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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

LOS ANGELES COUNTY
METROPOLITAN
TRANSPORTATION
AUTHORITY, a public entity,

Plaintiff,

v.

CITY OF BURBANK, a municipal
corporation; and DOES 1-10,
inclusive,

Defendants.

Case No. 26STCP01904

Assigned for all purposes to the
Hon. Judge Stephen Morgan,
Dept. 416

**DECLARATION OF DAVID
KRISKE IN OPPOSITION TO
PETITIONER'S MOTION FOR
RECONSIDERATION OF
PRIOR RULING ON
PRELIMINARY INJUNCTION**

Date: August 24, 2026

Time: 10:00 am

Dept.: 416

Action Filed: May 19, 2026

1 **DECLARATION OF DAVID KRISKE**

2 I, David Kriske, declare as follows:

3 1. I am currently employed by the City of Burbank (“City”),
4 Respondent and Defendant in the above captioned matter. My title is
5 Assistant Community Development Director, Planning and
6 Transportation. I am professionally trained in Transportation Planning
7 and hold a Masters Degree in Urban Planning from the UCLA Luskin
8 School of Public Affairs, and an undergraduate degree from the University
9 of California, Berkeley, I also hold the American Institute of Certified
10 Planners (AICP) certification. I have experience analyzing and providing
11 policy recommendations on a variety of local and regional transit,
12 roadway, parking, and freeway projects as well as overseeing numerous
13 transportation planning efforts that analyze and forecast future travel
14 demand expected from new development and develop programs and
15 projects to address that demand. I have been employed by the City in
16 various transportation related roles undertaking these activities since
17 2002.

18 2. As Assistant Community Development Director I have become
19 familiar with the North Hollywood to Pasadena Bus Rapid Transit
20 Corridor Project (“Project”). I have been involved in the Project’s
21 development since 2013 and participated in in the 2013 Metro Bus Rapid
22 Transit and Street Design Improvement Study, and the Metro North
23 Hollywood to Pasadena BRT Corridor Technical Study, where among my
24 responsibilities I assisted Metro in selection of project consultants and
25 reviewed deliverables. I represented the City in reviewing and
26 commenting on all Project development phases including the Draft
27 Environmental Impact Report (“Draft EIR”), Final Environmental Impact
28 Report (“FEIR”), and the Project design process.

1 3. The matters set forth are within my personal knowledge, and
2 if called upon to testify as to these matters, I could and would so testify. I
3 make this declaration in support of the City of Burbank's Opposition to
4 Metro's Motion for Reconsideration of this Court's prior ruling denying a
5 Preliminary Injunction.

6
7 **The City's Historic Comments on the Noho-Pasadena BRT Project**
8 **and Forecasts of Olympic Traffic**

9 4. I personally led the City's efforts in formulating City comments
10 to the Draft EIR in 2020 for the Project. At that time the LA Metro's Draft
11 EIR Report at Chapter 4, p. 4-14 indicated that the bus route system would
12 not impact land uses, including building height, density and floor area
13 ratios. (Comp. Ex. 1).

14 5. I have read and reviewed the (Second) Declaration of Anthony
15 DeFrenza dated July 27, 2026. Mr. DeFrenza describes in general Metro
16 plans for the NoHo-Pasadena Rapid Transit Bus Project (Project) related
17 to the Olympic Games. (DeFrenza Dec. ¶3-12). Based on my personal
18 knowledge of the mapping of Olympic venues for 2028 and my review of
19 the map of those venues included in Mr. Shahamiri's Declaration, there is
20 no Olympic venue located in the City of Burbank.

21 6. I am aware of the 2018 "Twenty-Eight by '28" document that
22 was attached as Exhibit B to Mr. DeFrenza's declaration. I am also aware
23 that not all of the 28 projects are currently on schedule for completion by
24 2028. Indeed, Mr. DeFrenza indicates that Metro "reassessed" the original
25 28 projects in 2024 and reduced them to a fewer number of projects.

