

Thursday, June 27, 2013 9:00 AM

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# CORRECTED AGENDA

## Regular Board Meeting Board of Directors

One Gateway Plaza  
3<sup>rd</sup> Floor Board Room

### Call to Order

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### Directors

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Michael Antonovich, Chair  
Diane DuBois, 1<sup>st</sup> Vice Chair  
Richard Katz, 2<sup>nd</sup> 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

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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**

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### **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**

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### **LIMITED ENGLISH PROFICIENCY**

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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, JUNE 27, 2013**

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	86
9	4	
13	10	
14	11	
15	12	
18	21	
23	22	
24	22.1	
25	32	
29	37	
39	40	
41	52	
42	53	
43	68	
44	69	
45	70	
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55	77	
64	78**	
65	79**	
66	80**	
67	81**	
71	82**	
72	83**	
73	84	
75	85	
** REQUIRES 2/3 VOTE		

1. APPROVE **Consent Calendar** Items: 2, 9, 13, 14, 15, 18, 23, 24, 25, 29, 39, 41, 42, 43, 44, 45, 54, 55, 64, 65, 66, 67, 71, 72, 73 and 75.

## **CONSENT CALENDAR**

2. APPROVE [Minutes of the Regular Board Meeting held May 23, 2013.](#)
  
9. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):
  - A. [amending the LACMTA Budget for FY 2013-14 to reflect the programming of funds to the Southern California Regional Rail Authority \(SCRRA\)](#) FY 2013-14 Budget,
    1. \$52,746,000 for Metrolink Operations;
    2. \$2,094,759 for Right of Way (ROW) Security;
    3. \$4,500,000 ROTEM reimbursement, using Measure R 3% funds;
    4. \$250,000 for a Joint Development Station Project, using Measure R 3% funds;
  - B. authorizing the Chief Executive Officer to add additional funding of \$2.2 million should the proposed 5% fare increase not pass;
  - C. reprogramming \$1,098,159 in FY 2010-11 and FY 2011-12 Proposition C 10% prior year operating surplus funds;
  - D. reprogramming \$500,000 in project savings from the Lang Siding project, to the Doran Street grade crossing improvement project;
  - E. programming \$16,006,500 to SCRRA for LACMTA's contribution to the renovation and rehabilitation program for FY 2013-14;
  - F. extending the lapsing date one year, from June 30, 2013 to June 30 2014, for \$4,877,284 in FY 2010-11 Proposition C 10% funds previously allocated to SCRRA for the FY 2010-11 Rehabilitation/Renovation Program;

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 9 – continued from previous page)

- G. approving for FY 2013-14, the Transfers to Other Operators payment rate of \$1.10 per boarding to LACMTA and an EZ Pass reimbursement cap to LACMTA of \$5,592,000 pending an evaluation of TAP data after the subway gates are latched in 2013; and
- H. authorizing the Chief Executive Officer or his designee to amend LACMTA's Commuter Rail Program budget and to negotiate and execute all necessary agreements between LACMTA and the SCRRA for the approved funding.

13. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):

- A. adopting findings and recommendations for using fiscal year **(FY) 2013-14 Transportation Development Act (TDA) Article 8 funds** estimated at \$23,462,835 as follows:
  - 1. in the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon chooses to use \$141,093 of their Article 8 funds for their services; therefore, TDA Article 8 funds will be used to meet the unmet transit needs;
  - 2. in the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition C Local Return; therefore, their transit needs can be met with other funding sources. Hence, TDA Article 8 funds in the amount of \$5,894,535 and \$5,742,396 (Lancaster and Palmdale, respectively), may be used for street and road purposes and/or transit;

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 13 – continued from previous page)

3. in the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with other funding sources, such as Proposition A and Proposition C Local Return, and TDA Article 8 funds in the amount of \$7,615,778 for the City of Santa Clarita may be used for street and road and/or transit purposes, as long as their transit needs continue to be met; and
4. in the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, the allocation is \$4,069,061 and may be used for street and road purposes and/or transit.

