

# AGENDA

## Regular Board Meeting Board of Directors

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

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### Call to Order

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### Directors

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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

### Officers

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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:  
Mayor Villaraigosa's D.C. Office  
1301 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 90004



**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, APRIL 25, 2013**

| <b>CONSENT<br/>CALENDAR ITEMS</b> | <b>NON-CONSENT<br/>ITEMS</b> | <b>CLOSED SESSION</b> |
|-----------------------------------|------------------------------|-----------------------|
| 2                                 | 3                            | 72                    |
| 10                                | 4                            |                       |
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1. APPROVE **Consent Calendar** Items: 2, 10, 15, 17, 18, 19, 31, 32, 33, 34, 35, 36, 37, 50, 51, 52 and 63.

## **CONSENT CALENDAR**

2. APPROVE **Minutes of the Regular Board Meeting held March 28, 2013.**
  
10. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to **purchase All Risk Property and Boiler and Machinery insurance policies for all property** at a not to exceed price of \$2.4 million for the 12-month period May 10, 2013 through May 10, 2014.
  
15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to negotiate and execute:
  - A. **a five-year, cost plus fixed fee (CPFF) contract under RFP No. PS2415-3046 with HNTB, Inc., for the Doran Street Crossing Grade Separation Project engineering services**, for an amount not to exceed \$5,774,644, inclusive of two one-year options; and
  - B. a contract with the next most qualified proposer, should staff be unable to conclude negotiations with HNTB, Inc.
  
17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AND AD HOC CONGESTION PRICING COMMITTEE RECOMMENDED (2-0):
  - A. receiving and filing the **I-5 North Capacity Enhancements Draft Supplemental Environmental Impact Report/Environmental Reevaluation;**
  - B. adopting High Occupancy Toll Lanes, replacing the previously proposed High Occupancy Vehicle Lanes, on Interstate 5 from State Route 14 to Parker Road in the City of Santa Clarita and

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 17 – continued from previous page)

unincorporated Los Angeles County, California, as the Locally Preferred Alternative; and

C. authorizing the Chief Executive Officer to:

- a. execute modification(s) to Contract No. PS4370-2316 Public-Private Partnership (PPP) Consulting Services, with InfraConsult LLC, (Consultant), to continue providing PPP advisory and transactional services for Accelerated Regional Transportation Improvements (ARTI) under Task 5 – Procurement and Task 6 – Concession/Contractual Agreements, representing all final work required to reach commercial and financial close with a concessionaire in early 2015, in an amount not to exceed \$8.7 million, increasing the Total Contract Value from \$18,857,535 to \$27,557,535;
- b. increase Contract Modification Authority specific to Contract No. PS4370-2316 to fund pending changes in an amount not to exceed \$1,305,000; and
- c. amend the FY13 budget to increase expenditures by \$4,700,000 and the FY14 budget by \$3,000,000 for contract amendments.

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

- A. awarding and executing a firm fixed price **Contract No. PS4730-2932 to Kimley-Horn and Associates, Inc. for State Route 138 between Interstate 5 and State Route 14 project approval and environmental document, for a fixed price of \$9,203,412;**
- B. authorizing the Chief Executive Officer to execute individual contract modifications as required, but not to exceed a total of 15% of the total contract amount to cover the cost of any unforeseen issues that may arise during the performance of the contract; and
- C. including up to \$5 million in Cost Center 4730 in FY14 budget to cover expenditures for that fiscal year.

