

# REVISED 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

Michael Antonovich, Chair  
Diane DuBois, 1<sup>st</sup> Vice Chair  
Richard Katz, 2<sup>nd</sup> Vice Chair  
John Fasana  
José Huizar  
Don Knabe  
Gloria Molina\*  
Ara J. Najarian  
Pam O'Connor  
Mark Ridley-Thomas  
Antonio Villaraigosa  
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

\*Director Molina:  
via telephone  
Hotel City Express  
Puebla Angelopolis  
Circuito Juan Pablo II  
No. 1755, Col. La Noria,  
Puebla 72410, Mexico



**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.

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](http://www.mta.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, SEPTEMBER 27, 2012**

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	78
8	4	
10	24	
11	44	
12	62	
16	74	
17	75	
18	76	
18.1	77	
20		
21		
22		
31		
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34**		
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** REQUIRES 2/3 VOTE		

1. APPROVE **Consent Calendar** Items:  
2, 8, 10, 11, 12, 16, 17, 18, 18.1, 20, 21, 22, 31, 32, 33, 34\*\*, 35\*\*, 43, 45, 46, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, and 73.

\*\*Items 34 and 35 require 2/3 vote of the Board.

## **CONSENT CALENDAR**

2. APPROVE a) **Minutes of the Regular Board Meeting** held July 26, 2012 and b) **Minutes of the Adjourned Regular Board Meeting from July 26, 2012** held August 6, 2012.
  
8. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) AND CONSTRUCTION COMMITTEE RECOMMENDED (4-0) approving revisions to the **Metro Transit Project Contingency Policy**.
  
10. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0):
  - A. approving the transit projects shown in Attachment A of the board report for a Letter of Interest request for loans in the amount of up to \$3.3 B to the **United States Department of Transportation for a Transportation Infrastructure Finance and Innovation Act (TIFIA) Master Credit Agreement (MCA) and pay related fees and expenses**; and
  - B. deferring the San Fernando Valley I-405 Corridor Connection and West Santa Ana Branch Corridor from the initial MCA request because current project development schedules indicate that they cannot meet a three-year deadline to close a project-specific TIFIA loan.
  
11. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a one-year firm fixed price Contract No. PS4430-2886 to Moore & Associate, Inc. to conduct the fiscal year **(FY) 2010 - 2012 independent performance review** of all Los Angeles County transit operators receiving state Transportation Development Act (TDA) Article 4, and operators receiving Proposition A funds in lieu of TDA Funds and Metro as the Regional Transportation Planning Entity, for the fixed price of \$531,906.

**CONSENT CALENDAR CONTINUED:**

12. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to **renew group insurance policies** covering Non-Contract, AFSCME, and Expo employees for the one-year period beginning January 1, 2013.
  
16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
  - A. approving additional State Route (SR-) 138 project list and funding allocations for the **Measure R SR-138 Capacity Enhancements**; and
  - B. amending the FY13 budget to add the \$4.9 million for the proposed projects with funding allocations in FY13.
  
17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
  - A. amending the FY 2012-13 LACMTA Budget to add \$3,000,000 from Measure R 3% Commuter Rail funds for the Rancho Vista Grade Separation Project; and
  - B. authorizing the CEO to execute a MOU with the City of Palmdale for Preliminary and Final Engineering for **the Rancho Vista Grade Separation Improvement Project**.
  
18. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving the proposed revised project list for the previously programmed first five years of the Measure R highway operational improvement project funding for the **Arroyo Verdugo Subregion**.

## **CONSENT CALENDAR CONTINUED:**

### 18.1 PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving **NAJARIAN MOTION:**

When Measure R was drafted, the proposed legislation included funds allocated to three Los Angeles county subregions to be used specifically for highway improvements. The "equity" funding was included in the Measure to offset the lack of major transit projects in these areas. The three subregions were defined as called out in the Long Range Transportation Plan (LRTP): Arroyo-Verdugo (the cities of Burbank, La Canada Flintridge and Glendale), Las Virgenes/Malibu (the Las Virgenes Cog and the unincorporated area of the County) and the South Bay COG, which includes as a member the unincorporated area of the County. The funding was based on 2000 census population for the cities and included the County.