B. adopting a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

14. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):

- A. establishing [Proposition C Local Return funded Capital Reserve Accounts for the Cities of El Monte, Lynwood and South El Monte;](#)
- B. approving extensions for existing Local Return Capital Reserve Accounts as prescribed in their Agreements for an additional three years for the Cities of Arcadia, Lomita, Manhattan Beach, and Santa Monica; and
- C. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority and the City for their Capital Reserve Account as approved.

**CONSENT CALENDAR CONTINUED:**

15. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0):

A. approving \$1.9 billion in [FY2014 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators and Metro operations](#). These allocations comply with federal and state regulations and LACMTA Board policies and guidelines;

1. Planning and Administrative allocations of Transportation Development Act (TDA), Proposition A, Proposition C and Measure R in the amount of \$69.0 million;
2. Bus Transit Subsidies of State, Local and Federal funds in the amount of \$1.4 billion and includes:
  - a. \$6.0 million for the continuation of the Tier 2 Operators Funding Program;
  - b. \$102,243 additional funding for LADOT in accordance with the 2-Year Lag policy previously adopted by the Board;
3. Proposition A Incentive Programs in the amount of \$12.9 million including a \$50,000 increase in Avalon's Ferry Subsidy Program from \$600,000 to \$650,000;
4. Proposition A Local Return, Proposition C Local Return, Measure R Local Return, TDA Article 3 (Pedestrian and Bikeways) and TDA Article 8 (Street and Highways) for \$445.4 million; and

B. authorizing the Chief Executive Officer to adjust FY2014 Federal Section 5307 (Urbanized Formula), Section 5339 (Bus and Bus Facilities) and Section 5337 (State of Good Repair) allocations upon receipt of final apportionment from the Federal Transit Authority and amend FY2014 budget as necessary to reflect the aforementioned adjustment;

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 15 – continued from previous page)

- C. approving fund exchange in the amount of \$8.9 million of Santa Monica's Big Blue Bus' FY2014 Federal Section 5307 formula share allocation with Metro's TDA Article 4 revenues, to be adjusted upon receipt of final apportionment and disbursed in FY2015;
  - D. approving fund exchanges in the amount totaling \$19.9 million of Metro's share of Federal Section 5307 with municipal operators' shares of Federal Sections 5339 and 5337;
  - E. adopting a resolution designating Transportation Development Act (TDA) and State Transit Assistance (STA) fund allocations in compliance to the terms and conditions of the allocation; and
  - F. upon approval, authorizing the Chief Executive Officer to negotiate and execute all necessary agreements to implement the above funding programs.
18. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the [FY14 Proposed Audit Plan](#).
23. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. negotiate the [integration of the Willowbrook/Rosa Parks Station](#), formerly known as Imperial/Wilmington/Rosa Parks Station, within an adjacent parcel owned by the Los Angeles County Community Development Commission (Commission), including the potential purchase of part of the parcel, contingent on availability of funds; and
  - B. approve Contract Modification Authority specific to Contract No. PS4320-2763, Rosa Parks Transit Station Improvement and Transit Oriented District Integration Professional A&E Services, with Jenkins/Gales and Martinez, Inc. (JGM) in the amount of \$500,000 for a total contract value of \$799,006 to refine the design of a Metro facility and associated station improvements.

**[HANDOUT]**



**CONSENT CALENDAR CONTINUED:**

24. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving the updated [Measure R I-710 Early Action Project List.](#)
  
25. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer (CEO) to:
  - A. execute modification No. 6 to Contract No. PS4320-2006 with Arellano Associates to provide [outreach services for the Eastside Phase 2 Draft Environmental Impact Statement/Report \(DEIS/R\)](#) for an additional term of nine months the firm-fixed price of \$105,254, increasing the total contract value from \$1,933,771 to \$2,039,025; and
  
  - B. increase the Contract Modification Authority specific to Contract No. PS4320-2006, Eastside Phase 2 Outreach, with Arellano Associates in the amount of \$100,000.
  
29. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving the [preliminary project funding strategy for the 2013 Countywide Call for Projects.](#)
  
39. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of [HUIZAR MOTION](#) that the Board direct the CEO to relocate the current bus layover on La Loma Road and Figueroa Street in Eagle Rock to Colorado Boulevard east of Figueroa Street or another appropriate location.
  
41. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the [nominees for membership on Metro San Fernando Valley, San Gabriel Valley, South Bay, and Westside/Central Service Councils.](#)

## **CONSENT CALENDAR CONTINUED:**

42. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. canceling Board recommendation presented at March 2013 Board meeting for award of contract OP33673016 for Trash & Vegetation Removal Services for Metro's Right of Way (ROW);
  - B. rejecting all bids received in response to IFB OP33673016 for ROW Trash & Vegetation Removal Services and issuing new IFB for these services; and
  - C. executing Modification No. 5 in the amount of \$3,368,700 for a new contract value not-to-exceed \$9,633,946 for the existing ROW [Trash and Vegetation Removal Services to Woods Maintenance Services](#), OP33442103 providing on-going maintenance services throughout Metro properties and ROWs. This modification extends the period of performance through March 31, 2014 while the new procurement is completed.
43. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. ratifying the Advanced Transit Vehicle Consortium's award of Contract No. OP33202790 to BYD Company Ltd (BYD), Los Angeles, CA for the [manufacturing and delivery of up to twenty-five Zero Emission Buses](#) for a total contract value not to exceed of \$20,739,250, including tax and delivery;
  - B. establishing a Life-of-Project (LOP) budget for this ATVC project in the amount of \$30,000,000 for Zero Emission Buses in CP201071 – 30 Zero Emission Buses/SLEB Buy;
  - C. authorizing ATVC staff to initiate a new RFP for the conversion of six existing Metro gasoline electric hybrid buses to Super Low Emission Bus standards.

## **CONSENT CALENDAR CONTINUED:**

44. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) awarding a 24-month, firm fixed price contract under Bid Number 13-0036 to the following lowest responsive and responsible bidders for [air dryers](#) for an amount not-to-exceed \$2,329,076, inclusive of sales tax and a one-year option:
- A. Vehicle Maintenance Program, Inc. for the line items 1, 3 and 4 (Various Air Dryers), for a total contract value of \$859,930 and;
  - B. NABI for line item 2 (Dryer Assembly) for a total contract value of \$1,469,146.
45. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing:
- A. the Chief Executive Officer to execute a ten (10) year lease agreement commencing July 1, 2013 for a [customer service center for the Purple Line Extension](#), including two (2) five year options, with Klein Financial Corporation for the use of approximately 2,469 square feet of retail space located at 3183 Wilshire Boulevard, Unit 174, Los Angeles at an estimated payment of \$1,500,000 over the initial ten year term of the lease for rent and operational expenses; and
  - B. a one-time expenditure of an amount not to exceed \$375,000 for METRO's share of tenant improvement costs including construction management fees.
54. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the CEO to negotiate and execute a Contract Modification No. 20 to Contract No. E0119 with The Connector Partnership Joint Venture (CPJV) Inc. to continue providing bid phase engineering support services during the solicitation process, and to provide design support services during construction through FY14 for the [Regional Connector Transit Corridor Project](#), in the amount of \$7,852,815, increasing the total contract value from \$39,594,562 to \$47,447,377.

## **CONSENT CALENDAR CONTINUED:**

55. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approving an **increase to the LOP budget for the I-405 Sepulveda Pass Improvements Project by \$78.7 million**, increasing the LOP budget from \$1,070.7 million to \$1,149.4 million, subject to the funding transfers and borrowing strategies.
  
64. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0):
  - A. **approving the revised Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency Joint Powers Agreement (JPA)**; and
  
  - B. amending the LACMTA Budget for FY 2013-14 to include up to \$350,000 in new Measure R 3% funds for LOSSAN JPA start up costs.
  
65. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:
  - A. execute contract modification No. 2 to Contract No. PS6940-2992, **Temporary Contract Administration Staffing Support Services Bench** (Bench), to increase the cumulative contract value of Bench contracts in an amount not-to-exceed \$3,000,000, increasing the cumulative contract value from \$500,000 to \$3,500,000; and
  
  - B. extend the period of performance up to 24 months;
  
  - C. add or replace other qualified firms on the bench.
  
66. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0-1) awarding a ten year, indefinite delivery/indefinite quantity contract under Bid No. PS64403026 with Iron Mountain Information Management, LLC, the lowest responsive and responsible bidder for **off-site storage and maintenance of inactive records**. The recommended award is for an amount not-to-exceed \$2,890,533 inclusive of sales tax and five one-year options, effective August 1, 2013.

**CONSENT CALENDAR CONTINUED:**

67. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0):
- A. approving [funding of \\$67,172,267 for FY14 for Access Services](#) (Access), 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 for Metrolink's Free Fare Agreement for a period of five years.
71. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approval of [KATZ MOTION](#) that the MTA Board of Directors direct the CEO to work with our Sacramento delegation to investigate, hold hearings and ascertain whether, the CMP is still an appropriate, useful and consistent tool aligned with our state and regional objectives.
- FURTHER MOVE to direct the CEO to report to the Board regarding any State findings and legislative changes to CMP statute, and in consultation with the business and environmental communities, local jurisdictions and the Southern California Association of Governments, return to the Board with a recommendation on meeting CMP requirements no later than the February 2014 Board meeting, when the Board must determine local jurisdiction conformity with CMP statute.
72. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approval of [VILLARAIGOSA, MOLINA, NAJARIAN AND WILSON MOTION](#) that the MTA Board of Directors direct the CEO to use the following framework in order to create an "open streets" program:
- A. identify an eligible source of funds to allocate annually up to \$2 million to support the planning, coordination, promotion and other related organizational costs;

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 72 – continued from previous page)

- B. report back at the September 2013 Board meeting a recommended competitive process and program, working with the County Council of Governments and other interested cities, to implement and fund a series of regional “open streets” events throughout Los Angeles County; and
  - C. develop a technical process to collect data and evaluate the cost and benefits (e.g. transit use increases, reduction of air emissions, etc.) of these events.
73. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approval of [VILLARAIGOSA, KATZ, KNABE AND WILSON MOTION](#) that the MTA Board of Directors adopt and direct the CEO to do the following:
- A. adopt as policy a rail alignment alternative that connects the existing Crenshaw/LAX and Green Line alignments to the ITF;
  - B. include the rail ITF connection to the Airport Metro Connector Environmental Impact Report & Study (EIR/EIS); and authorize up to \$600,000 in Airport Metro Connector Measure R 35% funds;
  - C. determine construction cost of project as described above;
  - D. conduct a modeling/ridership analysis to determine passenger and employee ridership in coordination with LAWA;
  - E. explore and recommend a financial plan to fully fund the Airport Metro Connector which includes but is not limited to the following sources:
    - 1. eligible airport revenues
    - 2. federal Transit Administration and/or Federal Aviation Administration eligible funds;
    - 3. Transit Oriented Development & Property leases

(Continued on next page)

**CONSENT CALENDAR CONTINUED:**

(Item 73 – continued from previous page)

4. Public Private Partnerships

- F. by the September 2013 Board Meeting, in cooperation with LAWA, transmit to Federal Aviation Administration a formal request to allow initiation of the EIS/EIR and report to the Board in October 2013 the results of this request.

75. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approval of **KNABE, ANTONOVICH AND KATZ MOTION** that the MTA Board of Directors approve the Access budget for Fiscal Year 2014 subject to the following:

Instruct the CEO to:

- A. Ensure that any future discussions regarding changes to any fixed-route service include a thorough cost benefit analysis of the impact to our ADA paratransit services.
- B. Closely coordinate with local transit providers, including municipal dial-a-rides and other paratransit service to assist patrons.
- C. Identify supplemental federal and state funds, including grants, to augment the Access budget that can be used in the near-term to Grandfather-In current Access clients that now find themselves out of the service area.
- D. Return at the December Board with an independent review using an outside contractor that includes the following:
- Customer satisfaction survey of Access patrons.
  - Review and analysis of projected demand for Access for the next five years.
  - Listing of all federal and state funds eligible for Access and their projected uses.
  - Funding plan, including cost and demand mitigation strategies.

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## **CONSENT CALENDAR CONTINUED:**

(Item 75 – continued from previous page)

- Performance and financial review of Access, including review
- of their eligibility certification criteria, Access service provided compared to the ADA requirements.
- Longer term strategy and options to apply future service changes to current Access clients.