26 7. Mr. DeFrenza's declaration contains references to two
27 Olympic venues, the Rose Bowl Stadium and the Valley Sports Center
28 (aka the Sepulveda Dam Recreation Center). The Project does not provide

1 direct transit service to either of those venues. For both venues, Project
2 riders would have to transfer to other transit routes or services to get to
3 these venues. Furthermore, the portion of the Project in Burbank is
4 located far from both venues. The portion of the Project's Burbank
5 alignment closest to both the Valley Sports Center and the Rose Bowl
6 Stadium is about 10 miles from the closest portion of the Burbank segment
7 to either venue. Other major Olympic venues such as Dodger Stadium, the
8 LA Convention Center, and LA Coliseum are yet more distant from the
9 Project. Based on my professional experience, it is unlikely that an isolated
10 roadway segment 10 miles from a special event would be affected by traffic
11 congestion related to that event.

12 8. I used the same aggregated transportation data software cited
13 by Mr. Shahamiri in his Declaration, the Iteris ClearGuide database, to
14 perform Planning Time Index queries and comparisons of Olive Avenue
15 between Buena Vista Street and Lake Street (along the Project). I
16 compared values on Olive Avenue during the June 25, 2026 FIFA football
17 match between the USA and Turkey to the values on Olive on the same
18 July 15, 2026 comparison date used by Mr. Shahamiri to compare FIFA
19 event traffic to "typical" conditions. Based on this comparison shown in
20 **Exhibit A** hereto, there was no travel delay impact on Olive Avenue
21 related to the heavily attended FIFA World Cup game held at the SoFi
22 Stadium located over 10 miles away. If the impacts of a FIFA World Cup
23 special event on Burbank streets are to be used as a predictor of impacts
24 of 2028 Olympics special events on the Project's alignment in Burbank as
25 Mr. Shahamiri suggests in his Declaration, this Planning Time Index
26 comparison for Olive Avenue shows that large special events held 10 or
27 more miles away from the Project will not affect travel times along the
28 Project corridor in Burbank

1 10. Burbank did not host a FIFA World Cup match, but did host a
2 Fan Zone event in Downtown Burbank on July 18-19, 2026 during the
3 World Cup Final. Approximately 77,300 people attended the event during
4 that weekend, with the majority attending on July 19. Using the same
5 Iteris Clear Guide database, I performed the same planning time index
6 comparison used by Metro to compare roadway conditions around the June
7 25, 2026 FIFA World Cup match at Sofi Stadium. I compared roadway
8 delay index values on a portion of the Project corridor on Olive Avenue
9 between Buena Vista Street and Lake Street that leads directly to the Fan
10 Zone event. I compared values on Sunday, July 19, 2026 during the Fan
11 Zone special event to conditions on the previous Sunday, July 12, 2026.
12 That comparison showed that conditions on Olive Avenue during this
13 special event were actually better during the Fan Zone event than during
14 the previous “typical” summertime weekend. (**Exhibit B**). This comparison
15 suggests that roadway conditions for corridors serving special events are
16 not always negatively impacted by the travel generated by those events.

17
18 **Mr. DeFrenza’s Description of the “Burbank Schedule” and EWP**
19 **MOD-004 and AFC-03**

20 9. I am personally familiar with the schedule set forth in the
21 Cooperative Agreement, specifically at Exhibit 2.

22 10. I am also familiar with what Mr. DeFrenza terms the “Burbank
23 Schedule” that was delivered to me and some of the City’s consultants on
24 April 30, 2026. (DeFrenza Dec. ¶14). That is not a new schedule and, when
25 it was delivered addressed to one of the City’s consultants, Mr. Jack
26 McGregor of Dorado Company, the note from Mr. Kenyon Price, Senior
27 Director, Construction Manager of LA Metro stated in part: “I was hoping
28 to have a revised scheduled from the contractor by now [April 30, 2026] to

1 share, so please note that the attached version is subject to change and
2 will be refined soon.” (Comp. Ex. 16 at BUR-443).

3 11. DeFrenza also references a July 17, 2026 document described
4 as “AFC-03.” The City has until August 10, 2026 to complete its comments
5 and responses to that document. DeFrenza’s comments about what might
6 occur after the City completes its review of AFC-03 are speculation.

7 12. The “Burbank Schedule,” as DeFrenza terms it, calls for a
8 completion of the Burbank (and other segments) by February 2028,
9 approximately six months before the start of the Olympic Games on July
10 14, 2028. Thus, even if there were “slippage” in the construction schedule,
11 common in major road/transit construction projects, there is still about six
12 months of time to absorb schedule delays without impacting Metro’s goal
13 to open the project before the Olympic Games.

