

Thursday, February 26, 2015 9:00 AM

---

# AGENDA

## Regular Board Meeting Board of Directors

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

### Call to Order

---

#### Directors

---

Eric Garcetti, Chair  
Mark Ridley-Thomas, 1st Vice Chair  
John Fasana, 2<sup>nd</sup> 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

---

Arthur T. Leahy, Chief Executive Officer  
Michele Jackson, Board Secretary  
Karen Gorman, Acting Ethics Officer  
Karen Gorman, Inspector General  
County Counsel, General Counsel

\*Via Telephone  
National 4H Youth Conference Center  
7100 Connecticut Avenue  
Chevy Chase, MD 20815



**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:

- Disorderly contemptuous or insolent behavior toward the Board or any member thereof which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting;
- 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
- 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

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.



323.466.3876

<i>Español</i>	日本語
한국어	русский
中文	ภาษาไทย
Հայերեն	ភាសាខ្មែរ
Tiếng Việt	

### 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](http://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, 11, 12, 13, 23, 24, 32 and 39.

*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 Regular Board Meeting held January 29, 2015](#).
  
6. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to:
  - A. establish a [bench of printing vendors](#) by executing five-year indefinite delivery/indefinite quantity multiple award agreements with the following vendors effective March 1, 2015, with an aggregate total value not to exceed \$1,000,000:
    - i. Corporate Impressions LA Inc PS147140650A
    - ii. Fusion Media PS147140650B
    - iii. Pacific Graphics Int'l (PGI) PS147140650C
    - iv. Peaks & Associates PS147140650D
    - v. Maps PS147140650E
  - B. execute Task or Contract Work Orders under these agreements for outside printing as necessary.
  
11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) 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:**

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to approve the submission of two or more project applications for grant funds from **California's Cap-and-Trade Program's Greenhouse Gas Reduction Fund through the Transit and Intercity Rail Capital Program.**
  
13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
  - A. approving the funding to Joint Management Council to reflect the programming of funds consistent with the Board approved **FY 2014-15 Budget for Capital Improvement Projects (CIP) for Roof, HVAC and Restoration of Los Angeles Union Station:**
    - i. Roof \$7,080,000 (CIP 210136)
    - ii. HVAC \$5,376,000 (CIP 210138)
    - iii. Restoration \$8,500,000 (CIP 210139)
  - B. amending the FY2015 budget to add \$7,505,687 to cost center 2210 with Prop C 40% funding to fund these action.
  
23. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:
  - A. increase the Life-of-Project budget for the bus replacement project to include the **purchase of 350 additional Compressed Natural Gas (CNG) buses for the FY16-18 capital program** in the amount of \$195,000,000 from \$308,442,500 to \$503,442,500; and
  - B. execute Contract Option No. 1 to Contract OP33202869 with New Flyer of America, to purchase 350 additional forty-foot CNG buses for the firm fixed price of \$193,979,571, increasing the Total Contract Value from \$304,672,769 to \$498,652,341 inclusive of sales tax.

**CONSENT CALENDAR CONTINUED:**

24. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to Execute Modification No. 8 to Contract No. OP33442103 for **Right-of-Way (ROW) Trash and Vegetation Removal Services to Woods Maintenance Services** in the amount of \$2,975,000 increasing the not-to-exceed contract value from \$14,633,946 to \$17,608,946. This contract provides on-going maintenance services throughout Metro properties and ROWs. This modification extends the period of performance through September 30, 2015.
32. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) approving an increase in Contract Modification Authority (CMA) to Contract No. C0984R with DRP National, Inc., for the **Lankershim Depot Rehabilitation Project Phase Two**, to provide funding for differing site conditions, extra work and plan modifications identified in the amount of \$150,000 increasing the current CMA from \$332,034 to \$482,034. The remaining Life-of-Project (LOP) budget after this action is \$123,934.
39. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0):
- A. receiving and filing status report addressing **FTA Triennial Review Findings**;
  - B. approving one Full Time Equivalent (FTE) position in the Civil Rights Programs Compliance Department to ensure oversight of the Americans with Disabilities Act compliance approximately 80 Metro grant sub-recipients; and
  - C. approving one FTE position in the Regional Grants Management Department to ensure oversight of all other FTA compliance areas including Procurement and Half Fare compliance of approximately 80 Metro grant sub-recipients.

**END OF CONSENT CALENDAR**

## **NON-CONSENT**

3. Chair's Report.
4. Chief Executive Officer's Report.
5. FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION AS AMENDED authorizing the Chief Executive Officer to [award a ten-year firm fixed unit rate Contract No. PS189840071403371, to Inland Transportation Services](#), the highest rated proposer, for program support for the Employer Annual Pass Programs in an amount not to exceed \$6,374,722, inclusive of six, one-year options.

