

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, Acting Ethics Officer
Karen Gorman, 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

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 one (1) minute 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. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

For regular meetings of the Board, the public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. 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 contemptuous or insolent behavior toward the Board or any member thereof which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting;
- b. A breach of the peace, boisterous conduct or violent disturbance which disrupts, disturbs, or otherwise impedes the orderly conduct of the 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.

Any person so removed will also be excluded from the interior of the Metro Headquarters Gateway Building until the beginning of the next business day.

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

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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 22, 2014**

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	58
5	4	
6	39	
7	53**	
8	54**	
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10	56	
14	57**	
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** REQUIRES 2/3 VOTE

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 19, 21, 29, 33, 35, 36, 44, 46, 48, 51 and 52.

Consent Calendar items are approved by one motion unless held by a Director for discussion and/or separate action.

CONSENT CALENDAR

2. APPROVE [Minutes of the Special Board Meeting held on April 21, 2014 and the Regular Board Meeting held April 24, 2014.](#)

5. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the extension and execution of Memorandum of Understanding by the Chief Executive Officer for the [1\) Support for Homeless Re-Entry Program \(SHORE - \\$500,000 annual budget\); 2\) Immediate Needs Transportation Program \(INTP - \\$5,000,000 annual budget\); and 3\) Rider Relief Transportation Program \(RRTP - \\$5,000,000 annual budget\) for five years](#) beginning Fiscal Year (FY) 2015, subject to availability of funds approved through the budget process. Additionally, authorizing:
 - A. re-allocation of the coupon printing expense, estimated at \$100,000 for FY15, from the administration budget to the transportation budget so that the full value of the administrative share of \$500,000 is available for the program administration;
 - B. allocate additional funding in the amount of \$20,000 for the administration of the SHORE program, bringing the total funded value to \$520,000 (an increase of 4%); and
 - C. a change in the distribution of INTP fare media to allow for up to ~~70~~ 65% of the subsidy value to be made available through the token program, increasing the token share from its current level of ~~65~~ 50%. Conversely, the subsidy value allocated to the taxi program would decrease from ~~35~~ 50% to ~~30~~ 35%.

6. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer or his delegate to sign the Petition and cast a ballot in support of the [Downtown Industrial District Business Improvement District and property assessments.](#)

CONSENT CALENDAR CONTINUED:

7. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer or his delegate to sign the Petition and cast a ballot in support of the **North Hollywood Transit Business Improvement District and property assessments.**

8. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) delegating authority to the Chief Executive Officer to determine the Los Angeles County Metropolitan Transportation Authority's participation in **Benefit Assessment District where the total assessment over the term of the BID does not exceed \$500,000.**

9. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute the **\$207 million Measure R Local Match Financial Contribution Agreement to facilitate payment by the City of Los Angeles of its local share contribution of certain Measure R Transit project costs.**

10. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to revise the Life-of-Project for:
 - A. **CP 212005 from \$734,364 to \$1,020,832, an increase of \$286,468; and**

 - B. **CP 212002, from \$1,400,000 to \$1,509,114, an increase of \$109,114.**

14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to negotiate and execute a cost-plus-fixed-fee Contract No. PS2415-3268 to **RailPros, Inc. for the Van Nuys North Platform Project** for an amount not-to-exceed \$3,776,616, inclusive of options. This contract is for a base of two years plus three one-year options.

CONSENT CALENDAR CONTINUED:

15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
 - A. execute a **\$2 million Funding Agreement with South Coast Air Quality Management District for Metro's participation in the Zero Emission Truck Demonstration Project**; and
 - B. include \$750,000 in the FY15 budget for this effort.

16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to award a 12 month, cost-plus-fixed-fee Contract No. RFP PS4720-3252 to **V&A, Inc., for Environmental Clearance and Preliminary Engineering Services for Intersection Improvements in the City of Whittier**, in an amount not-to-exceed \$794,276.

17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to award a 12-month, cost-plus-fixed-fee Contract No. PS4720-3251 to **PacRim Engineering, Inc., for Environmental Clearance and Preliminary Engineering Services for Intersection Improvements in the Cities of La Mirada, Santa Fe Springs, and Cerritos**, in an amount not-to-exceed \$592,884.

19. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute a Memoranda of Understanding with the **Orange County Transportation Authority (OCTA) and the Ventura County Transportation Commission (VCTC) for Metro to provide regional rideshare services**.

21. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving the finding that all **88 cities and the County of Los Angeles are in conformance with the Congestion Management Program for Los Angeles County**.