14 13. In a 2026 Pasadena Community Meeting that is available for
15 viewing online, Anthony DeFrenza states that: “[T]he bulk of the benefits
16 that the [P]roject will deliver can occur honestly whether or not there’s
17 dedicated [bus] lanes or not.” This statement is available on line beginning
18 at minute 37:50 of the video:
19 <https://youtu.be/7XD21QWIXog?si=DA4fiugDnQlIHBXy&t=2194> and is
20 contained in a transcribed version as **Exhibit C** to this Declaration.

21 22 **Mr. Shahamiri’s Declaration and Claims**

23 14. I have also read and reviewed Mr. Shahamiri’s Declaration
24 filed in support of the motion for Reconsideration. Initially, I note that a
25 current published map of LA28 Olympic venues included in his
26 Declaration shows that the two large venues closest to Burbank are about
27 10 miles away and those are designated as the Rose Bowl Stadium
28 (aquatic events) and the Valley Complexes 1-4 (Sepulveda Dam

1 Recreational Area). This map is available under the LA28 website at:
2 [https://la28.org/content/dam/latwentyeight/games-
4 plan/maps/LA28OlympicGamesMap.pdf](https://la28.org/content/dam/latwentyeight/games-
3 plan/maps/LA28OlympicGamesMap.pdf). Other major venues, such as the
5 DTLA Zone and the Exposition Park Zone are equally or even farther away
6 from the Project's Burbank alignment. The map does show that some
7 minor venues are closer to Burbank, such as the Griffith Park Zone and
8 the Universal City Zone, but these areas plan to host relatively minor,
9 single events (Squash at Universal City and a Cycling time trial at Griffith
10 Park).

1 like Interstate 5 and State Route 134 or major regional arterials
2 connecting through multiple jurisdictions. Olive Avenue does not serve a
3 large regional transportation role, and therefore Olympic event traffic
4 even to the two nearest large venues is unlikely to impact transit travel
5 times on streets along the Project alignment in Burbank.

6 17. Mr. Shahamiri cites several general benefits of having the
7 NoHo-Pasadena BRT line, but he does not analyze the specific benefits of
8 dedicated lanes on the Project alignment in Burbank Olive Avenue.

9 18. To my knowledge Metro has never directly published travel
10 time comparisons of mixed-flow versus dedicated bus-only lanes on any
11 streets in Burbank. Metro has only provided indirect evidence of travel
12 time impacts of dedicated bus lanes on the portion of the Project Corridor
13 along Olive Avenue between Buena Vista Street and Lake Street. In a
14 Public Outreach/Community Meeting hosted by Metro on October 7, 2021
15 which included a discussion of dedicated bus lanes on Olive Avenue, Metro
16 published a travel time comparison of local buses using this portion of the
17 corridor without bus lanes (e.g. before construction of the Project) and with
18 bus lanes (after construction of the Project). The comparison showed that
19 travel time of local buses would decrease by 30-60 seconds once bus lanes
20 were installed on that segment of Olive. Since Metro to my knowledge has
21 not published specific travel time comparisons for streets in Burbank, I
22 have used this local bus comparison to approximate the travel time
23 savings that could be attributed to the longest segment of dedicated bus
24 lanes proposed by Metro along streets in Burbank when asked by a
25 Burbank constituent or member of the City Council. To date, I have not
26 see any contrary data provided by Metro to refute this estimate.

27
28 **Metro's Proposal for Dedicated Bus Lanes will Not Provide**

1 **Substantial Benefits Over Similar Buses Operating in Mix-Flow**
2 **Traffic**

3
4 19. Metro has long touted the NoHo to Pasadena BRT project as a
5 high-quality, premium service that offers nearly identical service to light
6 rail but using bus service (“light rail on rubber tires”). BRTs can utilize a
7 variety of design and operational elements to achieve this high-quality
8 service. In addition to dedicated bus lanes, BRTs often utilize 1) very high
9 service frequencies such as buses running as frequent as every 5 minutes,
10 2) signal priority where traffic signals prioritize buses over cars, 3) rail-
11 like stations instead of bus stops, 4) level boarding (station platforms
12 constructed at the same level as the bus to speed boarding/alighting), 5)
13 fares collected off-vehicle prior to boarding, 6) use of larger articulated
14 buses, and 7) station amenities like wi-fi, bike racks, and benches

15 20. Successful BRT projects can operate in mixed-flow conditions
16 when utilizing these other BRT features. Though Metro has elected not to
17 use several of these features, the BRT project in Burbank (even without
18 use of bus-only dedicated lanes) will make use of high service frequencies
19 and transit signal priority that will improve service quality and attract
20 riders to the service.

