

# AGENDA

## Regular Board Meeting Board of Directors

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

### Call to Order

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#### Directors

Antonio Villaraigosa, Chair  
Michael Antonovich, 1<sup>st</sup> Vice Chair  
Diane DuBois, 2<sup>nd</sup> 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

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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

\*via telephone

Executive Conference Room  
Lakewood City Hall  
5050 Clark Avenue  
Lakewood, CA 90712



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](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, DECEMBER 15, 2011**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON- CONSENT ITEMS	CLOSED SESSION
2	NONE	3	60
9		4	
11		20	
12		25	
18		32	
19		42	
30		44	
31		53	
33**		54	
34		55	
35		56	
41		57	
43		58	
45		59	
46			
47			
48			
** REQUIRES 2/3 VOTE			

1. APPROVE **Consent Calendar** Items: 2, 9, 11, 12, 18, 19, 30, 31, 33\*\*, 34, 35, 41, 43, 45, 46, 47, 48

\*\*REQUIRES 2/3 VOTE

## **CONSENT CALENDAR**

2. APPROVE **Minutes of Regular Board Meeting held October 27, 2011.**
  
9. AD-HOC SUSTAINABILITY COMMITTEE RECOMMENDED (3-0) adopting the resolution authorizing the Chief Executive Officer (CEO) to submit a **grant application for the Urban Greening Plan for Park and Ride Lots**, and take related actions in the execution and implementation of the program as required by the State of California Strategic Growth Council.
  
11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
  - A. finding that it is in MTA's best interest to amend an existing **Joint Development Agreement ("JDA") with Taylor Yards, LLC**, a development entity created by McCormack Baron Salazar, Inc. ("MBS"), to, among other things,
    1. increase the projected number of for-rent, affordable, family apartments proposed for the 20.2-acre portion of Taylor Yard depicted on the Site Plan (the "Site") by 77 units;
    2. reduce the projected number of for-sale, condominiums proposed for the Site by 157 units;
    3. add 10, for-rent, live/work units to the proposed product mix for the Site;

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(CONSENT CALENDAR CONTINUED,  
ITEM 11 – CONTINUED FROM PREVIOUS PAGE)

4. provide for a new ground lease (the "Infrastructure Ground Lease") for all of the Site's street and utility infrastructure that will not be dedicated to the City of Los Angeles and all of the Site's common area and open space;
5. allow the Chief Executive Officer ("CEO") certain flexibility with respect to the form of the completion bonds or guarantees required for each phase of the multi-phase development project;
6. extend the initial term of the JDA two years to April 2, 2015 and provide the CEO with the authority to extend the term of the JDA to July 1, 2019;
7. change MTA's method of reimbursement for Taylor Yards, LLC's cost to remediate certain hazardous materials present on the Site;
8. resolve a disagreement regarding Holding Rent due MTA under the JDA and the method of payment of the same;
9. eliminate the requirement that MTA receive a resale transfer fee equal to 1.5% of the resale price of each condominium for all sales occurring after the initial sale to the original homeowner;
10. amend the date the appraisal of the Site will be performed and change the definition of the Value of the Site; and

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(CONSENT CALENDAR CONTINUED,  
ITEM 11 – CONTINUED FROM PREVIOUS PAGE)

11. acknowledge that certain affordable housing funding sources may require the recordation of long-term affordability covenants against all or a portion of the Site (including MTA's fee interest therein), and agree to review and consider such covenants in good faith. The specific terms of the JDA amendment will be in substantial accordance with the key terms and conditions;
- B. authorizing the CEO to execute and enter into the JDA amendment, ground leases (including the Infrastructure Ground Lease noted above), and other related documents and agreements with Taylor Yards, LLC, MBS or their affiliates relating to the proposed development of the Site in substantial accordance with the terms and conditions approved by the Board in March 2008;
  - C. authorizing the CEO to execute prior to or after Taylor Yards, LLC, MBS or their affiliates entering into any ground leases for the development of the Site (other than the Infrastructure Ground Lease):
    1. dedications (and other grants of real property rights) to the City of Los Angeles for public streets and utilities related to the proposed development, and
    2. affordable housing and other covenants encumbering the Site (including MTA's fee interest in the Site) for purposes related to the proposed development, in each case subject to conditions to be determined by the CEO.
  - D. authorizing the Chief Executive Officer to amend the FY12 budget to add up to \$800,000 to revenues and an equal amount to expenses in cost center 2210, New Business Development for the purpose of funding MTA's obligation to reimburse the developer for its cost to remediate the Site.