With the 2008 passage of Measure R, MTA implemented a Highway Advisory Committee, which included stakeholders in the equity funds. This Committee was essentially involved in oversight of the eligibility of projects. The MTA Area Team staff began working directly with the cities, i.e., Burbank, Glendale and La Canada Flintridge in the Arroyo-Verdugo Subregion. A list of projects was developed, along with allocations and cashflows, which was approved by the Board for the first five years of allocations. There are signed agreements between the MTA and the three cities and projects beyond first five years have been planned.

From the inception of the Highway Advisory Committee until recently, there has been no mention of County involvement in the Arroyo Verdugo project development, allocations or cashflow projections and the LRTP does not call out the County as part of the subregion. Yet this report states that MTA staff will be coming back to the Board with a recommendation on programming projects in future years for the County from Arroyo Verdugo equity funds. This attempt at policy-making is premature, given the fact that the resent assertion regarding County eligibility has not yet been vetted legally.

MOVE that County Counsel provide the legal foundation, including specific documents, detailed descriptions, with citations, as to how, in the case of the Arroyo-Verdugo Subregion, the County should have part of any encumbered funds; and

FURTHER MOVE that any reference to staff bringing back a recommendation for future programming be struck from this report and the legality of this assertion be brought back to the Board. at the December 2012 meeting.

**CONSENT CALENDAR CONTINUED:**

20. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED  
(3-0) approving **LABONGE MOTION:**

To facilitate the flow of freeway traffic and reduce congestion, it is critical that connector lanes along the US-101 and the SR-134 are implemented.

I move that the MTA Board direct the CEO to **investigate the feasibility of building a connector road from US-101 northbound to SR-134 eastbound.**

21. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED  
(3-0) approving **LABONGE MOTION:**

Growing traffic congestion in the San Fernando Valley is further constrained by limited lanes on the SR-134.

I move that the MTA Board instruct the CEO to study and make recommendations on **expanding the existing two lane westbound and two lane eastbound on the SR-134 at the US-101 and SR-170 interchange** to add additional two lanes in each direction within the existing right-of-way.

22. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED  
(3-0) approving **RIDLEY-THOMAS AND MOLINA MOTION** that the MTA Board of Directors direct the CEO to report back at the ~~January~~ February 2013 Metro Planning and Programming Committee in writing with recommendations along with a funding strategy and timeline for moving forward with a **Rail to River Bikeway** along the Metro-owned right-of-way from the Los Angeles River to the West Boulevard Station for the Crenshaw/LAX Light Rail Line.

**CONSENT CALENDAR CONTINUED:**

31. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) approving the following actions related to the **Regional Connector Transit Corridor Project**:
  - A. authorizing the CEO to negotiate and execute a Contract Modification for Change No. 18 to Contract No. E0119 with the Connector Partnership Joint Venture to provide engineering support for utility relocations design, develop design refinements to mitigate environmental impacts on Flower Street, and to provide engineering support services during the solicitation process, for an amount not to exceed \$7,000,000, increasing the total contract value from \$32,929,709 to \$39,929,709; and
  - B. increasing the Contract Modification Authority (CMA) in the amount of \$1,050,000 for potential future changes, resulting in available CMA of \$2,601,017.
  
32. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute annual expenditure budget plan for the **FY13 Annual Work Plan for City of Los Angeles**.
  
33. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to execute the following actions related to the **I-405 Sepulveda Pass Improvements Project**:
  - A. multiple change orders to Contract No. C0882, with Kiewit Infrastructure West Company, for additional construction of the rephased Mulholland Drive Overcrossing, Bridge 22, for an amount not to exceed \$3,764,593, increasing the total contract value from \$815,006,202 to \$818,770,795;
  - B. multiple change orders to Contract No. C0882, with Kiewit Infrastructure West Company, for additional design work of the I-405 Realignment between Stations 1754+00 and 1839+75 including Getty Impacts, for an amount not to exceed \$4,431,060, increasing the total contract value from \$818,770,795 to \$823,201,855; and

(Continued next page)



## CONSENT CALENDAR CONTINUED:

(Item 33 – Continued)

- C. multiple change orders in phases to Contract No. C0882, with Kiewit Infrastructure West Company, for additional construction work to mitigate landslide conditions at Retaining Wall 1921, for an amount not to exceed \$3,380,000, increasing the total contract value from \$823,201,855 to \$826,581,855.

### 34. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1):

- A. finding that use of the **design-build process** pursuant to Public Utilities Code Section 130242(a) will achieve certain private sector efficiencies in the integration of the design, project work and components for the first 3.9 mile segment of the **Westside Subway Extension Transit Corridor Project**; and
- B. further finding that the use of the design-build process pursuant to Public Contract Code 20209.5 et seq. will provide for a single contract with fewer procurement solicitations and contracts, which allows for a best value selection.

