GATEWAY CITIES COUNCIL OF GOVERNMENTS

Transportation Committee

AGENDA

Wednesday, February 1, 2012
4:30 p. m. Meeting

Gateway Cities Council of Governments
16401 Paramount Boulevard, 1st Floor Conference Room
Paramount, California

STAFF REPORTS AND OTHER WRITTEN DOCUMENTS ARE AVAILABLE IN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS OFFICES, 16401 PARAMOUNT BOULEVARD, PARAMOUNT, CALIFORNIA. ANY PERSON HAVING QUESTIONS CONCERNING ANY AGENDA ITEM MAY CALL THE COG STAFF AT (562) 663-6850.

FOR YOUR INFORMATION: The Transportation Committee will hear from the public on any item on the agenda or an item of interest that is not on the agenda. The Transportation Committee cannot take action on any item not scheduled on the agenda. These items may be referred for administrative action or scheduled on a future agenda. Comments are to be limited to three minutes for each speaker, unless extended by the Transportation Committee, and each speaker will only have one opportunity to speak on any one topic. You have the opportunity to address the Transportation Committee at the following times:

A. AGENDA ITEM: at this time the Transportation Committee considers the agenda item OR during Public Comments, and

B. NON-AGENDA ITEMS: during Public Comments, comments will be received for a maximum 20-minute period; any additional requests will be heard following the completion of the Transportation Committee agenda; and

C. PUBLIC HEARINGS: at the time for public hearings.

Please keep your comments brief and complete a speaker card for the Chair.

I. CALL TO ORDER

II. ROLL CALL – BY SELF INTRODUCTIONS

III. PLEDGE OF ALLEGIANCE
IV. **AMENDMENTS TO THE AGENDA** - This is the time and place to change the order of the agenda, delete or add any agenda item(s).

V. **PUBLIC COMMENTS** - Three minutes for each speaker.

VI. **MATTERS FROM STAFF**

VII. **CONSENT CALENDAR:** All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the Transportation Committee.

A. Approval of Minutes – Minutes of the Transportation Committee Meeting of January 4, 2012, is presented for approval. Approval receives and files the minutes of January 4, 2012 Transportation Committee meeting.

**CONSENT CALENDAR ACTION:**
A MOTION TO APPROVE THE RECOMMENDATIONS FOR CONSENT CALENDAR ITEM A.

VIII. **REPORTS**

A. MTA Board Recap by Director Diane DuBois

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

B. Legislative Review AB 1444 and AB 1446 (Feuer) by Director Diane DuBois

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

C. Proposed COG Comment Letter to SCAG on Draft 2012 Regional Transportation Plan and Sustainable Communities Strategy by Nancy Pfeffer – Gateway Cities COG

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

D. OCTA’s 405 Toll Lane Project by Neil Barrett – OCTA

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

E. Electrification of the I-710 Freight Corridor Concept by Martin Birkner – Siemens

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF
IX. REPORTS – COMMITTEES/AGENCIES

A. Gateway Cities Air Quality Action Plan (AQAP)-Health Impact Assessment Peer Review Status Update – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

B. Matters from Gateway Cities Service Council by David Hershenson, MTA – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

C. Matters from I-5 JPA – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

D. Matters from I-710 EIR/EIS Corridor Project – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

E. Matters from SR-91/I-605/I-405 Major Corridor Project – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

F. Matters from the Orangeline Development Authority – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

X. MATTERS FROM TRANSPORTATION COMMITTEE MEMBERS

XI. ADJOURNMENT

NOTICE: New items will not be considered after 5:30 p.m. unless the Transportation Committee votes to extend the time limit. Any items on the agenda that are not completed will be forwarded to the next regular Transportation Committee meeting scheduled for Wednesday, March 7, 2012, 4:30 pm.

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.
VII. CONSENT CALENDAR

Item A

Approval of Minutes
CALL TO ORDER: MTA Director Diane DuBois called the meeting to order at 4:40 pm. Roll-call was taken by self-introduction.

COMMITTEE MEMBERS PRESENT: Diane DuBois – MTA Board of Directors, Ray Dunton – Bellflower, Gene Daniels – Paramount, Cheri Kelley - Norwalk, Mohammad Mostakhami – South Gate, Dana Lee- Long Beach Transit, Ron Bates – Pico Rivera

COMMITTEE MEMBERS ABSENT: Stan Carroll – La Habra Heights, Bruce Barrows – Cerritos, Julie Moore – Office of Supervisor Don Knabe, Tom Modica – City of Long Beach, Ken Farsing – Signal Hill, Bill Pagett - Paramount


Minutes were approved as presented.