The contract amount consists of \$2,400,112 for the four-year base period, \$630,450 for the first option year, \$630,450 for the second option year, \$661,012 for the third option year, \$661,012 for the fourth option year, \$695,843 for the fifth option year, and \$695,843 for the sixth option year, for a combined total of \$6,374,722.

**SOLIS AND GARCETTI AMENDMENT**: that the MTA Board directs the CEO to:

- A. extend the current EAPP support contract by nine months;
- B. examine the benefits and costs associated with additional staff (full-time equivalent, non-contract, part-time, etc.) congruent to historical and projected growth rates of the EAPP, including a detailed overview of potential consequences if staffing levels are not consistent with program growth;
- C. conduct a customer satisfaction survey of EAPP clients, including those that chose to no longer participate in the program;
- D. utilizing no. 2 and no. 3, recommend an EAPP staffing plan, with an analysis including but not limited to bringing the program in-house, contracting out entirely, or a hybrid approach; and
- E. report back on the above at the May 2015 MTA Board meeting.

**NON-CONSENT CONTINUED:**

21. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (3-0) [Garcetti, Dupont-Walker, Knabe and Butts Motion](#) that the Board direct the CEO to evaluate options for improving the connection between the Silver Line and service operating into South Bay communities via the Harbor/Gateway Transit Center, including:
- A. direct routing of Silver Line trips into Palos Verdes and San Pedro;
  - B. improved frequencies on local services, including Lines 246 and 344, for better connections with the Silver Line;
  - C. timed transfers and improved on time performance to ensure connections are met;
  - D. evaluation is based on the demand for the connection by time of day and day of week, and address fare pricing implications, resource and other requirements, ridership impacts, and implementation schedule; and
  - E. report back with the findings on all the above by the June 2015 Regular Board meeting.
40. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) [Garcetti, Ridley-Thomas, Kuehl, Solis, Bonin and Dupont-Walker Motion](#) that the CEO direct staff to report back to the Board with the following items:
- A. amendment to MTA's Joint Development Policy, establishing a goal that in the aggregate, affordable housing units represent 35% of all residential units developed on MTA-owned property;
  - B. recommended criteria under which MTA would allow proportional discounts to the fair market value of MTA owned property for the purpose of contributing towards the cost of affordable housing;

(Continued on next page)



**NON-CONSENT CONTINUED:**

(Item 40 – continued from previous page)

FURTHERMORE, WE MOVE that the CEO direct staff to:

- C. develop a memorandum of understanding with interested local cities and the County of Los Angeles to promote co-investment along transit corridors, such as leveraging municipally-controlled affordable housing and small business dollars for MTA's Joint Development affordable housing sites;
  - D. negotiate terms and conditions for the Board's consideration that reflect MTA's participation in the collaborative creation of a multi-partner Countywide Transit Oriented Affordable Housing loan fund, and report back to the Board on the following:
    - 1. criteria for eligible joint development projects, including neighborhood serving businesses to be funded by the loan fund;
    - 2. administration of the fund;
    - 3. loan program structure;
  - E. report back to the Board during the FY2015-16 Budget regarding the feasibility to budget \$2 million annually for 5 years, up to \$10 million to establish the fund; and
  - F. work with the affordable housing community to establish a revenue neutral TAP purchase program that provides passes to current and future occupants of MTA joint developments.
45. RECEIVE oral status update on the [Project Labor Agreement and Construction Careers policy programs](#).
46. RECEIVE [oral report on ACCESS Services](#).

**NON-CONSENT CONTINUED:**

47. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the CEO to execute Contract Modification No. 52 to Contract No. PS43502000 with Parsons Brinckerhoff Inc. to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during the design-build solicitation process, design support services during construction for [Section 2 of the Westside Purple Line Extension Project](#), in an amount not-to-exceed \$20,820,226, increasing the total contract value from \$131,682,877 to \$152,503,103.
  
48. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) [Garcetti, DuBois and Knabe Motion](#) that MTA Bus Division 3 in Cypress Park be dedicated “Leahy Division 3” to honor the contributions of the Leahy Family to the transportation profession and most importantly to improving the lives of past, present and future travelers within Los Angeles County.
  
49. PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION [Najarian Motion](#) that all MTA non-contract, non-security positions, including those in process, be placed on hold until the new MTA CEO reviews and approves of such proposed hirings. For the hiring of those positions deemed critical and time-sensitive, approval shall be at the sole discretion of the MTA Ethics Officer.
  
50. RECEIVE AND FILE report on [analysis of latest on-board customer satisfaction survey results including sexual harassment responses](#).