CONSENT CALENDAR CONTINUED:

29. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. receiving and filing report on [service changes approved by the Service Councils for the June 2014 service change program](#); and
 - B. adopting the finding of the Title VI evaluation of the major changes included in the June 2014 Service Change program.
33. CONSTRUCTION COMMITTEE RECOMMENDED (4-0):
- A. authorizing the Chief Executive Officer (CEO) to execute a Change Modification No. 1 to Contract No. MC071, to [Westside Extension Support Team \(WEST\) to continue providing Construction Management Support Services through FY15 for the Westside Purple Line Extension Project](#) (Section 1), in an amount not-to-exceed \$9,830,336, increasing the total contract value from \$4,683,115 to \$14,513,451; and,
 - B. establishing an increase in Contract Modification Authority in an amount not-to-exceed \$983,034, increasing the total Contract Modification Authority from \$702,467 to \$1,685,501 and authorizing the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.
35. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute a Modification implementing a [settlement agreement between Metro and Brutoco Construction and Engineering Company, Inc. for all outstanding requests for change and claims related to the Metro Orange Line Extension](#) in the amount of \$4,400,000, increasing the Contract Price from \$88,410,707 to \$92,810,707.

CONSENT CALENDAR CONTINUED:

36. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer (CEO) to negotiate and execute contract modification to Contract C0988 with Walsh/Shea Corridor Constructors, to implement a Microbiologically influenced Corrosion fire suppression system in the underground tunnels and underground stations in an amount not-to-exceed \$2,000,000 increasing the total contract value from \$1,272,632,356 to \$1,274,632,356.
44. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) adopting Staff Recommended Positions:
- A. **AB 1532 (Gatto)** – Penalties for hit-and-run incidents with no injury **SUPPORT**
 - B. **AB 2337 (Linder)** – Penalties for hit-and-run incidents resulting in death or serious injury **SUPPORT**
 - C. ~~**AB 2541 (Hall)** – Alameda Corridor Transportation Authority User Fee **OPPOSE**~~
46. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) as amended by Director Ridley-Thomas:
- A. adopting a DVBE Policy and Program for non-federally funded competitively negotiated contracts for construction, goods and services over \$100,000, including a program goal of 3% and a DVBE Preference Program; and
 - B. utilizing the State of California’s DVBE Certification Process.

CONSENT CALENDAR CONTINUED:

48. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer (CEO) to:
 - A. [engage in the sale of Low Carbon Fuel Standard \(LCFS\) credits by approving the LCFS Market Analysis and Revenue Optimization Plan](#); and
 - B. pursue Pathway 2 in the Biomethane Implementation Plan (i.e., contracting with a third party energy provider to procure for biomethane or renewable natural gas for a test period).

51. EXECUTIVE MANAGEMENT RECOMMENDED (5-0) receiving and filing [funding assumptions for Metro Bus and Rail Operations Revenue in response to Director Knabe's Motion 69 from April 2014 Board meeting](#).

52. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) approving [Access Services local funding in the amount of \\$70,559,472 for Fiscal Year 14/15](#). This includes:
 - A. \$68,513,472 for Access Services Operating and Capital; and
 - B. \$2,046,000, paid directly to the Southern California Regional Rail Authority (Metrolink), for its participation in the Board-adopted Access Services Free Fare Program.

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report.

4. Chief Executive Officer's Report.

NON-CONSENT CONTINUED:

39. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) approval of Motion by [Directors Knabe, Dupont-Walker, Molina and Ridley-Thomas that the MTA Board of Directors approve funding the 2nd/Hope Street Station Upper Level Entrance and Pedestrian Bridge](#) by including Bid Option 2 in the project budget for the Regional Connector Transit Project, fully funded through the project contingency, if necessary.

DUPONT-WALKER AMENDMENT that the CEO be directed to immediately convene a meeting with the project stakeholders and negotiate a cost sharing agreement to accomplish a true public-private partnership in funding this \$3.3 million option, given the public and private value that this option creates; and

Direct the CEO to report back to the Board on the variety of MTA funding options for MTA's portion of the funding.

53. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) as amended [adopting the proposed FY15 Budget](#) as presented in the budget document (provided as a separate transmittal) with the following amendments totalling in a reduction of \$97.8 million:
- A. authorizing the CEO to amend the FY15 Budget after completion of union contract negotiations for the amount of wage and compensation increases as approved by the Board;
 - B. further reducing As-Needed and Discretionary budgets for travel, seminar, and other miscellaneous accounts by 21.7%, or \$4.0 million, which will not negatively impact Measure R Transit and Highway projects, in order to continue to exercise fiscal responsibility;
 - C. adding 44 positions, including one contract and 43 non-contract full-time equivalent (FTE) positions for delivering Measure R Transit and Highway Project, conducting Community Outreach, improving Deferred Maintenance, enhancing Safety and Security and for other high priority programs;

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 53 – continued from previous page)