Director DuBois gave an overview of the December 2011 MTA Board Meeting. She outlined the Knabe Motion requesting the development of a Westchcster Station for the Metro Green Line LAX after the potential Leimert Station is built. It is necessary to plan and design the station in order to include it at a later time. She discussed the Antonovich/DuBois Motion to request the Prop. IA Interregional Rail Funds be distributed for local connectivity projects such as grade separations.

Karen Heit, Transportation Deputy gave an overview of the Gateway Cities COG Air Quality Action Plan (AQAP) specifically focusing on the status of the upcoming Peer Review process for the Health Impact Assessment. The COG assisted by the MTA and consultant team is negotiating with the National Academy of Sciences to perform this peer review. Jocelyn Vivar - CEHAJ inquired as to whether the NAS would address the Round Table comments and will there be an opportunity to comment on the process, Dr. John Miller – what happens if NAS doesn’t accept the assignment or if it isn’t included in the EIR/EIS. COG Counsel Dick Jones discussed the conditions under which Caltrans may or not incorporate the HIA into the environmental document.
Karen Heit indicated that the COG would be holding an Environmental Committee Meeting to gather input on the peer review process.

David Hershenson, Metro Service Sector Manager – gave a report on the outreach that the MTA is doing comply with the requirements of the FTA Civil Rights Compliance Audit. He asked if there are nay meetings that should be attended by Metro staff to discuss bus service changes.

Director DuBois gave a brief report on the I-5 as the I-5 Executive Director wasn’t there. She discussed the concerns about the California Transportation Commission’s anxiety over ROW certifications. the project is moving forward toward construction. There is clear evidence of construction on the Carmenita Interchange project.

Jerry Wood, COG Engineer, gave a report on the I-710 and the upcoming release of the DERI/DEIS for public review (March release). The technical studies are done for the most part and the project side studies are well underway. Wood went on to discuss the activities for the 91/605/405 and the data being gathered to help determine the project activities that can improve those freeways.

Mike Kodama, Executive Director of OLDA, discussed the OLDA project and the Alternatives Analysis that would be coming to the Technical Advisory Committee and Steering Committee then on to the MTA and OCTA. He indicated that the Administrative Draft was under review by the project team.

The meeting adjourned at 5:20 pm.
VIII. REPORTS
Item B
Legislative Review
AB 1444 and AB 1446 (Feuer) by
Director Diane DuBois
TO: Transportation Committee
FROM: Diane Dubois, MTA Director
BY: Karen Heit, Transportation Deputy

SUBJECT: Legislative Review AB 1444 and AB 1446 (Feuer) by Director Diane DuBois

Issue

Assemblyman Mike Feuer has introduced two pieces of legislation: AB 1446 - aimed at extending Measure R to provide bonding capacity for Measure R projects and AB 1444 that contracts the appellate process for environmental legal challenges.

Background

**AB1446** – proposes to extend Measure R by a finite period (an unspecified number of years – most likely 10) to provide revenue for the exclusive purpose of providing bond capacity for financing transit projects as listed in Measure R. If there is any revenue capacity left over then highway projects would receive the remaining revenue stream for bonding.

There are two transit projects located within the Gateway Cities area: the West Santa Anna Branch (OLDA project) and possibly the Metro Gold Line Eastern Extension Phase II, (Alternative is not decided between Gateway Cities and the San Gabriel Valley).

- As written, highway construction takes a secondary role to transit projects. The stated purpose of the Bill is to address economic recovery by jumpstarting major infrastructure projects with long term impacts on improving economic development. Placing highway construction as a secondary funding recipient ignores the beneficial impact of highway construction and ignores the critical role highways play in attracting firms, jobs creation and retention. Postponing highway modernization does not encourage companies to locate or remain in LA County nor does it assist the logistics or other industry clusters that depend on goods movement.
- What will this do to transportation financing in the out-years beyond the suggested Measure R extension? (MTA does not have infinite bonding capacity)
- Does this legislation send a message to Washington DC and Sacramento. to keep the sales tax revenue LA County has generated, that the MTA has the capacity for self-financing.
- There is no operating revenue built into this legislation (Measure R reserves 20% for transit operations). All of the revenue would support construction financing. There is a looming transit operating deficit and the legislation does not provide for operating funds, what is the wisdom of building a system faster if there insufficient operating funds?
• It is not clear as to whether the revenue stream for 10 years is adequate to advance more than the first decade projects; the Westside Subway and the San Fernando Valley Rapid ways.

**Recommended Action**

That the Transportation Committee recommends that the Gateway Cities COG Board oppose this legislation unless analysis is presented that will determine the long-term impacts for LACMTA bonding capacity as well as the expanding the additional tax revenues for use on highway projects, and transit operations.

