

REVISED AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

*via telephone
City Hall, Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

**via telephone
The Westin Philadelphia
99 S 17th St.
Philadelphia, PA 19103

Call to Order

Directors

Michael Antonovich, Chair
Diane DuBois, 1st Vice Chair
Richard Katz, 2nd 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

Arthur T. Leahy, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
Karen Gorman, Acting Inspector General
County Counsel, General Counsel



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting. The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item. 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.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, MAY 23, 2013**

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	61
10	4	
11	<u>19</u>	
16	20	
17	24	
18	26	
27	35	
28	45	
29	51	
30	52	
31	55	
37	56	
38	57**	
46	58**	
48	59	
49	60	
53		
** REQUIRES 2/3 VOTE		

1. APPROVE **Consent Calendar** Items: 2, 10, 11, 16, 17, 18, 27, 28, 29, 30, 31, 37, 38, 46, 47, 49 and 53.

(**REQUIRES 2/3 VOTE OF THE BOARD)

CONSENT CALENDAR

2. APPROVE [Minutes of the Regular Board Meeting held April 25, 2013.](#)

10. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:

- A. apply [Utility-Related Financing in Accelerating Energy Program Implementation](#); and

- B. use Project Number 450001 funds for administration of projects developed using Utility-Related Financing.

11. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting [the proposed Fiscal Year 2014 Budget.](#)

~~(REQUIRES 2/3 VOTE OF THE BOARD)~~

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

- A. approving [Alameda Corridor East \(ACE\) Measure R expenditure plan](#) in the aggregate amount of \$358 million; and

- B. authorizing the Chief Executive Officer to execute a Master Agreement with ACE and Project Addendums issued pursuant to the Master Agreement consistent with the Board approved ACE Funding Program.

CONSENT CALENDAR CONTINUED:

17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute and enter into an amendment to Metro's existing Joint Development Agreement (JDA) with McCormack Baron Salazar, Inc. (MBS) for the development of a 1.5-acre parcel (the Site) situated across the [First Street and Boyle Avenue intersection from the Metro Gold Line Mariachi Plaza Station](#) to:
- A. extend the term of the JDA two (2) years to May 31, 2015;
 - B. modify the scope of the proposed development;
 - C. change the configuration and appearance of the project to accommodate the modified scope; and
 - D. acknowledge that affordable housing funding sources may require the recordation of long-term affordability covenants against all or a portion of the Site, and agree to review, consider and allow such covenants and their recordation, all in substantial accordance with the terms and conditions set forth.
18. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute an agreement with the California Highway Patrol (CHP) to provide [services in support of the Metro Freeway Service Patrol \(FSP\), Big Rig Service Patrol, and ExpressLanes FSP](#) programs during FY14 in an amount not to exceed \$1,290,000.
27. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) awarding a 12-month, firm fixed price contract PS63502839 with [Oniqua MRO Analytics to develop and implement an Inventory Optimization System](#). This award is for a contract not-to-exceed \$1,173,734, inclusive of sales tax.

CONSENT CALENDAR CONTINUED:

28. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
- A. approving **FY14 budget of \$67,172,267 for Access Services**, including \$2,000,000 which will be paid directly to the Southern California Regional Rail Authority (Metrolink) for its participation in the Board-adopted Free Fare Program; and
 - B. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority and the Southern California Regional Rail Authority (Metrolink) for Metrolink's Free Fare Agreement for a period of five years.
29. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) awarding a 24-month, firm fixed price contract under Bid Number 13-0025 to the following lowest responsive and responsible bidders for **brake shoes and drums** for an amount not-to-exceed \$2,568,131 inclusive of sales tax and a one-year option:
- A. NABI for line items 1 through 5 (Brake Shoe & Lining Assembly Sets) for a total contract value of \$1,353,011;
 - B. MCI Services Parts, Inc., for line item 6 (Brake Drum Front) for a total contract value of \$247,353; and
 - C. Vehicle Maintenance Program, Inc. for line items 7 through 10 (Various Brake Drums), for a total contract value of \$967,767.
30. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) awarding a 24-month, firm fixed price contract under Bid Number 13-0026 to the following lowest responsive and responsible bidders for **bus bellows and suspension parts** for an amount not-to-exceed \$5,031,595 inclusive of sales tax and a one-year option:
- A. Mohawk Mfg & Supply Co. for line items 2 through 4 for a total contract value of \$999,169;

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CONSENT CALENDAR CONTINUED:

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- B. NABI for line items 1, 8, 10-13, 16, 18-25 and 27 for a total contract value of \$3,331,392;
 - C. Gillig LLC for line items 5 and 26 for a total contract value of \$565,058; and
 - D. Muncie Reclamation and Supply for line items 7 and 9 for a total contract value of \$135,976.
31. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) the Chief Executive Officer to negotiate and execute a Contract Modification to Contract OP-02-4610-10 with Cubic Transportation Systems, Inc. (“CTS”) **for Universal Fare System maintenance** for the base contract period July 1, 2013 to June 30, 2019, in an amount not-to-exceed \$55,000,000, increasing the total contract value from \$169,669,048 to \$224,669,048.
37. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Contract Modification No. 69 to Contract No. C0882, with Kiewit Infrastructure West Company (Kiewit), for \$1,424,811 for redesign of the **Mulholland Overcrossing (Bridge 22) in order to rephase demolition and construction**, increasing the total contract value from \$847,362,785 to \$848,787,596 without a change to the LOP budget.
38. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing:
- A. an increase to the Total Contract Value for Contract No. MC069, with Stantec Consulting, Inc. to provide **Construction Management Support Services** in an amount not-to-exceed \$13,909,000 for the FY14 Annual Work Program Funding, from \$52,940,000 to \$66,849,000; and
 - B. the Chief Executive Officer to execute individual Contract Work Orders and Modifications within the Board approved contract value.

CONSENT CALENDAR CONTINUED:

46. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED

(4-0) [adopting staff recommended positions:](#)

A. **AB 268 (Holden)** – States the intent of the legislature to extend the Metro Gold Line Foothill Extension project to Ontario Airport with intermediate stops along the transit corridor. **WORK WITH AUTHOR**

B. **AB 1290 (Perez)** – would integrate land use and transportation decisions by restructuring the California Transportation Commission and form a committee and require reports to be submitted by local agencies to implement the provisions of SB 375. **WORK WITH AUTHOR**

C. **AB 1371 (Bradford)** – would enact the “Three Feet for Safety Act” which would require a motorist passing a bicycle to slow to a reasonable speed and pass only when doing so would not endanger the safety of a bicyclist. **SUPPORT**

D. **SB 811 (Lara)** – would require the environmental impact report for the Interstate 710 project to include various mitigation measures related to bicycle and pedestrian paths and the Los Angeles river and would require the project to fund those mitigations and various job training and employment programs. **SUPPORT**

48. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED

(4-0) authorizing the Chief Executive Officer to:

A. amend the existing revenue contract with Allvision LLC to:

1. amend the minimum guaranteed revenue from \$100,000 annually for five years to a revenue guarantee of \$500,000 payable on or before June 30, 2015;

2. provide an option to extend the existing contract term for an additional five year term effective July 1, 2015 through June 30, 2020, with minimum guaranteed annual revenue of \$100,000; and

B. negotiate the terms of Development Agreements with local municipalities for the [installation of outdoor advertising signs](#) subject to Board approval of each agreement.

CONSENT CALENDAR CONTINUED:

49. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) the Chief Executive Officer to execute modification No. 17 to Contract No. PS33201664 with **ACS State and Local Solutions (now Xerox Services) to provide continuation of Regional TAP Service Center services for a period of up to twelve months** (including six one-month options) in an amount not-to-exceed \$8,800,000, increasing the total contract value from \$50,201,724 to \$59,001,724. The base extension is six months with six additional months to be issued, as required by Metro, on a month-to-month basis.

53. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) delegating authority to the Chief Executive Officer to conclude **negotiation, approve and execute a revenue producing lease for the former "Union Bagel" location in Union Station.**

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report.

4. Chief Executive Officer's Report.

19. **RIDLEY-THOMAS MOTION** to establish an inter-jurisdictional working group for Value Capture with a report back in September 2013.

20. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED APPROVAL (4-0) of **ANTONOVICH MOTION** that the CEO return in June with a proposal to **increase Sunday service on the Antelope Valley Line** from three to six round trips, as part of the proposed Metrolink budget.

