro and by its municipal partners through Local Return as well as for other eligible sources at the federal, state and local level.
- c. Establish a set of criteria to determine which TOC Activities Metro will fund and implement directly and which activities Metro will allow, enable and incentivize local partners to fund and implement.

III. DEFINITIONS (put in alphabetical order)

Affordable Housing: The California Department of Housing and Community Development (HCD) and the Federal Department of Housing and Urban Development (HUD) define affordable housing as housing for households earning 80% of the area median income (AMI) and below. This Policy specifically targets households earning 60% of AMI and below, a lower income level than HCD and HUD. In this Policy Affordable Housing is defined as covenanted, income-restricted, housing for households earning income 60% of AMI or below.

Income levels are further defined as:

- Extremely low-income: 0-30% of AMI
- Very low-income: 30% to 50% of AMI
- Low-income: 50% to 60% of AMI; the term may also be used to mean 0% to 60% of AMI

Geographic Boundaries of TOC: The span of Metro’s TOC program is LA County, with targeted activities, programs and projects: (1) generally, across the County; (2) within 3-miles of a Stop; and (3) within a half mile of a Stop.

High Quality Transit Stop (HQT): an existing or environmentally-cleared fixed-guideway transit station or the intersection of two buses with 15 minute headways, or

fewer, at the peak. High Quality Transit Stops may be served by any transit operator. A planned fixed-guideway station may also be considered if its location is the only alternative under consideration for a transit corridor in the planning stages. This definition may change to match changes in the State of California definition of a High Quality Transit Stop. High Quality Transit Stops may be referred to herein as “Stops”.

Low-income Households: This policy considers Low-income Households to be households earning annual income at or below 60% of the area median income (AMI).

Neighborhood-serving Amenities: community serving uses such as grocery retail, child care, health care, education, and recreational activities.

Small Business: a business that is independently owned and operated and adheres to the size standards established by the U.S. Small Business Administration (SBA) in terms of the average number of employees over the past 12 months or the average annual receipts over the past three years. These standards are defined at the following link: [SBA Size Standards Table](#).

Transit Oriented Communities: Transit Oriented Communities (TOCs) are places (such as corridors or neighborhoods) that, by their design, allow people to drive less and access transit more. A Transit Oriented Community maximizes equitable access to a multi-modal transit network as a key organizing principle of land use planning and holistic community development. TOCs differ from Transit Oriented Development (TOD) in that a TOD is a specific building or development project that is fundamentally shaped by close proximity to transit.

TOCs promote equity and sustainable living in a diversity of community contexts by: (a) offering a mix of uses that support transit ridership of all income levels (e.g. housing, jobs, retail, services and recreation); (b) ensuring appropriate building densities, parking policies, and urban design that support accessible neighborhoods connected by multi-modal transit; (c) elevating vulnerable users and their safety in design; and (d) ensuring that transit related investments provide equitable benefits that serve local, disadvantaged and underrepresented communities¹.

TOC Activities: Activities identified in this policy that support, enable and incentivize TOCs, and thereby serve a transportation purpose.

¹ For the purposes of this Policy, where Metro identifies disadvantaged and underrepresented communities, included are lower income households as well as households under the following protected categories as defined by the California Fair Employment and Housing Act (FEHA): race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over forty years of age, military and veteran status, and sexual orientation.

IV. GOALS

The TOC Policy will set direction for how Metro plans and implements new and existing transit corridor projects, for supporting land use and community development around existing transit corridors, and for encouraging and incentivizing partners to pursue the same goals. Specific TOC Goals include (*in no particular order*):

1. Increase transportation ridership and choice

- **Ridership:** Increase system ridership and promote usage of alternate, non-motorized, modes of transportation.
- **Transportation Options:** Leverage land use and urban design to encourage non-single occupant vehicle transportation options both on and off Metro property, through enhanced first/last mile options, travel demand management, and seamless transit connectivity.
- **Safety:** Work to reduce collisions and create welcoming environments for all ages, abilities and protected classes in the planning, construction, and operation of transit oriented community projects.