**NON-CONSENT CONTINUED:**

51. CONSIDER:

- A. authorizing the Chief Executive Officer to execute modification No. 2 to Contract No. PS71303218 **to provide federal consulting services for a period of 12 months** in the amount not to exceed \$120,000, increasing the Total Contract Value from \$120,000 to \$240,000;
- B. adding Contract Modification Authority to Contract No. PS71303218 for future changes in the amount of \$120,000.

(CARRIED OVER FROM JANUARY BOARD MEETING)

52. CONSIDER **Antonovich and Solis Motion** that the MTA Board directs the Inspector General to:

- A. conduct research into an appropriate zero-tolerance policy for Red Light violations for our Rail and Bus system and return to the Board in March with such a policy for consideration; and
- B. retain an independent consultant with expertise in safety culture and rail operational safety to conduct a review of MTA rail operations and management, including a root cause analysis of the Red Light violations committed over the past two years.
  - This review must at minimum include an analysis of safety culture, infrastructure issues, operator training, use of efficiency testing, and effectiveness of discipline for both operator and management.

WE FURTHER MOVE that the MTA Board sends a letter to the Administrations of the Federal Transit Administration and Federal Railroad Administration to seek partnerships in working with the MTA to reduce Red Light violations system-wide and to evaluate current policies, conditions, and management structures for flaws and deviations from industry best practices.

**NON-CONSENT CONTINUED:**

53. CONSIDER:

- A. holding a public hearing on the proposed new Resolution of Necessity, including rescission of the previously adopted Resolution of Necessity; and
- B. adopting the [Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Project Parcel W-1201, 1201-1 \(APN 5508-007-024\), consisting of the real property for the Purple Line Westside Subway Extension Project.](#)

(REQUIRES 2/3 VOTE OF THE BOARD)

54. 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 permanent tunnel easements, subsurface easements for the installation of grouting pipe, temporary construction easements for staging, sidewalk easements, tieback easements in Parcels RC-418, 418-1, 418-2, 418A, 418A-1, 418A-2, 418A-3, 418A-4, and 418A-5 \(APN's 5151-014-032 and 5151-014-033\); consisting of various real property interests for the Regional Connector Transit Corridor Project.](#)

(REQUIRES 2/3 VOTE OF THE BOARD)

**NON-CONSENT CONTINUED:**

55. CONSIDER:

- A. holding a public hearing on the proposed Resolution of Necessity; and
- B. adopting a [Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a subsurface easement and a grouting easement in Project Parcels RC-449 and RC-449-1 \(Assessor Parcel No. 5161-017-009\); consisting of the real property for the Regional Connector Transit Corridor Project.](#)

(REQUIRES 2/3 VOTE OF THE BOARD)

**END OF NON-CONSENT ITEMS**

56. ~~**CLOSED SESSION:**~~

- ~~A. Conference with Legal Counsel – Existing Litigation – G.C.54956.9(d)(1):
  - 1. ~~Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Company v. LACMTA, LASC Case No. BC545331~~
  - 2. ~~515/555 Flower Associates v. LACMTA, LASC Case No. BS137271 and USDC Case No. 2:13-CV-00453-JAK-PLA~~
  - 3. ~~Kendall Barber v. LACMTA, LASC Case No. BC489725~~~~
- ~~B. Conference with Legal Counsel – Anticipated Litigation – G.C.54956(d)(4):  
(One Case)~~
- ~~C. Public Employment – G.C.54957(b)(1):  
Interviews and Considerations of Candidates for Position of CEO~~

**CLOSED SESSION CONTINUED:**

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

- ~~1. Agency Representative: Don Ott and Duane Martin  
Employee Organization: Teamsters~~
- ~~2. Agency Representative: Chair Eric Garcetti and designees  
Unrepresented Employee: CEO Candidate(s)~~

~~E. Conference with Real Property Negotiator – G.C.54956.8:~~

- ~~1. Property Description: 114 S. Central Avenue, Los Angeles, CA 90012  
Agency Negotiator: Velma C. Marshall  
Negotiating Party: Fiveplants Associates and Veolia Energy Los Angeles, Inc.  
Under Negotiation: Price and Terms~~
- ~~2. Property Description: 111 N. Gale Drive, Beverly Hills, CA 90211  
Agency Negotiator: Velma C. Marshall  
Negotiating Party: Twinwood, Inc  
Under Negotiation: Price and Terms~~
- ~~3. Property Description: 715 West 3<sup>rd</sup> Street, Los Angeles, CA 90071  
Agency Negotiator: Carol A. Chiodo  
Negotiating Party: Glen & Hoyt Leisure – Leisure and Carpenter Properties Ltd.  
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