**AB1444** – Expedites the legal challenge process for transit projects only. Projects currently experiencing environmental challenge go to Superior Court and then on the Appellate Court. This bill would accelerate that process by sending environmental challenges straight through to the Appellate Court. An example of a project benefitting from similar legislation is the proposed downtown LA football stadium.

By applying to one mode – this bill totally dismisses the environmental benefit of congestion relief projects such as Hot Lanes, HOV Lanes and freeway expansion that reduce congestion and improve air quality.

**Recommended Action**

That the Transportation Committee recommend the Gateway Cities COG Board work with the Author to amend this legislation to include all Measure R projects.

**Attachments**

AB -1446
AB -1444
AB 1446

BILL NUMBER: AB 1446  INTRODUCED
BILL TEXT

INTRODUCED BY  Assembly Member Feuer

JANUARY 4, 2012

An act to amend Section 130350.5 of, and to add Section 130350.6 to, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL’S DIGEST

AB 1446, as introduced, Feuer. Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Existing law authorizes the Los Angeles County Metropolitan Transportation Authority (MTA) to impose, in addition to any other tax that it is authorized to impose, a transactions and use tax at a rate of 0.5% for not more than 30 years for the funding of specified transportation-related purposes pursuant to an adopted expenditure plan, subject to voter approval.

This bill would authorize MTA to impose that transactions and use tax for an additional unspecified number of years subject to voter approval. The bill would require MTA to secure bonded indebtedness payable from the proceeds of the extension and would require that the proceeds from those bonds be used to accelerate the completion of specified projects and programs. The bill would require MTA to amend the expenditure plan in a specified manner and would make other related conforming changes.


THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

(a) Section 130350.5 of the Public Utilities Code authorizes the Los Angeles County Metropolitan Transportation Authority (MTA) to propose for voter approval a 30-year 1/2 cent sales and use tax dedicated to the construction and operation of transportation-related projects, to be enumerated in a local ballot measure. In November 2008, more than 67 percent of Los Angeles County voters approved this tax pursuant a ballot measure known as Measure R.

(b) The Measure R transit, highway, and other transportation projects became part of the MTA’s Long Range Transportation Plan, along with an expenditure plan that spread the costs and construction of the Measure R projects over the 30-year duration of the 1/2 cent sales and use tax.

(c) Since 2008, the nation and the State of California have plunged into a recession. In Los Angeles County, 336,000 jobs have been lost since 2007. An estimated 982,900 people were unemployed in
Los Angeles County as of October 2011. The construction industry has been hit particularly hard: more than 53,300 construction jobs have been lost since 2007, and some estimates put the percentage of area construction workers who are out of work as high as 40 percent.

(d) Traffic congestion is increasing throughout Los Angeles County, and new, environmentally sound transit options are desperately needed as alternatives to private vehicle trips and the economic, environmental, and health impacts that result from them.

(e) Efforts to expedite the construction of the Measure R transit projects from 30 years to 10 years by obtaining federal loans secured by Measure R revenues have not yet been successful.

(f) Therefore, the Legislature intends to authorize the MTA to seek voter approval to extend the length of the Measure R sales and use tax authorization from 30 years to 60 years in order to allow the MTA to bond against the proceeds from the extension and build the Measure R transit projects much sooner than originally contemplated without relying on federal or state funding. Providing for this sales and use tax extension and accelerated completion of the Measure R transit projects would create more than 160,000 desperately needed jobs and dramatically improve the economy, environment, and public health of Los Angeles County.

SEC. 2. Section 130350.5 of the Public Utilities Code is amended to read:

130350.5. (a) In addition to any other tax that it is authorized by law to impose, the Los Angeles County Metropolitan Transportation Authority (MTA) may impose, in compliance with subdivision (b) and Section 130350.6, a transactions and use tax at a rate of 0.5 percent that is applicable in the incorporated and unincorporated areas of the county.

(b) For purposes of the taxing authority set forth in subdivision (a), all of the following apply:

(1) The tax shall be proposed in a transactions and use tax ordinance, that conforms with Chapter 2 (commencing with Section 7261) to Chapter 4 (commencing with Section 7275), inclusive, of the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code), and that is approved by a majority of the entire membership of the authority.

(2) The tax may be imposed only if the proposing ordinance is approved by two-thirds of the voters, in the manner as otherwise required by law, voting on this measure, in an election held on November 4, 2008, or at a subsequent election and, if so approved, shall be implemented as provided in Section 130352.