**CONSENT CALENDAR CONTINUED:**

19. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1):
- A. approving the **prioritization list for the transfer of up to 42 park and ride lots owned by the State of California to Metro**;
  - B. authorizing the Chief Executive Officer to prepare appropriate documents and execute all agreements necessary to move forward with and effect the transfer of the park and ride locations from the State of California to Metro in the amount of \$1,500,000 for transfer of Priority 1 and 2 park and ride lots;
  - C. authorizing the CEO to enter into negotiations with the City of El Monte and property owner for the acquisition of an approximately 3.5 acre property/parcel located at Santa Anita Ave and the Interstate Route 10/Brockway St. (Gunderson Chevrolet) in an amount not to exceed \$8,500,000 to support the on-going operation of the El Monte Transit Center and Busway park and ride lot; and
  - D. including \$10,000,000 in the FY 14 budget to fund recommendations B and C.
31. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing **life-of-project (LOP) budget for Division 11 Body Shop Ventilation (CP 204123) by \$1,650,000**, increasing the LOP budget from \$550,000 to \$2,200,000.
32. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:
- A. establishing **bench contracts commencing April 1, 2013 to provide contract task-order based engineering and technical services for various Wayside Systems operating and capital projects**; and
  - B. executing Contract Task orders under the individual bench contracts in a cumulative amount not to exceed \$5,000,000.

**CONSENT CALENDAR CONTINUED:**

33. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing **life-of project (LOP) budget for Metro Blue Line Signal Rehabilitation, CP 211005 by \$63,180,000**, increasing the LOP budget from \$820,000 to \$64,000,000.
34. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to negotiate and execute a contract modification for Change Order No. 2 to Contract No. C0966R with TRC Solutions, Inc., to perform additional **water mitigation services** that are not covered in the base contract for a period of one month in an amount not to exceed \$286,114 and increasing the total contract value from \$842,548 to \$1,128,662; and
  - B. increasing the Contract Modification Authority (CMA) by 15% of the recommended not-to-exceed Contract Modification in the amount of \$42,917 increasing the total CMA from \$100,000 to \$142,917.
35. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year firm fixed price Contract No. OP35903018, to **Veolia Transportation for Contract Bus Service** in an amount not to exceed \$62,245,053 for the five-year period effective August 3, 2013.
36. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute:
- A. Modification No. 1 to Contract No. PS68102730 with Xerox State and Local Solutions (Xerox) to provide **photo enforcement Operations, Maintenance, and Citation processing services** for the Exposition Line for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$501,600, increasing the total contract value from \$877,800 to \$1,379,400, effective July 1, 2013;

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 36 – continued from previous page)

- B. Modification No. 6 to Contract No. SP035 with Xerox to provide photo enforcement Operations, Maintenance, and Citation processing services for the Blue and Orange Lines for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$1,531,200, increasing the total contract value from \$12,359,820 to \$13,891,020, effective July 1, 2013; and
  - C. Modification No. 2 to Contract No. SP037 with Xerox to provide photo enforcement Operations, Maintenance, and Citation processing services for the Metro Gold Line Photo Enforcement Program for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$712,800, increasing the total contract value from \$2,422,200 to \$3,135,000, effective July 1, 2013.
37. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to execute **a Memorandum of Understanding (MOU) with the Los Angeles Community College District (LACCD) and the Los Angeles Trade Technical College (LATTC) to work with Rail Operations' management** to design, develop and deliver standardized training curriculum to support Rail Technical Training for Metro's incumbent workforce and to support the Rail Apprentice Program as defined in the ATU & LACMTA 2010-2013 Negotiations Tentative Agreement – Article 8 Section G;
  - B. authorizing \$187,000 as part of the MOU with LATTC, to design, develop and deliver standardized training curriculum to support the Rail Technical Training Program; and
  - C. authorizing the Chief Executive Officer to approve access to Metro Rail facilities and equipment, and the donation of obsolete or surplus equipment and materials to be used as supplemental training aids.