E. Work with Access to incorporate findings and recommendations of the above review into Access operations and budget request for Fiscal Year 2015.

## **END OF CONSENT CALENDAR**

### **NON-CONSENT**

3. Chair's Report.
4. Chief Executive Officer's Report.
10. FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION AND EXECUTIVE MANAGEMENT COMMITTEE FORWARDED AS AMENDED approving an [amendment to the Measure R Ordinance and Expenditure Plan](#) to advance "Funds Available Beginning" dates for transit corridor projects.

**ANTONOVICH AMENDMENT:** To update the expenditure plan to reflect full information for all of our projects including true cost and schedule of the Gold Line Foothill Extension to Claremont as part of the Measure R Expenditure Plan – given the fact that Measure R defines the line to Claremont.

[\[HANDOUT\]](#)



**NON-CONSENT CONTINUED:**

11. FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving a [Motion by Directors O'Connor, Najarian, Dubois and Knabe to approve the "Highway Capital Subfund Protection Policy 2013" as an amendment to the previously Board adopted 2011 Measure R Fiscal Responsibility Policy](#) to allow Measure R Highway Operational Improvement Programs the option to opt-out of any Highway Acceleration program at their own discretion.

We therefore move that the Metro Board incorporate the following recommendations as permanent Board Policy to the 2011 Measure R Fiscal Responsibility Policy as follows:

Metro will focus on transit project acceleration and provide flexibility to allow a subregion the choice to opt out of highway-related acceleration:

- A. concurrently protect the subregion's share of Highway Contingency/Escalation Funds (as reflected in Line 39, Measure R Highway Expenditure Plan) used for acceleration in proportion to the subregional share of Measure R funds allocated to each subregion in the 2008 Measure R Expenditure Plan, i.e. as reflected in the original 2008 Measure R Expenditure Plan *Subregional Comparison – Highway Projects FY 2010-2039*; and
- B. if (in 2019) a Subfund Transfer (from Highway to Transit, or vice versa) is approved, the proportionate amount of the subregion's Subfund Contingency/Escalation funding will also be available for transfer and allocated to the project being funded; and
- C. having originally set forth in 2011 the policy protections contained in the O'Connor/Molina/Dubois *Measure R Fiscal Responsibility Policy*, i.e. Highway Capital Project Contingency/Escalation funds will have equal access to Measure R Contingency funds in the later decades; staff is hereby directed to conform those provisions to reflect the above updated policy amendments.

**NON-CONSENT CONTINUED:**

12. FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION AND PLANNING AND PROGRAMMING COMMITTEE FORWARDED AS AMENDED:
  - A. approving the updated [Long Range Transportation Plan \(LRTP\) Financial Forecast](#), including:
    1. additional “up to” cost assumptions for the following LRTP programs:
      - a. State of Good Repair: \$750 Million;
      - b. Accelerated Regional Transportation Improvement Project (ARTI) [Assumes toll based borrowing]: \$410 Million;
      - c. A summary of the use of fund assignment authority delegated to the Chief Executive Officer (CEO);
    2. Measure R Project Cost Control Process and Policy compliance recommendations:
      - a. Crenshaw/LAX (LACMTA funds, base project): \$160 Million;
      - b. Interstate 5 South (LACMTA funds): \$153 Million;
      - c. Interstate 5 South (Excess ROW, State, & Other): \$50 Million;
      - d. Interstate 405 Northbound HOV Lane: \$75 Million;
      - e. Westside Subway Section 1 (LACMTA funds): \$73 Million;
      - f. Regional Connector (LACMTA funds): \$32 Million;
      - g. Exposition Ph. 1 (LACMTA funds, Expo. Auth. costs): \$32 Million;

(Continued on next page)

**NON-CONSENT CONTINUED:**

(Item 12 – continued from previous page)

h. Exposition Ph. 1 (LACMTA funds and costs): \$7 Million.

**ANTONOVICH AMENDMENT:** That staff come back next month with a feasibility study on implementing a congestion pricing toll program for the 405 HOV lanes between I-10 and US 101 to cover the overruns on the project.