(1) The proposing ordinance shall specify, in addition to the rate of tax and other matters as required by the Transactions and Use Tax Law, that the tax is to be imposed for a period not to exceed 30 years and the net revenues derived from the tax are to be administered by the MTA as provided in this section. Net revenues shall be defined as all revenues derived from the tax less any refunds, costs of administration by the State Board of Equalization, and costs of administration by the MTA. Such costs of administration by the MTA shall not exceed one and one-half percent (1.5%) of the revenues derived from the tax. The MTA shall, during the period in which the ordinance is operative, except for the extension period authorized by Section 130350.6, allocate 20 percent of all net revenues derived from the tax for bus operations to all eligible and included municipal transit operators in the County of Los Angeles and to the MTA, in accordance with Section 99285. However, the allocations to the MTA and eligible and included
municipal operators shall be made solely from revenues derived from a tax imposed pursuant to this section, and not from local discretionary sources. Funds allocated by MTA to itself pursuant to this section shall be used for transit operations and shall not supplant funds from any other source allocated by MTA to itself for public transit operations. Funds allocated by MTA to the eligible and included municipal operators pursuant to this section shall be used for transit operations and shall not supplant any funds authorized by other provisions of law and allocated by MTA to the eligible and included municipal operators for public transit. In addition to this amount, the MTA shall allocate 5 percent of all net revenues derived from the tax, except for those derived from the extension authorized by Section 130350.6, for rail operations. The MTA shall include the projects and programs described in subparagraphs (A) and (B) in the expenditure plan required under subdivision (f).

The MTA shall include all projects and programs described in the expenditure plan required under subdivision (f) in its Long Range Transportation Plan (LRTP). The priorities for projects and programs described in subparagraphs (A) and (B) and in the expenditure plan required under subdivision (f) shall be those set forth in the expenditure plan. The funding amounts specified in subparagraphs (A) and (B) are minimum amounts that shall be allocated by the MTA from the net revenues derived from a tax imposed pursuant to this section. Nothing in this section prohibits the MTA from allocating additional net revenues derived from the tax to these projects and programs.

(A) Capital Projects.

(i) Exposition Boulevard Light Rail Transit Project from downtown Los Angeles to Santa Monica. The sum of nine hundred twenty-five million dollars ($925,000,000).

(ii) Crenshaw Transit Corridor from Wilshire Boulevard to Los Angeles International Airport along Crenshaw Boulevard. The sum of two hundred thirty-five million five hundred thousand dollars ($235,500,000).

(iii) San Fernando Valley North-South Rapidways. The sum of one hundred million five hundred thousand dollars ($100,500,000).

(iv) Metro Gold Line (Pasadena to Claremont) Light Rail Transit Extension. The sum of seven hundred thirty-five million dollars ($735,000,000).

(v) Metro Regional Connector. The sum of one hundred sixty million dollars ($160,000,000).

(vi) Metro Westside Subway Extension. The sum of nine hundred million dollars ($900,000,000).

(vii) State Highway Route 5 Carmenita Road Interchange Improvement. The sum of one hundred thirty-eight million dollars ($138,000,000).

(viii) State Highway Route 5 Capacity Enhancement (State Highway Route 134 to State Highway Route 170, including access improvement for Empire Avenue). The sum of two hundred seventy-one million five hundred thousand dollars ($271,500,000).

(ix) State Highway Route 5 Capacity Enhancement (State Highway Route 608 to the Orange County line, including improvements to the Valley View Interchange). The sum of two hundred sixty-four million eight hundred thousand dollars ($264,800,000).

(x) State Highway Route 5/State Highway Route 14 Capacity Enhancement. The sum of ninety million eight hundred thousand dollars ($90,800,000).

(xi) Capital Project Contingency Fund. The sum of one hundred seventy-three million dollars ($173,000,000).
(B) Capital Programs.

(i) Alameda Corridor East Grade Separations. The sum of two hundred million dollars ($200,000,000).

(ii) MTA and Municipal Regional Clean Fuel Bus Capital (Facilities and Rolling Stock). The sum of one hundred fifty million dollars ($150,000,000).

(iii) Countywide Soundwall Construction (MTA Regional List and Monterey Park/State Highway Route 60). The sum of two hundred fifty million dollars ($250,000,000).

(iv) Local return for major street resurfacing, rehabilitation, and reconstruction. The sum of two hundred fifty million dollars ($250,000,000).

(v) Metrolink Capital Improvements. The sum of seventy million dollars ($70,000,000).

(vi) Eastside Light Rail Access. The sum of thirty million dollars ($30,000,000).

