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
Diane DuBois
Jacquelyn Dupont-Walker
Don Knabe
Paul Krekorian
Sheila Kuehl
Ara J. Najarian
Pam O'Connor
Hilda Solis
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



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:

- 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;
- Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and C.
- 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 MTAsponsored 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.

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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, JANUARY 29, 2015

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	81
12	4	
13	7	
14	23	
20	23.1	
21	24	
22	45	
39	54	
40	67	
41	79	
42	79.1	
43		
51		
**52		
**53		
55		
70		
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72		
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80		
** REQUIRES 2/3 VOTE		

1. APPROVE **Consent Calendar** Items: 2, 12, 13, 14, 20, 21, 22, 39, 40, 41, 42, 43, 51, **52, **53, 55, 70, 71, 72, 77, 78 and 80.

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

CONSENT CALENDAR

- 2. APPROVE <u>Minutes of the Regular Board Meeting held on December</u> 4, 2014.
- 12. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0):
 - A. establishing <u>Proposition C Local Return funded Capital Reserve</u>
 <u>Account</u> for the City of South El Monte;
 - B. approving additional funds of \$400,000 to the existing reserve of \$1,650,000 and extension of three years for the City of Redondo Beach Proposition C Local Return Capital Reserve Account; and
 - C. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority and the Cities for their Capital Reserve Accounts as approved.
- 13. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0):
 - A. adopting the <u>Investment Policy</u>;
 - B. approving the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA officials; and
 - C. delegating to the Treasurer or his/her designee, the authority to invest funds for a one year period, pursuant to California Government Code (the Code) Section 53607.

^{**}Item requires 2/3 vote

- 14. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Modification No. 1 to Contract No. PS71203061 with Carahsoft Technology Corporation to replace the current end-of-life Customer Relationship Management system in an amount not to exceed \$735,000 increasing the total contract value from \$396,054 to \$1,131,054.
- 20. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving the <u>updated Measure R Highway Subregional</u>

 <u>Program Project list</u> to include the proposed 2015 Call for Projects local match.
- 21. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. authorizing the Chief Executive Officer to reinstate \$8,375,000 in programming authority to increase the total FY 2014-15 Metrolink rehabilitation and renovation program to \$16,375,000; and
 - B. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all agreements necessary for this action.
- 22. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1):
 - A. authorizing the Chief Executive Officer to enter into the following documents and agreements, each in substantial accordance with the Summary of Key Terms and Conditions:
 - a Second Revised Amended and Restated <u>Joint</u>
 <u>Development Agreement with MacArthur Park Metro, LLC, or another development entity created by McCormack Baron Salazar, for the development of the second phase of a mixed-use project which consists of:

 </u>

(Continued on next page)

(Item 22 – continued from previous page)

- a. 81 affordable apartments, an unrestricted property manager's apartment, 6,000 to 12,000 square feet of retail space and 83 structured parking spaces on Metro's 1.8-acre Westlake/MacArthur Park Metro Red/Purple Line station site; and
- b. the closure of the existing north portal to the Westlake/MacArthur subway station and its adjoining, subterranean access, and the construction of a new "replacement" subway portal at Westlake Avenue, subject to appropriate construction, engineering and operational approvals.
- a 68-year ground lease with MPM, MPM Apartments II, L.P. or another development entity created by McCormack Baron Salazar, and other documents and agreements to implement the Phase B Project, including, without limitation, licenses, utility easements, covenants and dedications.
- B. adopting the California Environmental Quality Act (CEQA) Findings and authorizing the Chief Executive Officer to file a Notice of Determination with respect to the Phase B Project under CEQA within five days after Board action.
- 39. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a two-year, firm fixed price contract under Bid Number 15-0003 to Extreme Safety, the single responsive and responsible bidder for Item 4, Cellulose Paper Towels. The contract one-year base amount is \$571,494 inclusive of sales tax, and the one-year option amount is \$571,494 inclusive of sales tax for a total contract amount of \$1,142,988.

