

Thursday, April 30, 2015 9:00 AM

2nd REVISED AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Eric Garcetti, Chair
Mark Ridley-Thomas, 1st Vice Chair
John Fasana, 2nd Vice Chair
Michael Antonovich
Mike Bonin
James Butts
Diane DuBois
Jacquelyn Dupont-Walker
Don Knabe
Paul Krekorian
Sheila Kuehl
Ara J. Najarian
Hilda Solis
Carrie Bowen, non-voting member

Officers

Stephanie Wiggins, Interim Deputy 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.

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HELPFUL PHONE NUMBERS

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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, 6, 7, 8, 18, 20, 21, 36, 38**, 44, 47, 49, 50, 51, 52, 61A-E, 61G, 61H, 62 and 63.

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

***Item requires 2/3 vote*

CONSENT CALENDAR

2. APPROVE **Minutes of the Regular Board Meeting held March 26, 2015.**
6. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to purchase **All Risk Property and Boiler and Machinery insurance policies for all property at the current policy limits** at a not to exceed price of \$2.4 million for the 12-month period May 10, 2015 through May 10, 2016.
7. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification:
 - A. No. 28 to Contract No. PS33201664 with **Xerox State and Local Solutions (formally ACS State & Local Solutions) to continue hosting two TAP systems and network services at the Orange County Data Center (OCDC)**, both of which are due to end on June 30, 2015. This modification includes:
 1. the extension of the hosting support for the TAP system servers for an additional 8.5 months through March 2016 for a total of \$329,396; and
 2. the extension of the hosting support for the TAP Customer Relations Management (CRM) servers for an additional 2 months through August 31, 2015 for a total of \$235,860. This modification would increase the total contract value by \$565,256, from \$63,065,394 to \$63,630,650; and

(Continued on next page)

CONSENT CALENDAR CONTINUED:

(Item 7 - continued from previous)

- B. No. 123 to Contract OP02461010 Cubic Transportation Systems, Inc. in the amount not-to-exceed \$681,068, which includes:
 - 1. \$582,179 for the design/build of a new dual TAP virtual server and the decommission and removal of the outdated equipment from OCDC; and
 - 2. \$98,889 for continued support of the bi-annual Metro IT disaster recovery drills through June 30, 2019. This modification will increase the total contract value from \$252,854,827 to \$253,535,895.

- 8. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting:
 - A. the **debt policy**; and
 - B. the [Interest Rate Swap Policy](#).

- 18. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to negotiate a [Programming/Funding Agreement with Caltrans to program an additional \\$10,279,000 for the I-10 High Occupancy Vehicle Lanes Project from Citrus Avenue to SR-57](#).

- 20. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. supporting [Southern California Association of Governments' Draft 2015 Active Transportation Program \(ATP\) Regional Project Selection Process](#); and
 - B. approving the use of 2014 ATP policy for applying up to 10 points to ATP applications to reflect consistency with regional and local plans for the 2015 ATP.

CONSENT CALENDAR CONTINUED:

21. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
- A. authorizing the Chief Executive Officer to negotiate and execute Joint Development, Construction and Funding Agreement and Reciprocal Easement Agreement and such other documents necessary to effectuate the transaction, consistent with the Term Sheet, with NREA-TRC 700 LLC, a Delaware limited liability company, ownership entity of The Bloc or its designee for the design, construction, operation, maintenance and funding of a pedestrian passageway between 7th Street/Metro Center Station, consistent with the Term Sheet;
 - B. authorizing the [Life of Project \(LOP\) Budget of \\$4,650,000 for The Bloc/Metro Connection](#); and
 - C. amending the FY2016 proposed budget by adding \$4,250,000, as a portion of the LOP Budget approved on item (B).
36. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (5-0) the Chief Executive Officer to increase Contract Modification Authority to Contract No. PS11643055 with the Sheridan Group to provide [space planning, workstation acquisitions, installation services, and furniture](#) from \$500,000 to \$1,500,000 for an increase of \$1,000,000.
38. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. finding that a new bus procurement under Public Utilities Code §130232, lowest responsible bid requirement, does not constitute an adequate procurement method for LACMTA's needs. The Board, pursuant to Public Contracts Code (PCC) §20217, hereby authorizes [the procurement of up to 600 new replacement 40' CNG transit buses by competitive negotiation](#); and

(Continued on next page)

CONSENT CALENDAR CONTINUED:

(Item 38 - continued from previous)

- B. authorizing the Chief Executive Officer to solicit a Best Value Request for Proposals for contracts to purchase new 40' CNG buses as competitive negotiations pursuant to PCC §20217 and LACMTA's Procurement Policies and Procedures.

