

REVISED AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Diane DuBois, Chair
Eric Garcetti, 1st Vice Chair
Mark Ridley-Thomas, 2nd Vice Chair
Michael Antonovich
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Don Knabe
Paul Krekorian
Gloria Molina
Ara J. Najarian
Pam O'Connor
Zev Yaroslavsky
Carrie Bowen, 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, 14, 15, 16, 17, 25, 26, 28, 29, 30, **37, 38, 39, 49, 54, 55.

** REQUIRES 2/3 VOTE

CONSENT CALENDAR

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

14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1):
 - A. awarding 63 Contract Agreements under the [Countywide Planning Bench \(RFIQ\) No. PS4010-3041](#) with the contractors recommended for a three-year period with two one-year options beginning October 1, 2013 for professional services not to exceed a cumulative total value of \$30 million; and
 - B. authorizing the Chief Executive Officer to execute individual task orders under the individual Bench Contracts for up to \$1,000,000 per task order.

15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving the [competitive grant program framework to fund a series of regional Open Streets events](#) in response to the June 27, 2013 Board directive (Motion 72).

16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. authorizing the Chief Executive Officer (CEO) to proceed with the [current phase of the project development process for all second and third decade Measure R Transit projects](#), including, upon receiving authorization from the Federal Transit Administration, releasing Draft Environmental Impact Statements/Reports (EIS/EIRs) for public comment and selecting a Locally Preferred

(Continued on next page)

CONSENT CALENDAR CONTINUED:

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Alternative (LPA). Board authorization for future development phases would be conditioned upon full funding plans being identified for each project;

- B. authorizing the CEO to proceed with the current phase of the project development process for all **Measure R Highway projects** including releasing Draft EIS/EIRs for public comment and selecting LPAs. Board authorization for future development phases would be conditioned upon full funding plans being identified for each project; and
- C. receiving and filing this report which responds to the June 2013 Board directive on the status of second and third decade Measure R projects (Motion 10.2A), and estimated completion dates of all Highway Projects (Motion 10.4).

17. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1):**

- A. awarding 25 contracts for the [Highway Programs Planning and Deliverables Bench RFIQ PS4730-3053](#) with the contractors recommended for a three year base period with two, one-year options beginning November 1, 2013 for professional services not to exceed a cumulative value of \$10 million; and
- B. authorizing the Chief Executive Officer to execute individual task orders under the individual Bench Contracts for up to \$1,000,000 per task order.

25. **AWARD a [firm fixed price contract to Enterprise Electronic, Inc. as a sole source provider to procure eight duplex 160 MHz radio frequencies](#) for an amount not to exceed \$2,738,668, inclusive of sales tax. This amount also covers five years of as-needed labor support and five years of as-needed equipment support.**

CONSENT CALENDAR CONTINUED:

26. CONSIDER:

- A. increasing the **Life-of-Project (LOP) Budget for the Metro Blue Line Turnout Rehabilitation project, CP 205101**, by **\$650,000** increasing the LOP budget from \$2,350,000 to \$3,000,000; and
- B. awarding a firm fixed price **contract under Bid No. 13-0045 with Cleveland Track Material, Inc.**, the lowest responsive and responsible bidder, for the procurement of 13 right and 13 left hand rail turnout sets for an amount not to exceed \$1,739,339.

28. CONSIDER:

- A. awarding a firm fixed price **contract under Bid No. 13-0029 to Cummins Cal Pacific, LLC**, the lowest responsive and responsible bidder, for the procurement of up to 100 natural gas fueled engines for an amount not to exceed \$5,328,138 inclusive of sales tax; and
- B. authorizing the Chief Executive Officer to exercise option with Cummins Cal Pacific, LLC for 95 additional natural gas fueled engines, if required, for an amount not to exceed \$5,290,473 inclusive of sales tax.

29. AWARD a five-year firm fixed unit rate **contract under Bid No. OP31203099 with Hazardous Technologies, Inc.**, the lowest responsive and responsible bidder, for liquid waste removal services in an amount not to exceed \$4,052,200.00 inclusive of two one-year options.

30. CONSIDER:

- A. approving the recommended revised **Stop Spacing Standards**; and
- B. receiving and filing the **Triennial System Monitoring Report** required by Title VI.

CONSENT CALENDAR CONTINUED:

37. CONSTRUCTION COMMITTEE RECOMMENDED (4-0):

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. authorizing the Chief Executive Officer to award the design-build contract for the Division 20 Maintenance and Storage Facilities Modifications.~~

(REQUIRES TWO-THIRDS VOTE)

38. CONSTRUCTION COMMITTEE RECOMMENDED (3-1) approving an increase to the [Exposition Phase 1 Life of Project budget by \\$39 million, increasing the project budget from \\$932 Million to \\$971 Million](#). This recommendation is based on the updated forecast for the Long Range Transportation Plan approved by the MTA Board in June 2013.

39. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to increase the [Contract Modification Authority for Contract No. PS116510023, Right-of-Way Acquisition and Relocation Services Bench \(Bench\) in the amount of \\$3,300,000](#) from \$100,000 to \$3,400,000 for a total contract value of \$4,400,000, to cover the cost of any unforeseen tasks that may arise during the performance of the Bench.

49. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) adopting the [Title VI Program Update. \[HANDOUT\]](#)

54. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approval of [DUBOIS MOTION](#) that staff shall:

(Continued on next page)

CONSENT CALENDAR CONTINUED:

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- A. communicate directly with the new California State Transportation Agency and request that the following projects be included in any list of PNRs transmitted to the Federal Highway Administration: Alameda Corridor East, the I-710 Corridor/Desmond Bridge; and the High Desert Corridor; and
 - B. coordinate PNRs related activities, with the Regional CEO's working group, Southern California representatives on the State Freight Advisory Committee and the National Freight Advisory Committee; Alameda Corridor East Construction Authority, and the Ports of Los Angeles and Port of Long Beach.
55. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approving **DUBOIS MOTION** that ~~County Counsel~~ Staff return to this Committee, in October, with revised Public Input rules that maximize Public Input and provide this Board flexibility in conducting meetings.

END OF CONSENT CALENDAR

NON-CONSENT

- 3. Chair's Report.
- 4. Chief Executive Officer's Report.
 - Progress and Status of the 3 P's (Response to Najarian Motion)
- 5. AUTHORIZE the Chief Executive Officer to **renew existing group insurance policies covering Non-Contract, AFSCME and Expo employees** for the one-year period beginning January 1, 2014.

NON-CONSENT CONTINUED:

13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED APPROVAL AS AMENDED (5-0) [the following actions for 2013 Countywide Call for Projects:](#)
- A. recommendations responding to the Technical Advisory Committee (TAC) motions regarding the 2013 Countywide Call for Projects (Call) and additional funding recommendations;
 - B. program \$199.39 million in eight modal categories. This amount also programs the 2012 Deobligations and the 2013 Call TAC reserve;
 - C. conditionally approve the 2013 Call subject to later review by the MTA Board of Directors once the impacts of State and the Southern California Association of Governments (SCAG) project selection processes are finalized for the Active Transportation Program;
 - D. amend the recommended 2013 Call Program of Projects into the FY 2013-2014 Los Angeles County Regional Transportation Improvement Program (Regional TIP);
 - E. administer the 2013 Call as a project-specific grant program with the requirement that project sponsors bear all cost increases;
 - F. authorize the Chief Executive Officer to administratively provide project sponsors with funding in earlier years than shown, if the project sponsor can demonstrate project readiness to proceed, has sufficient local match and such funds are available; and
 - G. adopt the resolution required by SCAG which certifies that Los Angeles County has the resources to fund the projects in the FY 2013-2014 Regional TIP and affirms its commitment to implement all of the projects in the program.

NAJARIAN MOTION: That \$3 million be approved using Call deobligated funds for the City of Palmdale ITS project along Avenue R.

NON-CONSENT CONTINUED:

36. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. authorizing the Chief Executive Officer to execute multiple change orders to [Contract No. C0882, with Kiewit Infrastructure West Company](#), to increase funding for Contract Schedule C Provisional Items in an amount not to exceed \$55,871,261, increasing the total contract value from \$826,872,376 to \$882,743,637;
- B. increasing the authorized not-to-exceed value of **Contract Modification No. 75 by an additional \$153,295 for multiple change orders to Contract No. C0882, with Kiewit Infrastructure West Company**, to mitigate landslide conditions at Retaining Wall 1921. This will bring the total not-to-exceed authorized value for this work to \$3,533,295, increasing the Contract value from \$882,743,637 to \$882,896,932; and
- C. authorizing the Chief Executive Officer to execute multiple change orders to **Contract No. C0882, with Kiewit Infrastructure West Company, to settle Claim No. 51** for additional design and construction work associated with existing landslide conditions at Retaining Wall 2004, for the not-to-exceed value of \$4,509,171, increasing the Contract value from \$882,896,932 to \$887,406,103.

48. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED UNDER RECONSIDERATION AS AMENDED (4-0) authorizing the Chief Executive Officer to:

- A. execute a [Development Agreement with the City of Downey](#) for the installation of outdoor advertising signs on MTA property; and
- B. amend the existing revenue contract with Allvision LLC to:
 - 1. clarify the terms of the revenue sharing arrangements between the parties; and

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 48 – continued from previous page)

2. identify an alternative development strategy option at MTA's option that was not specifically included in the original contract.