- 40. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to <u>award</u> a two-year, firm fixed price contract under Bid Number 14-0034 to the following lowest responsive and responsible bidders for bus brake parts for a total amount of \$1,067,831 inclusive of sales tax:
 - A. NABI Parts LLC for line item 1 (Rotor Disc Brake, Front & Rear) for a one-year base amount of \$158,781 inclusive of sales tax and a one-year option amount for \$158,781 inclusive of sales tax for a total contract value of \$317,562; and
 - B. JIT Truck Parts, LLC for line item 2 (Kit Disc Pad) for a one-year base amount of \$367,417 inclusive of sales tax and a one-year option amount of \$382,852 inclusive of sales tax for a total contract value of \$750,269.
- 41. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a two-year, firm fixed price contract under <u>Bid Number 15-0002 to</u> <u>Patten Energy, Inc., the lowest responsive and responsible bidder for engine oil.</u> The contract one-year base amount is \$997,633 inclusive of sales tax, and the one-year option amount is \$1,028,692 inclusive of sales tax for a total contract amount of \$2,026,325.
- 42. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year, firm fixed unit rate contract, PS1779633673325 to Conejo Crest Landscape, Inc., the lowest responsive, responsible bidder, to provide herbicide application services throughout Metro Right-of-Way and transit facilities in an amount not to exceed \$1,915,506.05, inclusive of two, one-year options, effective March 1, 2015. This award is pending resolution of any timely protest.

- 43. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 7 to Contract No. OP33442421 for <u>Graffiti Abatement Services to Woods Maintenance Services, Inc.</u>, in the amount of \$1,365,000 increasing the not-to-exceed contract value from \$4,252,763 to \$5,617,763. This contract provides on-going graffiti abatement services throughout Metro properties. This modification extends the period of performance through August 31, 2015.
- 51. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Modification No. 19 to Contract No. PS4350-1995, Facilitation of Community Participation Metro Westside Extension, with The Robert Group Inc. to provide continued public outreach support services for Section 2 of the Westside Purple Line Extension Project, in an amount not to exceed \$250,000 increasing the total Contract Value from \$3,485,813 to \$3,735,813. This modification extends the period of performance through July 31, 2015.
- 52. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) AS CORRECTED:
 - A. finding that <u>use of the design-build process pursuant to Public</u>

 <u>Utilities Code Section 130242(a)</u> will achieve certain private sector efficiencies in the integration of the design, project work and components for the second section (2.55 miles) of the **Westside Purple Line Extension Project**; and

(REQUIRES TWO THIRDS-VOTE)

B. further finding that the use of the design-build process pursuant to Public Contract Code 20209.5 et seq. will provide for a single contract with fewer procurement solicitations and contracts, which allows for a best value selection reduce project costs, expedite project completion and provide for design features not achievable through the design-bid-build method.

- 53. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) AS CORRECTED:
 - A. finding that awarding a design-build contract pursuant to Public

 Utility Utilities Code Section 130242(a) will achieve certain
 private sector efficiencies in the integration of the design,
 project work and construction of the Non-Revenue Maintenance
 Shops. The Board hereby authorizes contracting for Non-Revenue
 Maintenance Shops pursuant to Public Utility Utilities Code Section
 130242; and

(REQUIRES TWO-THIRDS VOTE)

- B. authorizing the Chief Executive Officer to award a design-build contract for the construction of the Non-Revenue Maintenance Shops pursuant to Public Utility Utilities Code section 130051.9(c) 130242(b).
- 55. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
 - A. approving the recommendation that LACMTA and Caltrans work with the Southern California Regional Rail Authority to construct the remaining drainage on the Interstate-5/State Route 14 Capacity Enhancement Project utilizing remaining funds from the project; and
 - B. authorizing the Chief Executive Officer or his designee to negotiate and execute all agreements necessary for these actions.
- 70. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) adopting the Proposed 2015 Federal and State Legislative Program.