(REQUIRES 2/3 VOTE OF THE BOARD)

- 44. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer execute a Contract Modification for Contract OP02461010 for the fare retrieval system at the Division 13 Bus Operations and Maintenance Facility with Cubic Transportation Systems, Inc., in an amount of \$99,401, increasing total value of the contract from \$252,854,827 to \$252,954,228.

- 47. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing Contract Modification:
 - A. No. 14 (a.k.a. Contract Change Order, CCO 14) by Caltrans for Segment 3 construction contract of the I-5 North Capacity Enhancements from SR-134 to SR-118 under the Funding Agreement No. MOU.P0008355/8501 A/A5 in the amount of \$1,920,800 without an increase in the project budget;

 - B. No. 39 (a.k.a. Contract Change Order, CCO 39) by Caltrans for Segment 3 construction contract of the I-5 North Capacity Enhancements from SR-134 to SR-118 under the Funding Agreement No. MOU.P0008355/8501 A/A5 in the amount of \$850,000 without an increase in the project budget; and

 - C. No. 60 (a.k.a. Contract Change Order, CCO 60) by **Caltrans for Segment 3 construction contract of the I-5 South HOV Widening from I-605 to Orange County Line** under the Funding Agreement No. MOU.P0004292 A/A2 in the amount of \$3,500,000 without an increase in the project budget.

CONSENT CALENDAR CONTINUED:

49. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:

A. award and execute a five (5) year contract, Contract No. PS84203245, to [Tetra Tech for Sustainability Water Conservation, Solid Waste and Recycling services](#) on Task Orders, inclusive of three base years with an initial amount not-to-exceed \$5,300,000; and

B. individual Task Orders and changes within the Board approved contract amount.

50. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:

A. award and execute a five (5) year contract, No. PS84203244, to TRC Solutions, Inc. for [Sustainability Energy Efficiency and Renewable Energy services](#) on Task Orders, inclusive of two base years with an initial amount not-to-exceed \$6,400,000; and

B. to execute individual Task Orders and changes within the Board approved contract amount.

51. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):

A. approving an increase in Life of Project (LOP) Budget for Capital Project (CP) 204122 [Metro Orange Line \(MOL\) to Metro Red Line \(MRL\) North Hollywood Pedestrian Underpass](#) in the not to exceed amount of \$1,077,401 increasing the LOP from \$22,000,000 to \$23,077,401 to provide three (3) new Ticket Vending Machines (TVMs), implement new ADA compliant fare gates and re-configure/reinstall the existing fare gates, and for the overall construction management services, for the new MRL-MOL North Hollywood West Entrance underpass project.

B. authorizing the Chief Executive Officer to execute Contract Modification No. 126 for Contract OP02461010 with Cubic Transportation Systems, Inc. in an amount of \$577,401, increasing the total value of the contract from \$252,854,827 to \$253,432,228.

CONSENT CALENDAR CONTINUED:

52. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):

- A. authorizing the Chief Executive Officer to execute Contract Modification No. 3 to Contract C1056, [Advanced Utility Relocations \(Wilshire/La Cienega Station\)](#) with Steve Bubalo Construction Co. for additional compensation to comply with the requirements of the City of Beverly Hills (COBH), as identified in the executed Memorandum of Agreement (MOA), for all work being done within the jurisdiction of the COBH in the amount of \$1,983,179, increasing the total contract value from \$20,250,000 to 22,233,179; and
- B. approving an increase in Contract Modification Authority to Contract C1056 to provide funding to implement the changes required by the COBH Memorandum of Agreement approved by the Board on October 23, 2014, in the amount of \$1,983,179, increasing the current CMA from \$2,025,000 to \$4,008,179.

61. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) adopting [staff recommended positions](#):

- A. AB 620 (Hernandez) – Metro ExpressLanes – **OPPOSE**
- B. AB 726 (Nazarian) – Higher Capacity Buses on the Metro Orange Line – **SUPPORT**
- C. AB 755 (Ridley-Thomas) – Tax Relief for Businesses Impacted by Transit Project Construction – **SUPPORT**
- D. AB 1265 (Perea) – Public Private Partnerships Sunset Extension – **SUPPORT**
- E. SB 391 (Huff) – Increased Penalties for Assaults Against Transit Employees – **SUPPORT**
- G. SB 767 (De Leon) – Metro’s Sales Tax - **SUPPORT**
- H. AB 914 (Brown) – San Bernardino County Express Lanes - **SUPPORT**

CONSENT CALENDAR CONTINUED:

62. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) authorizing [Metro to participate in the City of Los Angeles Community Broadband Network RFP \(also known as CityLinkLA\).](#)
63. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving the [salary range \(\\$270,358 - \\$329,846 - \\$389,313\) of the Interim Deputy Chief Executive Officer.](#)

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report.
4. Chief Executive Officer's Report.
- [Crenshaw/LAX Stop Work Notice Update](#)
24. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approval of revised [Motion by Bonin, Garcetti and Kuehl](#) that the Board direct the CEO to report back at the Planning and Programming meeting with a preliminary analysis of the opportunities and challenges of implementing an off-board fare payment program and/or all door boarding to support our Countywide BRT expansion, using industry best practices in technology, station design and enforcement as a guide.

I FURTHER MOVE that the Board direct the CEO to undertake an applied study using the Wilshire Boulevard BRT corridor or other appropriate corridors as an opportunity to fully assess the practical challenges and opportunities. The study should include, but not be limited to:

- A. The impact of off board fare payment and all door boarding policy on bus dwell time, passenger convenience, and fare evasion;

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 24 - continued from previous)

- B. Guidelines and criteria for off board fare payment and all door boarding, including options for payment systems, requirements for right of way and utilities for each option, capital cost and ongoing support for each (i.e. maintenance, revenue collection, fare enforcement, etc.);
 - C. Cost/benefit analysis of implementing a program;
 - D. Impacts to pedestrian accessibility and circulation;
 - E. Station design, technology enhancements and enforcement;
 - F. Recommendations on thresholds of ridership and/or boardings at specific stop locations that could benefit from off-board fare payment and/or all door boarding; and
 - G. Consideration of bus stop locations with right-of-way characteristics that are highly constrained and those with more ample space.
28. RECEIVE AND FILE [Office of the Inspector General's report on the review of Law Enforcement and Security Options.](#)
37. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED WITHOUT RECOMMENDATION:
- A. increasing the Life-of-Project Budget (LOP) for the [Light Rail Vehicle Procurement \(P3010\)](#) by \$263,000,000, increasing the LOP budget from \$709,000,000 to \$972,000,000. This allows the Chief Executive Officer to exercise Options 2 (39 Vehicles) and 3 (21 Vehicles) of the P3010 contract as previously authorized;
 - B. amending and increasing FY16 annual budget in Cost Center 3043 in the amount of ~~\$34,500,000~~ \$10,000,000 for the mobilization costs associated with exercising Options 2 and 3; and
 - ~~C. reducing LOP for CP 206044 (P2000 Refurbishment) by \$30,000,000 and transfer funds to CP206035 for the mobilization costs associated in recommendation A & B above.~~

NON-CONSENT CONTINUED:

40. RECEIVE oral update on [clean fuel and biomethane utilization efforts, sustainability and conservation.](#)
43. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer (CEO) to execute a cost-plus-fixed-fee Contract No. PS2415-3412 with [STV, Inc. for the Brighton to Roxford Double Track Project in the amount of \\$13,594,016, inclusive of all design phases.](#) This contract is for a base of three years.
48. CONSTRUCTION COMMITTEE FORWARDED DUE TO ABSENCES AND ABSTENTIONS authorizing the Chief Executive Officer to execute Contract Modification:
- A. No. 6 to Contract No. PS-2020-1055 with Geoffrey R. Martin for the continuation of [Tunnel Advisory Panel Services](#), in an amount not-to-exceed \$1,039,000, increasing the total contract value from \$1,201,000 to \$2,240,000 and extend the contract from July 1, 2015 to June 30, 2020;
 - B. No. 4 to Contract No. PS-8510-2416 with Harvey Parker and Associates, Inc. for the continuation of Tunnel Advisory Panel Services, in an amount not-to-exceed \$1,142,900, increasing the total contract value from \$1,525,000 to \$2,667,900 and extend the contract from July 1, 2015 to June 30, 2020; and
 - C. No. 2 to Contract No. PS-8510-2493 with Cording, Dr. Edward J. for the continuation of Tunnel Advisory Panel Services, in an amount not-to-exceed \$1,142,900, increasing the total contract value from \$1,225,000 to \$2,367,900 and extend the contract from July 1, 2015 to June 30, 2020.
54. RECEIVE AND FILE status on the [Project Labor Agreement and Construction Careers Policy programs on the Crenshaw/LAX Transit Corridor and Regional Connector Transit Corridor projects](#) for activity through the February 2015 reporting period.