**CONSENT CALENDAR CONTINUED:**

50. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) adopting the **following official and operational station names for the six stations that comprise Metro Rail's Gold Line Foothill Extension Phase 2A:**

| <u>Official Station Name</u> | <u>Operational Station Name</u> |
|------------------------------|---------------------------------|
| A. Arcadia                   | Arcadia                         |
| B. Monrovia                  | Monrovia                        |
| C. Duarte/City of Hope       | Duarte/City of Hope             |
| D. Irwindale                 | Irwindale                       |
| E. Azusa Downtown            | Azusa Downtown                  |
| F. APU/Citrus College        | APU/Citrus College              |

51. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0):
- A. approving **continuation of the pilot Youth On The Move (YOTM) program and move it from pilot program status to a regular program**, similar to the Immediate Needs Transportation Program, Support for Homeless Re-Entry and Rider Relief Transportation Programs;
  - B. approving a Public Hearing to be held during the month of June 2013 at the scheduled Executive Committee and/or Board meeting to receive public comment on the proposed fare change to be implemented in July 2013 to continue to give free EZ and Metro passes to the Youth On The Move program; and
  - C. authorizing publication of the Notice of Public Hearing, to be advertised beginning Friday, May 17, 2013.

52. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0):
- A. **AB 179 (Bocanegra)** – Would prohibit a transportation agency from selling or providing personally identifiable information obtained through electronic toll collection. **SUPPORT IF AMENDED**

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 52 – continued from previous page)

- B. **AB 266 (Blumenfield/Bloom)** - Would extend expiration date of current low emission vehicle program allowing use of HOV lanes without carrying the requisite number of passengers until the year 2025. **OPPOSE**  
**UNLESS AMENDED NEUTRAL**
  - C. **SB 286 (Yee)** – Would extend expiration date of current low emission vehicle program allowing use of HOV lanes without carrying the requisite number of passengers. **NEUTRAL**
  - D. **AB 417 (Frazier)** – Establishes a CEQA exemption for bicycle transportation plans until 2018. **SUPPORT**
  - E. **AB 466 (Quirk-Silva)** – Would require that federal funds allocated under the Air Quality and Improvement Program be based on a weighted formula that considers population and pollution. **SUPPORT**
  - F. **AB 756 (Melendez)** – Would have CEQA lawsuits pertaining to Public Works Projects heard directly by the Court of Appeals. **SUPPORT**
  - G. **AB 1257 (Bocanegra)** – Would require the California Energy Commission to prepare a report that identifies strategies to best employ natural gas as an energy source. **SUPPORT**
  - H. **SB 142 (DeSaulnier)** – Would authorize a transit district/operator/agency to create special benefit districts and issue bonds (repaid through special assessments) within the district(s) to create rail and transit stations. **SUPPORT**
63. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) adopting the **following official and operational station names for the seven stations that comprise Metro Rail’s Expo Line Phase 2 extension:**

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 63 – continued from previous page)

| <u>Official Station Name</u>                    | <u>Operational Station Name</u> |
|---|---------------------------------|
| A. Palms  | Palms                           |
| B. Exposition/Westwood                          | Expo/Westwood                   |
| C. Exposition/Sepulveda                         | Expo/Sepulveda                  |
| D. Exposition/Bundy                             | Expo/Bundy0                     |
| E. 26 <sup>th</sup> Street/Bergamot             | 26 <sup>th</sup> St/Bergamot    |
| F. 17 <sup>th</sup> Street/Santa Monica College | 17 <sup>th</sup> St/SMC         |
| G. Downtown Santa Monica                        | Downtown Santa Monica           |

Any costs related to adopting these names will be borne by the Expo Construction Authority.

(CARRIED OVER FROM MARCH BOARD MEETING)

**END OF CONSENT CALENDAR**

**NON-CONSENT**

- 3. Chair’s Report.
  
- 4. Chief Executive Officer’s Report.
  
