

# Second REVISED Agenda

**Regular Board Meeting  
Board of Directors**

**One Gateway Plaza  
3<sup>rd</sup> Floor Board Room**

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Call to Order

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Directors

Ara J. Najarian, Chair  
Don Knabe, 1<sup>st</sup> Vice Chair  
Antonio Villaraigosa, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Diane DuBois  
John Fasana  
José Huizar  
Richard Katz  
Gloria Molina  
Pam O'Connor  
Rita Robinson  
Mark Ridley-Thomas  
Zev Yaroslavsky  
Vacant, non-voting member

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Officers

Arthur T. Leahy, Chief Executive Officer  
Michele Jackson, Board Secretary  
Karen Gorman, Ethics Officer  
Karen Gorman, Acting Inspector General  
County Counsel, General Counsel



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

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

### **PUBLIC INPUT**

The meetings of the Metropolitan Transportation Authority Board are open to the public. 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 up to 5 minutes 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 prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

**At the discretion of the Chair**, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

**In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.**

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:

**REMOVAL FROM THE BOARD ROOM** The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.  
A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.  
Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and  
Any other unlawful interference with the due and orderly course of said meeting.

### **INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD**

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 cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

### **DISCLOSURE OF CONTRIBUTIONS**

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

### **ADA REQUIREMENTS**

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

### **HELPFUL PHONE NUMBERS**

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)  
General Information/Rules of the Board - (213) 922-4600  
Internet Access to Agendas - [www.metro.net](http://www.metro.net)  
TDD line (800) 252-9040

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

**SUMMARY OF AGENDA ITEMS  
LOS ANGELES COUNTY  
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING  
THURSDAY, OCTOBER 22, 2009**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	47
5		4	
6		10	
7		18	
8		28	
9		31	
14		41	
19		45	
20		46	
32		48	
33		49	
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44			

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 8, 9, 14, 19, 20, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 44.

## **CONSENT CALENDAR**

2. APPROVE **Minutes of Regular Board Meeting** held July 23, 2009.
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) amending the authorization previously granted to the Chief Executive Officer at the June 2009 Regular Board Meeting to execute an option for an **easement in favor of the City of Culver City and the Culver City Redevelopment Agency** to provide authority to execute an option for the previously granted easement for construction of commuter parking for the Exposition Light Rail project and now to include construction of a transportation oriented development over and adjacent to the existing LACMTA right-of-way.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) adopting the revised **Joint Development Policies and Procedures**.
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to:
  - A. **establish Bench Contracts** under Request For Interests and Qualifications No. PS-4010-2178 to the contractors recommended for a three year period with two one-year options beginning on November 1, 2009 for professional services not to exceed a cumulative total value of \$20 million; and
  - B. execute Task Orders under the individual Bench Contracts for up to \$500,000 per contract.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to **reduce the number of Eastside Transit Corridor Phase II build alternatives** from four to two for further study in a Draft Environmental Impact Statement/Draft Environmental Impact Report and Advanced Conceptual Engineering. The following alternatives are recommended for further study:
  1. State Route 60 – Light Rail Transit (LRT)
  2. Washington Boulevard – LRT

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving:
- A. the Project Screening Report, which describes the 14 transit and highway projects identified as the most promising candidates for **Private Sector Financial Participation**;
  - B. the following six initial projects as the prime focus for preparation of a Strategic Assessment and Business Case Development of Contract No. PS4370-2316, with the understanding that staff will return to the Board in November with a funding plan and schedule for authorization to proceed:
    - Interstate 710 South
    - State Route 710 North Extension
    - High Desert Corridor
    - Crenshaw Transit Corridor
    - Regional Connector
    - Metro Red Line Westside Subway Extension: Wilshire/Western Station to Westwood via Wilshire Boulevard alignment
14. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to negotiate and execute the documents necessary to **restructure the First Hawaiian railcar transaction** in accordance with the Restructuring Term Sheet.
19. MEASURE R PROJECT DELIVERY COMMITTEE RECOMMENDED UNDER RECONSIDERATION (3-0) approving **Measure R Local Return Guidelines**.
20. MEASURE R PROJECT DELIVERY COMMITTEE RECOMMENDED (3-0) approving:
- A. **Measure R 20 percent Guidelines** for Countywide bus operations, maintenance and expansion; and
  - B. Measure R Guidelines for regional clean fuel bus capital.

32. OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. finding that there is only a single source of procurement for Audio Frequency Track Modules and purchase is for the sole purpose of replacing our existing equipment already in use. The Board hereby authorizes the purchase of **Audio Frequency Track Modules** pursuant to Public Utilities Code section 130237.
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to ALSTOM Signaling Inc. for the procurement of the Audio Frequency Track Modules for Metro Red Line Segment 1 for an amount not to exceed \$1,176,450.

(REQUIRES 2/3 VOTE OF THE BOARD)

33. OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. finding that there is only a single source of procurement for **Wayside Workers Protection Equipment** to be deployed on all Metro Rail Lines and purchase is for the sole purpose of duplicating existing equipment already in use. The Board hereby authorizes purchase of the Wayside Workers Protection Equipment pursuant to Public Utilities Code section 130237;
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to ProTran1LLC for Wayside Workers Protection Equipment for an amount not to exceed \$2,455,240, exclusive of sales tax, pursuant to Public Utilities Code section 130237.

(REQUIRES 2/3 VOTE OF THE BOARD)

34. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that there is only a single source of procurement for **NABI / Cummins ISL G installation kits** and purchase is for the sole purpose of duplicating our existing equipment already in use. The Board hereby authorizes the purchase of NABI / Cummins ISL G installation kits pursuant to Public Utilities Code section 130237

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- B. authorizing the Chief Executive Officer to award a firm fixed price contract to Cummins Cal Pacific, LLC, for the procurement of 215 NABI / Cummins ISL G installation kits for an amount not to exceed \$5,420,796 inclusive of sales tax.

(REQUIRES 2/3 VOTE OF THE BOARD)

- 35. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:

- A. award a firm fixed price contract under Bid No. 10-0006 to Valley Power Systems, Inc., the lowest responsive and responsible bidder, for the procurement of up to **142 Natural Gas Fueled engines** for an amount not to exceed \$4,872,708 inclusive of sales tax;
- B. exercise an option with Valley Power Systems, Inc. to purchase up to 190 additional Natural Gas Fueled engines subject to availability of funding for an amount not to exceed \$6,253,039 inclusive of sales tax; and
- C. program \$12 million of Prop 1B funds previously programmed to miscellaneous transit projects for procurement of up to 300 bus engines, subject to approval by the State of California.

**Authorization subject to resolution of protest.**

- 36. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving a proposed process for developing **regional, near-term, strategic transit planning concepts** for Los Angeles County.
- 37. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving the **implementation of new Route 910**, and the related restructuring of existing Lines 444, 446-447, 484 and 490 effective December 13, 2009.
- 38. OPERATIONS COMMITTEE RECOMMENDED (3-0) adopting the **Proposed Line 910 fare structure** consistent with responses to public comment from a Public Hearing held on September 24, 2009, and the Impact Analysis.

(REQUIRES 2/3 VOTE OF THE BOARD)

39. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute fixed, unit rate Contract No. SP037 with Affiliated Computer Services to provide **photo enforcement, maintenance and citation processing services** for a period of five years, inclusive of two, one-year options, for an amount of \$3,036,000, plus a five percent project contingency amount of \$151,800, for a total project price that is not to exceed \$3,187,800.
40. OPERATIONS COMMITTEE RECOMMENDED (3-0) the Chief Executive Officer to award a five-year, combination fixed- price and indefinite-quantity/indefinite-delivery-type agreement, Contract No. PS10643001, to MCM Integrated Systems, Inc. for **maintenance of the current security system** at a fixed price of \$946,705 and service upgrades as required with a total combined not-to-exceed amount of \$2.5 million, effective December 1, 2009.
44. CONSTRUCTION COMMITTEE RECOMMENDED APPROVAL as corrected:
- A. increasing the Life-of-Project (LOP) budget and **amending the FY 2010 budget for Project 800288 (Metro Gold Line Eastside Extension Enhancements and Mitigations)** in the amount of \$4.5 million, increasing the previously authorized amount of \$51,403,000 to \$55,903,000;
  - B. approving reprogramming of \$3,332,000 Proposition A 35 percent Rail Capital funds from ~~Project 204006 (Metro Subway Station Canopies)~~ to Project 800288 (Metro Gold Line Eastside Enhancements and Mitigations); and
  - C. authorizing the Chief Executive Officer to negotiate and execute Contract Modification No. 214, to Contract C0803 with the Eastside LRT Constructors (A Joint Venture of URS Washington Division and Obayashi Corporation) for Pedestrian Barrier Fencing in an amount not-to-exceed \$2.4 million.

### **NON-CONSENT**

3. Chair's Report



4. Chief Executive Officer's Report
  - Congestion Reduction Demonstration Project Audit
  
10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED **as amended** (5-0) approving the following actions for the **2009 Long Range Transportation Plan (LRTP)** for Los Angeles County:
  - A. Approve the major financial assumptions as the basis for the 2009 LRTP, including the LRTP Guiding Principles;
  - B. Adopt the 2009 LRTP for Los Angeles County with the package of projects and programs (Funded and Strategic);
  - C. Incorporate into the 2009 LRTP document new sections on Public-Private Partnerships, California High Speed Rail Plan, and Los Angeles to San Diego to San Luis Obispo (LOSSAN) Corridor, as well as updates to the previous section on the Congestion-Reduction Demonstration Initiative; and update the Metrolink section in the Draft 2008 LRTP to highlight safety measures, including Positive Train Control, and system expansion needs;
  - D. Approve the Measure R Highway Program Funding Strategy;
  - E. Direct the CEO to work with local jurisdictions to collaborate on a 3 percent local match contribution policy for major transit capital projects;
  - F. Adopt the 2009 LRTP Resolution for Los Angeles County.

**Antonovich Motion** that the Board take the following actions:

1. Provide the CEO with the authority to **pursue New Starts funding for both the Downtown Regional Connector and the Westside (Purple Line) Subway Extension** as part of a linked Full Funding Grant Agreement, with the understanding that MTA's expressed position to our federal partners is that the Downtown Regional Connector (DRC) and the first segment (MOS1 - to Fairfax) of the Westside (Purple Line) Extension are to be completed concurrently by 2019.

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2. Direct the CEO to amend the 2001 LRTP by moving the DRC and all three segments (MOS1, MOS2, MOS3) of the Westside (Purple Line) Subway Extension into the Constrained Portion of the plan with concurrent prioritization of MOS1 and DRC and without local match funding allocations that favor one project over the other.
3. Direct the CEO to request SCAG to make the following amendments into the 2008 RTP at the earliest date possible:
  - a. Amend the Downtown Regional Connector's status to reflect completion by 2019.
  - b. Add the third segment (MOS3) of the Purple Line subway extension - La Cienega to Westwood - to the constrained plan to reflect completion by 2036.
  - c. Any other necessary changes to reflect the Board's desire to complete MOS1 and DRC concurrently by 2019.
4. Present to the Board at the September meeting a full business case analysis of MOS1 and DRC that takes into account all facets of the two projects, including but not limited to:
  - a. Operational impacts on entire system
  - b. Projected ridership added to system
  - c. Cost to operate new service
  - d. Operating capital costs including rolling stock
  - e. Impact on Union Station and 7<sup>th</sup>/Metro stations
  - f. Impact on maintenance costs including access to rail facilities
  - g. Connectivity with High Speed Rail needs at and nearby Union Station
  - h. Employment densities and other relevant business/demographic statistics
  - i. Readiness for New Starts funding and all relevant timelines
  - j. Competitiveness for New Starts funding
5. Present to the Board at the September meeting an update on the linked FFGA strategy, including greater detail on the strategy as well as any obstacles to pursuing federal New Starts funding for both DRC and MOS1 on a concurrent schedule for opening in 2019.

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6. Present to the Board at the September meeting strategies to leverage local investment in the Crenshaw and Foothill/Eastside Gold Line Extensions to provide extra federal funding for grade separations and to complete the remainder of the projects, respectively.
7. Bring back the 2009 LRTP for Board consideration by no later than the October 2009 Board meeting with the highway portion of the plan completed with subregional input.

(CARRIED OVER FROM SEPTEMBER BOARD MEETING)

**Ridley-Thomas Amendment** that the **Metro Federal Advocacy Plan shall not take or reallocate any Measure R funds from any Measure R transit project**, as approved by the voters, including the Expo Phase II, Crenshaw and Foothill lines.

(CARRIED OVER FROM SEPTEMBER BOARD MEETING)

**Huizar Motion** that LACMTA add the **Downtown Los Angeles Streetcar** into the Tier 2, strategic unfunded section of the 2009 Metro Long Range Transportation Plan; and

further move that LACMTA staff report back on options for the inclusion and support of new streetcar projects in cities within its jurisdiction when such new fixed guideway streetcar systems will link to regional rail to provide circulator service.

(CARRIED OVER FROM JULY BOARD MEETING)

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED APPROVAL (5-0) of the **O'Connor And DuBois Motion** that the Board instructs the Chief Executive Officer to compile a list of candidate transit and highway projects that could compete for these above described and **other Non-New Starts sources of federal funding**, such as but not limited to "Metropolitan Mobility and Access Program," "Projects of National Significance," a proposed initiative of "Sustainable Development," and a "Freight Improvement Program"; and return to the Planning and Programming Committee in January 2010 with the intent to forward that full list to the Board in January.

18. AD-HOC CONGESTION PRICING COMMITTEE FORWARDED DUE TO CONFLICTS AND ABSENCES authorizing the Chief Executive Officer to:
- A. negotiate and execute Contract PS0933432406A with STV Incorporated to provide advanced conceptual engineering, bid support, and construction support services for the **proposed Union/Patsaouras Plaza Busway Station** for an amount not to exceed \$928,364; and
  - B. execute additional contract modifications, if required, to Contract No. PS0933432406A for additional design or professional services for the Union/Patsaouras Plaza Busway Station, if required, for an amount not to exceed \$200,000.
28. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION adoption of the **Local Hire Program**.
31. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing **as amended** the Chief Executive Officer to award a five-year firm fixed unit rate contract, No. OP33442073, to Graffiti Control Systems, Inc., the only responsive, responsible bidder, to provide **graffiti paint-out service** for our transit facilities in an amount not to exceed \$430,000, inclusive of two, one-year options, effective November 1, 2009.

VILLARAIGOSA ROBINSON AMENDING MOTION that the MTA Board direct the Chief Executive Officer to:

- A. report back during the November 2009 Board cycle with quarterly updates and progress reports thereafter on strategies to **further reduce and more expeditiously remove the effects of vandalism and graffiti** on bus and rail vehicles, rail stations, bus stops and other MTA facilities;
- B. include in the November 2009 report an estimate of the potential cost savings and operational efficiencies of competitively bidding graffiti removal services;

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- C. report back on specific programs aimed at graffiti mitigation, including new technology applications for equipment and materials, operating procedure modifications, graffiti prevention programs, community outreach efforts, public service announcements and stronger partnerships with law enforcement and interagency coordination;
  - D. report back on the status of current Los Angeles Sheriff's Department vandalism investigations and the impact of the Tracking Automated Graffiti Reporting System on the number of arrests and prosecutions;
  - E. report back on the monthly costs of vandalism and graffiti damage to MTA's transit system; and
  - F. establish an interagency Graffiti Task Force that includes members of the community, schools, MTA Service Sectors and law enforcement.
41. CONSIDER reprogramming of \$1.5 million in LACMTA prior year surplus funds to fund **new Southern California Regional Rail Authority improvements** to be completed together with the improvements required for the Metro Orange Line Extension project in the vicinity of the Chatsworth Metrolink station.
45. APPROVE **free fare on the Metro Gold Line Eastside Extension** on Opening Day.
46. APPROVE the following nominee for **membership on the San Gabriel Valley Service Sector Governance Council**:
- Albert Y.M. Huang – New Appointee – Elected Official Seat  
Appointed by: South Pasadena/San Marino/Alhambra/San Gabriel City Cluster  
Term ending: June 30, 2011

48. RECEIVE AND CONSIDER status of **Breda Contract**.

49. RECEIVE update on **Universal City Station Pedestrian Bridge**.

47. **CLOSED SESSION:**

A. Conference with Legal Counsel – Pending Litigation - G.C. 54956.9(a):

1. G. Meza v. LACMTA, Case No. PC043220
2. F. Granberry v. LACMTA, Case No. BC399313
3. R. Boggs et. al. v. LACMTA, Case No. BC336334
4. S. Aguayo v. LACMTA, Case No. TC021693
5. B. Siemens v. LACMTA, Case No. BC398345

B. Conference with Legal Counsel - Anticipated Litigation – G.C. 54956.9(b):

One case.

C. Conference Regarding Potential Threats to Public Services and Facilities - G.C. 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Ruthe Holden, Chief Auditor, and Paul Taylor, Deputy Chief Executive Officer, on security related matters.

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D. Conference with Labor Negotiator – G.C. 54957.6:

1. Agency Designated Representative: Carolyn Flowers,  
Chief Operations Officer  
Employee Organization: United Transportation Union
2. Agency Designated Representative: Carolyn Flowers,  
Chief Operations Officer  
Employee Organization: Amalgamated Transit Union, Local 1277
3. Agency Designated Representative: James Falicki  
Employee Organization: Transportation Communications Union

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