

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

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



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

For regular meetings of the Board, the public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly contemptuous or insolent behavior toward the Board or any member thereof which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting;
- b. A breach of the peace, boisterous conduct or violent disturbance which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting;
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

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

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

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Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department)

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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, 10, 11, 12, 13, 14, 15, 22, 23, 25, 26, 27, 35, 37, 38, 49 and 50.

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

CONSENT CALENDAR

2. APPROVE Minutes of the [Special Board Meeting held on February 25, 2015](#), Minutes of the [Regular Board Meeting held on February 26, 2015](#), Minutes of the [Special Board Meeting held on February 26, 2015](#) and Minutes of the [Special Board Meeting held on March 12, 2015](#).

6. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year, firm fixed price, Contract No. 3000002673, to Crowe Horwath, LLP for [Metro Annual Financial Audit Services](#) in the amount of \$1,866,086, for a four-year base period plus a one-year option term in the amount of \$467,009, for a total contract value of up to \$2,333,095.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. programming \$8,000,000 in Measure R 3% funds for the [Grade Crossing Improvements at Ramona Boulevard, Citrus Avenue, and CP Soledad Speed Increase Projects](#); and
 - B. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all agreements necessary for this action.

CONSENT CALENDAR CONTINUED:

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to execute and enter into the following amendments:

A. an amendment to **Metro’s existing Joint Development Agreement (JDA)** with Taylor Yards, LLC, a development entity created by McCormack Baron Salazar for the development of an approximately **17.7-acre portion of Taylor Yard** (Development Site) to:

1. allow Taylor Yards, LLC to subdivide a 4.8-acre portion of the Development Site (“Lot 2”) into two separate lots (“Lot 2A” and “Lot 2B”);
2. change the scope of the proposed development for Lot 2 from a single-phase, 97 unit, for-sale condominium project to a phased development project containing 54 for-sale condominiums on Lot 2A and 41 affordable family apartments and one unrestricted manager’s unit on Lot 2B;

B. an amendment to **Metro’s existing Common Area Ground Lease** with Taylor Yard Master Association, the homeowners’ association created by McCormack Baron Salazar to oversee the Development Site’s common improvements to:

1. allow a 0.45-acre, triangular-shaped portion of the ground leased premises (Triangle Parcel) to be used as a construction staging area until the earlier of:
 - i. the date when all of the Development Site’s housing and retail projects are substantially complete; or
 - ii. the date that the JDA expires or is terminated; and
2. require that, thereafter, landscaped, passive open space be constructed on the Triangle Parcel instead of a community center and swimming pool for the residents of the Development Site.

CONSENT CALENDAR CONTINUED:

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to enter into a six-month “Short Term” Exclusive Negotiation Agreement (ENA) with an option to extend up to three additional months, with Bridge Housing Corporation/East LA Community Corporation (“Bridge/ELACC”), or an entity created by Bridge/ELACC, to conduct community outreach regarding two mixed-use real estate developments and to refine the project scope to be included in a full term ENA, for the Metro-owned property situated at and **across the street from the Metro Gold Line Soto station.**

13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to enter into a six-month “Short Term” Exclusive Negotiation Agreement (ENA), with an option to extend up to three additional months, with Abode Communities (“Abode”), or an entity created by Abode, to conduct community outreach regarding a mixed-use real estate development and to refine the project scope to be included in a full term ENA, for the Metro-owned property at **East Cesar E. Chavez Avenue and North Soto Street.**

14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. approving the revised **Transit Oriented Development Planning Grant Program Guidelines**; and
 - B. approving the revised Lapsing Policy.

15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approval of the resolution which:
 - A. authorizes the Chief Executive Officer or his designee to claim up to \$7,140,233 in **FY 2014-15 Low Carbon Transit Operations Program funds from California’s Cap-and-Trade Program’s Greenhouse Gas Reduction Fund**, including \$5,875,784 in funding appropriated to Metro and up to \$1,264,449 in funding appropriations to any other Los Angeles County eligible recipients which may opt not to claim their appropriation; and
 - B. identifies the projects for which LCTOP funds are to be claimed.

CONSENT CALENDAR CONTINUED:

22. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to increase the Contract Modification Authority to Contract No. PS12643059R with Global Power to provide [Gateway Building emergency generator additions and upgrades](#) from \$216,245 to \$966,245 for an increase of \$750,000.

23. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0):
 - A. authorizing the Chief Executive Officer to execute Modification No. 15 to Contract No. PS26102156 with RMI International to provide [private security services](#) for the period April 1, 2015 through September 30, 2015 in the amount of \$3,300,000, increasing the total contract value from \$34,638,383 to \$37,938,383; and

 - B. cancelling procurement No. PS2610-3117 for Private Security Services.

25. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) establishing a Life-of-Project budget for the [Metro Information Security Improvement Program](#) in the amount of \$7,814,000. The FY16 portion is \$860,000.

26. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute a Contract Modification No. 4 to Contract No. OP85102554, with Mitsubishi Electric and Electronics USA, Inc. for [elevator/escalator maintenance and repair services](#) throughout the Metro transit system facilities (excluding Gateway Building), to exercise option year two for the amount of \$8,702,716. This contract amount consists of \$27,271,675 for the three-year base period, \$8,402,964 for the first option year and \$8,702,716 for the second option year, for a combined total of \$44,377,355.

CONSENT CALENDAR CONTINUED:

27. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. negotiate and execute a contract modification to Contract No. OP39603035 with ARINC, Inc. to [supply Information Technology equipment that comply with the most current Metro Information and Technology Services Department recommended standards](#) in an amount not-to-exceed \$1,500,000 inclusive of sales tax. This action increases the total contract value from \$9,697,765 to \$11,197,765; and
 - B. purchase additional coverage on the existing \$15,000,000 supplemental project insurance for 10 years after contract award in excess of ARINC limited liability in an amount not-to-exceed \$225,000 inclusive of premium and fees. This action increases the total coverage cost from \$774,000 to \$999,000.
35. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) approving a Life of Project Budget for [Facility Improvement Projects at Metro Bus Divisions](#) in the amount of \$21,650,000.
37. CONSTRUCTION COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to execute a cost-plus-fixed-fee Contract No. AE11298-2415-10135 with AECOM Technical Services, Inc. for the [Burbank-Bob Hope Airport Station Pedestrian Bridge Final Design Project](#) in the amount of \$1,559,386, inclusive of all design phases. This contract is for a base of three years. The base contract is for the amount of \$1,559,386.
38. CONSTRUCTION COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to negotiate and execute a cost-plus-fixed-fee Contract No. PS2415-3420 with Biggs Cardosa Associates, Inc. for the [Rosecrans/Marquardt Grade Separation Project](#) in the amount of \$6,273,306, inclusive of all design phases. This contract is for a base of three years. The base contract is for the amount of \$6,273,306.

CONSENT CALENDAR CONTINUED:

- 49. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to exercise the option to extend the [Billboard Management Contract with All Vision](#) for one year from July 1, 2015 to June 30, 2016.

- 50. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) directing the Chief Executive Officer to continue to fulfill the changes decreed in the [2011 Gaddy Settlement Order requiring Metro to meet or exceed the minimum requirements of the Americans with Disabilities Act](#) beyond the expiration date of the Order.

END OF CONSENT CALENDAR

NON-CONSENT

- 3. Chair's Report.

- 4. Chief Executive Officer's Report.

- 5.1 FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED APPROVAL AS AMENDED (4-0) [Motion by Directors Butts, Knabe, DuBois and Antonovich](#) that this Board:
 - ~~A. approve the staff recommendation as contained in item number five; and;~~

 - B. instruct the Capital Planning, Construction and Operations staff with the validation of data by the Chief Financial Officer and Treasurer to report back in June 2015 to the Finance, Budget and Planning Committees with the information described above in order to provide this Board, the new CEO and the subregion stakeholder partners a financial baseline from which to develop a framework for the updated LRTP, sales tax measure and other pertinent strategic financial decisions for the future of transportation development.

NON-CONSENT CONTINUED:

7. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) APPROVAL AS AMENDED of **Motion by Directors Ridley-Thomas and Butts** that within ninety days, the CEO shall:
- A. develop a strategic plan for the joint development activities along the Crenshaw Line that will:
 - 1. prepare a preliminary development envelope, building massing and permissible land uses for the properties based on adopted local plans and zoning, access, lot configuration, availability of utilities and Metro infrastructure;
 - 2. create a timeline for joint development activities based on when each opportunity site will be available;
 - 3. identify strategic public sector partners;
 - 4. outline the community engagement process;
 - 5. determine any formal partnerships or agreements necessary to implement the strategic plan; and
 - B. work with the County CDC to develop a scope of work and budget for an MOU that will allow Metro's Joint Development Department to implement the joint development of the two County-owned sites along the Crenshaw Line in conjunction with Metro-owned property.

AMENDMENT BY DIRECTOR SOLIS that a reasonable percentage of future housing units be affordable to low income families and individuals. The percentage of affordable housing units should be consistent with local demand resulting from a comprehensive community participation process. Moreover, move that the Board instruct staff to report back with a thorough community outreach plan and potential funding options achieve this goal.

NON-CONSENT CONTINUED:

8. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approval of the [Motion by Directors Garcetti, Krekorian, Najarian and Solis](#) that the Board instruct the CEO to:
- A. develop an action plan to address the downward trend in ridership. The plan should include:
 - 1. evaluate existing travel demand and identify new ridership opportunities;
 - 2. optimizing the existing transit network, including but not limited to: a) Improving bus service between rail service and key destinations, b) Establishing a frequent transit network, c) Developing new types of bus service to attract discretionary riders, and d) Better coordination with municipal operators and Metrolink;
 - 3. develop a campaign to market, promote, and outreach to potential new and discretionary riders about MTA transit services, including but not limited to 1) a revenue-neutral residential TAP bulk purchase program, 2) an incentive to travel during times of excess capacity, and 3) exciting marketing programs such as MTA's recent Red Line Speed Dating event;
 - 4. strategies to improve on-time performance, including but not limited to 1) testing all-door boarding, 2) installing stand-alone TAP validators, and 3) working with local jurisdictions to implementing bus-only lanes in key locations and at key times;
 - 5. evaluate the reliability of existing rail station countdown clocks and installing countdown clocks at additional rail stations and high-use bus stops;
 - 6. develop and utilize a frequent network map;
 - 7. other innovative strategies to increase ridership; and
 - B. report to the MTA Board in 90 days on the action plan.