2. Stabilize and enhance communities surrounding transit

- **Housing Affordability:** Prioritize development and preservation of transit-adjacent Affordable Housing.
- **Neighborhood Stabilization:** Protect and support local residents and businesses from displacement.
- **Sustainability:** Ensure that infrastructure investments are multi-beneficial, improving access to transit and enhancing communities' environmental resilience.
- **Economic Vitality:** Promote sustained economic vitality directly benefiting existing communities.

3. Engage organizations, jurisdictions, and the public

- **Community Engagement:** Ensure that stakeholders across a broad spectrum, including those that are harder to reach through traditional outreach strategies, are meaningfully engaged in the planning, construction and operation of Metro's transit system.
- **Foster Partnerships:** Through planning, coordination, policy advocacy and funding, foster relationships and partnerships with local residents and

businesses, labor, municipal and institutional entities, community-based organizations, workforce development providers, the private sector, and philanthropy, to realize TOC goals.

4. Distribute transit benefits to all

- **Equitable Outcomes:** Ensure transportation investments and planning processes consider local cultural and historical contexts and improve social, economic, health, and safety outcomes that serve and benefit local, disadvantaged and underrepresented communities.
- **Complete Communities:** Promote and realize complete communities that support a mix of incomes, land uses, transportation choices, and equitable access to safe, sustainable and healthy living.
- **Small Business:** Encourage the utilization of Small Businesses in the contracting opportunities generated by Metro’s investments.

5. Capture value created by transit

- **Value Capture:** Capture increased value of properties surrounding Metro’s transit investments and re-invest that value into TOC activities.

V. TOC ACTIVITIES

Transportation Purpose

Metro can only fund activities deemed to have a transportation purpose. If that transportation purpose is not otherwise explicitly defined in existing Metro policies or guidelines, the Board must make a finding that the activity has a transportation nexus. The Metro Board adoption of this Policy will represent that finding, deeming the TOC Activities in this Policy to have a transportation purpose.

TOC Activities are consistent with responsibilities outlined in Metro’s enabling statute in the California Public Utilities Code Section 130001:

“(e) The Transportation system should offer adequate public transportation to all citizens, including those immobilized by poverty, age, physical handicaps, or other reasons,” and “(h) Transportation planning should recognize that transportation systems have significant effect on the physical and socioeconomic characteristics of the area served, and emphasis should be given to the protection and enhancement of the

environment and restoration of blighted neighborhoods near community centers.”

TOC Activities by Geography

TOC Activities funded with Metro transportation funds must be within Los Angeles County. Some TOC Activities are general and may not be targeted around one particular High Quality Transit Stop (“Stop”), and others must take place, or be targeted within a half mile of the Stop (often referred to as the walk-shed) or within 3 miles of the Stop (often referred to as the bike-shed). References to “walk-shed” and “bike-shed” are not limited to walking and biking, but include rolling or other alternate modes of mobility. Eligible TOC Activities are characterized by these geographic requirements below.

General activities –

- Community engagement that targets harder-to-reach communities around/regarding TOC Activities or transit
- Events or programs that promote multi-modal transit options
- Discounted transit passes
- Grants and/or technical assistance to support projects and programs that achieve TOC goals
- Staffing or consultants that can implement TOC Activities
- Transportation related workforce training and education

Within 3 miles of a Stop –

- First/last mile improvements
- Complete Streets
- Land use planning that promotes TOC goals.
- Value capture studies and formation activities that support investment in TOCs. A value capture district must include at least one transit Stop but may span a broader radius around that Stop.

Within a half mile of a Stop –

- Public improvements that create stronger and safer connections to transit and improve the transit rider experience recognizing vulnerable users and their safety in design.
- Affordable Housing: Programs that produce, preserve, and protect affordable housing through:
 - Preservation or development of Affordable Housing units.
 - Innovative anti-displacement strategies to protect and retain Low-income Households.
- Small Business preservation: Programs that support and protect Small Businesses.

- Neighborhood--serving Amenities: Programs that preserve, protect and/or produce Neighborhood-serving Amenities.