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
- A. awarding \$5 million in **Transit Oriented Development Grants** to the 5 eligible jurisdictions; and
  - B. authorizing the Chief Executive Officer to execute Memorandums of Understanding for the grant funds.
18. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute a five-year lease agreement with **Downtown Properties for the rental of approximately 12,912 square feet of office space in an office building located at 818 West 7<sup>th</sup> Street, Los Angeles**, at an estimated rental cost of \$1,742,580.70 over the term of the lease.
19. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0):
- A. adopting a resolution authorizing the **replacement of the expiring liquidity facility for the Prop C 2009-A bonds**,
  - B. authorizing the Chief Executive Officer to finalize negotiations with the proposing banks and enter into any combination of agreements as provided for in the resolution for three year terms or less; and
  - C. authorizing the Chief Executive Officer to negotiate with each successively ranked proposer from the lists if unable to reach agreement with one or more of the recommended proposers.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

30. **WITHDRAWN:** CONSTRUCTION COMMITTEE RECOMMENDED (5-0):

- A. authorizing the Chief Executive Officer (CEO) to negotiate and execute a contract agreement with **EV Connect, Inc. to utilize California Energy Commission (CEC) Grant PON-09-006 that funds the installation of Plug-in Electric Vehicles (PEV) charging stations at four Metro Park and Ride Stations;** and upgrades the existing PEV charging stations at our Gateway Headquarters in Union Station; and
  - B. amending the FY12 budget to add \$54,880 to Project Number 210130, Public Plug-in Vehicle Charging Station.
31. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approving an increase in Contract Modification Authority (CMA) to Contract No. C0902 with **Gonzales Construction, for the Metro Red Line Division 20 car cleaning platform and new car wash project** to provide funding for pending and potential future changes in the amount of \$790,000, increasing the current CMA from \$881,674 to \$1,671,674.

33. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):

- A. finding that awarding design-build contracts pursuant to Public Utilities Code Section 130242 (b) will achieve private sector efficiencies in the integration of the design, project work, and components related to the construction of a **storage building at Metro Green Line Maintenance Facility in Los Angeles County;** and
- B. authorizing the Chief Executive Officer to solicit and award design-build contract for the storage building construction at Metro Green Line Maintenance Facility, pursuant to Public Utilities Code Section 130242 (a), (c), (d), and (e).

(REQUIRES TWO-THIRDS VOTE)



34. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Contract Modification No. 27 to Contract No. C0882, with **Kiewit Infrastructure West Company, for a Los Angeles Department of Water and Power (LADWP) Betterment at the Mulholland Bridge**, at a value not-to-exceed \$1,733,163, increasing the Total Contract Value from \$744,294,248 to \$746,027,411. This change is contingent upon reimbursement of the cost by LADWP, resulting in a net zero cost to the project budget.
35. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) approval of the revised KNABE MOTION that the MTA Board of Directors direct the CEO to:
- A. Include the **Westchester (Manchester/Aviation) Station (at-grade near Hindry) as a bid option during the construction procurement**, i.e. bidders will propose prices for the following additional Option (in addition to the three Options identified as 1A, 1B, and 1C that were adopted by the MTA Board for Item 1, May 26, 2011), and establish a clear pecking order for the additional option below that the first-priority is the Leimert Park/Vernon underground station, with second-priority to the Westchester (Manchester/Aviation) Station (at-grade near Hindry):
    - 1. Baseline project plus Leimert Park/Vernon underground station and Westchester (Manchester/Aviation) Station (at-grade near Hindry)
  - B. Recommend for MTA Board approval a design/build contract for Options 2A, 2B that were adopted by the MTA Board for Item 1, May 26, 2011, and include the following additional Option for consideration:
    - 1. Option 1A (as described in this motion) if a responsible and responsive bid is received that is less than or equal to the adopted life of project budget.
  - C. authorize a contract modification in the amount of ~~\$250,000~~ \$300,000 to complete the additional design and engineering work needed for the Project, to prepare the Westchester Station Option for the construction procurement, that is within the adopted life of project budget.

41. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate contract under IFB No. PS127140608, with Spicer's Paper, Inc. and Unisource, as the lowest priced responsive and responsible bidders for **non-inventory paper supplies**, for an amount not to exceed \$3,000,000 inclusive of sales tax, inclusive of four one-year options.
43. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate contract under RFP No. OP30102785 with Mobility Advancement Group, as the highest rated, lowest price Proposer for the **Metro Fixed Route Service Quality and Americans with Disabilities Act Compliance** for an amount not to exceed \$569,184, inclusive of three one-year options.
45. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (4-0) adopting the proposed **Metro service standards and policies** that support Metro's commitment to providing quality service to its patrons. [HANDOUT]
46. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 12-0003 to Drake Controls-West, LLC, the lowest responsive and responsible bidder for the **PSV valves for the natural gas bus fleet** for an amount not to exceed \$2,541,595, inclusive of sales tax and a one year option.
47. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (4-0):
- A. approving preliminary Life-of-Project budget for new Capital Project 212021-**Metro Emergency Operations Center/Bus Operations Center/Rail Operations Center** in the amount of \$16,103,043 and

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(CONSENT CALENDAR CONTINUED,  
ITEM 47 – CONTINUED FROM PREVIOUS PAGE)

- B. amending the FY12 budget for Cost Center 2610, System Security and Law Enforcement in the amount of \$10,000,000 to allow Metro to perform environmental assessment, land acquisition, and conceptual design.

48. SYSTEM SAFETY AND OPERATIONS COMMITTEE  
RECOMMENDED (4-0) approval of ANTONOVICH MOTION that the  
MTA Board directs the CEO to:

- A. **Develop a partnership with the theme parks** (e.g. Six Flags Magic Mountain, Universal Studios, Knott's Berry Farm, Disneyland) and entertainment industry (i.e. Warner Brothers) to review and make recommendations on how MTA can provide a better customer experience when using our system, and report back to the board within 90 days on this effort.
- B. Provide to the Board by December 2011 a plan to convert the schedule displays in our system stations to provide a countdown timer in lieu of the current arrival schedule, including timeline and cost to accomplish this goal.
- C. Provide to the Board by January 2012 a review of all signage at our MTA stations with recommendations on how to enhance system signage to help our customers use the system more effectively and make transfers easier.
- D. Provide to the Board by January 2012 an update with recommendations on what services to add (e.g. wifi, coffee kiosks) at our MTA stations that would promote a better customer experience.
- E. Provide to the Board by January 2012 an update with recommendations on how purchasing fare media to use the MTA system could be made more customer friendly.
- F. Provide to the Board by March 2012 a review of other major transit properties in the country with recommendations on other ideas currently in place nationally that could improve the customer experience using the MTA bus and rail system.

## **NON-CONSENT**

3. Chair's Report.
4. Chief Executive Officer's Report.
  - **Operations Employee of the Month**
20. RECEIVE oral **report on audit of the I-405.**
25. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED TO THE FULL BOARD DUE TO CONFLICTS:
  - A. approving the short list of respondents to the **Union Station Master Plan Request for Information and Qualifications** for participation in the Master Plan Request for Proposals (RFP) and
  - B. authorizing payment of an amount not to exceed \$10,000 as a stipend to each short listed respondent submitting a complete response to the Master Plan RFP.
32. FORWARDED TO THE FULL BOARD DUE TO CONFLICTS authorizing the Chief Executive Officer or his designee subject to receipt of Record of Decision from the Federal Transit Administration to execute an Agreement with **BNSF Railway Company to cease rail operations and abandon its interest in the Crenshaw Segment portion of the Harbor Branch right-of-way.** Also, authorize the Chief Executive Officer to execute such other agreements, forms and other documents needed to implement such BNSF abandonment.
42. SYSTEM SAFETY AND OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD DUE TO CONFLICTS authorizing the Chief Executive Officer to award a ten-year, task order contract, Contract No. PS116430102 to the team led by Vanir Construction Management, the most qualified proposer, for **USG Engineering Management Services** in an amount not to exceed a cumulative total of \$8,000,000.