(REQUIRES 2/3 VOTE OF THE BOARD)

### 35. CONSTRUCTION COMMITTEE RECOMMENDED (4-0):

- A. finding that awarding a design-build contract pursuant to Public Utilities Code Section 130242 will achieve for the Los Angeles County Metropolitan Transportation Authority (LACMTA) certain private sector efficiencies in the integration of the design, project work and components related to the construction of the proposed **Division 13 Compressed Natural Gas Fueling Facility** in Los Angeles County; and
- B. authorizing the Chief Executive Officer to solicit and award a design-build contract for the construction of the Division 13 Compressed Natural Gas Fueling Facility pursuant to Public Utilities Code Section 130242.

(REQUIRES 2/3 VOTE OF THE BOARD)

## CONSENT CALENDAR CONTINUED:

43. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0):
- A. approving upgrade of Oracle Business Suite (FIS) and establish Life-of-Project budget of \$12.9M for the **Enterprise Business Suite Upgrade**, Project No. 207132; and
  - B. amending the FY13 budget by adding \$1.5M in revenues and expenses to Project No. 207132 Enterprise Business Suite Upgrade.
45. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approving **KNABE MOTION** that the MTA Board:
1. Instruct the CEO to report back during the next MTA Board meeting cycle in October 2012 on what it would take to **“accelerate” completion of the Green Line to LAX/Airport Metro Connector Project**, with or without Measure J, for construction completed and in revenue service by 2018, on a timeline that complements both the Crenshaw Corridor Light Rail Project and the South Bay Green Line Extension Project, which are connected to and share the Green Line Corridor;
  2. Identify and recommend a strategic implementation framework and action plan that includes project and funding alternatives, and options for working with LAWA, as well as local, state, and federal partners, to fund and implement the Green Line to LAX/Airport Metro Connector Project on an accelerated schedule;
  3. Identify and recommend advocacy efforts with relevant federal agencies (FTA, FAA, etc) to better coordinate and streamline the federal review process, including resolving any road blocks to project funding, implementation and acceleration;
  4. Report back on any relevant comments that may be submitted to LAWA by Metro in response to the LAX SPAS DEIR public review process; and
  5. Return to the Board in the October 2012 Board Meeting cycle to present the report and recommendations for consideration and discussion by the full Board.

## **CONSENT CALENDAR CONTINUED:**

46. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) authorizing staff to prepare a Proposal for the Los Angeles County Metropolitan Transportation Authority (Metro) to become the **Managing Agency of the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Service.**
  
54. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 12-0047 with Engineered Machine Products, Inc., the lowest responsive and responsible bidder for the procurement of 91 **electric fan system units** for an amount not to exceed \$1,246,947 inclusive of sales tax.
  
55. 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 12-0038 to S & A Systems, Inc., the lowest responsive and responsible bidder for **bus data loggers** for an amount not to exceed \$1,501,403, inclusive of sales tax and a one year option.
  
56. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a fixed firm price contract under IFB No. OP39602953 with Martinez Electric Transportation Company, responsible bidder to supply 60,000 feet of **high voltage electrical cables for Metro Blue Line Traction Power Substations Replacement project** for an amount not to exceed \$1,100,000 inclusive of sales tax.
  
57. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 10-0011 to Luminator Holding L.P., the lowest responsive and responsible bidder, for 75 sets of **P865/P2020 light rail vehicle destination signs** for an amount not to exceed \$1,426,175.

## **CONSENT CALENDAR CONTINUED:**

58. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year, firm fixed unit rate revenue generating contract under Request for Proposal No. OP31202883 to Pacific Oil Company for **used oil recycling services**, for potential revenue of \$1,079,250.00, inclusive of three one-year options.
59. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. MA120024 with Valley Power Systems, Inc. for the procurement of 15 **engine rebuild kits** for an amount not to exceed \$421,367, increasing the total contract value from \$2,230,779 to \$2,652,146.
60. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 1 to Contract No. OP39612514 with NextBus Inc., to expand the **Nextrip real-time bus arrival information system** to rail through 2016 in the amount of \$628,862, increasing the total contract value from \$1,649,900 to \$2,278,762.
61. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to execute an option to **purchase an approximately 66,540 square foot property located at 410 Center Street, Los Angeles, CA** (the Property") pursuant to a lease between Bennett Greenwald, Trustee of the Bennett Greenwald Trust and LACMTA. The purchase price for the Property pursuant to the Lease is \$6,615,000, if the option is exercised on or before November 1, 2012, plus the amortized and unpaid portion of the Tenant Improvement Costs estimated to be ~~\$270,193~~ **\$715,542** as of November 4, 2012;
- B. authorizing the Chief Executive Officer or his delegate to enter into a Purchase and Sale Agreement with the owner of the Property to affect the purchase of the Property pursuant to the terms of the proposed Purchase and Sale Agreement including in the original Lease Agreement during fiscal year 2013; and  
(Continued on next page)