VI. ADMINISTRATION

Implementation

Most of the TOC Activities outlined in this Policy will be implemented by municipalities and other eligible partners through Local Return or other eligible transportation funding programs, subject to the legal requirements and/or specifications of those funding programs. Some activities Metro will fund, enable or incentivize through its existing programs, planning work, policies and discretionary funding offered to partners.

Metro will only implement TOC Activities directly if they are within Metro's functional jurisdiction. Specific programs with the objective of meeting TOC goals may be implemented across various Metro departments.

Compliance with Funding Requirements

TOC Activities funded by Metro and implemented by municipalities and eligible partners must follow the legal requirements, specifications, guidelines and administrative procedures of the applicable funding program and will be subject to any specific limitations that may apply to those funding sources, including matching requirements. Using transportation funds for a TOC Activity may require the implementing entity to provide a clear description of the TOC Activity and how it furthers the TOC Policy Goals defined in Section IV. If municipalities do not pass audits, they may risk losing future funding opportunities.

Transparency and Accountability

With adoption of the TOC Policy, Metro will establish a TOC Implementation Plan that will include performance metrics. Thereafter, staff will prepare an annual TOC report.

ATTACHMENT B

Transit Oriented Communities (TOC) Activities – Transportation Nexus Research

The Transit Oriented Communities (TOC) Policy addresses activities that are not otherwise explicitly defined in existing Metro policies or guidelines. Through this Policy, these activities will be deemed to have a transportation purpose as they support, enable, and incentivize TOCs. The following research demonstrates the transportation nexus of key activities identified in the TOC Policy. Under each category, a statement is followed by data points from research, cited with footnotes.

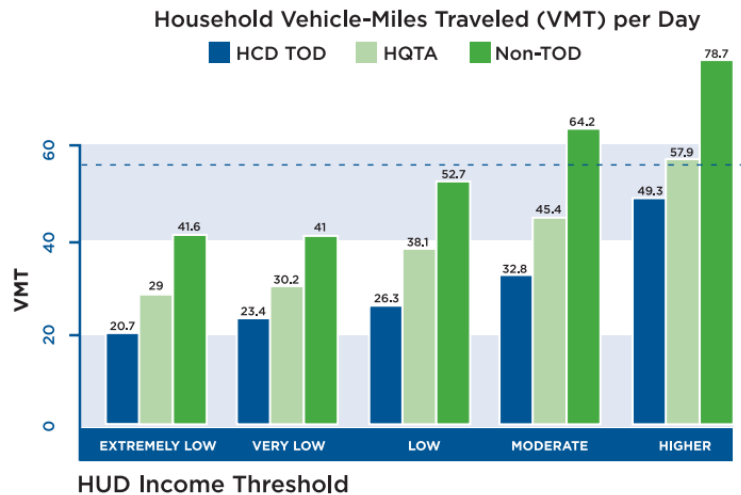
Affordable Housing

The majority of Los Angeles County transit patrons are lower income individuals.

- In 2017, the median annual income of Metro patrons was \$16,218 for bus patrons and \$24,390 for rail patrons.¹
- In Los Angeles County, close to 90% of all transit commuters are workers with household incomes of less than \$50,000, and more than 70% have household incomes less than \$25,000.²

Low income individuals have a higher propensity to take transit.

- Lower Income households drive 25-30% fewer miles when living within 1/2 mile of transit than those living in non-TOD. When living within HCD's 1/4 mile of frequent transit they drove nearly 50% less.³ (see graph below)



¹ [Metro 2017 Customer Satisfaction Survey](#)

