

MOTION

The Los Angeles County Metropolitan Transportation Authority (Metro) is currently in the process of constructing major capital projects across the City of Los Angeles (City). As part of these projects, Metro often proposes streetscape elements, including but not limited to bike paths, special pavers, plantings in parkways and medians, and stormwater mitigation elements. Metro is currently required to maintain landscaping and trees within the public right-of-way for only three years after installation of the improvements.

The City and Metro are developing an agreement that will include policies and procedures for maintenance of public right-of-way elements related to current and future Metro capital projects. This agreement must contain clear provisions that ensure the public right-of-way is properly constructed and maintained. On September 10, 2018, Metro transmitted a letter to the City that would serve as the interim agreement outlining Metro's maintenance responsibilities. The letter was written with the cooperation of City departments to also serve as the framework for a permanent agreement between the parties.

I THEREFORE MOVE that the Department of Public Works, with the assistance of the City Attorney, be instructed to prepare and execute an agreement with the Los Angeles County Metropolitan Transportation Authority (Metro), requiring the following relative to Metro's major capital projects:

- Obtain a revocable permit for the construction, maintenance, and repair of all non-standard improvements within the public right-of-way.
- For all landscaping, the three-year maintenance and establishment period would begin upon final inspection and acceptance of the improvements by the Bureau of Contract Administration.


I FURTHER MOVE that the interim agreement be terminated upon the execution of a final maintenance agreement between the City and Metro.

I FURTHER MOVE that the Council instruct the Department of Public Works to collaborate with Metro in the creation of a multi-year track allocation permit that will allow for the long-term maintenance of designated areas that are within close proximity to Metro rail property.

I FURTHER MOVE that Council instruct the Department of Public Works, upon the issuance of a Statement of Completion, to submit to the Council a report detailing the square footage of all median landscaping, green street, and stormwater mitigation elements installed as part of the project and include the City's future maintenance requirements for these improvements in the respective City maintenance programs.

I FURTHER MOVE that Council instruct the Chief Legislative Analyst, in coordination with other City agencies as necessary, to participate in the negotiations with Metro regarding the development of a final agreement outlining policies and procedures for maintenance of public right-of-way elements related to current and future Metro capital projects.

PRESENTED BY: 
 JOSÉ HUIZAR
 Councilmember, 14th District

SECONDED BY: 

OCT 02 2018

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