(c) The MTA may incur bonded indebtedness payable from the proceeds of the tax provided by this section pursuant to the bond issuance provisions of Section 130350 et seq. of the Public Utilities Code, and any successor act. The MTA shall include in the expenditure plan, required under subdivision (f), the amount of net revenue specified for all projects and programs in subparagraphs (A) and (B) of paragraph (3) of subdivision (b) as a condition of the use and expenditure of the proceeds of the tax. The MTA shall maintain the current amount of any funding for the projects and programs specified in this section that has been previously programmed or received from sources other than the proceeds of the tax, and may not reallocate money that has been previously programmed or received for those projects and programs to other projects or uses.

(d) Notwithstanding Section 7251.1 of the Revenue and Taxation Code, the tax rate authorized by this section shall not be considered for purposes of the combined rate limit established by that section.

(e) A jurisdiction or recipient is eligible to receive funds from the local return program, described in clause (iv) of subparagraph (B) of paragraph (3) of subdivision (b) of this section and in subparagraph (i) of paragraph (2) of subdivision (b) of Section 130350.6, only if it continues to contribute to that program an amount that is equal to its existing commitment of local funds or other available funds. The MTA may develop guidelines that, at a minimum, specify maintenance of effort requirements for the local return program, matching funds, and administrative requirements for the recipients of revenue derived from the tax.

(F) Prior to submitting the ordinance to the voters, the MTA shall adopt an expenditure plan for the net revenues derived from the tax. The expenditure plan shall include, in addition to other projects and programs identified by the MTA, the specified projects and programs listed in paragraph (3) of subdivision (b), the estimated total cost for each project and program, funds other than the tax revenues that the MTA anticipates will be expended on the projects and programs, and the schedule during which the MTA anticipates funds will be available for each project and program. The MTA shall also identify in its expenditure plan the expected completion dates for each project described in subparagraph (A) of paragraph (3) of subdivision (b). To be eligible to receive revenues derived from the tax, an agency sponsoring a capital project or capital program shall submit to the MTA an expenditure plan for its project or program containing the same elements as the expenditure plan that MTA is
required by this subdivision to prepare.

(g) The MTA shall establish and administer a sales tax revenue fund. The net revenue derived from the tax, after payment of any debt services and related obligations, shall be credited to this fund. The moneys in the fund shall be available to the MTA to meet expenditure and cashflow needs of the projects and programs described in the expenditure plan required under subdivision (f). In the event that there are net revenues in excess of the amount necessary to provide the amount of net revenues specified in the expenditure plan for the projects and programs described therein, the MTA may expend the excess net revenues on projects and programs in the expenditure plan or the LRTP. In the event that projects and programs in the expenditure plan are completed without the expenditure of the amount of net revenues specified, the MTA shall expend the excess net revenues on projects and programs in the expenditure plan or the LRTP within the same subregion as the project or program that is completed. For the purposes of this section, "subregion" shall be defined in the LRTP.

(h) If other funds become available and are allocated to provide all or a portion of the amount of net revenues specified in the expenditure plan for the projects or programs described therein, the MTA may expend the surplus net revenues on other projects and programs in the expenditure plan or the LRTP.

(i) (1) Notwithstanding subdivision (h), if a capital project or capital program described in clauses (i) to (m), inclusive, of subparagraph (A) of paragraph (3) of subdivision (b) and clauses (i) and (vi) of subparagraph (B) of paragraph (3) of subdivision (b), has been fully funded from other sources on or before December 31, 2008, the funds designated to the project or program in clauses (j) to (x), inclusive, of subparagraph (A) of paragraph (3) of subdivision (b) and clauses (i) and (vi) of subparagraph (B) of paragraph (3) of subdivision (b) shall remain in the subregion in which the project or program is located and shall be allocated to other projects or programs in the subregion prior to the expiration of the tax.

(ii) A capital project or capital program funded with reallocated funds pursuant to paragraph (1) shall be included in the adopted 2008 Long Range Transportation Plan or the successor plan and shall be of regional significance as determined by the MTA. For purposes of this subdivision, "subregions" means the subregions as defined in the LRTP in effect as of January 1, 2008.

(j) Notwithstanding Section 130354, revenues raised under this section and Section 130350.6 may be used to facilitate the transportation of people and goods within Los Angeles County. The use of the revenues shall not be limited to public transit purposes.

(k) No later than 160 days prior to the adoption of an amendment described in paragraph (1) to an expenditure plan adopted pursuant to subdivision (f), including, but not limited to, the expenditure plan adopted by the MTA board as "Attachment A" in Ordinance #08-01 adopted by the board on July 24, 2008, and in addition to any other notice requirements in the proposing ordinance, the board shall notify the Members of the Legislature representing the County of Los Angeles of all of the following:

(1) A description of the proposed amendments to the adopted expenditure plan that would do any of the following:

(A) Affect the amount of net revenues derived from the tax imposed pursuant to this act that is proposed to be expended on a capital project or projects identified in the adopted expenditure plan.