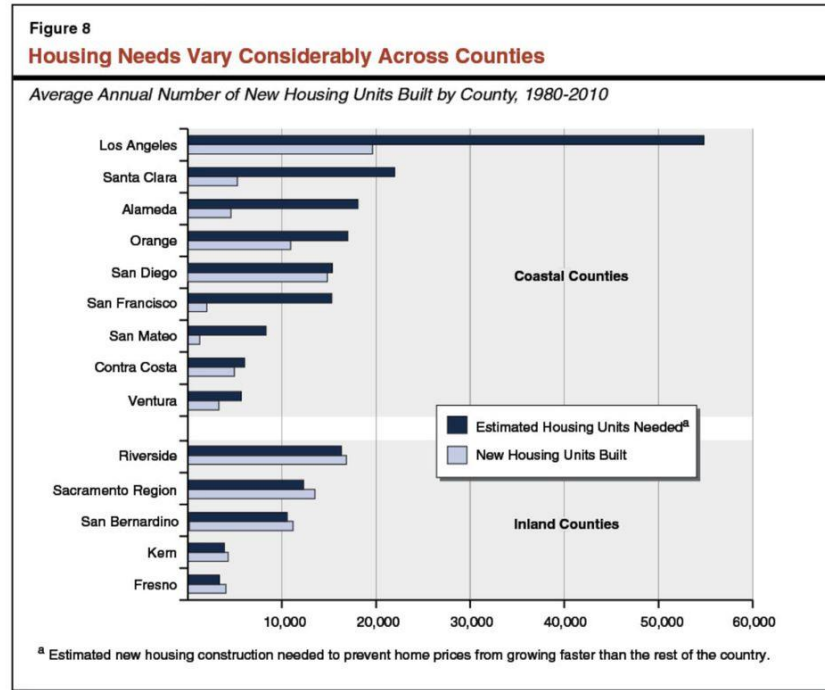
² [Incentives to Encourage Equitable Development in Los Angeles County Transit Oriented Districts](#)

³ [Why Creating And Preserving Affordable Homes Near Transit Is A Highly Effective Climate Protection Strategy](#)

- Higher Income households drive more than twice as many miles and own more than twice as many vehicles as Extremely Low-Income households living within 1/4 mile of frequent transit.⁴

There is a dire need for more housing serving households of all income levels in Los Angeles, but particularly for low income households

- *Los Angeles County leads the State in the difference between number of new housing units needed and average number of new housing units built since 1980.⁵ See chart below:*



- Los Angeles County has experienced a 64% reduction in affordable housing investment since 2008, and needs 551,807 more affordable units in order to accommodate its lowest-income renters.⁶
- More than 40% of California’s homeless population lives in Los Angeles County, while only about 25% of the state’s population live in the County.⁷

Land surrounding transit may increase in value faster than land not served by transit.

- A 2010 study concluded that all transit-rich neighborhoods show a rise in property value, with a portion rising significantly more than the regional average. It also supported the conclusion that neighborhoods with a large number of renters were more susceptible to gentrification.⁸

⁴ [Why Creating And Preserving Affordable Homes Near Transit Is A Highly Effective Climate Protection Strategy](#)

⁵ [California’s High Housing Costs: Causes and Consequences](#)

⁶ [Los Angeles County Renters In Crisis: A Call For Action](#)

⁷ [2017 Greater Los Angeles Homeless Count Results](#)

⁸ [Maintaining Diversity in America’s Transit-Rich Neighborhoods: Tools for Equitable Neighborhood Change](#)

- A map created by UCLA researchers shows gentrified neighborhoods across Los Angeles County. A significant number of these neighborhoods exist along existing and planned transit corridors.⁹

As land becomes more expensive, residents can be pushed out. Without investing in affordable housing around transit, core transit riders may be pushed further away from transit, requiring additional transit investments be made to reach them, increased frequencies of transit service to further distances, and/or resulting in lower ridership. With any of these outcomes, Metro has a vested interest in protecting, preserving and producing housing serving low income households and protecting transit rich communities from displacement.

Land Use Planning

Transit-supportive land use planning is crucial to making the most of our transit investments. Without the right uses around transit, patrons will have no housing, jobs, or amenities to travel to or from on our transit. Greater densities of such housing and amenities ensure that more trips can be made and more people can be served with the transit investment.