- 71. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0):
 - A. authorizing the Chief Executive Officer to execute Modification No. 2 to Contract No. PS71303218 with Buchanan, Ingersoll & Rooney to provide <u>federal consulting services</u> for a period of 12 months in the firm fixed price amount of \$120,000, increasing the total contract value from \$120,000 to \$240,000; and
 - B. adding Contract Modification Authority to Contract No. PS71303218 for future changes in the amount of \$120,000.
- 72. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0-1) authorizing the CEO to enter into a non-competitive service agreement with Google, Inc. for a 12-month pilot program to place <u>revenue-generating advertising on Metro's website</u>, metro.net.
- 77. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) approving Motion by Directors Antonovich, Ridley-Thomas, Knabe, Kuehl and Solis that the Los Angeles County Metropolitan Transportation Authority Board of Directors:
 - A. encourage Los Angeles County to show their support to have the 2022-2024 World's Fair occur in Los Angeles County.
 - B. direct the CEO to work with the World's Fair to develop a relationship between the Los Angeles World's Fair, FPC and the MTA and to bring requests to the Board as they arise to further a cooperative effort to bring the World's Fair to Los Angeles County.
- 78. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) modifying the Funding Agreements between Expo and Foothill Construction Authorities to allow for an increase in Betterment funding for Expo Phase 2 in the amount of \$450,000 and Foothill Extension Phase 2A in the amount of \$3,000,000. This funding increase will be used for ADA improvements and for additional Metro Betterments that are enhancements to the requirements of the 2010 Metro Design Criteria used at the time of bid for these two projects.

- 80. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving REVISED Motion by Directors Garcetti and Kuehl that the Board instruct the CEO to:
 - A. work with the Exposition Construction Authority, the County of Los Angeles and the City of Los Angeles, and in coordination with the Exposition Construction Authority to prepare a feasibility an analysis of the Westwood Greenway project as well as a detailed cost estimate, including an estimate of the on-going maintenance costs; Including project benefits, detailed capital and ongoing maintenance costs, and project delivery options.
 - B. work with the County of Los Angeles and the City of Los Angeles to identify funding sources for the design and construction of the project;
 - C. provide an oral report at the March 2015 Executive Management Committee on the progress of the feasibility analysis and identification of possible funding sources; and
 - D. report to the Ad Hoc Sustainability Committee within one year of the Westwood Greenway's completion with recommendations on the feasibility of including similar sustainable storm water treatment features in future MTA projects.

END OF CONSENT CALENDAR

NON-CONSENT

- 3. Chair's Report.
- 4. Chief Executive Officer's Report.

- 7. AD HOC SUSTAINABILITY COMMITTEE RECOMMENDED (4-0) approving **Motion by Director Pfeffer** that staff:
 - A. work through the Mobility Matrices to identify projects eligible for Cap-and-Trade; and
 - B. determine how Metro can be of help to the sub-regions in working with the disadvantaged communities.
- 23. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) APPROVAL AS AMENDED:
 - A. awarding \$5,000,000 in <u>Transit Oriented Development Grants</u> to the 10 recommended jurisdictions; and
 - B. authorizing the Chief Executive Officer or designee to execute Grant Agreement for the funds.
- 23.1 PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) APPROVAL AS AMENDED Motion by Directors DuBois, Knabe and Ridley-Thomas that the Board instruct the CEO and Metro Staff to increase the funding allocated in this fourth cycle by \$1,325,000 to fully fund the "Total Unfunded Need" category as identified in the staff report.

NAJARIAN AND ANTONOVICH AMENDMENT that:

- A. the CEO direct MTA staff to coordinate with and schedule an appeal process with TAC for this and all future TOD grant rounds; and
- B. MTA staff report back to the Planning and Programming Committee in February March 2015 on the appeal process for Board approval.

- 24. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) AS AMENDED:
 - A. approving changes to <u>Metro Subregional Planning Area</u>
 <u>Boundaries for South Bay Cities to align with South Bay Cities</u>
 Council of Governments boundaries;
 - B. approving creation of new Metro Regional Facilities Planning Area for major Los Angeles County airports, seaports, and Los Angeles Union Station;
 - C. amending the Measure R Cost Containment Policy, adding a new Section 11 to ensure that Measure R funded projects located in the Regional Facilities Planning Area (i.e., the Crenshaw Line's 96th Street Station) are not the responsibility of subregional agencies; and
 - D. approving the use of these new boundaries in Metro plans, studies, and potential ballot measure proposals.

