

REVISED AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Diane DuBois, Chair
Michael Antonovich
Mike Bonin
Jackie Dupont-Walker
John Fasana
Eric Garcetti
Don Knabe
Paul Krekorian
Gloria Molina
Ara J. Najarian
Pam O'Connor
Mark Ridley-Thomas
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

1. APPROVE **Consent Calendar** Items: 2, 9, 10, 14, 15, 16, 17, 18, 42, 43, 44, 45, 52, 54 and 59.

CONSENT CALENDAR

2. APPROVE [Minutes of the Regular Board Meeting held June 27, 2013.](#)
9. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) amending the FY14 budget to add \$125,000 of revenues and expenses to Metro Commute Services, cost center 7140, for the purpose of funding a [Rideshare Incentives Program to be implemented in conjunction with the MSRC "Rideshare Thursday" public awareness campaign.](#)
10. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to negotiate and award [excess liability insurance](#) policies with up to \$250 million in limits at a cost not to exceed \$3.65 million for the 12-month period effective August 1, 2013 to August 1, 2014.
14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. awarding and executing a firm fixed price Contract No. PS13FSP71R for a period of 30 months to ACCU Construction, Inc. to provide landscape installation and maintenance services in support of the Metro [Freeway Beautification Project](#) for a fixed price of \$2,634,736; and
 - B. authorizing the CEO 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.

[\[HANDOUT\]](#)

CONSENT CALENDAR CONTINUED:

15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):

- A. recertifying \$117.9 million in existing Fiscal Year (FY) 2013-14 commitments from previous [Countywide Call for Projects](#) and authorizing the expenditure of funds to meet these commitments;
- B. deobligating \$12.23 million of previously approved Countywide Call for Projects funding. Prioritizing 2013 and future deobligated dollars to fund the three previously approved County of Los Angeles Signal Call projects that were not near-term priorities per the 2011 Long Range Transportation Plan (LRTP) Transportation Improvement Program (TIP) Priority List:
 - 1. San Gabriel Valley Traffic Signal Corridors Project (#F3308);
 - 2. Gateway Cities Traffic Signal Corridors Phase VI Project (#F3309); and
 - 3. South Bay Traffic Signal Corridors Project (#F3310);
- C. authorizing the Chief Executive Officer (CEO) to:
 - 1. negotiate and execute all necessary agreements for approved projects; and
 - 2. amend the FY 2013-14 budget, as necessary, to include the 2013 Countywide Call for Projects Recertification and Extension funding in the regional Programs' budget;
- D. reprogramming funding for the City of Malibu – Malibu Bus Stop Improvements Along Pacific Coast Highway Project (#F5409) from FY 2014-15 and FY 2015-16 to FY 2013-14;
- E. approving changes to the scopes of work for the:
 - 1. City of Rancho Palos Verdes – Bike Compatible Roadway Safety Project (#F1506),

(Continued on next page)

CONSENT CALENDAR CONTINUED:

(Item 15 – continued from previous page)

2. City of San Gabriel – Las Tunas Drive Streetscape Enhancement Project (#F1804), and
3. City of South Gate – I-710/Firestone Blvd. Interchange Reconstruction (#6347) funded through previous Call for Projects; and

F. receiving and filing time extensions for 80 projects.

16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving the following [Los Angeles County actions regarding changes to the federal transit formula programs in FY13 and FY14 for MAP-21](#), and as may be continued in future federal funding authorizations and appropriations:

- A. provide sub-allocation amounts for Section 5307 Urbanized Area Formula Grants Program funding, which now may be used to fund eligible Job Access and Reverse Commute (JARC) projects, and which is sub-allocated to the Los Angeles County transit operators and Metro Operations to the Southern California Association of Governments (SCAG);
- B. authorize Section 5307 funding recipients to establish their own processes for funding JARC-eligible projects at their individual discretion;
- C. pursue Designated Recipient status for the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program, which now may be used to fund New Freedom-eligible projects, and sub-allocate Program funding through a Call for Projects process;
- D. provide sub-allocation amounts for Section 5337 State of Good Repair Grants Program (High Intensity Motorbus) funding which is sub-allocated to the Los Angeles County transit operators and Metro Operations by using Federal Transit Administration (FTA) formulas to SCAG;

(Continued on next page)

CONSENT CALENDAR CONTINUED:

(Item 16 – continued from previous page)