(B) Delay the schedule for the availability of funds proposed to
be expended on a capital project or projects identified in the
adopted expenditure plan.

(C) Delay the schedule for the estimated or expected completion
date of a capital project or projects identified in the adopted
expenditure plan.

(2) The reason for the proposed amendment.

(3) The estimated impact the proposed amendment will have on the
schedule, cost, scope, or timely availability of funding for the
capital project or projects contained in the adopted expenditure
plan.

(1) The notification required pursuant to subdivision (k) shall be
achieved by resolution adopted by the MTA board.

(a) The MTA board shall provide prior written notice to the
Members of the Legislature representing the County of Los Angeles of
any proposed amendments to the adopted expenditure plan that would
accelerate funding for a capital project or projects in the adopted
expenditure plan.

SBC. 3. Section 130350.6 is added to the Public Utilities Code, to
read:

130350.6. (a) The tax authorized by Section 130350.5 may be
extended for an additional ___ years beyond the 30-year period set
forth in paragraph (3) of subdivision (b) of Section 130350.5. This
extension shall be proposed in a transactions and use tax ordinance,
or an amendment of the ordinance approved pursuant to paragraph (1)
of subdivision (b) of Section 130350.5, that conforms with Chapter 2
(commencing with Section 7261) to Chapter 4 (commencing with Section
7275), inclusive, of the Transactions and Use Tax Law (Part 1.6
(commencing with Section 7251) of Division 2 of the Revenue and
Taxation Code), and that is approved by a majority of the entire
membership of the authority. The tax may be extended pursuant to this
section only if the proposing ordinance, or amendment thereof, is
approved by two-thirds of the voters, in the manner as otherwise
required by law, voting on this measure, in a special or general
election and, if so approved, shall become operative as provided in
Section 130352. The proposing ordinance shall specify that the net
revenues derived from the tax extension are to be administered by the
MTA as provided in this section. Net revenues shall be defined as
all revenues derived from the tax less any refunds, costs of
administration by the State Board of Equalization, and costs of
administration by the MTA. Such costs of administration by the MTA
shall not exceed 1.5 percent of the revenues derived from the tax
extension.

(b) (1) The MTA shall incur bonded indebtedness payable from the
proceeds of the tax extension authorized by this section pursuant to
the bond issuance provisions of this chapter, and any successor act.

Proceeds from those bonds shall be used to accelerate the completion of
the following projects and programs:

(A) Green Line Extension to the Los Angeles International Airport.

(B) Green Line Extension: Redondo Beach Station to South Bay
Corridor.

(C) Metro Gold Line (Pasadena to Claremont) Light Rail Transit
Extension.

(D) Exposition Boulevard Light Rail Transit Project from downtown
Los Angeles to Santa Monica.

(E) Crenshaw Transit Corridor from Wilshire Boulevard to Los
Angeles International Airport along Crenshaw Boulevard.

(F) San Fernando Valley North-South Rapidways.
(G) San Fernando Valley I-405 Corridor Connection.
(H) Metro Regional Connector.
(I) Metro Westside Subway Extension.
(J) Alameda Corridor East Grade Separations.
(K) West Santa Ana Branch Corridor.
(L) MTA and Municipal Regional Clean Fuel Bus Capital (Facilities and Rolling Stock).
(M) MetroLink Capital Improvements.
(N) Eastside Light Rail Access.
(2) Upon completion of the projects and programs identified in paragraph (1), any funds remaining from the bonds described in paragraph (1) shall be used to accelerate the completion of the following projects and programs:
   (A) Interstate 710 North Gap Closure (tunnel).
   (B) Interstate 605 Corridor "Hot Spot" Interchanges.
   (C) State Highway Route 5 Carménita Road Interchange Improvement.
   (D) State Highway Route 5 Capacity Enhancement (State Highway Route 134 to State Highway Route 170, including access improvement for Empire Avenue).
   (E) State Highway Route 5 Capacity Enhancement (State Highway Route 605 to the Orange County line, including improvements to the Valley View Interchange).
   (F) State Highway Route 5/State Highway Route 14 Capacity Enhancement.
   (G) Capital Project Contingency Fund.
   (H) Countywide Soundwall Construction (MTA Regional List and Monterey Park/State Highway Route 60).
   (I) Local return for major street resurfacing, rehabilitation, and reconstruction.

(3) Upon completion of the projects and programs identified in paragraphs (1) and (2), any funds remaining from the bonds described in paragraph (1) and any funds remaining from the proceeds of the tax extension authorized by this section, after payment of the bonded indebtedness, shall be deposited in the fund described in subdivision (g) of Section 130350.5.