21 21. Metro’s planned dedicated bus lanes in Burbank will not provide
22 substantial operational benefit over buses operating in mixed-flow traffic
23 with other BRT project features. Except for the median-running bus lane
24 segment along Glenoaks Boulevard from Burbank into Glendale, bus lanes
25 in Burbank are discontinuous, very short (in some cases only 1.5 blocks
26 long), shared with vehicles making right turns at streets and driveways,
27 and only separated from regular traffic using painted striping and
28 signage. Buses operating in these limited even where formally dedicated

1 bus lanes are still mixed with traffic and require maneuvering in and out
2 of other roadway users similar to mixed flow.

3 I declare under penalty of perjury under the laws of the State of
4 California that the foregoing is true and correct, and was executed this
5 11th day of August 2026, in Burbank, California.

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David Kriske
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Exhibit A

DATE RANGE: 06/25/2026 - 06/25/2026, DATE RANGE 2: 07/16/2026 - 07/16/2026, METRIC 1: Planning Time Index

TIME OF DAY: All, INCLUDE DAYS: All

Route Name	ID	6/25/26-6/25/26	7/16/26-7/16/26
Olive Avenue EB	5664	1.56	1.56
Olive WB	5665	1.56	1.49

Showing 1 to 2 of 2 entries

Show entries

ROADWAYS

SIGNALS

ABOUT

LOS ANGELES

REPORT: Time Comparison

Show

Diff	% Diff	Length (mi)	Tags
0	0%	1.29	olive eb
-0.07	-4.49%	1.29	olive wb

Previous1Next

Exhibit B

DATE RANGE: **07/19/2026 - 07/19/2026**, DATE RANGE 2: **07/12/2026 - 07/12/2026**, METRIC 1: **Planning Time Index**
TIME OF DAY: **All**, INCLUDE DAYS: **All**

Route Name	ID	7/19/26-7/19/26	7/12/26-7/12/26
Olive Avenue EB	5664	1.37	1.41
Olive WB	5665	1.32	1.35

Showing 1 to 2 of 2 entries

Show entries

ROADWAYS

SIGNALS

ABOUT

LOS ANGELES

REPORT: Time Comparison

Show

Diff	% Diff	Length (mi)	Tags
0.04	2.92%	1.29	olive eb
0.03	2.27%	1.29	olive wb

Previous1Next

Exhibit C

North Hollywood to Pasadena Rapid Bus Transit Community Meeting
02/04/2026

(37:35) So we are continuing to collaborate with them and it is possible that through that collaboration the designation of the lane types will change but I'm confident at least today that we'll get through that and the... (37:50) majority of the civil improvements that are... um... the bulk of the benefits that the project will deliver can occur (38:00) honestly whether or not there's dedicated lanes or not. So obviously Metro's preference is dedicated lanes that improves the speed and reliability of the buses, but (38:10) it's still going to be a successful project in Pasadena even with mixed flow. (38:15) So a lot of the project benefits are not entirely dependent on dedicated lanes. They obviously benefit more from the dedicated lanes.

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STATE OF CALIFORNIA, COUNTY OF ORANGE

On August 11, 2026, I served true copies of the following document(s) described as **DECLARATION OF DAVID KRISKE IN OPPOSITION TO PETITIONER’S MOTION FOR RECONSIDERATION OF PRIOR RULING ON PRELIMINARY INJUNCTION** on the interested parties in this action as follows:

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address dvaillancourt@awattorneys.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on August 11, 2026, at Irvine, California.

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SERVICE LIST
***(Los Angeles County Metropolitan Transportation Authority v.
City of Burbank)***
LASC Case No. 26STCP01904

(01504.0001)

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