- E. provide sub-allocation amounts for Section 5339 Bus and Bus Facilities Formula Program funding that uses the existing capital allocation formula for the Los Angeles County transit operators and Metro Operations to SCAG; and
 - F. authorize the Chief Executive Officer to negotiate and execute Memoranda of Understanding (MOUs) or agreements with the Southern California Association of Governments, and other agencies, as necessary, to implement the recommended actions above.
17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
- A. executing Contract Modification No. 1 to Contract No. PS4530-3052, Improved Linkages to Gateway/Union Station (Linkages Study), with Cityworks Design to provide planning services for active transportation around the Little Tokyo/Arts District Regional Connector Station for an additional term of three months in an amount not-to-exceed \$402,000, increasing the total contract value from \$499,333 to \$901,333; and
 - B. approving Contract Modification Authority specific to Contract No. PS4530-3052, in the amount of \$100,000.
18. PLANNING AND PROGRAMMING AND CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. approving a Model Construction Relations Program that has been deployed in support of all major transit projects commencing with the Orange Line; and
 - B. providing clear agency guidelines to aid in managing public expectations for the scope and breadth of project activities that may be conducted to address the rigors and impacts of construction as the projects proceed.

CONSENT CALENDAR CONTINUED:

42. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute [multiple change orders in phases to Contract No. C0882, with Kiewit Infrastructure West Company](#), for a total cumulative value not-to-exceed a credit of \$5.4 million, with no change to the LOP budget, to allow the existing Getty Center Drive on and off ramps to remain in their current configuration, decreasing the total contract value from \$833,396,479 to \$827,996,479.

43. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approving a decrease to the Life of Project (LOP) budget by \$8 million to reflect [cancellation of Betterment work by the California Department of Transportation](#) (Caltrans) for maintenance and repair of existing Caltrans Drainage, decreasing the LOP budget from \$1,149.4 million to \$1,141.4 million.

44. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
 - A. authorizing the Chief Executive Officer (CEO) to execute an 11-year cost-plus fixed fee contract plus two one-year options, Contract No. MC071, to Westside Extension Support Team (WEST) to provide [Construction Management Support Services \(CMSS\) for the Purple Line Extension Transit Corridor Project](#) in an amount not-to-exceed \$4,683,115 for the first year FY 14 Annual Work Program Funding; and

 - B. establishing Contract Modification Authority for 15% of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

CONSENT CALENDAR CONTINUED:

45. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):

- A. authorizing an increase to the total contract value for Contract No. PS100800-2641 with MARRS Services, Inc., to provide [Construction Management Consultant Support Services for Bus Facilities Capital Projects](#) in an amount not to exceed \$3,100,000, increasing the total contract value from \$2,500,000 to \$5,600,000; and
- B. authorizing the Chief Executive Officer to execute individual Task Orders and Modifications within the Board approved contract value.

52. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0)
adopting the [staff recommended positions on State Legislation](#):

- A. **AB 612 (Nazarian)** – Would require that for every intersection with a photo enforcement system, an additional one second be added to every yellow light interval. **OPPOSE**
- B. **SB 556 (Corbett)** – Would require that all government agencies that contract for services, include on the contracted personnel and equipment notifications that the personnel and equipment is not operated by a government employee. Would further specify that the notice shall be in the same font size and logo of the government agency. **OPPOSE UNLESS AMENDED**

54. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0)
authorizing the Chief Executive Officer to amend the FY14 budget to add 38 Full Time Employees and \$1,000,000 for the transitioning of the [TAP Call Center and Reduced Fare Application Processing services from Xerox Services \(formally Affiliated Computer Services \[ACS\]\) to in-house at Metro](#) as a result of the legally binding arbitration decision.

[\[HANDOUT\]](#)

CONSENT CALENDAR CONTINUED:

59. AD-HOC SUSTAINABILITY COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to [adopt the Biomethane Implementation Plan.](#)

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report.
- A. CONSIDER **election of Board Officers.**
4. Chief Executive Officer's Report.
11. FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to [establish a bench of financial advisors](#) with each of the recommended firms in two categories as follows:
- A. Lead – KNN Public Finance, Montague DeRose, Public Financial Management
- B. Projects – Backstrom McCarley Berry & Co., Fieldman Rolapp & Associates, Lamont Financial Services Corporation, Mazyck Advisors LLC and NW Financial LLC, Public Resources Advisory Group, Sperry Capital

These contracts will be for six years inclusive of two one-year options for a total amount not to exceed \$5,300,000.