(c) Prior to submitting the ordinance described in subdivision (a) to the voters, the MTA shall amend the expenditure plan adopted pursuant to subdivision (f) of Section 130350.5. The amended plan shall update all of the following for the projects and programs listed in subdivision (b): the estimated total cost for each project or program, the schedule during which the MTA anticipates funds will be available for each project or program, and the expected completion dates for each project or program.
AB 1444

BILL NUMBER: AB 1444  INTRODUCED
BILL TEXT

INTRODUCED BY  Assembly Member Feuer

JANUARY 4, 2012

An act relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as introduced, Feuer. Environmental quality: expedited judicial review: public rail transit projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 amended CEQA to establish, until January 1, 2015, an expedited judicial review process and specifies procedures for the preparation and certification of the administrative record for an EIR or a project meeting specified requirements that has been certified by the Governor as an environmental leadership development project.

This bill would state the intent of the Legislature to enact legislation to provide the benefits provided by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 for new public rail transit infrastructure projects.


THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

(a) Since 2007, the nation and the state have plunged into a recession, and thousands of jobs have been lost. The unemployment rate in California exceeds the national average at 11.8 percent, and in certain regions of the state the rate exceeds 13 percent. The construction industry in California has been particularly hard hit. Some estimates put the percentage of construction workers who are out of work as high as 40 percent. Still, California's population continues to grow and is projected to increase by 4.3 million over the next decade. California needs to create an estimated 1.8 million jobs to keep up with its population growth.

(b) One of the results of the population growth in California will be increased traffic congestion on the state's streets and highways.
and related adverse economic, environmental, and health impacts.

(c) To address both the need for jobs and the need to efficiently move people and goods, it is imperative to plan for, and expedite the construction of, new environmentally sound public rail transit options as alternatives to private vehicle trips, as well as other large infrastructure projects.

(d) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) requires that the environmental impacts of development projects be identified and mitigated.

(e) The act also guarantees the public an opportunity to review and comment on the environmental impacts of a project and to participate meaningfully in the development of mitigation measures for potentially significant environmental impacts

SEC. 2. It is the intent of the Legislature to enact legislation to provide the unique and unprecedented streamlining benefits provided by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (Chapter 6.5 (commencing with Section 21178) of Division 13 of the Public Resources Code) for new public rail transit infrastructure projects that provide the benefits specified in Section 1 of this act to put people to work as soon as possible.
VIII. REPORTS

Item C

Proposed COG Comment Letter to SCAG on Draft 2012 Regional Transportation Plan and Sustainable Communities Strategy by Nancy Pfeffer – Gateway Cities COG
Transportation Committee Agenda
February 1, 2012

TO: Transportation Committee
FROM: Diane Dubois, MTA Director
BY: Karen Heit, Transportation Deputy

SUBJECT: Proposed COG Comment Letter to SCAG on Draft 2012 Regional
Transportation Plan and Sustainable Communities Strategy by Nancy
Pfeffer – Gateway Cities COG

Background

In December 2011, the Southern California Association of Governments (SCAG) released for public
comment the Draft 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy
(RTP/SCS) and associated draft Program Environmental Impact Report (PEIR). The RTP must be
prepared by SCAG every four years under federal law; the SCS is a new requirement of state law
(SB 375). The plan is being prepared and adopted in 2012 and has a horizon year of 2035. The
public comment period for the RTP/SCS and associated PEIR closes on February 14, 2012.

Under provisions in SB 375, the Gateway Cities prepared their own subregional SCS during 2010-
2011 and submitted it to SCAG as required in June 2011. The Gateway Cities SCS has been fully
incorporated into the regional SCS developed by SCAG. The draft regional SCS meets the
greenhouse gas (GHG) reduction targets assigned to SCAG by the California Air Resources Board:
8% reduction in per capita GHG emissions, compared to 2005 levels, by 2020 (target 8%), and 16%
reduction by 2035 (target 13%).

Issue

As a long-range regional transportation infrastructure investment plan, the RTP addresses many key
components of the transportation system, including some that are physically within the Gateway
Cities and some that have an effect on the Gateway Cities. The plan is required by federal law to be
financially constrained, meaning that it must identify known or reasonably available funding sources
for the investments described in the plan.

The COG staff has reviewed the draft RTP/SCS project lists and the plan text and has several
comments and requests for clarification as outlined in the attached draft comment letter. The areas
of comment on the plan include:

- Financial Plan
- Major Highway Projects
- High-Speed Rail
- Express/HOT Lane Network (proposed)
- Goods Movement
- Sustainable Communities Strategy.

