

REVISED AGENDA

Regular Board Meeting
Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

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

Officers

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



Los Angeles County
Metropolitan Transportation Authority

Metro

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:

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

TDD line (800) 252-9040

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

Pledge of Allegiance

Reading of the Agenda

I. PRESENTATIONS/SET MATTERS

S-1. Chair's Report

S-2. Chief Executive Officer's Report

II. BOARD OF DIRECTORS ITEMS 1 THROUGH 4

1. APPROVE **Minutes** of the January 27, 2011 Regular Meeting.
2. RECEIVE AND FILE **Public-Private Partnership Program** preliminary costing information for the SR-710 North gap project, in response to Motion by Director Najarian at the December 9, 2010 Board meeting.
3. RECEIVE AND FILE response to **DUBOIS, O'CONNOR, NAJARIAN, VILLARAIGOSA MOTION** approved at the December 9, 2010 Regular Board Meeting regarding report updating **Regional Fare System Plan (RFSP) activities:**
DUBOIS, O'CONNOR, NAJARIAN, VILLARAIGOSA MOTION instructing the CEO to: **(Attachment A) (Attachment B)**
 - A. Return in February of 2011 with the results of a meeting(s) with Los Angeles County Municipal Operators Association (LACMOA) addressing and resolving outstanding issues and concerns as detailed in the LACMOA matrix and any additional comments prior to bringing the RFSP back to the Board; and
 - B. Return with an implementation plan for the RFSP that has been vetted and discussed with the MTA's regional transit partners.
4. RECEIVE AND FILE a **Risk-Based Cost Estimating Approach for Metro Projects.**

III. CONSENT CALENDAR ITEMS 5 THROUGH 12

All matters are approved by one motion unless held by a Director for discussion and/or separate action.

CONSTRUCTION COMMITTEE

5. CONSTRUCTION COMMITTEE RECOMMENDED APPROVAL (3-0):
 - A. authorizing the Chief Executive Officer to negotiate full payment from the City of Los Angeles for additional scope of work to incorporate overlapping portions of the **Reversible Lane and Intersection Improvements Project into the I-405 Sepulveda Pass Improvements Project**;
 - B. authorizing the Chief Executive Officer to execute a Master Cooperative Agreement with the City of Los Angeles for added scope of work to incorporate overlapping portions of the Reversible Lane and Intersection Improvements Project (STPL-5006(368)) into the I-405 Sepulveda Pass Improvements Project; and
 - C. approving increase to the life of project budget and total contract value by \$6 million, to be funded by the City of L.A., from \$1,034 billion to \$1,040 billion for Project 405523, I-405 Sepulveda Pass Improvement Project.

FINANCE AND BUDGET COMMITTEE

6. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) approval of **ANTONOVICH, KATZ AND NAJARIAN MOTION** that the MTA Board direct the CEO to amend the **recommended budget for MTA's share of Metrolink funding for FY11** by an additional \$22,907 to allow Metrolink to provide Memorial Day service May 30, 2011 on the Antelope Valley Line.

OPERATIONS COMMITTEE

7. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate Contract No. OP33442634 to Specialty Doors + Automation, Inc. (SDA), the lowest responsive, responsible bidder, to provide **roll-up door repairs and installation services for MTA transit facilities** for an amount not to exceed \$1,536,750, inclusive of two one-year option periods, effective February 28, 2011.
8. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving amendment to add \$1,500,000 to the **FY11 budget for the Metro Vanpool Program** costs to continue implementation through June 30, 2011.
9. OPERATIONS COMMITTEE RECOMMENDED (3-0) adopting the **updated 2011 Metro Transit Service Policy**.
10. OPERATIONS COMMITTEE RECOMMENDED (3-0) approval of **RIDLEY-THOMAS AND DUBOIS MOTION** that:
 1. The Metro Board adopt the **Rosa Parks/Willowbrook Metro Station Master Plan and Transit Oriented District** as the guiding document for the Station.
 2. Direct staff to report back to the Board, no later than 60 days, with a proposed implementation and funding plan to achieve the improvements outlined in the Station Master Plan and Transit Oriented District.

(CONTINUED ON NEXT PAGE)

OPERATIONS COMMITTEE - Continued

11. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the following **nominees for membership on the Gateway Cities Governance Council and Westside/Central Governance Council:**
- A. **Sergio Infanzon – New appointment** to fill unexpired term of Gateway Cities Governance Council representative Anne Bayer.
Nominated by: Gateway Cities Council of Governments.
Term Ending: June 30, 2012
 - B. **Perri Sloan Goodman - New appointment** to fill Westside/Central Governance Council position vacated by Terri Slimmer.
Nominated by: Westside Cities Council of Governments.
Term Ending: June 30, 2013

PLANNING AND PROGRAMMING COMMITTEE

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
- A. approving Funding Agreement term sheet and Master Cooperative Agreement term sheet to allow MTA to finalize agreements with the Exposition Metro Line Construction Authority (“Construction Authority”) for construction of the **Exposition Light Rail Transit (Expo LRT) Phase 2 project** from its current planned terminus at the Culver City Station to Colorado/4th in Santa Monica;
 - B. authorizing the CEO to concurrently execute Funding and Master Cooperative Agreements with the Construction Authority predicated upon the conditions set forth in the Board approved Funding Agreement and Master Cooperative Agreement term sheets;
 - C. adopting the Life-of-Project budget for Expo LRT Phase 2, MTA costs and the Light Rail Vehicles of \$1,511,158,000; and
 - D. authorizing the CEO to execute the Amended and Restated Memorandum of Understanding with the Construction Authority for Expo LRT Project Phase 1 of the Project. This Amended and Restated Memorandum updates the funding amount and increases the Life-of-Project budget for Phase 1 from the last Board approved Life-of-Project budget of \$927,390,445 to \$930,625,055 as well as adds provisions for LACMTA inspection and participation in testing and start up of Expo LRT Project Phase 1.

IV. DISCUSSION ITEMS 13 THROUGH 20

13. CONSTRUCTION COMMITTEE DID NOT RECOMMEND APPROVAL (2-1), AND FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-1) authorizing staff to:
- A. begin recruitment for 32 **additional positions within the Transit Project Delivery Division** to support delivery of the Measure R Transit Program and other critical construction projects; **and**
 - B. fill up to 10 of these positions during FY11, with the balance to be considered as part of the FY12 Budget approval process; **and**
 - C. amend the FY11 Budget to include \$200,000 for the 10 new positions.**
14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:
- A. directing the Chief Executive Officer (CEO) to implement an advocacy structure in Washington, D.C. without an umbrella lead firm to direct the advocacy team; and
 - B. directing the CEO not to exercise a six month option to extend the **federal advocacy services contract** currently provided by Manatt, Phelps & Phillips, LLP at a monthly rate of \$51,500.
15. OPERATIONS COMMITTEE RECOMMENDED APPROVAL (4-0) AS AMENDED:
- RIDLEY-THOMAS AND O'CONNOR MOTION** that:
Staff report back to the Board, no later than 90 days, with:
- 1. A review and study of **renewable energy and energy efficiency options for existing and new transit lines**, that should assess the following:
 - o Technical feasibility for off-track and on-track renewable power, (e.g. canopies, substations, parking lots and park 'n rides, landscaped areas, utility poles, tunnels, garages, maintenance buildings, etc.) and creative renewable energy solutions—primarily solar, but also other technologies.
 - o Life-cycle financial considerations including cost (i.e., initial capital as well as maintenance and replacement costs and life-cycle cost analysis). (Continued on next page)

(Item 15 – Continued from previous page)

- Use of creative financing mechanisms (such as Feed-in Tariff, Power Purchase Agreements, ground leases, Public/Private Partnerships and State and Federal grants).
 - Inclusion of life-cycle cost analyses for renewable energy use in awarding construction contracts for new lines.
 - Existing industry and government guidelines for evaluating renewable energy and energy efficiency in new transit projects and discussion of their potential application to Metro projects.
 - Retrofitting existing light rail, subway and bus rapid transit corridors for solar and other renewable power systems.
 - Opportunities to partner with local power utilities.
2. Utilizing the review and study above, present, for Board consideration, a proposed agency Policy, plan of action and identification of specific opportunities for incorporating renewable energy (solar and other renewable power systems) and energy efficiency measures into existing and new transit projects. The Policy and plan should include the installation of a demonstration renewable energy system (preferable but not limited to solar panels) on at least one existing station, as a demonstration project.

O'Connor Amendment to include a further recommendation to the full Board that the initial instructions contained in the Motion of review and study of a proposed agency Policy, plan of action and identification of specific opportunities, etc. be initially assigned to the Ad Hoc Sustainability Committee (on which both Director Ridley-Thomas and I sit) in order to put a greater focus on the issues during this initial development period.

Once the Policy has been developed with a Plan of Action and opportunities identified, the Renewable Energy Policy and project opportunities would return to the Operations Committee for the pursuit of implementation.

16. CONSIDER:

- A. authorizing the Chief Executive Officer to issue a unilateral change order under Contract C0942 to SEMA Construction for the construction of the redesigned foundations for Soundwalls 144, 184, 190, 196, 210 and retaining walls 192 and 194 in the amount of \$1,493,000, increasing the total contract price from \$15,057,080 to \$16,550,080;
- B. approving an increase in the Contract Modification Authority for Contract No. C0942 from \$1,370,000 to \$5,810,000, and authorizing the CEO to execute contract modifications within Board approved CMA Authority;
- C. approving an increase to the FY11 budget in the amount of \$1,935,000 to cover Contract C0942 Contract Modifications; and
- D. approving an increase to the Life of Project budget for the **I-210 Freeway Soundwall Construction Project** from the amount of \$17,760,000 to \$22,200,000.

17. APPROVE:

- A. the **South Bay Measure R Early Action Program project list** contingent upon finalizing a nexus determination; and
- B. the project list of current fully-funded projects shown on Attachment B of the Board report as potential candidates for Measure R funding should additional dollars be necessary and AUTHORIZE the Chief Executive Officer to administratively approve funding for these projects should the need arise.

18. CONSIDER:

- A. approving Joint Development Bench for Economic and Financial Discipline, and ~~a~~Authorizing the Chief Executive Officer (CEO) to ~~establish a qualified list of candidates for approve~~ Bench contracts resulting from the Request for Interest and Qualifications (RFIQ) for a three-year period beginning on February 1, 2011 with two one-year extensions for professional services not to exceed a cumulative total value of \$2,000,000 for both Bench contracts; and
- B. approving Joint Development Bench for Urban and Architectural Planning Discipline, and authorizing the CEO to approve Bench contract resulting from the RFIQ for a three-year period beginning on February 1, 2011 with two one-year extensions for professional services not to exceed a cumulative total value of \$2,000,000 for both Bench contracts.
(Subject to resolution of protest)

(CARRIED OVER FROM JANUARY BOARD MEETING)

19. CONSIDER:

- A. holding a public hearing on the proposed Resolution of Necessity for the **acquisition of a portion of assessor’s parcel number 5047-018-002 for the Mid-City Exposition Light Rail Transit Project;** and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a portion of Assessor’s Parcel No. 5047-018-002.

20. CONSIDER:

- A. holding a public hearing on the proposed Resolution of Necessity for the **acquisition of assessor’s parcel number 5046-009-048 for the Mid-City Exposition Light Rail Transit Project and improvements at Farmdale Avenue and Exposition Boulevard;** and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Assessor’s Parcel No. 5046-009-048.

V. MISCELLANEOUS

21. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.
22. 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.
23. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

VI. CLOSED SESSION

- CS-1. Personnel Matters – G.C. 54957:
 Public Employee Appointment
 ➤ Consider appointment of Inspector General
- CS-2. Conference with Labor Negotiator - G.C. 54957.6
 Agency Representative: Richard Hunt and designated staff
 Employee Organizations: ATU, UTU, TCU, Teamsters
- CS-3. Conference with Legal Counsel - Anticipated litigation - G.C.
 54956.9(c)
 Significant Exposure to Litigation (one case)
- CS-4. Conference with Real Estate Negotiator - G.C. 54956.8
 Property Address: 800 North Alameda Street, Los Angeles, CA
 MTA Negotiator: Roger Moliere
 Negotiating Parties: LACMTA and Prologis Logistical Services
 Incorporated
 Negotiation: Price and terms of payment

ADJOURNMENT