## CONSENT CALENDAR CONTINUED:

(Item 61 – continued from previous page)

- C. amending the FY13 budget for Cost Center 2610, System Security and Law Enforcement in the amount of \$7,500,000 to allow MTA to perform environmental assessment and land acquisition.

63. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute modifications for the following **facilities maintenance and administration maintenance contracts:**

- A. Anti-Graffiti Film Replacement and Installation Services - OP33442235 - XInt Tint: Increase contract value to improve anti-graffiti film replacement frequency from an eight-week cycle with a 60% replacement rate to a four-week cycle and a 100% replacement rate, and continue performing maintenance services on the recently expanded system including Exposition Phase I (Expo I) and the Metro Orange Line Extension (MOLE). Increase the current contract not-to-exceed amount of \$1,988,505, by \$2,118,850, for a new total contract amount not to exceed \$4,107,355;
- B. Tree Trimming Services - OP33442483 - Davey Tree: Increase contract value to provide major tree trimming and improvements within the 41 Caltrans Park and Ride (P&R) lots, Expo I, and continue performing maintenance services system-wide. Increase the current contract not to exceed amount of \$253,797 by \$600,000 for a new total contract amount not to exceed \$853,797;
- C. Power Sweeping Services - OP33442097 - Nationwide Environmental Services: Increase contract value to continue providing power sweeping services within the 41 Caltrans P&R lots; increase service frequency from twice a month to once a week; continue enhanced power sweeping maintenance services system-wide inclusive of the Expo I and MOLE; and contingency for up to four months extension of the performance period while a new procurement is completed. Increase the current contract not-to-exceed amount of \$4,104,490, by \$989,000, for a new total contract amount not to exceed \$5,093,490; and

(Continued on next page)

## **CONSENT CALENDAR CONTINUED:**

(Item 63 – continued from previous page)

- D. Right-Of-Way Trash and Vegetation Removal Services - OP33442103 – Woods Maintenance Services: Increase contract value to provide trash and vegetation removal services within the 41 Caltrans P&R lots; the Union Pacific (UP) Right-Of-Way (ROW) sections adjacent to the Metro Blue Line stations; enhance maintenance services system-wide including Expo I and MOLE; and contingency for up to five months extension of the performance period while a new procurement is completed. Increase the current contract not-to-exceed amount of \$5,157,880 by \$1,107,366, for a new total contract amount not to exceed \$6,265,246.

64. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) approving the following **nominee for membership on the San Fernando Valley Service Council:**

Kathryn Engel, New Appointment

Nominated by: Ara Najarian, Councilmember, City of Glendale

Term Ending: June 30, 2014

73. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving **YAROSLAVSKY MOTION:**

In March 2000, the MTA Board adopted a policy for Metro System Advertising. One of the key elements of this policy is the prohibition on non-commercial advertising, including public service announcements. Specifically, advertising must promote for sale, lease or other form of financial benefit a product, service, event in primarily a commercial manner for primarily a commercial purpose. Part of reason for this limitation was to ensure that our buses, trains and transit facilities are not deemed public forum. However, there is concern regarding the consequences of the policy.

The policy's prohibition on non-commercial advertising includes advertising for non-profit organizations. The policy's prohibition on non-commercial advertising provides an exception for governmental entities that advance specific government purposes. That exception does not apply to non-profit organizations. As a result, we are presently prohibited from accepting advertising for events such as The March of Dimes Walk, United Way, AIDS Walk Los Angeles, Susan G Komen Breast Cancer Walk, etc.  
(Continued next page)

## **CONSENT CALENDAR CONTINUED:**

(Item 73 – Continued)

Very often, non-profit organizations partner with, or are supported by, governmental entities. While our policy may be well intended, the current application of the language prohibits non-profit organizations that are partnered with or supported by governmental entities from advertising on our system. For our collective best interest, we need to reevaluate our policy.

I, THEREFORE, MOVE that the board direct staff to review the current **Metro Advertising Policy** and report back to the Board in 60 days on how the current policy may be amended consistent with the concerns outlined above while preserving the non-public forum status of our system.

## **END OF CONSENT CALENDAR**

### **NON-CONSENT**

3. Chair's Report.
4. Chief Executive Officer's Report.
  - Present Commendations to MTA Employees from the Accessibility Advisory Committee.

## **NON-CONSENT - CONTINUED**

24. **RIDLEY-THOMAS MOTION** regarding the **best practices for value capture in transit agencies:**

Move that the CEO pursue the following next steps with regard to Value Capture opportunities:

1. Support State legislation that would allow the formation of special tax increment finance districts specifically targeted to facilitate transit-oriented development.
2. Expand Metro's joint development program, including assessing the feasibility of selling excess entitlements, and positioning station portals and utilities to optimize development potential.
3. Support local government measures to reduce or eliminate automobile parking requirements around transit stations, as a means for encouraging transit-oriented development.
4. Explore potential federal and state enabling legislation that would facilitate creation of a revolving land acquisition fund to acquire properties around transit stations for sale or lease at a gain in value to support transit capital construction and the operation of transit systems.
5. Investigate potential enabling legislation that would allow new alternatives for improving the real estate operations of Metro, including the creation of a semi-autonomous, publicly-owned, non-profit corporation to provide land assembly and real estate services for transportation purposes, and other alternative organizational models which might enable Metro to benefit from a more active role in land development and value capture around transit stations.



## **NON-CONSENT - CONTINUED**

44. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS authorizing the Chief Executive Officer to award:
- A. Contract No. PS12714022, a five-year revenue-generating contract, inclusive of three one-year options, effective January 1, 2013, for a **license to sell and display advertising on the Metro Bus fleet** on a fixed, guaranteed revenue basis with revenue to Metro totaling \$104,250,000, to CBS Outdoor Group Incorporated; and
  - B. Contract No. PS12714023, a five-year revenue-generating contract, inclusive of three one-year options, effective January 1, 2013, for a license to sell and display advertising on the Metro Rail system on a fixed, guaranteed revenue basis with revenue to Metro totaling \$5,750,000 to CBS Outdoor Group Incorporated.

The total amount of revenue generated from these two contracts will be \$110,000,000.

62. SYSTEM SAFETY AND OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:
- A. authorizing the Chief Executive Officer to award a seven-year, unit rate Contract No. PS11064106R to Consolidated Disposal Service, the lowest responsive and responsible bidder **for integrated waste management services** for an amount not to exceed \$6,993,296 effective December 1, 2012; and
  - B. approving contract modification authority specific to Contract No. PS11064106R in the amount of \$1,200,000 for waste management services for additional bin pick-up service and new Metro facilities which are expected to open during the contract term.

74. RECEIVE **civil rights compliance update.**

75. RECEIVE oral **report on System Safety.**

## **NON-CONSENT - CONTINUED**

76. RECEIVE oral report on **I-405 and Metro Orange Line chronology and status update.**  
(CARRIED OVER FROM JULY BOARD MEETING)
77. RECEIVE **update on the P2550 Rail Vehicle Program.**

## **END OF NON-CONSENT ITEMS**

78. **CLOSED SESSION:**

- A. Conference with Labor Negotiator – G.C. 54957.6:  
Agency Representative: Richard Hunt  
Employee Organization: ATU
- B. A. Conference with Real Estate Negotiators – G.C. 54956.8:  
  
Property: 9323 Bellanca Avenue, Los Angeles CA 90045  
Agency negotiator: Velma Marshall  
Negotiating parties: 9323 Bellanca Associates, L.P.,  
a Delaware Limited Partnership  
Under negotiation: price and terms.
- C. B. Conference with Legal Counsel – Pending Litigation – G.C. 54956.9(a):  
  
1. Jenny Lopez v. LACMTA, Case No. BC 460008  
2. Catherine King v. LACMTA, Case No. BC 468370
- D. G. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9(b):  
Significant Exposure to Litigation (1 case)

(Continued next page)

(Item 78 – Continued)

E. D. Public Employee Performance Evaluation – G.C. 54957:  
Chief Executive Officer

F. E. Conference Regarding Potential Threats to Public Services  
and Facilities – G.C. 54957:

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

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