

Wednesday, February 15, 2012 1:00 PM

Second Revised Agenda

Planning and Programming Committee Meeting

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Diane DuBois, Chair

Zev Yaroslavsky, Vice Chair

Michael Antonovich

Richard Katz

Pam O'Connor

Michael Miles, non-voting member

Officers

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

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.

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.mta.net
TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

5. CONSIDER the following actions related to the **Regional Connector Transit Corridor:**
(HANDOUT)
- A. approving the Project Definition, which is based on the Locally Preferred Alternative (LPA) of a 1.9 mile Light Rail project with three stations previously designated by the Board in October 2010 and which incorporates several design refinements, including:
 - 1. Creating an enhanced pedestrian walkway along the east side of Flower Street between 4th and 7th Streets;
 - 2. Relocating the Little Tokyo/Arts District underground station to minimize property required and eliminate the cut-and-cover segment on 2nd Street in Little Tokyo originally required for construction;
 - 3. Launching the Tunnel Boring Machine (TBM) from the northeast corner of 1st and Alameda Streets, the Mangrove property formerly known as the Nikkei development, instead of 2nd Street;
 - 4. Tunneling to Flower and 4th Streets in the Financial District, further reducing cut/cover in the area;
 - B. certifying the Regional Connector Transit Corridor Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR);
 - C. authorizing the Chief Executive Officer (CEO) to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse;
 - D. adopting the:
 - 1. Finding of Fact and Statement of Overriding Considerations in accordance with the California Environmental Quality Act;
 - 2. Mitigation Monitoring & Reporting Plan (MMRP); and

(Continued next page)

(Item 5 – Continued)

3. Per EJ-3 in the MMRP and the Findings of Fact and Statement of Overriding Considerations, two acres of land shall be provided on the Mangrove property for the purposes of providing alternative parking services during construction which would include satellite parking served by shuttle buses or other parking services in the business area of Little Tokyo. Any parking services shall be operated by a licensed/bonded parking company selected through a Request for Proposal (RFP) process. The appropriate parking service provided will be determined with the participation of the Regional Connector Community Leadership Council (RCCLC) and/or other subcommittee. Through the RCCLC, LTCC, and other community groups it shall be assessed the feasibility of establishing a shuttle service connecting local parking lots and Little Tokyo/Arts District with destinations in downtown.
4. Per EJ-16 in the MMRP and the Findings of Fact and Statement of Overriding Considerations, targeted advertising and marketing campaigns shall be provided determined by the RCCLC, LTCC and/or other community based groups. An MOU agreement shall be developed to implement and compensate the process. The MOU will include but not limited to provide the following: Marketing and Merchant Support Technical and Business Assistance Business Interruption Program to provide an expeditious standard for claims resolution and reimbursement Marketing Services and Branding Campaign Merchant Discounts and Incentives/Rewards Program Signage (for businesses and access) Special Event Planning (including support)
5. The designation of a Construction Relations Manager to serve as the point person for all community concerns regarding the project prior to construction. This person will be responsible for the entire project area and funded from the project budget.

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(Item 5 – Continued)

6. Reports will be made to the Board in April and June 2012 with the implementation strategy for the above activities, with quarterly reports to the Board thereafter, and throughout the duration of the construction period.

E. authorizing the CEO to:

1. Exercise modification No. 14 to Contract No. PS4320-1985 with Camp Dresser & McKee (CDM) for assistance with our application for entry into Final Design and preparation of documents related to the Full Funding Grant Agreement (FFGA) after receipt of the Record of Decision (ROD) from the Federal Transit Administration (FTA) for the period of 17 months for an amount not to exceed \$907,704, increasing the total contract amount from \$15,702,178 to \$16,609,882;
2. Exercise modification No. 4 to Contract No. PS4320-1988 with The Robert Group (TRG) for continued outreach and community engagement services following the ROD for the period of 17 months for an amount not to exceed \$757,133, increasing the total contract amount from \$1,685,394 to \$2,442,527;
3. Increase contract modification authority for Contract No. PS-4320-1985 for an amount not to exceed \$136,156, increasing the total contract modification authority from \$2,071,179 to \$2,207,335 to cover the cost of any potentially unforeseen issues that may arise; and
4. Increase contract modification authority for Contract No. PS4320-1988 for an amount not to exceed \$113,570, increasing the total contract modification authority from \$463,969 to \$577,539 to cover the cost of any potentially unforeseen issues that may arise.