**[HANDOUT]**

21. **WILSON MOTION** to have an outside firm audit the Sheriff's Department contract and report back in 90 days to 6 months.

22.1 **NAJARIAN MOTION** that item 22 be moved to the September 2013 Board meeting with a full report to respond to inconsistencies/questions raised by the report;

FURTHER MOVE that the term "catch up" be removed from the staff report as this will harm the cities programmed funding plan;

FURTHER MOVE that the CEO direct staff to allocate any 5-year funds awarded to the county for years 2008-2013 prior to policy approval from funds other than equity funds for this time period; and

FURTHER MOVE that the Highway Advisory Committee be reconvened to begin the process established in 2008.

22. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AS AMENDED BY DUBOIS:**

A. ~~allowing the **County to receive Measure R equity funds**;~~

B. requiring the cities of Burbank, Glendale, La Canada Flintridge, and the County of Los Angeles to jointly develop a recommended project list for future programming years that will allow the County to "catch up" with its population share of the Arroyo Verdugo Subregion Highway Operational Funds; and

(Continued on next page)

**NON-CONSENT CONTINUED:**

(Item 22 – continued from previous page)

- ~~C. requiring all other subregions that receive Highway Operational Funds to continue developing future recommended projects using the need-based, instead of population-based, methodology~~
32. ANTONOVICH request for the [cost to run special Metrolink Sunday service on the Antelope Valley Line until regular Sunday service starts.](#)
37. RECEIVE report on System Safety.
40. SYSTEM SAFETY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) AS REVISED adopting the [revisions to Metro’s Advertising Content Guidelines.](#) The Advertising Guidelines are a section of the Board-approved Metro System Advertising policy.
- REVISION:** Replace “Governmental Entity” with “LA County Governmental Agency.”
52. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION:
- A. awarding a 57 month, firm fixed price contract under Request-for-Proposal No. C0988, to Walsh/Shea Corridor Constructors for the [final design and construction of the Crenshaw/LAX Transit Corridor Project.](#) in the amount of \$1,177,032,356 for the base project;
- B. authorizing the Chief Executive Officer to execute individual contract changes and modifications to Contract No. C0988 in an amount not to exceed \$10,000,000 per change within the Board approved contract modification authority;

(Continued on next page)

**NON-CONSENT CONTINUED:**

(Item 52 – continued from previous page)

- C. approving an increase to the life-of-project (LOP) budget for the base Crenshaw/LAX Transit Corridor Project, No. 865512, by \$160,100,000, from \$1,762,900,000 to \$1,923,000,000, consistent with the LACMTA Board's Unified Measure R Cost Management Process, using the following fund sources:
1. \$47,100,000 in Proposition C 25% funds from the South Bay sub-region's Ramps and Interchanges project;
  2. \$47,480,000 in Measure R 35% funds from the South Bay's Green Line Extension to LAX project (AKA the Airport Metro Connector);
  3. \$55,330,000 in Proposition C 25% funds to be derived from de-obligating all existing Call for Project grants in the Central Area sub-region;
  4. \$10,190,000 Proposition C 40% funds from Central Area sub-region's Wilshire Bus Rapid Transit project;
- D. approving an increase to the life-of-project budget for options for Leimert Park Station and Hindry Station in the amount of \$135,000,000 from \$1,923,000,000 to \$2,058,000,000 and direct the CEO to obtain and execute grant agreements and grant and loan amendments to fund the increase; and
- E. authorizing the CEO to execute options for Leimert Park Station and Hindry Station in the amount of \$95,600,000, increasing the contract amount to \$1,272,632,356 and extending period of performance by 3 months to 60 months for Contract No. C0988 conditional upon execution of the necessary grant agreements and loan amendments.

**NON-CONSENT CONTINUED:**

53. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving and adopting:
  - A. project definition changes, [CEQA Addendum and Findings for the Crenshaw/LAX Transit Corridor Project](#); and
  - B. the second set of definition changes, CEQA Addendum and Findings.
  
68. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED FOR DISCUSSION Office of Inspector General Report concerning the [organizational study](#) by Metro's consultant.
  
