

REVISED 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

*Via Telephone

CalEPA Building

Room 240

1001 I Street

Sacramento, CA 95814



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.

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 CD's and as MP3's and can be made available for a nominal charge.

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.

LIMITED ENGLISH PROFICIENCY

A Spanish language interpreter is available at all Board Meetings. Interpreters for Committee meetings and all other languages must be requested 72 hours in advance of the meeting by calling (213) 922-4600.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.mta.net

TDD line (800) 252-9040

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

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 8, 11, 26, 46, 48, 49, 50 and 55.

CONSENT CALENDAR

2. APPROVE **Minutes of Regular Board Meeting held February 23, 2012.**
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) **adding a San Fernando Valley Council of Governments member and alternate to our legislatively mandated Technical Advisory Committee.**
6. PLANNING AND PROGRAMMING RECOMMENDED (3-0) recertifying the **Measure R Highway Operational Improvement Project Lists** for projects for the Highway Operational Improvements in Arroyo Verdugo and Las Virgenes/Malibu Subregions, and for Interstates 405, 110, 105 and SR-91 Ramp and Interchange Improvements.
7. PLANNING AND PROGRAMMING RECOMMENDED (3-0) authorizing the CEO to enter and execute a **Cooperative Agreement with the South Bay Cities Council of Governments for administration of the Approved Project List** for Interstates 405, 110, 105 and SR-91 Ramp and Interchange Improvements.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the CEO to enter into a **Funding Agreement with Caltrans in the amount of \$100,000 for development of the Project Study Report for the Highway 101 Auxiliary Lane Project.**
11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to **amend MOU P00I5JPA with the I-5 Joint Powers Authority** to include an additional pre-construction mitigation project and extend the period of performance.

CONSENT CALENDAR CONTINUED -

26. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):
- A. Authorizing the Chief Executive Officer to award a 27 month, firm fixed price, contract under RFP No. PS63502579 to **Zanett Commercial Solutions, for development and implementation of a Contract Information Management System**, for an amount not to exceed \$6,231,032 inclusive of sales tax, and
 - B. Increasing the Life-of-Project (LOP) Budget for the Contract Information Management System by \$2,247,850 from \$5,313,400 to \$7,561,250, and combine CP207096 (CIMS Ph I) and CP207130 (CIMS Ph II).
46. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. award a 5 year firm fixed labor rate/task order contract under Request for Proposal No. OP39602795, to **LTK Engineering Services for Element A, Consultant for Light Rail Vehicle Acquisition, Technical Support Services**, for an amount Not To Exceed \$15,236,445 for the base contract, exclusive of three (3) one year options.
 - B. execute up to three (3) one year options to Contract No. OP39602795, to LTK Engineering Services for Element A, Consultant for Light Rail Vehicle Acquisition, Technical Support Services, in an aggregate amount of \$5,972,304, for a total Contract Not To Exceed amount of \$21,208,749.
 - C. award a 5 year firm fixed labor rate/task order contract under Request for Proposal No. OP39602795, to CH2M Hill, Inc. for **Element B, Consultant for Light Rail Vehicle Acquisition, Program Management Support Services**, for an amount Not To Exceed \$6,087,246 for the base contract exclusive of three (3) one year options.

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CONSENT CALENDAR CONTINUED –

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- D. execute up to three (3) one year options to Contract No. OP39602795, to CH2M Hill, Inc. for Element B, Consultant for Light Rail Vehicle Acquisition, Program Management Support Services, in an aggregate amount of \$2,291,639, for a total Contract Not To Exceed amount of \$8,378,885.
48. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 12-0024 with Valley Power Systems, Inc., the single lowest responsive and responsible bidder for the **procurement of 75 engine rebuild kits** for an amount not-to-exceed \$2,230,779 inclusive of sales tax.
49. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) approving finding that:
- A. **no disparate or disproportionate adverse impacts will result from the operation of the Orange Line Extension to Chatsworth;** and,
 - B. the proposed headway changes due to the reallocation of articulated and standard size buses on Lines 40, 710 and 740 to better meet passenger demand with capacity utilization will have a disparate impact on Line 40 riders, but there is substantial justification for proceeding with this major service change in order to meet Metro's goals of achieving a balanced operating budget and complying with adopted service standards, and that studied alternatives to this service change of added service on Line 40 or higher fares for all riders would have a more severe adverse effect on Title VI protected populations than the indicated service change.
50. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing a **life-of-project budget of \$297,070,000 for procurement of up to 550 forty foot transit buses.**

CONSENT CALENDAR CONTINUED –

55. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0)
[adopting the staff recommended positions:](#)