DUBOIS, KNABE AND NAJARIAN MOTION that the MTA Board:

- A. approve the staff recommendation as it pertains to the South Bay COG, Westside and LAX Boundary restoration;
- B. instruct Staff to return to the Board with an analysis of additional regional facilities and projects that fall into the Regional Facilities Planning Area;
- C. If those projects are Interstates, freeways or highways or other state-owned/operated facilities that fall outside of Metro control, instruct Staff to pursue the development of a cost sharing program for overruns including a methodology for both Caltrans, the State of California and MTA to determine a new step-by-step evaluation of project costs against possible resources to address project shortfalls. Shortfalls that cannot be addressed at the project level by value engineering or other measures, such as changes in the scope of the project, will be subject to further collaborative value engineering by the parties involved;

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- D. instruct Staff to report back to this Board on a quarterly basis on progress made with these policy revisions beginning in June of 2015; and
- E. approve that highway sub regional funding will not be subject to the Unified Cost Management Process and Policy for Measure R Projects as adopted until an acceptable process is determined.
- 45. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the <u>Motion by Directors Garcetti</u>, <u>Dupont-Walker</u>, <u>Knabe and Solis</u> that the Board instruct the CEO to:
 - A. develop specific recommendations for increasing competition for Inventory, Maintenance, and Professional Services solicitations;
 - B. consult with the FTA on whether the definition of adequate competition should have a higher threshold;
 - C. examine the suitability of posting MTA's informal solicitations on the MTA website:
 - D. examine the feasibility of mandatory goals for Request For Proposals subject to Metro's SBE Program; and
 - E. report back to the Operations Committee in 60 days on the above.
- 54. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION increasing the <u>Life of Project Budget for Capital Project 204133 Escalator Replacement/Modernization at Metro Red Line Pershing Square Station</u> by \$8,256,000 from \$12,500,000 to \$20,756,000.
- 67. RECEIVE quarterly update on Veterans Hiring Initiative.

- 79. RECEIVE joint oral report from Outfront Media (formerly CBS Outdoor) and Metro on **potential additional revenue sources under the current contract.**
- 79.1 EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION Motion by Director Fasana that in an effort to generate the maximum amount of revenue from advertising, staff is directed to issue a Request for Proposals for advertising revenues from bus and rail. Staff needs to include information related to potential revenue from a fixed guaranteed revenue option, a revenue sharing option and any other revenue generating opportunities.

END OF NON-CONSENT ITEMS

81. **CLOSED SESSION:**

- A. Conference with Legal Counsel Existing Litigation G.C. 54956.9(d)(1):
 - 1. Masoumeh Ashouri et al. v LACMTA, LASC Case BC513817 and Barbara Rooks v. LACMTA, LASC Case No. BC525321
 - 2. James Floyd v. LACMTA, LASC Case No. TC027309
 - 3. Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Company v. LACMTA, LASC Case No. BC545331
 - 4. LACMTA v. Parsons-Dillingham, LASC Case No. BC150298 (Consolidated with Case No. BC179027)
 - 5. Tutor-Saliba-Perini, JV., et.al. v. LACMTA, LASC Case No. BC123559 (Consolidated with Case No. BC132928)

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CLOSED SESSION CONTINUED:

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

1. Property Description: 3417 W. Slauson, Los Angeles, CA

Agency Negotiator: Carol Chiodo

Negotiating Party: Mehran and Jack Moaddel

Under Negotiation: Price and Terms

2. Property Description: 3644 Crenshaw Blvd., 3515 Rodeo Rd., Los

Angeles, CA

Agency Negotiator: Carol Chiodo

Negotiating Party: G&R Properties, LLC Under Negotiation: Price and Terms

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

Agency Representative: Don Ott Employee Organizations: Teamsters

D. Public Employment– G.C. 54957(b)(1):

Title: Chief Executive Officer

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