51. AUTHORIZE the Chief Executive Officer to:
- A. award a cost plus fixed fee Contract No. PS4710-2769 to Mark Thomas and Company in the amount of \$4,952,298 for professional services to prepare a **Utility Relocation Study** that includes conceptual and preliminary engineering, and technical studies for utility relocation and structural components of the **I-710 Corridor Project, specifically, for the Central Segment, between the I-405/I-710 Interchange to the Los Angeles River**; and
 - B. execute individual contract modifications as required, but not to exceed a cumulative total of up to 15% of the contract value, to cover the cost of any unforeseen issues that may arise during the preliminary utilities engineering and technical studies.
6. CONSIDER the following actions related to the **Long Range Transportation Plan financial forecast update**:
- A. amending the Measure R Contingency Policy to stipulate that it applies to net bond interest costs after:
 - 1. Adding Measure R interest earnings; and
 - 2. Exempting interest costs for the Build America Bond/tax exempt bond package that predated the policy;
 - B. amending the Fiscal Year (FY) 2011 Budget Policy to reimburse funding sources used as advance funding to accelerate Measure R Projects to:
 - 1. Permit reimbursements at the end of the Measure R scheduled funding period for each project;
 - 2. Permit the use of the funds reimbursed to the State Repayment of Capital Project Loans funds for subsequent project segments included in the funded Long Range Transportation Plan;
 - 3. To include the definitions and assumptions described in Attachment A of the Board report; and

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(Item 6 – Continued)

- C. receiving and filing the report in Attachment B of the Board report, which includes a summary status on the use of authority delegated to the Chief Executive Officer.
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- 7. AUTHORIZE the Chief Executive Officer to enter into **a funding agreement with the Department of Transportation (Caltrans) District 7** for an amount not to exceed \$2,000,000 for FY 2011-12 through FY 2013-14 for project delivery support services for the **I-710 South Corridor Project** EIR/EIS.
 - 8. AUTHORIZE the Chief Executive Officer to execute modification No.3 to Contract No. PS-4010-2589 with Mercator Advisors, LLC to provide **federal financial advisory and analytical services for the America Fast Forward program** for a period of 12 months for the amount not to exceed \$149,172, increasing the total contract value from \$288,601 to \$437,773.
 - 9. APPROVE the **Round 2 Transit Oriented Development Planning Grant Program Guidelines**.
 - 10. APPROVE the finding that in 2011 all 88 cities and the County of Los Angeles are in **conformance with the Congestion Management Program for Los Angeles County**

11. CONSIDER **Najarian, Dubois, O'Connor and Knabe Motion** that:
- A. Measure R highway “equity” funds shall be allowed to be used as a source of local match for future *Call for Projects* applications;
 - B. Measure R regional funding categories be brought into alignment with the same guidelines used with Propositions A and C as reflected in the last paragraph of this Motion; and
 - C. MTA staff shall integrate this Measure R Highway subfund policy into the Call for Projects process, and will advise the Board in April on how this policy is integrated into the Call and on initiating the 2013 Call for Projects process.

(CARRIED OVER FROM JANUARY PLANNING AND PROGRAMMING COMMITTEE MEETING)

12. RECEIVE oral report on **Highway Program Project Budget and Schedule Status.** (HANDOUT)
13. RECEIVE AND FILE the **Regional Rail Update through January 2012.**
14. RECEIVE **report of the Chief Executive Officer.**
52. RECEIVE AND FILE report on changes to the **Westside Subway Initial Construction Segment.**
(HANDOUT)

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