The staff will present these issues for discussion and direction.
Recommended Action

Review proposed comment letter; provide direction to staff to revise as needed and submit letter to SCAG by comment deadline of February 14, 2012.
Mr. Hasan Ikhrata, Executive Director  
Southern California Association of Governments  
818 West 7th Street, 12th Floor  
Los Angeles, CA 90017-3435

Dear Mr. Ikhrata:

Gateway Cities Comment to SCAG on Draft 2012 RTP/SCS

Thank you very much for the opportunity to review and comment on the Draft 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and associated draft Program Environmental Impact Report (PEIR). It is clear that a great deal of hard work and successful stakeholder involvement have gone into creating these very impressive documents. SCAG has done an extraordinary job of meeting multiple planning requirements and has produced an innovative and visionary plan. The Gateway Cities respectfully submits the following comments and questions for your consideration and response:

• Financial Plan

  o The draft Financial Plan includes over $110 billion to come from new mileage-based user fees that would be implemented to replace and augment gasoline taxes. This is the largest single element of the overall new revenue sources anticipated for the RTP. We would like additional information on how these fees might affect lower-income residents of the SCAG region, particularly since many such residents are concentrated within the Gateway Cities.

  o The Financial Plan envisions a future split among local, state, and federal funding sources that is quite different from the current split, in which over 70% of all transportation funding is of local origin. In the future, the Plan shows 22% from federal and 25% from state, leaving only 53% from local sources. Can SCAG present a chart or plan showing how and when this transition would occur between 2012 and 2035?
Table 3.4.1 presents Core and Reasonably Available local sources of revenue and includes development mitigation fees for Orange and Riverside Counties. Does the revenue estimate include any assumption of funds from the potential adoption of a development fee in Los Angeles County?

- Major Highway Projects

Exhibit 2.1 and Exhibit 4.12 show major highway projects under the Regional Transportation Plan. Some major Gateway Cities projects – notably those along I-5 between I-605 and the County line – are not indicated on these exhibits. We understand that this is because the exhibits show only Plan projects and do not show projects in the current Federal Transportation Improvement Program (FTIP). We suggest that the exhibits be amended to include FTIP projects over a certain cost threshold so as to show a more complete picture of regional highway infrastructure investments.

- High-Speed Rail

We understand that discussions are ongoing among SCAG, the County Transportation Commissions, and the California High Speed Rail Authority regarding levels of available funding for rail infrastructure improvements within the SCAG region. We look forward to further details about the specific investments that will be made in Southern California’s rail infrastructure under the 2012 RTP, particularly those that affect the Gateway Cities.

- Express/HOT Lane Network

Table 2.6 lists several potential routes for Express/HOT Lane development. Two of these run through the Gateway Cities: I-405 from I-5 to the LA/OC County line; and SR-91 from I-110 to SR-55. What is the anticipated timeframe or years of construction and completion for these projects?

- Goods Movement

Exhibit 2.8 displays “rising truck volumes in the SCAG region.” However, the assumptions underlying the data in this exhibit are not clear, and should be explained in the text. For example, how do these figures relate to the cargo forecast being projected by the San Pedro Bay Ports? Also, would different truck volumes be found under different RTP alternatives?
The tables relating to the proposed East-West Freight Corridor present a confusing picture of the plan for implementing reduced-emissions vehicles on the corridor. Table 2.8, Benefits of an East-West Corridor Strategy, mentions “50% clean truck utilization” under Environment, but also lists “Zero-emissions technology” under Community. Table 2.11, Environmental Benefits, shows an “East-West Freight Corridor with 100% Zero-Emission Vehicles.” It would be helpful to clarify the timeline on which SCAG anticipates low- or zero-emission trucks would be phased in specifically on the East-West Freight Corridor. This implementation timeline should be the same on the East-West Corridor as on the I-710 Corridor through the Gateway Cities.

Sustainable Communities Strategy

Page 79 of the SCS Background Documentation report states that “Subregional SCSs submitted by the Gateway Cities Council of Governments (GCCOG) and the Orange County Council of Governments (OCCOG) will be respected and integrated into the alternatives (with possible revisions for Alternative C only).” Since the PEIR alternatives are designated by number (1, 2, 3) rather than by letter (A, B, C), please clarify whether this statement refers to Alternative 3, called the “Envision 2 Alternative” in the PEIR. Also, we would appreciate having specific information on where, if anywhere, revisions may have been made to the Gateway Cities’ jurisdictional input as reflected in our subregional SCS.

We thank you again for the opportunity to review and comment on these draft documents. We also remain especially grateful to the SCAG staff for all the support they provided to the Gateway Cities as we developed our subregional SCS.

Sincerely,

Raymond Dunton, President, Board of Directors
Gateway Cities Council of Governments and
Council Member, City of Bellflower