69. RECEIVE **Civil Rights update.**
  
70. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION [KNABE AND O'CONNOR MOTION](#) that the MTA Board of Directors:
  - A. approve a waiver of Metro Prop C 25% debt ceiling policy not to exceed the lower amount of 5% or \$60 million for the purpose of fully funding the \$12.5 million restoration of the Bus Facility at the Aviation/Century station (previously eliminated in the value-engineering process) into the LAX/Crenshaw baseline LOP and restoring the \$47.5 million needed to avoid reduction of the funding for the Measure R Airport Metro Connector project; and
  - B. allocate \$47.1 million in Measure R Highway 20% (surplus) to restore the Prop C 25% previously programmed for the South Bay Ramps and Interchanges project.

**NON-CONSENT CONTINUED:**

74. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award three 18-month, firm fixed price contracts (Contract No. PS71303092A, B & C), effective August 1, 2013 to Holland & Knight, Kadesh & Associates and Cliff Madison Government Relations, for [federal legislative advocacy services](#) in a cumulative amount not to exceed \$943,425, inclusive of a one-year option for each contract.

77. **ANTONOVICH MOTION** for the creation of an Annual Independent Safety Culture Agency review.

78. 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-0104 \(APN 4125-020-005\) for the Crenshaw/LAX Transit Corridor Project](#), consisting of the real property.

(REQUIRES 2/3 VOTE OF THE BOARD)

79. 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-0103 \(APN 4125-020-016\) for the Crenshaw/LAX Transit Corridor Project](#), consisting of a fee interest in the real property.

(REQUIRES 2/3 VOTE OF THE BOARD)

**NON-CONSENT CONTINUED:**

80. 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 CR-3101 \(APN 4005-007-026\) for the Crenshaw/LAX Transit Corridor Project](#), consisting of the real property and site improvements.

(REQUIRES 2/3 VOTE OF THE BOARD)

81. 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 Parcels RC-464 and RC-465 \(APN's 5161-018-001; 5161-018-002; 5161-018-008; 5161-018-009; 5161-018-010; and 5161-018-021\) for the Crenshaw/LAX Regional Connector Transit Corridor Project](#), consisting of the real property and the immovable fixtures and equipment.

(REQUIRES 2/3 VOTE OF THE BOARD)

82. 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 Parcels CR-4503 and CR-4505 \(APN's 5044-002-006, 008 & 009\) for the Crenshaw/LAX Transit Corridor Project](#), consisting of the real property and the immovable fixtures and equipment.



(REQUIRES 2/3 VOTE OF THE BOARD)

**NON-CONSENT CONTINUED:**

83. 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-0101 \(APN 4125-020-001\) for the Crenshaw/LAX Transit Corridor Project.](#) consisting of the real property.

(REQUIRES 2/3 VOTE OF THE BOARD)

84. APPROVE the proposed fare change to be implemented in July 2013 to provide [EZ and Metro passes to the Youth On The Move program.](#)

85. [NAJARIAN MOTION](#) that the CEO directs staff to reconvene the Highway Advisory Group to address cost overruns and other needs for COG highway projects by utilizing accumulated Measure R Highway 20% Equity funds; and

FURTHER MOVE that the Las Virgenes/Malibu COG be awarded \$10 million in Measure R 20% funds, to be paid out of its share of future Equity funds, to complete the Lost Hills bridge/intersection and the Lindero Canyon Road Interchange Project. The funds are needed in the first quarter of fiscal year 2014.

**END OF NON-CONSENT ITEMS**

86. **CLOSED SESSION:**

- A. Public Employee Performance Evaluation – G.C. 54957:  
Chief Executive Officer

(Continued on next page)

**CLOSED SESSION CONTINUED:**

(Item 86 – continued from previous page)

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

1. Chris Bates v. LACMTA, Case No. NC 056009
2. Crenshaw Subway Coalition v. LACMTA, Case No. CV 11-9603-FMO (JCx) consolidated with CV 12-01672-FMO (JCx)

C. Conference with Labor Negotiator – G.C. 54957.6:  
Agency Representatives: Richard Hunt and Don Ott  
Employee Organizations: TCU, AFSCME & ATU

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