- 9. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting a resolution authorizing:
  - A. **the issuance of bonds by competitive bond sale to refund the Prop C 2009 A1 & A2 Bonds and approving the Notice of Intention to Sell Bonds and Notice Inviting Bids;**
  
  - B. the termination of the associated interest rate swap and standby bond purchase agreement; and
  
  - C. the bond documentation associated with the issuance of the bonds, including, but not limited to, a preliminary official statement.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

**NON-CONSENT CONTINUED:**

11. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) APPROVAL AS REVISED AND EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION issuing the appropriate notices to enable an **amendment to the Measure R Expenditure Plan to advance “Funds Available Beginning” dates** for transit corridor projects as shown in the Proposed Measure R Expenditure Plan.
  
16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AS AMENDED BY WILSON approving the following actions for the **2013 Countywide Call for Projects:**
  - A. preliminary Transportation Modal Category Funding Marks and Preliminary Fund Estimate of \$150 million;
  
  - B. reprogram \$49.3 million from the 2012 Countywide Call for Projects (Call) Deobligations to the 2013 Call; and
  
  - C. receive and file report on the response to the February 20, 2013 Board motion regarding active transportation.

AMENDMENT: Any reserve remaining subsequent to TAC appeals could be used for Crenshaw Project pedestrian uses. [HANDOUT]

29. RECEIVE **report on System Safety and Operations.**
  
  
41. AUTHORIZE the Chief Executive Officer to execute **a revision to Contract Modification No. 22 to Contract No. C0882, with Kiewit Infrastructure West Company (Kiewit), for an additional \$3,500,000** to construct the realignment of the I-405 Freeway between Stations 1754+00 and 1839+75, including mitigation for Getty impacts, increasing the Total Contract Value from \$829,203,103 to \$832,703,103, without a change to the life-of-project budget.

**NON-CONSENT CONTINUED:**

42. CONSIDER:

- A. approving a reduction to the **Division 2 Maintenance Building Renovation and Facility Upgrade Capital Project** (CP 202307) life-of-project (LOP) Budget in the amount of \$9,200,000 resulting in a new Division 2 LOP Budget of \$33,375,000, and reprogram to fund construction work for Division 13 (CP 202001);
- B. approving an increase to the LOP Budget for the Division 13 Bus Maintenance and Operations Facility (Division 13) by \$9,200,000 from \$95,000,000 to \$104,200,000; and
- C. awarding Contract No. OP83803019, to design and construct the Division 13 Compressed Natural Gas Fueling Facility, and to operate and maintain for 10-years, to Clean Energy, the lowest responsive, responsible bidder, in an amount not to exceed \$11,583,048.

57. RECEIVE report on **Civil Rights Compliance Update**.

68. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) approval of **YAROSLAVSKY MOTION** that the monthly maintenance fee be waived for 6 months for all participants who either work or reside in Los Angeles County; and

FURTHER that Staff continue to gather and analyze data and provide the Board with quarterly updates.

**FASANA AMENDMENT** to terminate accounts after 6 months of non-use.

(CARRIED OVER FROM MARCH BOARD MEETING)

**NON-CONSENT CONTINUED:**

69. RECEIVE oral report on **fare restructuring**.
70. **NAJARIAN MOTION** that the CEO direct staff to provide the full board at its May 2013 meeting with an accounting of MTA's roles and responsibilities as a Caltrans "partner" in the alternative study and any future analysis for the SR-710 Gap Closure Project. **[HANDOUT]**
71. ADOPT staff recommended position on **AB 574 (LOWENTHAL-LONG BEACH)** which would establish an allocation plan for Cap and Trade revenues including an allocation process administered by regional agencies. **SUPPORT IF AMENDED**

**END OF NON-CONSENT ITEMS**

72. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):
1. Cynthia Madueno v. LACMTA, Case No. BC482792
  2. Crenshaw Subway Coalition v. LACMTA, Case No. CV 11-9603-FMO (JCx) consolidated with CV 12-01672-FMO (JCx)
- B. Conference with Labor Negotiator – G.C. 54957.6:  
Agency Representative: Richard Hunt  
Employee Organizations: TCU, AFSCME
- C. 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 and Sheriff Commander Anda, 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