44. SYSTEM SAFETY AND OPERATIONS FORWARDED TO FULL BOARD DUE TO CONFLICTS authorizing the Chief Executive Officer to award a five year firm-fixed unit rate Contract No. OP30002745, to **Becnel Uniforms to provide uniforms for Transit Operations Supervisors** in an amount not to exceed \$806,750, inclusive of sales taxes and two one-year options.

53. ADOPT the proposed **2012 Federal and State Legislative Program**.

54. RECEIVE AND FILE report on the exercise of Option No. 3 to contract OP33202082 for **additional Compressed Natural Gas Composite Buses with North American Bus Industries**.

55. APPROVE the following **nominee for membership on the Gateway Cities Service Council**:

- A. Marisa Perez, Filling unexpired term of George Bass,  
Gateway Cities Service Council  
Nominated by: Gateway Cities Council of Government  
Term Ending: June 30, 2014

[\[ATTACHMENT A\]](#)

56. CONSIDER WILSON MOTION to **nominate two additional members to the MTA Citizen Advisory Council**:

- A. Mr. Michael Conrad who has been a member of the Access Transit Citizen Advisory Board and
- B. Ms. Sherry Bailey who has been an active community member in the Crenshaw-Baldwin Hills-Leimert Part communities.

[\[ATTACHMENT\]](#)

57. CONSIDER ANTONOVICH AND DUBOIS MOTION that the MTA Board:
- A. Support the allocation of the \$950M in Proposition 1A funds programmed for **connectivity projects** throughout California, specifically those allocated for the Regional Connector.
  - B. Direct the CEO to develop a list of projects in Los Angeles County that provide for advance investment in rail corridors while providing advance benefit for residents of Los Angeles County.
  - C. Urge investment in Southern California's segment of rail to ensure timely connections to population centers and key ridership areas concurrently with other program development.
  - D. Continue working with the CAHSRA to addresses the interests and concerns of stakeholders in Los Angeles County.
  - E. Direct the CEO to send a letter to the CAHSRA discussing items 1, 2, 3 and 4 above.
58. CONSIDER ANTONOVICH, KNABE and NAJARIAN MOTION that the MTA Board directs the acting MTA Inspector General to return to the Board by March 2012 with a **review of the Metro Gold Line Foothill Extension Construction Authority, the Exposition Metro Line Construction Authority and the Alameda Corridor-East Construction Authority** that contains:
- A. The full staffing plan for each Authority, including in-house employees, contract employees and consultants, with salaries for each employee.
  - B. A review of each Authority's Chief Executive Officer's contract that describes total compensation, including but not limited to deferred compensation, incentives, and benefits.
  - C. A review of each Authority's policies regarding expenditures, including but not limited to travel, training, per diems and miscellaneous expenses.

59. RECEIVE AND FILE update on the **FTA Civil Rights Compliance Audit. [ATTACHMENT A] [ATTACHMENT B] [HANDOUT]**
60. CLOSED SESSION:
- A. Conference regarding Potential Threats to Public Services and Facilities – G.C. 54975:
- 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.
- B. Public Employment - G.C. 54957:  
Position of Inspector General
- C. Conference with Legal Counsel - Pending Litigation - G.C. 54956.9(a):
1. Sharon Bagley v. LACMTA, Case No. BC421803
  2. Jose Beltran and Maria Sanchez v. LACMTA, Case No. BC443892
  3. Linda Lum, Cynthia Yung, Donald Lum and Danny Lum v. LACMTA, Case No. BC450095
  4. Donald Schneider v. LACMTA, Case No. BC444158
- D. Conference with Labor Negotiator – G.C. 54957.6:  
Agency Representative: Richard Hunt and designated staff  
Employee Organization: ATU, UTU, TCU, Teamsters