NON-CONSENT CONTINUED:

19.1 CONSTRUCTION COMMITTEE RECOMMENDED (3-0) AS AMENDED
RIDLEY-THOMAS MOTION that:

- A. Metro continue to investigate successful Business Loss Mitigation Programs in Seattle, Minneapolis and other metropolitan areas, and to catalog and evaluate specific programs that are proved to be successful.
 - B. Metro shall work with the City of LA and the County of LA to explore possible funding for such a program if it is deemed feasible and seek public and private partnerships to facilitate in this effort.
 - C. Prepare recommendations for a Small Business Loss Mitigation Fund specifically targeted to assisting small and locally-owned businesses along the Crenshaw/LAX Transit Corridor between 48th Street and 60th Street in Los Angeles.
 - D. Report back to the Board in 60 days with these recommendations.
31. AWARD a ten-year firm fixed rate contract, Contract No. OP133367106, to Clean Energy for the **Operation and Maintenance (O&M) services of Compressed Natural Gas fueling stations at Divisions 2, 8, 9 and 15** for an amount not-to-exceed \$24,958,700 effective August 1, 2013.
32. AWARD a 24-month, firm fixed price contract under Bid Number 13-0039 to the following lowest responsive and responsible bidder for **bus differentials** for an amount not-to-exceed \$4,346,606 inclusive of sales tax and a one-year option:
- A. Axletech for line items 1 (Oil Seal), 2 (Seal Assembly), and 6 (Hub Assembly w/Studs) for a total contract value of \$794,561;
 - B. NABI for line items 3 (Hub Assembly Rear), 5 (Hub Assembly LH and RH), 7 (Axle Sleeve), 8 (Differential Assembly), 9 (Differential Assembly Carrier), 10 (Differential Assembly), 11 (Differential Assembly) for a total contract value of \$3,342,993; and
 - C. New Flyer for line item 4 (Hub Assembly) for a total contract value of \$209,052.

NON-CONSENT CONTINUED:

33. CONSIDER:

- A. authorizing the Chief Executive Officer to negotiate and execute a contract modification to Contract No. OP33202869 with New Flyer of America, Inc., in the not-to-exceed amount of \$3,500,000 for the **installation of upgraded ADA and enhanced safety provisions**; and
- B. increasing the Capital Life-of-Project (LOP) budget from \$304,942,450 to \$308,442,450 to reflect this \$3,500,000 modification.

34. CONSIDER:

- A. **increasing the Life-of-Project (LOP) budget for the Light Rail Vehicle (LRV) Procurement (P3010)** by \$396,650,000 increasing the total LOP budget from \$342,350,000 to \$739,000,000. This allows the Chief Executive Officer to exercise Options 1 (28 vehicles for Crenshaw/fleet replacement) and 4 (69 vehicles for fleet replacement) of the P3010 contract as previously authorized; and
- B. amending and increasing the FY14 annual budget in cost center 3043 in the amount of \$36,632,173 for the mobilization costs associated with exercising Options 1 and 4 above.

35. ANTONOVICH MOTION that the CEO **communicate the latching of the gates timeline to the public through a communication plan** with a report back to the Board in 30 days.

41. RECEIVE AND FILE report responding to Antonovich and Najarian Motion on the **advancement of the new Metrolink Bob Hope Airport/Hollywood Way Station**.

NON-CONSENT CONTINUED:

55. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approval of [Knabe Motion to change the name of the Transit Mall station on the Metro Blue Line to “Downtown Long Beach Station.”](#)
60. RECEIVE response to Najarian Motion regarding Caltrans and MTA’s roles and responsibilities as it relates to the 710 North EIR/EIS.

END OF NON-CONSENT ITEMS

58. **CLOSED SESSION:**

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

1. Chris Bates v. LACMTA, Case No. NC 056009
2. Graciela de la Paz Hernandez v. LACMTA, Case No. BC 485342
3. Nicodemo Soto v. LACMTA, Case No. BC 491114
4. Today’s IV, Inc. v. LACMTA, LASC Case No. BS 137540 and USDC Case No. CV 13-0378 JAK (PLAx)
5. Japanese Village Plaza, LLC v. LACMTA, LASC Case No. BS 137343 and USDC Case No. CV 13-0396 JAK (PLAx)
6. 515 and 555 Flower Associates, LLC v. LACMTA LASC Case No. BS 137271 and USDC Case No. CV 13-0453 JAK (PLAx)

B. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(c):

1. Initiation of Litigation (One Case)

(Continued on next page)

CLOSED SESSION CONTINUED:

(Item 58 – continued from previous page)

C. Conference with Real Estate Negotiator – G.C. 54956.8:

1. Property: 5730 Arbor Vitae Street, Los Angeles, CA (SW-0102) and 5740 Arbor Vitae Street (Parcel SW-010), Los Angeles, CA
Agency Negotiator: Velma Marshall
Negotiating Party: Avis Budget Car Rental, LLC
Under Negotiations: Price and terms
2. Property: 7100 West Boulevard, Los Angeles, CA (HS-2702)
Agency Negotiator: Velma Marshall
Negotiating Party: Stewart and Shirley Oatman
Under Negotiations: Price and terms

D. Conference with Labor Negotiator – G.C. 54957.6:

1. Agency Representative: Don Ott
Employee Organizations: UTU, ATU, TCU & AFSCME

E. Public Employment – G.C. 54957:

1. Title: Inspector General

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