- Transit use is primarily dependent on local densities and secondarily on the degree of land-use mixing¹⁰
- Compact development was found to have the strongest impact on personal business trips. The relationship between dimensions of the built environment and travel demands were not inconsequential, thus supporting a city planning process that creates more compact, diverse, and pedestrian-oriented neighborhoods which can influence how people live and travel.¹¹
- In the Fargo-Moorhead community, residential density, walkability, and land use-mix were significant in predicting transit ridership.¹²
- A report prepared by TransLink in Vancouver stresses the importance of the design quality of the neighborhood environment at the street level, as it contributes to increased rates of transit use, walking, and cycling. The report also notes that land use diversity is important in providing access to transit, as well as generating ridership at both peak and off peak times.¹³

Small Business Preservation/ Neighborhood Serving Amenities

In addition to housing, it is crucial that jobs, shopping, and other amenities are located near transit in order to connect housing to those jobs and amenities.

⁹ [Mapping Neighborhood Change in Los Angeles County](#)

¹⁰ Zhang, M. (2004). "The Role of Land Use in Travel Mode Choice." Journal of the American Planning Association 70(3): 344-360

¹¹ Cervero, R. and K. Kockelman (1997). "Travel Demand and the Three D's: Density, Diversity and Design." Transportation Research D 2: 199-219.

¹² [Transit Ridership and the Built Environment](#)

¹³ [Transit-Oriented Communities: A Primer on Key Concepts](#)

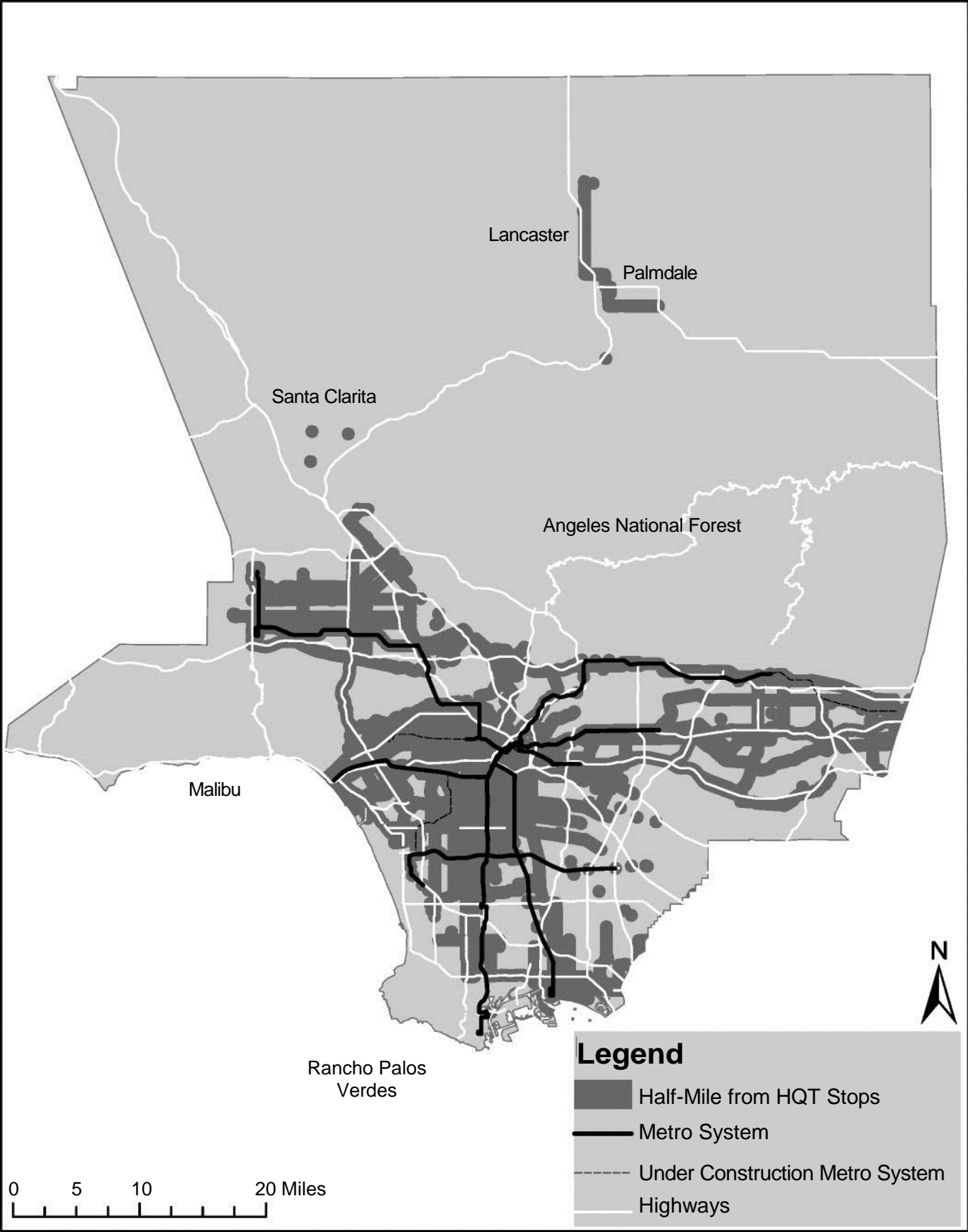
- Nationwide, 87% of all public transportation trips have an economic benefit. Of those, 49% are to and from work, 21% involve shopping, and 17% are recreational spending.¹⁴

