

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 23, 2012

Reference No.: 4.22
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **AMENDMENT TO THE CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROGRAM
IN ACCORDANCE WITH AB X3-20
RESOLUTION CMIA-P-1112-20**

ISSUE:

Should the Commission approve the proposed amendment to the Corridor Mobility Improvement Account (CMIA) Program to deprogram \$26.1 million from the I-10 HOV Lanes Project/Citrus to SR-57 and reprogram the funding to the I-5 North HOV/Empire Avenue to Burbank Boulevard Project in accordance with AB X3-20?

RECOMMENDATION:

Commission staff recommends that the Commission approve the proposed amendment to the CMIA Program to deprogram \$26.1 million from the I-10 HOV Lanes Project/Citrus to SR-57 and reprogram the funding to the I-5 North HOV/Empire Avenue to Burbank Boulevard Project in accordance with AB X3-20.

BACKGROUND:

At its meeting on April 15, 2009, the Commission approved the request from the Department of Transportation (Department) and the Los Angeles County Metropolitan Transportation Authority (Metro) to replace \$26.1 million of programmed CMIA funds on the I-405 HOV Project with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds. AB X3-20 authorizes the Commission to program bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds. At its November 3, 2010 meeting, the Commission approved the request from the Department and Metro program the \$26.1 million in replacement funds to the I-10 HOV/Citrus to SR-57. Due to delays in the Right of Way phase of the I-10 HOV/Citrus to SR-57 Project, the Department and Metro are requesting that the \$26.1 million be reprogrammed to the I-5 North HOV/Empire Avenue to Burbank Boulevard Project.

**California Transportation Commission
Adoption of the Amended Program of Projects for the
Corridor Mobility Improvement Account (CMIA)
in Accordance with AB X3-20
May 23, 2012**

Resolution CMIA-P-1112-20

- 1.1 WHEREAS the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by voters as Proposition 1B on November 7, 2006, and
- 1.2 WHEREAS the Bond Act includes a program of funding from \$4.5 billion to be deposited in the Corridor Mobility Improvement Account (CMIA), and
- 1.3 WHEREAS the funds in the CMIA are to be available to the California Transportation Commission (Commission), upon appropriation in the annual Budget Act by the Legislature, for allocation for performance improvements on the state highway system or major access routes to the state highway system, and
- 1.4 WHEREAS the Commission adopted the initial CMIA program of projects on February 28, 2007, and
- 1.5 WHEREAS in order to address funding constraints with Proposition 1B Bond funds on the I-405 HOV Project, the Los Angeles County Metropolitan Transportation Authority replaced \$26.1 million of CMIA funding on that project with regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds, and
- 1.6 WHEREAS Assembly Bill X3-20 (AB X3-20) authorizes the Commission to program Proposition 1B bond funds displaced by Recovery Act funds to one or more qualifying projects in the appropriate program in the jurisdiction of that agency and in the same amount as the displaced bond funds, and
- 1.7 WHEREAS the Los Angeles County Metropolitan Transportation Authority has submitted a request for \$26.1 million in funding for a replacement project, the I-10 High Occupancy Vehicle (HOV) Lanes/Citrus to SR-57 Project, for reprogramming by the Commission in accordance with AB X3-20, and

- 1.8 WHEREAS the Commission approved this programming request at its November 3, 2010 meeting, and
- 1.9 WHEREAS the Los Angeles County Metropolitan Transportation Authority has submitted a request to reprogram the \$26.1 million in funding to a different replacement project, the I-5 North HOV/Empire Avenue to Burbank Boulevard Project, due to delivery constraints on the I-10 HOV/Citrus to SR-57 Project, and
- 1.10 WHEREAS Commission staff reviewed the project submitted by the Los Angeles County Metropolitan Transportation Authority for compliance with the CMIA Guidelines, and
- 2.1 NOW THEREFORE BE IT RESOLVED THAT the Commission hereby approves the request submitted by the Los Angeles County Metropolitan Transportation Authority to reprogram the \$26.1 million in CMIA funding to the I-5 North HOV/Empire Avenue to Burbank Boulevard Project, and
- 2.2 BE IT FURTHER RESOLVED THAT, the Commission's approval of project funding is only for the cost of construction, and
- 2.3 BE IT FURTHER RESOLVED THAT the Commission finds that the inclusion of the replacement project in the CMIA Program is based on a demonstration that the project meets all of the following criteria:
 - a. Is a high-priority project in the corridor as demonstrated by its nomination by regional agency;
 - b. Can commence construction or implementation no later than December 31, 2012;
 - c. Improves mobility in a high-congestion corridor by improving travel times or reducing delay, improves the connectivity of the state highway system between rural, suburban, and urban areas, or improves the operation or safety of a highway segment;
 - d. Improves access to jobs, housing, markets, and commerce;
- 2.4 BE IT FURTHER RESOLVED THAT the Commission will not consider approval of a project allocation prior to the execution of a project baseline agreement amendment, and
- 2.5 BE IT FURTHER RESOLVED THAT the Commission finds that any increases in cost estimates from CMIA amended program adoption to finalized cost estimates are the responsibility of the nominating agency, and

- 2.6 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agency and the Department of Transportation to meet the requirements of Government Code Section 8879.23(c)(1), as added by Proposition 1B, and to Government Code Section 8879.50, as enacted through implementing legislation in 2007 (Senate Bill 88 and Assembly Bill 193), and
- 2.7 BE IT FURTHER RESOLVED THAT the Commission requires the implementing agency and the Department of Transportation to adhere to the California Transportation Commission's CMIA Guidelines and Accountability Implementation Plan.