(Continued on next page)

NON-CONSENT CONTINUED:

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ALSO MOVE that the CEO work with Metrolink and Amtrak to do the following:

- A. identify missed connections between Metrolink trains and between Metrolink and Amtrak trains;
 - B. implement an updated schedule plan that allows for Metrolink and Amtrak train schedules to be coordinated to allow for timely transfers throughout the region; and
 - C. report back to the Board at the June 2013 Planning Committee and Board Meeting with an update on these efforts and timeline for completion.
24. RECEIVE [report on System Safety](#).
26. AUTHORIZE the Chief Executive Officer to execute Modification No. 9 (Option 2) to Contract No. PS2610LASD with the County of Los Angeles Sheriff's Department (LASD) to provide [law enforcement services](#) for the period covering July 1, 2013 through June 30, 2014 in the amount not-to-exceed \$83,855,638 an increase of \$3,225,217 over the current fiscal year.
35. RECEIVE **report by the Caltrans District Director on Delivery of Projects on I-5.**
45. RECEIVE **oral Federal/State Affairs update.**
51. RECEIVE **Civil Rights update.**

NON-CONSENT CONTINUED:

52. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED APPROVAL (4-0) of [ANTONOVICH AND NAJARIAN MOTION](#) that the Board directs the CEO to expedite the construction of the platform using other MTA resources outside of the Regional Rail Department;

FURTHER MOVE that a report and timeline be brought back to the Construction Committee and Full Board in July 2013 that will include a groundbreaking and completion date in coordination with Bob Hope Airport.

FURTHER MOVE that the MTA Board authorize the expenditure of additional Measure R 3% funds totaling \$1.7 million to support the Airport's commitment of timely use of federal grant funds and improving "plane-to-train" connections to the existing regional passenger rail system.

55. AUTHORIZE the Chief Executive Officer to award a five-year firm fixed price bench contract, under Contract No. PS12701049 with the contractors named below for [vanpool lease services](#) in an amount not to exceed \$35,732,000 inclusive of two one-year options effective June 1, 2013:

- California Vanpool Authority
- Enterprise Rent-A-Car Company of Los Angeles (dba Enterprise Rideshare)
- VSPI, Inc (dba vRide)

(CARRIED OVER FROM FEBRUARY BOARD MEETING)

56. APPROVE the following [nominees for Service Council membership](#):
- A. Council Member Gene Daniels, Paramount
Nominated by: Gateway Cities
Term Ending: June 30, 2017

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NON-CONSENT CONTINUED:

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- B. Council Member Lillie Dobson, Compton
Nominated by: Gateway Cities
Term Ending: June 30, 2017

- C. Council Member Ana Maria Quintana, Bell
Nominated by: Gateway Cities
Term Ending: June 30, 2017

- D. Former Mayor Harry Baldwin, San Gabriel
Re-nominated by: San Gabriel
Term Ending: June 30, 2017

57. CONSIDER:

- A. holding a public hearing on the proposed Resolution of Necessity;
and

- B. adopting the [Resolution of Necessity](#) authorizing the commencement of an eminent domain action to acquire CR-3801 (APN 5013-023-007), consisting of the real property and the immovable fixtures and equipment.

(REQUIRES 2/3 VOTE OF THE BOARD)

58. CONSIDER:

- A. holding a public hearing on the proposed Resolution of Necessity;
and

- B. adopting the [Resolution of Necessity](#) authorizing the commencement of an eminent domain action to acquire Parcel SW-0004 (APN 4125-021-007), consisting of the real property and the immovable fixtures and equipment.

(REQUIRES 2/3 VOTE OF THE BOARD)

59. RECEIVE **Buy America update.**

NON-CONSENT CONTINUED:

60. RATIFY the action of the Board Chair in offering a [reward for information leading to the identification, apprehension, and conviction of a suspect](#) who assaulted a Metro bus operator on Friday, May 10, 2013.

END OF NON-CONSENT ITEMS

61. **CLOSED SESSION:**

A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):

1. Kathleen Silva v. LACMTA, L.A.S.C. Case No. NC 056854
2. Saul Cortez v. LACMTA, L.A.S.C. Case No. BC 463587
3. Faithful Central Bible Church v. LACMTA, California Public Utilities Commission, Case No. C. 12-07-008

B. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9(b):

1. Significant exposure to litigation (one case)

C. Conference with Real Property Negotiator – G.C. 54956.8

1. Property Description: 5730 Arbor Vitae Street, Los Angeles, CA 90045
Agency Negotiator: Velma Marshall
Negotiating Party: Arbor Vitae Industrial Development, LLC
Under Negotiation: Price and terms
2. Property Description: 349 E. Florence Avenue, Inglewood, CA 90301
Agency Negotiator: Velma Marshall
Negotiating Party: George R. Antoun
Under Negotiation: Price and terms

(Continued on next page)

END OF NON-CONSENT ITEMS

(Item 61 – continued from previous page)

D. 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 Michelle Caldwell, Chief Administrative Services Officer, or her designee, and 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