- A. **AB 1532 (Perez)** – Would establish a Greenhouse Gas Reduction Account to fund measures and programs to reduce greenhouse gas emissions. **SUPPORT**

- C. **AB 1706 (Eng)** – Would amend current law to clarify vehicle weight limits. **SUPPORT WORK WITH AUTHOR**

- E. **AB 2245 (Smyth)** – Would exempt certain bike-lane projects from the California Environmental Quality Act (CEQA) process. **SUPPORT**

- G. **AB 2440 (Lowenthal)** – Would amend current law affecting Metro’s procurement process. **SUPPORT**

- H. **AB 2477 (GARRICK)** – Would clarify state law specific to placement of video event recording equipment in vehicles. **SUPPORT WORK WITH AUTHOR**

- I. **SB 1225 (PADILLA)** – Would provide a local control mechanism of Amtrak’s Pacific Surfliner Corridor. **SUPPORT**

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report.
4. Chief Executive Officer's Report. [\[HANDOUT\]](#)
10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. Amending the **Measure R Contingency Policy** to stipulate that it applies to net bond interest costs after:
 1. Adding Measure R interest earnings, and
 2. Exempting interest costs for the Build America Bond/tax exempt bond package that predated the policy;
 - B. Amending the Fiscal Year 2011 Budget Policy to Reimburse Funding Sources Used as Advance Funding to Accelerate Measure R Projects to:
 1. Permit reimbursements at the end of the Measure R scheduled funding period for each project;
 2. Permit the planned use of the funds reimbursed to the State Repayment of Capital Project Loans funds for subsequent project segments included in the funded **Long Range Transportation Plan**, but require that such planned uses be brought to the Board for specific approval when a life of project budget including such funds is adopted;
 3. To include the definitions and assumptions described; and
 - C. Receiving and filing report, which includes a summary status on the use of authority delegated to the Chief Executive Officer.

NON-CONSENT CONTINUED –

14. CONSIDER **ANTONOVICH MOTION** that the MTA CEO direct staff to present to the Board within 30 days the following:
 - A. An assessment of how to implement a Metrolink station on the Antelope Valley Line at the Bob Hope Airport with recommended actions to accomplish this important multimodal connection;
 - B. A plan to advance segments of the Antelope Valley Line Corridor to preliminary engineering and environmental work;
 - C. A proposal to develop a comprehensive grade crossing and grade separation safety program for Metrolink-operated lines in Los Angeles County;
 - D. A proposal to increase the staffing levels of the Regional Rail group to manage regional rail capital improvement programs;
 - E. The next step in establishing a Regional Rail Bench of engineering consultants qualified in the engineering of commuter rail facilities;
 - F. An assessment of the potential for "tilt train" technology that might allow Metrolink to operate at faster speeds within the constrained Antelope Valley Line corridor;
 - G. A legislative action plan to acquire the "intercity rail" designation for the Antelope Valley Line north of the Downtown Burbank station to Lancaster;
 - H. An assessment of what would be necessary to provide rail service between the Antelope Valley and Bakersfield along current railroad right-of-way, whether it would be Metrolink or Amtrak service;
 - I. An assessment of what would be necessary to provide seamless rail service between the Antelope Valley and San Diego; and
 - J. An assessment of what would be necessary to provide seamless rail service between Ventura and Indio.

NON-CONSENT CONTINUED –

27. CONSIDER **WILSON MOTION** THAT the MTA Board of Directors adopt and direct the CEO to:
- A. Implement a performance management system on the following core FY12 Board adopted budget themes:
 - 1. Improve Bus and Rail Transit Service
 - 2. Renewed Focus on Customer Service
 - 3. Advance MTA's Bus and Rail Projects
 - 4. Advance the Highway and Freeway Projects
 - 5. Increase emphasis on Safety and Security
 - 6. Civil Rights Compliance
 - B. Create performance standards that include, but are not limited to, measurements on life-of-project budgets and project contingencies according to local and national standards for all major MTA rail and highway projects.
 - C. Create a single-page document that lists all core budget themes on item A with columns that quantify past performance, current year goal and current year-to-date performance (e.g. Los Angeles Unified School District — Performance Meter).
 - D. Provide a monthly review of up to three core themes listed on item A at the Finance, Budget and Audit Committee meeting and ensure each goal is reviewed at least twice per year when new data becomes available.
 - E. Report back to the Finance, Budget and Audit Committee in April 2012 with a proposed Performance Meter that includes all core themes on item A.
 - F. Report back at the May 2012 MTA Board meeting with the first Performance Review.

NON-CONSENT CONTINUED –

36. RECEIVE **Civil Rights Progress Update.**
37. **ANTONOVICH MOTION** that the MTA Board request that the **Exposition Metro Line Construction Authority, the Metro Gold Line Foothill Extension Construction Authority and the Alameda Corridor-East Construction Authority take action to implement the full set of recommendations made by the Inspector General** within 45 days. Should these recommendations not be implemented within that timeframe, the MTA CEO will bring to the MTA Board recommendations on how the MTA Board can make the implementation of these recommendations mandatory as each construction authority is a direct recipient of Measure R and other monies controlled by the MTA.
54. SYSTEM SAFETY AND OPERATIONS COMMITTEE FORWARDED WITHOUT RECOMMENDATION: **[HANDOUT]**
- A. Authorizing the Chief Executive Officer to award a 53 month, firm fixed price contract under Request for Proposal No. P3010, to **Kinkisharyo International** for the **manufacturing and delivery of 78 light rail vehicles (LRV)** for an amount of \$299,061,827 for the base contract buy, exclusive of Contract Options totaling 157 LRVs;
- B. Authorizing the Chief Executive Officer to negotiate and execute up to four Contract Options to Contract P3010, for the delivery of 157 LRVs, in an aggregate amount of \$591,086,448, plus a Contract Not-to-Exceed amount of \$890,142,275, not including a contract escalation; and
- C. Approving an increase of \$6,940,000 in the life-of-project budget for CP#206035 – Light Rail Vehicle Procurement from \$335,410,000 to \$342,350,000.

NON-CONSENT CONTINUED –

55. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0)
adopting the staff recommended positions as amended:

B. **AB1600 (Torres)** – Would allow the Metro Gold Line Foothill Extension Construction Authority to plan, design and construct the Foothill Extension into San Bernadino County. **SUPPORT WORK WITH AUTHOR**

D. **AB 2147 (Cedillo)** – Would clarify the statutes related to Metro’s red-light photo enforcement program. **SUPPORT WORK WITH AUTHOR**

F. **AB 2405 (Blumenfield)** – Would authorize alternative-fuel vehicles to use the Express Lanes without being subject to a toll. **OPPOSE WORK WITH AUTHOR**

56. CONSIDER:

A. Approving the Project Definition, which is based on the Locally Preferred Alternative of a **1.9 mile Light Rail project** with three stations previously designated by the Board in October 2010 and which incorporates several design refinements, including:

1. Creating an enhanced pedestrian walkway along the east side of Flower Street between 4th and 7th Streets;
2. Relocating the Little Tokyo/Arts District underground station to minimize property required and eliminate the cut-and-cover segment on 2nd Street in Little Tokyo originally required for construction;
3. Launching the Tunnel Boring Machine from the northeast corner of 1st and Alameda Streets, the Mangrove property formerly known as the Nikkei development, instead of 2nd Street;
4. Tunneling to Flower and 4th Streets in the Financial District, further reducing cut/cover in the area.

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NON-CONSENT CONTINUED –

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- B. Certifying the **Regional Connector Transit Corridor** Final Environmental Impact Statement/Final Environmental Impact Report; The full report is available upon request or at www.metro.net/regionalconnector.

- C. Authorizing the Chief Executive Officer (CEO) to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse.

- D. Adopting the:
 - 1. Finding of Fact and Statement of Overriding Considerations in accordance with the California Environmental Quality Act;

 - 2. Mitigation Monitoring & Reporting Plan (MMRP) as modified by the Findings of Fact and Statement of Overriding Considerations.

 - 3. Per EJ-3 in the MMRP and the Findings of Fact and Statement of Overriding Considerations, two acres of land shall be provided on the Mangrove property for the purposes of providing alternative parking services during construction which would include satellite parking served by shuttle buses or other parking services in the business area of Little Tokyo. Any parking services shall be operated by a licensed/bonded parking company selected through a Request for Proposal process. The appropriate parking service provided will be determined with the participation of the Regional Connector Community Leadership Council (RCCLC) and/or other subcommittee. Through the RCCLC, LTCC, and other community groups it shall be assessed the feasibility of establishing a shuttle service connecting local parking lots and Little Tokyo/Arts District with destinations in downtown.

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NON-CONSENT CONTINUED –

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4. Per EJ-16 in the MMRP and the Findings of Fact and Statement of Overriding Considerations, targeted advertising and marketing campaigns shall be provided determined by the RCCLC, LTCC and/or other community based groups. An MOU agreement shall be developed to implement and compensate the process. The MOU will include but not limited to provide the following:
 - Marketing and Merchant Support
 - Technical and Business Assistance
 - Business Interruption Program to provide an expeditious standard for claims resolution and reimbursement
 - Marketing Services and Branding Campaign
 - Merchant Discounts and Incentives/Rewards Program
 - Signage (for businesses and access)
 - Special Event Planning (including support)
5. The designation of a Construction Relations Manager to serve as the point person for all community concerns regarding the project prior to construction. This person will be responsible for the entire project area and funded from the project budget.
6. Reports will be made to the Board in April and June 2012 with the implementation strategy for the above activities, with quarterly reports to the Board thereafter, and throughout the duration of the construction period.