NON-CONSENT CONTINUED:

61. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED AS AMENDED (3-0) adopting [staff recommended positions](#):
- F. SB 413 (Wiekowski) – Transit System Usage Violations – **SUPPORT WORK WITH AUTHOR**
68. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) approval of [Motion by Directors Butts and DuBois](#) that the Metro Board instruct the Metro legislative advocacy staff and advisors to include Metro support of the Railroad Infrastructure Financing Improvement Act (RIFIA) (S.797) among the Metro federal legislative priorities and report back to the Board on this issue on a regular basis.
70. CONSIDER [Motion by DuBois and Knabe](#) that:
- A. staff work collaboratively with the South Coast AQMD, the Gateway Cities and South Bay Councils of Governments to structure a competitive application in support of the ZE Drayage Demonstration and;
- B. instruct staff to explore generating a 25% match through Department of Transportation, Department of Energy, in-kind funds from project participants, Regional and Local funds.
71. RECEIVE oral report on the [Low Income Program relating to Metro ExpressLanes](#).
72. AUTHORIZE the Chief Executive Officer to negotiate and execute Contract Modification No. 10 to Contract No. C0980, with Regional Connector Constructors, for [Additional Utility Relocation for the Regional Connector Transit Project Corridor Project](#), in a not-to-exceed amount of \$27,100,000, increasing the Total Contract Price from \$962,646,995 to \$989,746,995. This action does not increase the Life-of-Project Budget.

NON-CONSENT CONTINUED:

73. CONSIDER:

- A. holding a public hearing on the proposed [Resolution of Necessity for the Regional Connector Transit Corridor Project](#); and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire aboveground temporary construction easements for monitoring of subsurface grout pipe installations, and temporary construction easements to install, monitor and remove surface and ground movement instruments in a portion of Parcels RC-450, RC-451, RC-451-1 (APN's 5161-017-021; 5161-017-022, 5161-017-023 and 5161-017-033).

(REQUIRES 2/3 VOTE OF THE BOARD)

74. RECEIVE [update on Motion 55: Safe Space and Sexual Harassment](#).

75. CONSIDER:

- A. receiving and filing report on Metro's efforts in support of the [2015 Special Olympic World Games](#); and
- B. authorizing the CEO to provide TAP cards loaded with passes for 12,000 volunteers for the 2015 World Games and 100,000 commemorative TAP cards.

77. CONSIDER [Antonovich Motion](#) that the MTA Board directs the CEO to program \$2.5 million in Metrolink-dedicated funding to support the Antelope Valley Line Fare Reduction Pilot Program for Fiscal Year 2016.

END OF NON-CONSENT ITEMS

76. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(d)(1):
1. Jorge Cardenas v. LACMTA, LASC Case No. BC527397
 2. Francisca Serrano v. LACMTA, LASC Case No. BC507827
 3. Glenville S. Witter, Jr. v. LACMTA, et al, USDC Case No. 2:14-CV-09610
- B. Conference with Labor Negotiator – G.C. 54957.6:
Agency Designated Representative: Don Ott or designee
Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters
- C. Conference with Real Property Negotiator – G.C. 54956.8:
1. Property Description: 416-422 E. First Street, Los Angeles, CA 90012
Agency Negotiator: Carol Chiodo
Negotiating Party: Enrique Ramirez
Under Negotiation: Price and Terms
 2. Property Description: 9430 Wilshire Blvd., Beverly Hills, CA
Agency Negotiator: Velma C. Marshall
Negotiating Party: Douglas Christmas, dba Ace Gallery Los Angeles
Under Negotiation: Price and Terms

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