

AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

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



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

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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.

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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 27, 2011**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	65
5		4	
6		9	
8		28	
10		47	
15		52	
19		56	
20		61	
21		63	
22		64	
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34			
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38**			
45			
46			
53			
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62			
** REQUIRES 2/3 VOTE			

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 8, 10, 15, 19, 20, 21, 22, 23, 33, 34, 35, 37, 38**, 45, 46, 53, 54 and 62.

**REQUIRES 2/3 VOTE

CONSENT CALENDAR

2. APPROVE **Minutes of Regular Board Meeting held September 22, 2011.**

5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. approving the programming of up to \$250,089,000 of the Los Angeles County Share of the **2012 State Transportation Improvement Program (TIP)** as follows:
 1. Tier 1: Up to \$147,689,000, if the California Transportation Commission (CTC) programs the entire Los Angeles County Share target.
 2. Tier 2: Up to \$102,400,000, if the CTC advances additional State TIP funds to Los Angeles County.
 - B. re-programming up to \$34,370,000 in prior State TIP funds from the Interstate 405/Arbor Vitae Interchange Improvement project to the Crenshaw/LAX Transit Corridor project.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving the strategy for identifying **potential Bus Rapid Transit (BRT) corridors.**

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to:
- A. award a firm fixed price Contract No. PS4710-2744 to CH2M Hill, Inc in the amount of \$3,140,000 for professional services to prepare a Soundwall Feasibility and Constructibility Study that includes conceptual and preliminary engineering, and technical and environmental studies to support the preparation of project reports and appropriate environmental documents for various **soundwall projects along the I-710 corridor, between Ocean Boulevard and State Route 60**; and
 - B. execute individual contract modifications as required, but not to exceed a cumulative total of up to 15% of the contract value, to cover the cost of any unforeseen issues that may arise during the preliminary engineering, technical and environmental studies.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):

- A. finding that it is in MTA's best interest to enter into a six month Exclusive Negotiation Agreement (ENA) and Planning Document, with an option to extend for up to an additional one year, with Cesar Chavez and Soto, LLC, or another development entity created by JSM Construction and Polis Builders that is reasonably approved by the Chief Executive Officer, to, among other things:
 - 1. Explore the feasibility of **developing 1.95 acres of MTA property located near the intersection of Cesar E. Chavez Avenue and Soto Street, in Boyle Heights**, with the following development:
 - A 12,900 square foot (approximate) CVS retail store.
 - A 5,000 to 7,500 square foot (approximate) food use or retail center.
 - A 10 to 15 unit affordable apartment building.
 - Unstructured, at-grade parking associated with the foregoing uses.
 - 2. Negotiate the key terms and conditions of a Joint Development Agreement and Ground Leases with respect to the proposed development.

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- B. authorizing the Chief Executive Officer to execute the ENA and, if appropriate, exercise options to extend the term of the ENA as noted above.
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- 15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving an exchange agreement between the County of Los Angeles Department of Public Works and the Los Angeles County Metropolitan Transportation Authority for the **State Route 126/Commerce Center Drive Interchange Improvement Project**.
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- 19. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) amending the FY12 budget to add:
 - A. \$380,000 of revenue and expenses to Organizational Development & Training, cost center 6220, to implement key elements of the **Metro University Program**, through a cooperative agreement with the Federal Transit Administration; and
 - B. one FTE to be funded by the FTA grant, for the duration of the grant funded project only.
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- 20. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) UNDER RECONSIDERATION:
 - A. establishing a Life-of-Project (LOP) budget of \$1.715 billion for the **Crenshaw/LAX Transit Corridor Project** No. 865512; and
 - B. reprogramming up to \$34.4 million but not less than \$31.3 million, in prior State Transportation Improvement Program funds from the Interstate 405/Arbor Vitae Interchange Improvement project to Project No. 865512, increasing LOP Budget in Recommendation A to \$1.749 billion.

21. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):
 - A. modifying the **Gold Line Foothill Extension Funding Agreement** to increase expenditure cap by \$103.55 million from \$104.57 million to \$208.12 million; and
 - B. modifying Agreement to require the Metro Gold Line Foothill Extension Construction Authority to comply with Metro's Unified Cost Management Process and Policy.

22. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a seven year contract (three-year base with two two-year options), under Request for Proposal No. PS92402718 with Scottel Voice & Data, Inc. d/b/a Black Box Network Services, the lowest responsive and responsible bidder for **telephone system maintenance and service**, for an amount not to exceed \$1,551,375, inclusive of sales tax.

23. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):
 - A. authorizing the Chief Executive Officer to negotiate and enter into a sub-grantee agreement with Caltrans Division of Rail to reimburse LACMTA \$2,364,000 for PE/NEPA work for two **LOSSAN corridor projects in the San Fernando Valley**;
 - B. authorizing the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding (MOU) with SCRRA as LACMTA's subcontractor for PE/NEPA work for two LOSSAN corridor projects in the San Fernando Valley; and,
 - C. **amending** the FY 2011-12 budget by \$2,364,000 to reimburse SCRRA for PE/NEPA work for two LOSSAN corridor projects in the San Fernando Valley.

33. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approving changes to the **Board report procurement template** to include additional information regarding contract awards.

34. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to negotiate a salary within the pay range for the **Chief Information Officer (CIO) position**, pay grade AA (\$134,378 - \$167,972 - \$201,567).
35. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to negotiate a salary within the pay range for the **Deputy Chief Operations Officer (DCOO) position**, pay grade CC (\$190,621 - \$234,708- \$278,793).
37. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Contract Modification No. 8 to Contract No. OP30101812 with Agreement Dynamics Inc. to provide **interest-based problem solving training consulting services** for the amount not to exceed \$100,000 through June 30, 2012, increasing the total contract value from \$778,080 to \$878,080.
38. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approving the **official name changes for the following rail stations and facilities:**
- A. "Imperial/Wilmington/Rosa Parks" to "Willowbrook/Rosa Parks;"
 - B. "103rd Street/Kenneth Hahn" to "103rd St/Watts Towers/Kenneth Hahn;"
 - C. "Vermont Av/I-105" to "Vermont Av/Athens;"
 - D. "Hawthorne BI/I-105" to "Hawthorne BI/Lennox;"
 - E. "Venice/Robertson" to "Culver City;"and
 - F. "Artesia Transit Center" to "Harbor Gateway Transit Center."

Directed staff to make changes only when opening a new line or making improvements at a station.

(REQUIRES 2/3 VOTE OF THE BOARD)

45. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to negotiate and execute Contract Modification No. 21 to Contract No. C0882 with Kiewit Infrastructure West Company, for redesign of Bridges 10 and 11 for the **I-405 Sepulveda Pass Improvements Project** for an amount not to exceed \$1,345,000, increasing the total contract value from \$736,456,248 to \$737,801,248; and
 - B. ratifying the decision made by the project team to proceed with critical path work for CN/CO14 to proceed with redesign of Bridges 10 and 11 pending final pricing of the contract change.
46. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to negotiate and execute two Contract Modifications to Contract No. C0882, with Kiewit Infrastructure West Company, in the combined not-to-exceed amount of \$10,550,000 for construction work identified in the Final Environmental Impact Report for realignment of the I-405 Freeway between Stations 1754+00 and 1839+75, increasing the total contract value from \$737,801,248 to \$748,351,248;
 - B. ratifying the actions taken by the project team to proceed with critical path activities prior to Board approval that ultimately exceeded the Project Manager's contract change order authority; and
 - C. authorizing one Full-Time Equivalent position for a Construction Manager on the **I-405 Sepulveda Pass Improvements Project** 405523.
53. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 11-0038 to Wabtec Passenger Transit, the lowest responsive and responsible bidder for the **center truck brake discs for the P2000 Siemens vehicles** for an amount not to exceed \$1,322,352, inclusive of a one year option.

54. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 60 month firm fixed price contract under Bid 11-0045 with Pinnacle Petroleum, Inc., the single responsive and responsible bidder for **unleaded gasoline** for an amount not to exceed \$17,413,847, inclusive of sales tax and three one-year options.
62. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving RIDLEY-THOMAS, KNABE, ANTONOVICH AND DUBOIS MOTION AS REVISED to:
1. Direct the CEO to report back to the Board, no later than 90 days, with a **status report on preparation of Short Range Transportation Plan (SRTP) for Board consideration.**
 2. The SRTP should examine the following, but not be limited to:
 - a. Status of Measure R and other major project initiatives.
 - b. State of good repair.
 - c. Review of industry practices and Federal Transit Administration best practices on rehabilitation.
 - d. Revised five-year cash flow outlook.
 - e. Revised Federal assumptions.
 - f. Transportation Improvement Program (TIP) viability.
 - g. Status of New Starts assumptions and Federal assumptions.
 - h. Operations and Maintenance Funding Plan.
 3. The CEO should return to the Board with any policy recommendations or changes.

NON-CONSENT

3. Chair's Report.
4. Chief Executive Officer's Report.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED
(5-0) approving AS AMENDED:

- A. **Transit Oriented Development (TOD) Planning Grant Program Guidelines;** and
- B. Lapsing Policy.

DuBois and O'Connor Amendment that staff identify an additional \$1 million in appropriate funds and develop appropriate guidelines (for Board approval) to assist Los Angeles County cities along the Metro Green Line Extension, West Santa Ana Branch and Metrolink lines, in creating Transit Oriented District ordinances, parking overlays, and specific plans.

Add an additional objective on Attachment A, Section 2 of the Board report to support and implement sustainable development principles.

28. CONSIDER:

- A. separating the **Patsaouras Plaza Busway Station** from the life of project (LOP) of the **El Monte Busway Improvements and Transit Center Project** (CP202286);
- B. establishing a separate life-of-project (LOP) budget and capital project for the Patsaouras Plaza Busway Station Project (CPXXXXX) in the amount of \$16,803,000;
- C. reprogramming \$4.9 million in local funds previously allocated for the Patsaouras Plaza project by past Board action into the new Patsaouras Plaza Capital Project, and replace these funds with \$4.9 million of local funds to be programmed into the El Monte Capital Project; and
- D. amending the FY12 budget in the amount of \$1,795,000 to fund design work for the new Patsaouras Plaza Capital Project, funded by existing CFP#43001 Ramirez Flyover (PC25 Funds).

47. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:

- A. authorizing the Chief Executive Officer to execute Contract Modification No. 36 to Contract No. PS43502000 with PB Americas, Inc. to advance Preliminary Engineering and support Final Design and/or Construction for the **Westside Subway Extension Project**, for an amount not to exceed \$16,996,740, increasing the total contract value from \$72,970,189 to \$89,966,929;
- B. amending the FY12 budget to include \$15,297,088 of the State Repayment of Capital Project Loans account funds to Project 865518, in addition to \$1,699,652 previously approved and budgeted; and
- C. increasing the interim Life-of-Project (LOP) budget for Measure R Project Westside Subway Extension by \$15,297,088, increasing the interim LOP budget from \$108,826,132 to \$124,123,220.

52. OPERATIONS COMMITTEE RECOMMENDED (3-0) AS AMENDED:

- A. authorizing the Chief Executive Officer to execute Modification No. 6 to Contract No. PS2610LASD with the County of Los Angeles Sheriff's Department (LASD) to provide **law enforcement services for the period covering November 1, 2011 through June 30, 2012** for an amount not to exceed \$57,580,311. The total FY12 Transit Community Policing contract is \$79,461,155;
- B. amending the FY12 budget to add 8 Metro Security Officer I and 1 Metro Security Officer II positions;
- C. amending the FY12 budget for Cost Center 2610, System Security and Law Enforcement in the amount of \$16,296,691 to fund the remaining 8 months of service under the LASD contract; and
- D. **amending** the FY12 budget for Cost Center 2610, System Security and Law Enforcement in the amount of \$300,000 in Special Events Overtime for Metro Transit Security Officers.

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Knabe, Ridley-Thomas, and O'Connor Amendment that the Board direct the CEO to work with the Sheriff's Department to identify and include the appropriate dedicated law enforcement positions (staffing) and capital requirements (such as patrol vehicles and radios) for Harbor Transitway Law Enforcement Services in the proposed law enforcement services contract modification for consideration by the full Board for the October 2011 Metro Board meeting.

56. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED receiving and filing **response to the various elements of the August 2011 Villaraigosa Motion regarding Customer-Oriented, Integrated Bus Service Enhancements and Innovations**, including bus service levels and the UFS, or Transit Access Pass (TAP) card.

Najarian and Huizar Amendment that Item 56 be bifurcated to exclude the TAP portion of the report, that the TAP update portion be forwarded to the full board on October 27, 2011, for discussion, and include the matrix attached to the motion for this item, prepared utilizing correct data and status from all Municipal Operators.

61. APPROVE **YAROSLAVSKY, O'CONNOR, DUBOIS AND VILLARAIGOSA MOTION AS REVISED** that the demonstration to lock gates be expanded and include at least six additional stations. These stations should include 7th/ Metro, ~~Union Station~~ and North Hollywood. In addition to off-peak timeframes, the demonstration should also include some peak-hour closures.

Further move that the data from the completed demonstration be made available to the Board within the next two weeks and this information should include, but not be limited to, a breakdown of fare media used: how many patrons had monthly, weekly or day passes, cash riders, transfers, Metrolink passes, etc; the increase in ticket vending machine activity compared to when the gates were not locked during the same period in previous weeks and the number of citations issued.

63. AUTHORIZE the Chief Executive Officer to award the following:
- A. a cost plus fixed fee Contract No. PS 4710-2755, to CH2M Hill Inc. in the amount of \$37,300,000 for a professional services contract to prepare an EIR/EIS that includes alternatives analyses, technical assessments, conceptual and preliminary engineering, and a project report, for the **State Route 710 Gap Project from Interstate 10 to State Route 134/Interstate 210**. This contract will be supported by another community outreach contract; and
 - B. Contract modification authority for up to 15% of the contract value to cover the cost of any potentially unforeseen issues that may arise during the environmental, engineering and community participation phases.
64. APPROVE ANTONOVICH MOTION that the MTA Board takes the following actions:
- A. Direct the CEO to provide a literature review to the Board within 60 days on the topic of “safety culture”. In particular, this review should clearly delineate the Board’s role and responsibilities to ensure and support fully a **strong safety culture at MTA**, as well as provide a review of the WMATA accident and subsequent NTSB report;
 - B. Direct the CEO to procure an outside, independent consultant to conduct and complete within 90 days a full review of MTA’s safety culture, including specific evaluations of the five elements (informed culture, reporting culture, learning culture, flexible culture and just culture) that compose a safety culture, and present an evaluation of and recommendations on how to improve MTA’s safety culture to the Board and CEO. The CEO shall follow-up within 30 days with a presentation to the Board on additional recommendations and a plan to implement all recommendations to enhance MTA’s safety culture;
 - C. Change the name of the “**Operations Committee**” to the “**System Safety and Operations Committee**” to indicate clearly the Board’s central role of providing oversight of MTA’s safety culture and system safety;

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- D. Expand the scope of the “**System Safety and Operations Committee**” to include:
1. Monthly reports on corporate safety and system safety
 2. All items related to safety audits, safety upgrades, and overall system safety issues
 3. All recommendations on how to improve the safety culture at MTA
- E. Direct the CEO to report to the full Board on a quarterly basis on MTA’s system safety and provide recommendations on how the Board can better support the agency’s safety culture and the safety of our transit system;
- F. Direct the CEO to provide a review of our agency bylaws and any associated statement of organizational values and Board responsibilities to determine if these documents promote safety as the Board’s top oversight role and the agency’s top priority; and
- G. Direct the CEO to include as part of each board report and agenda item a separate, clearly marked section that provides an assessment of the item’s impact on system safety and safety culture.

65. CLOSED SESSION:

- A. Conference with Legal Counsel - Pending Litigation – G.C. 54956.9(a):
1. Jose Mauricio Andrade v. LACMTA, Case No. BC430117
 2. Gwendolyn Nash v. LACMTA, Case No. TC024682
 3. Rodrigo Navarette v. LACMTA, Case No. BC442324
 4. Jonathan Dean v. LACMTA, Case No. BC 413 809
- B. Conference with Labor Negotiator - G.C. 54957.6:
Agency Representative: Richard Hunt and designated staff
Employee Organizations: ATU, UTU, TCU, Teamsters

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