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NON-CONSENT CONTINUED –

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E. Authorizing the CEO to:

1. Exercise modification No. 14 to Contract No. PS4320-1985 with Camp Dresser & McKee for assistance with our application for entry into Final Design and preparation of documents related to the Full Funding Grant Agreement after receipt of the Record of Decision from the Federal Transit Administration for the period of 17 months in the amount not-to-exceed \$850,324, increasing the total contract amount from \$15,702,178 to \$16,552,502.
2. Increase contract modification authority for Contract No. PS4320-1985 in the amount not-to-exceed \$127,549, increasing the total contract modification authority from \$2,071,179 to \$2,198,728 to cover the cost of any potentially unforeseen issues that may arise.

57. **FASANA MOTION** that the Metro Board of Directors directs the CEO to report to the System Safety and Operations Committee and the full Board within 90 days of what is in place today and a plan for future actions that will improve the distribution of customer friendly, real time freeway incident information to the public. The report shall address the following components:

- A. Identification of existing systems, protocols, procedures, responsibilities, etc. regarding the collection and distribution of freeway information, in particular incident information and planned closures, to the public;
- B. Development of a strategy to
 1. improve the coordination between Metro, LA SAFE, Caltrans, CHP and any other stakeholder; and

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NON-CONSENT CONTINUED –

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2. improve the dissemination of customer friendly freeway incident information in a safe and efficient manner (i.e. minimizing driver distractions), including the integration of the information into the Metro website, the use of new technologies, mobile applications and social media, and the developments and use of an open data platform;

C. Summary of current USDOT (FHWA and RITA-Research and Innovative Technology Administration) strategies on how to use intelligent transportation systems to better distribute freeway information to the public in a safe and expedient manner;

D. A realistic timeline and resource requirements to implement short, medium and long term strategies to improve the quality and the distribution of freeway information to the public.

58. **ANTONOVICH, NAJARIAN and WILSON MOTION that the MTA Board of Directors initiates an evaluation of the CEO** to be completed by June 30, 2012. This evaluation will:

- Be conducted by an outside, independent consultant
- Seek input from each board member on the performance of the CEO as well as direct reports to the CEO
- Develop for the Board performance objectives, goals and criteria for the CEO to meet for the next 12 months and on which to be evaluated in the following performance evaluation
- Maintain confidentiality
- Be monitored and guided by the Chair, Vice Chair and 2nd Vice Chair of the Board for successful, on-time completion

‡ WE ALSO MOVE that the MTA Board adopt as a required policy an annual independent performance evaluation of the CEO. This evaluation process will commence no later than March 30th of each year and be completed by June 30th of each year, starting in 2013.

NON-CONSENT CONTINUED –

59. **ANTONOVICH MOTION** that the MTA Board of Directors recognizes the **High Desert Corridor as a Strategic Multipurpose Corridor** which provides mobility, economic and environmental benefits for the people of Los Angeles County, and directs the CEO to have staff clear the project environmentally as such a project, with the provision that San Bernardino County provides its share of the funds for this work.
60. **RIDLEY-THOMAS MOTION** that the Metro Board:
- A. Instruct the Chief Executive Officer and staff to prepare the following:
1. A brief summary of best practices for Value Capture in transit agencies around the world.
 2. Identification and a brief summary of existing statutory authority that permits financing of transportation infrastructure through Value Capture or tax increment.
 3. An estimate of the enhanced value to property owners proximate to existing Measure R-financed projects.
 4. A comprehensive list of Value Capture options for consideration in the Los Angeles County Metro system and currently underfunded projects that could be financed by this mechanism.
 5. Report back to the Board in 90 days in writing with recommendations for moving forward with Value Capture programs at Metro, including, but not limited to:
 - a. Creation of Benefit Assessment Districts surrounding Metro stations and major highway interchanges;
 - b. Identification, reactivation and use of existing Benefit Assessment Districts that are already in place;

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NON-CONSENT CONTINUED –

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- c. Use of property tax reassessments to capture value;
- d. Use of density bonuses, parking variances and other incentives; and
- e. Other mechanisms.

END OF NON-CONSENT ITEMS

61. CLOSED SESSION:

- A. Conference with Labor Negotiator - G.C. 54957.6
Agency Representative: Richard Hunt and designated staff
Employee Organizations: ATU, UTU, TCU, Teamsters, AFSCME

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