- D. adding \$7.9 million for the FTE increase from Item C above. Ninety-three percent of the increase is funded by designated funding sources or savings from Professional and Contract Services accounts and are not eligible for Bus and Rail purposes. Net impact to Bus and Rail eligible funding is \$540,000, which represents a 0.04% increase to the Bus and Rail Operating budget;
- E. approving a wage increase of 3% for non-contract employees and the corresponding pay grade ranges for a total of \$3.9 million in FY15. The Bus and Rail Operations eligible funding portion of the increase is \$1.2 million, which is 0.09% of the Bus and Rail Operating Budget. The request is comparable to other local agencies;
- F. adjusting the proposed FY15 Budget cash flow for the Exposition Construction Authority by reducing \$105.6 million to reflect the May 1, 2014 adoption by the Exposition Construction Authority Board of its FY15 Budget with no change to the approved Life of Project budget; and
- G. approving the Reimbursement Resolution declaring LACMTA's intention to issue debt in FY15 for capital projects. Actual debt issuance will require separate Board approval. [\[HANDOUT\]](#)

FASANA AMENDMENT: that funding is included in the budget for items A and E.

MOTION by Directors Garcetti, Yaroslavsky, Krekorian and Najarian: that the Board direct the Chief Executive Officer to:

- A. include one additional FTE in the FY2015 budget that is tasked with technical analysis and implementation of the Countywide Bus Rapid Transit Program;
- B. include one additional FTE in the FY2015 budget that will be the sole point of contact for all Federal grants and loans, including (but not limited to), Transportation Infrastructure Finance and Innovation Act, New Starts, Small Starts, TIGER, etc.; and

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 53 – continued from previous page)

- C. report back to the Board in September 2014 with an update on these two positions, with a quarterly report thereafter with key milestones.

~~(REQUIRES 2/3 VOTE)~~

54. CONSIDER:

- A. receiving and filing comments from the public hearing conducted by the Board of Directors on Saturday, March 29, 2014;
- B. adopting Resolution in accordance with the California Environmental Quality Act (CEQA) finding that the purpose of the Fare Restructuring Plan is to pay operating expenses; and
- C. adopting fare restructuring plan. [HANDOUT]

(REQUIRES 2/3 VOTE)

55. MOTION by Directors Ridley-Thomas, Garcetti and Yaroslavsky that the Board of Directors:

- A. Direct the Chief Executive Officer to take the following actions related to the Fare Subsidy Program:
1. Update the eligibility for participation based on the United States Department of Housing and Urban Development's 2014 Poverty Guidelines and adjust eligibility annually based on updates to the guidelines;
 2. Report back to the Board in September 2014 with recommendations on how to expand outreach and enhance marketing for the program; and
 3. Report back to the Board in January 2015 with assessments regarding whether additional funding should to be allocated to meet growing demand.

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 55 – continued from previous page)

- B. Direct the Chief Executive Officer to temporarily freeze student fares at their current pricing levels until further evaluation by the Transit Ridership Best Practices Task Force.
 - C. Direct the Chief Executive Officer to take the following steps in order to decriminalize youth fare evasion on Metro's system:
 - 1. Report back to the Board in September 2014 on the establishment of a comprehensive diversion program, including the feasibility of requiring all youth that are cited for fare evasion to participate in a mandatory online educational diversion program and/or participate in community service in lieu of fines and court appearances and recommendations on any necessary changes to the California Penal Code.
 - D. Postpone implementation of the proposed 2017 and 2020 fare increases until after the Chief Executive Officer convenes a Transit Ridership Best Practices Task Force, in coordination with the American Public Transportation Association, to provide guidance on fare structuring strategies that optimize MTA's financial performance while minimizing the burden on the system's lowest income riders. The panel should be asked to consider alternative revenue generation strategies as well as provide recommendations on opportunities to expand ridership; and report back to the Board by July 2015 with their recommendations.
 - E. Direct the Inspector General to immediately establish, within her office, a Rider's Advocate that would serve as an independent advocate to monitor and assess customer service related issues and evaluate future fare structuring strategies.
56. MOTION by [Directors Antonovich and Najarian](#) to develop and coordinate a mitigation plan for the Interstate 5 HOV Lane construction project in the Burbank area.

NON-CONSENT CONTINUED:

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 Parcel W-2302 \(APN 4334-021-058\)](#) consisting of the real property and the immovable fixtures and equipment.

(REQUIRES 2/3 VOTE)

END OF NON-CONSENT ITEMS

58. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):
Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Company v. LACMTA, LASC Case No. BC545331
- B. Conference with Labor Negotiator – G.C. 54957.6
Agency Representative: Don Ott
Employee Organizations: UTU, TCU 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