Real estate premiums associated with rail investment can alter the demographic composition of surrounding neighborhoods, and research is finding a link between residential and commercial gentrification, in relation to transit.¹⁵ Both for those who are transit dependent, and to encourage more use of transit, the system must connect people not only to their homes, but to their jobs, community amenities and facilitates and retail that meet their day to day needs. Local businesses and neighborhood amenities, particularly those serving lower income and ethnic minority communities, face displacement pressures when property values and rents rise in the wake of transportation investments. If one is a predictor of the other, we can assume that over time ridership may decrease as a result the combined effects of both forms of gentrification. Supporting these businesses and services increases access to them, which helps to stabilize and enhance these communities while preserving and increasing ridership.

¹⁴ [Who Rides Public Transportation](#)

¹⁵ [Transit-Oriented Development & Commercial Gentrification: Exploring the Linkages](#)

Attachment C: Half-Mile Radius Around High Quality Transit Stops (LA County)



High Quality Transit Areas (HQTAs) 2040. Southern California Association of Governments
Based on data as of May 2018

Los Angeles County Metropolitan Transportation Authority



Transit Oriented Communities Policy



June 28, 2018

Policy Development Process

- Policy development required as part of Local Return Guidelines
- **Stakeholder-driven process:**
 - **January** : kick off and brainstorming with PAC and stakeholders
 - **Jan – May:**
 - ✓ 8 PAC Working Group Meetings
 - ✓ PAC check-in and draft review (3 meetings)
 - ✓ Meetings with interested stakeholders
 - ✓ Iterative review with County Counsel
 - ✓ Meetings with targeted internal Metro stakeholders
 - ✓ ACT LA Town Hall on TOC Policy and Equity Framework
 - ✓ Metro Board presentation on draft policy



Metro

TOC Definition

Transit Oriented Communities (TOCs) are places (such as corridors and neighborhoods) that, by their design, allow people to drive less and access transit more.

A TOC maximizes equitable access to a multi-modal transit network as a key organizing principle of land use and holistic community development



TOC Policy Goals

1. Increase transportation ridership and choice
2. Stabilize and enhance communities surrounding transit
3. Engage organizations, jurisdictions, and the public
4. Distribute transit benefits to all
5. Capture value created by transit

TOC Activities

- Geographic span defined as “General,” “Within 0-1/2 mile of a station” and “0-3 mile of a station”
- Include affordable housing, local business assistance, neighborhood amenities, grant assistance, land use planning, community engagement, public improvements
 - Metro has a history of programs/projects in each of these areas
- Require a “ transportation nexus” (Attachment B)
- Are permissive but not directive

Next Steps

Within 18 months, return to Board with:

- TOC Implementation Plan and performance metrics
- TOC Annual Report