ANTONOVICH AND DUBOIS MOTION AS AMENDED BY KNABE: that the Board direct the CEO to preserve all revenues generated by digital billboard contract for use by Metro Operations. As a first priority, this revenue is to be used for service improvements and enhancements throughout the system within the corridor (subregion) where the billboard is located.

50. CONSIDER authorizing:

- A. the Chief Executive Officer (CEO) to negotiate and execute **Contract Modification No. 34 to Contract No. PS0922102333, with Atkinson Contractors LP,** for additional account support, in an amount not to exceed \$1,000,000 increasing the Total Contract Price from \$87,096,680 to \$88,096,680. This action does not increase the Life-of-Project Budget;
- B. the CEO to execute **Contract Modification No. 35 to Contract No. PS0922102333 with Atkinson Contractors LP,** for contract extension and acceleration costs in the amount of \$2,769,206 increasing the total contract price from \$88,096,680 to \$90,865,886. This action does not increase the Life-of Project Budget;
- C. the CEO to execute **Contract Modification No. 36 to Contract No. PS0922102333 with Atkinson Contractors LP,** for a reduction of Contract Provisional Sum Line Items in an amount of (\$2,147,709), decreasing the total contract price from \$90,865,886 to \$88,718,177;
- D. the CEO to execute **Contract Modification No. 40 to Contract No. PS0922102333 with Atkinson Contractors LP,** for additional Mailing Costs in an amount not to exceed \$1,000,000, increasing the total contract price from \$88,718,177 to \$89,718,177; and
- E. an increase in **Contract Modification Authority (CMA) for Contract No. PS0922102333** in the amount of \$2,335,035 increasing the total CMA from \$18,828,815 to \$21,163,850.

NON-CONSENT CONTINUED:

56. CONSIDER **FASANA, MOLINA AND ANTONOVICH MOTION** that Metro allocate \$500,000 to develop a “Mobility Matrix” for the sub-region. Funding for this work is available from the General Planning- Highways Department and is a fund type in their budget and is eligible for this work. With these funds, Metro staff will work with the staff of the SGVCOG and their Transportation Technical Advisory Group, as well as a consultant yet to be selected to complete the following tasks over the next 6 – 8 months:

- A. identify and develop operational performance goals and objectives;
- B. use existing available data to assess existing baseline conditions and establish performance benchmarks; and
- C. establish vision and framework for short and long-term sub-regional transportation improvements.

57. CONSIDER:

- A. requiring the **cities of Burbank, Glendale, La Canada Flintridge, and the County Los Angeles to jointly develop a recommended project list that will allow the County to utilize its population share of the Measure R funds for the Arroyo Verdugo Subregion Highway Operational Funds;** and
- B. requiring that the distribution of County’s share of Measure R Arroyo Verdugo Subregion Highway Operational funds not impact the cities’ programmed share of these funds until after FY 2019.

(CARRIED OVER FROM JUNE BOARD MEETING)

58. CONSIDER:

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

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 58 – continued from previous page)

- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to [acquire Parcel HS-2701 \(APN 4013-008-008\)](#), consisting of the real property and site improvements.

(REQUIRES TWO-THIRDS VOTE)

59. 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-0003 \(APN 4125-021-023 & 4125-021-028\)](#), consisting of the real property and site improvements.

(REQUIRES TWO-THIRDS VOTE)

60. AUTHORIZE 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.

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NON-CONSENT CONTINUED:

(Item 60 – continued from previous page)

The Lead firms will rotate each two years, e.g., one year plus one year option, over the term of the bench on a retainer basis. Projects will be assigned on a task order basis.

(CARRIED OVER FROM JULY BOARD MEETING)

61. APPROVE the following **nominee for membership on the Metro Gateway Cities Service Council:**

- A. Mayor Aja Brown, Metro Gateway Cities Service Council
Nominated by: Gateway Cities
Term Ending: June 30, 2016

END OF NON-CONSENT ITEMS

62. **CLOSED SESSION:**

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

- 1. Alfonso Cisneros Rincon v. LACMTA, Case No. BC 466368

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

Significant Exposure to Litigation (One Case)

(Continued on next page)

CLOSED SESSION CONTINUED:

(Item 62 – continued from previous page)

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

1. Property Description: Grand Central Square, 317 S. Broadway, Los Angeles, CA 90013
Agency Negotiator: Greg Angelo and Roger Moliere
Negotiating Party: Grand Central Square Limited Partnership
Under Negotiation: Terms
2. Property Description: Parcel No. HS-2601
Agency Negotiator: Velma Marshall
Negotiating Party: City of Inglewood
Under Negotiation: Price

D. Public Employment – G.C. 54957

1. Title: Inspector General

E. Conference with Labor Negotiator – G.C. 54957.6

Agency Representative: Don Ott
Employee Organizations: ATU, TCU, AFSCME, UTU and Teamsters

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