NON-CONSENT CONTINUED:

17. RECEIVE AND FILE the [quarterly status report on the Airport Metro Connector](#) including:
 - A. initiation of environmental review;
 - B. procurement of architectural/engineering design services; and
 - C. refinement of the project implementation schedule in response to the July 2014 Board motion.

24. **WITHDRAWN:** ~~SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED WITHOUT RECOMMENDATION~~ authorizing the Chief Executive Officer to revise the Life-of-Project budget for contract CP 212023, [Metro Security Kiosks](#), from \$5,150,000 to \$7,150,000, an increase of \$2,000,000.

32. RECEIVE OIG oral report on [Preliminary Research of Zero Tolerance Policy for Red Light Violations](#) on Metro Rail and Bus Systems.

48. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) AS AMENDED staff recommended positions:
 - A. [AB 194 \(Frazier\)](#) – High Occupancy Toll Lanes Authorization Process **SUPPORT**
 - B. **AB 210 (Gatto)** – High Occupancy Vehicle Access ~~WORK WITH AUTHOR~~ **OPPOSE**
 - C. **AB 318 (Chau)** – Lost and Found **SUPPORT**
 - D. **AB 338 (Hernandez)** – Potential Sales Tax Measure **OPPOSE**
WORK WITH AUTHOR
 - E. **SB 9 (Beall)** – Cap and Trade Funds – Transit and Intercity Rail Capital Program **SUPPORT - WORK WITH AUTHOR**

NON-CONSENT CONTINUED:

- 48.1 EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) APPROVAL of [Motion by Fasana and Ridley-Thomas](#) that the MTA Board direct the CEO to:
- A. develop a comprehensive list of proposed bills with the potential impact of limiting Metro's ability to pursue implementation of future ExpressLanes identified as part of the LA County ExpressLanes Strategic Plan for distribution at the April 2015 Executive Management Committee;
 - B. expeditiously develop an overarching policy on HOV/HOT/ExpressLanes based on analysis that can guide the agency's position on proposed legislation; and
 - C. oppose any legislation that could negatively impact Metro's ability to operate its current program or proceed with future ExpressLanes related efforts until Board adoption of the ExpressLanes policy.
51. RECEIVE AND FILE the requested information regarding [affordable housing and Metro involvement.](#)
- 51.1 EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (4-0) APPROVAL of [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 51.1 – continued from previous page)

FURTHERMORE, 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.

(CARRIED OVER FROM FEBRUARY BOARD)

NON-CONSENT CONTINUED:

55. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approval of [Motion by Garcetti, Antonovich and Kuehl](#) that the Board instruct the CEO to:

Task Force

- A. formalize a multi-departmental Safe Space Task Force, including but not limited to the Communications, Community Relations, Ethics, Human Resources, Information Technology, Operations, Security, and Planning departments.

Community Input

- B. convene a community roundtable on issues of safe space and sexual harassment to better connect MTA with its customers and inform MTA's response to these issues.
- C. work with the American Public Transportation Association (APTA) to review national and international best practices for safe space in transit.

External Policy

- D. update the MTA Customer Code of Conduct to explicitly prohibit unwanted sexual attention and identity-based harassment.
- E. partner with an appropriate local agency or agencies to provide a non-law enforcement support option for victims.

Internal Policy

- F. In partnership with an appropriate local agency or agencies, review training guidelines for all MTA staff and contract public safety personnel to ensure that staff is properly trained to respond in cases of unwanted sexual attention, including those in which a minor is involved.
- G. utilizing no. 2 and no. 3, review station, bus stop, and transit vehicle design guidelines to ensure customer safety is taken into account.

(Continued on next page)

NON-CONSENT CONTINUED:

(Item 55 – continued from previous page)

Board Reporting

- H. report to the Board on all the above on a quarterly basis beginning with the April 2015 Board cycle.

56. RECEIVE:

- A. and file report on the [APTA Peer Review](#) of Fare Policy; and
- B. oral report from the APTA Peer Review panel.

END OF NON-CONSENT ITEMS

57. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(d)(1):
 - 1. Gilberto Rebollar, et al. v. LACMTA, LASC Case No. BC421357
 - 2. LACMTA v. Parsons-Dillingham, LASC Case No. BC150298 (Consolidated with Case No. BC179027)
- B. Conference with Labor Negotiator – G.C. 54957.6
Agency Designated Representative: Don Ott or designee
Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT