

# RECAP/DRAFT MINUTES

Regular Board Meeting  
Board of Directors

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

Called to Order at 9:35 a.m.

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## Directors Present:

Antonio Villaraigosa, Chair  
Michael Antonovich, 1<sup>st</sup> Vice Chair  
Diane DuBois, 2<sup>nd</sup> Vice Chair\*  
John Fasana  
José Huizar  
Richard Katz  
Don Knabe  
Gloria Molina  
Ara J. Najarian  
Pam O'Connor  
Mark Ridley-Thomas  
Mel Wilson  
Zev Yaroslavsky

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## Officers

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

\*via telephone

Executive Conference Room  
Lakewood City Hall  
5050 Clark Avenue  
Lakewood, CA 90712



Los Angeles County  
Metropolitan Transportation Authority

**Metro**

1. **APPROVED Consent Calendar** Items: 2, 9, 11, 12, 18, 31, 34, 41, 43, 45, 46, 47, 48

*Consent Calendar Items were approved by one motion except Items 19, 33\*\* and 35 which were held by a Director for discussion and Item 30 which was withdrawn by staff.*

**\*\*REQUIRED 2/3 VOTE**

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	A	Y	A	Y	A	Y	Y	A	Y	A	

2. **APPROVED ON CONSENT CALENDAR Minutes of Regular Board Meeting held October 27, 2011.**

3. **RECEIVED Chair's Report.**

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
P	P	P	P	P	P	P	A	P	P	A	P	A	

4. **RECEIVED Chief Executive Officer's Report.**

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
P	P	P	A	A	A	P	A	P	P	A	P	A	

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AN = A. Najarian	ZY = Z. Yaroslavsky	RK = R. Katz	GM = G. Molina
JF = J. Fasana	DD = D. DuBois	MRT = M. Ridley-Thomas	
JH = J. Huizar	AV = A. Villaraigosa	DK = D. Knabe	
PO = P. O'Connor	MA = M. Antonovich	MW = M. Wilson	

LEGEND: Y = YES , N = NO, C = CONFLICT, ABS = ABSTAIN, A = ABSENT, P = PRESENT

9. ADOPTED ON CONSENT CALENDAR the resolution authorizing the Chief Executive Officer (CEO) to submit a **grant application for the Urban Greening Plan for Park and Ride Lots**, and take related actions in the execution and implementation of the program as required by the State of California Strategic Growth Council.

11. APPROVED ON CONSENT CALENDAR:

- A. finding that it is in MTA's best interest to amend an existing **Joint Development Agreement ("JDA") with Taylor Yards, LLC**, a development entity created by McCormack Baron Salazar, Inc. ("MBS"), to, among other things,
1. increase the projected number of for-rent, affordable, family apartments proposed for the 20.2-acre portion of Taylor Yard depicted on the Site Plan (the "Site") by 77 units;
  2. reduce the projected number of for-sale, condominiums proposed for the Site by 157 units;
  3. add 10, for-rent, live/work units to the proposed product mix for the Site;
  4. provide for a new ground lease (the "Infrastructure Ground Lease") for all of the Site's street and utility infrastructure that will not be dedicated to the City of Los Angeles and all of the Site's common area and open space;
  5. allow the Chief Executive Officer ("CEO") certain flexibility with respect to the form of the completion bonds or guarantees required for each phase of the multi-phase development project;
  6. extend the initial term of the JDA two years to April 2, 2015 and provide the CEO with the authority to extend the term of the JDA to July 1, 2019;

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7. change MTA's method of reimbursement for Taylor Yards, LLC's cost to remediate certain hazardous materials present on the Site;
  8. resolve a disagreement regarding Holding Rent due MTA under the JDA and the method of payment of the same;
  9. eliminate the requirement that MTA receive a resale transfer fee equal to 1.5% of the resale price of each condominium for all sales occurring after the initial sale to the original homeowner;
  10. amend the date the appraisal of the Site will be performed and change the definition of the Value of the Site; and
  11. acknowledge that certain affordable housing funding sources may require the recordation of long-term affordability covenants against all or a portion of the Site (including MTA's fee interest therein), and agree to review and consider such covenants in good faith. The specific terms of the JDA amendment will be in substantial accordance with the key terms and conditions;
- B. authorizing the CEO to execute and enter into the JDA amendment, ground leases (including the Infrastructure Ground Lease noted above), and other related documents and agreements with Taylor Yards, LLC, MBS or their affiliates relating to the proposed development of the Site in substantial accordance with the terms and conditions approved by the Board in March 2008;
- C. authorizing the CEO to execute prior to or after Taylor Yards, LLC, MBS or their affiliates entering into any ground leases for the development of the Site (other than the Infrastructure Ground Lease):

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1. dedications (and other grants of real property rights) to the City of Los Angeles for public streets and utilities related to the proposed development, and
2. affordable housing and other covenants encumbering the Site (including MTA's fee interest in the Site) for purposes related to the proposed development, in each case subject to conditions to be determined by the CEO.

D. authorizing the Chief Executive Officer to amend the FY12 budget to add up to \$800,000 to revenues and an equal amount to expenses in cost center 2210, New Business Development for the purpose of funding MTA's obligation to reimburse the developer for its cost to remediate the Site.

12. APPROVED ON CONSENT CALENDAR:

- A. awarding \$5 million in **Transit Oriented Development Grants** to the 5 eligible jurisdictions; and
- B. authorizing the Chief Executive Officer to execute Memorandums of Understanding for the grant funds.

18. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute a five-year lease agreement with **Downtown Properties for the rental of approximately 12,912 square feet of office space in an office building located at 818 West 7<sup>th</sup> Street, Los Angeles**, at an estimated rental cost of \$1,742,580.70 over the term of the lease.

19. APPROVED:

- A. adopting a resolution authorizing the **replacement of the expiring liquidity facility for the Prop C 2009-A bonds**,
- B. authorizing the Chief Executive Officer to finalize negotiations with the proposing banks and enter into any combination of agreements as provided for in the resolution for three year terms or less; and
- C. authorizing the Chief Executive Officer to negotiate with each successively ranked proposer from the lists if unable to reach agreement with one or more of the recommended proposers.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	C	Y	Y	A	A	Y	Y	A	C	Y	A	

20. RECEIVED oral **report on audit of the I-405.**

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
P	P	P	P	P	A	A	P	P	A	P	A	A	

25. APPROVED:

- A. the short list of respondents to the **Union Station Master Plan Request for Information and Qualifications** for participation in the Master Plan Request for Proposals (RFP) and
- B. authorizing payment of an amount not to exceed \$10,000 as a stipend to each short listed respondent submitting a complete response to the Master Plan RFP.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	C	Y	A	Y	A	C	Y	C	Y	Y	C	

30. WITHDRAWN:

- A. authorizing the Chief Executive Officer (CEO) to negotiate and execute a contract agreement with **EV Connect, Inc. to utilize California Energy Commission (CEC) Grant PON-09-006 that funds the installation of Plug-in Electric Vehicles (PEV) charging stations at four Metro Park and Ride Stations;** and upgrades the existing PEV charging stations at our Gateway Headquarters in Union Station; and
- B. amending the FY12 budget to add \$54,880 to Project Number 210130, Public Plug-in Vehicle Charging Station.

31. APPROVED ON CONSENT CALENDAR an increase in Contract Modification Authority (CMA) to Contract No. C0902 with **Gonzales Construction, for the Metro Red Line Division 20 car cleaning platform and new car wash project** to provide funding for pending and potential future changes in the amount of \$790,000, increasing the current CMA from \$881,674 to \$1,671,674.

32. APPROVED authorizing the Chief Executive Officer or his designee subject to receipt of Record of Decision from the Federal Transit Administration to execute an Agreement with **BNSF Railway Company to cease rail operations and abandon its interest in the Crenshaw Segment portion of the Harbor Branch right-of-way.** Also, authorize the Chief Executive Officer to execute such other agreements, forms and other documents needed to implement such BNSF abandonment.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	C	Y	Y	Y	A	Y	Y	C	C	Y	C	

33. APPROVED BY TWO-THIRDS VOTE:

- A. finding that awarding design-build contracts pursuant to Public Utilities Code Section 130242 (b) will achieve private sector efficiencies in the integration of the design, project work, and components related to the construction of a **storage building at Metro Green Line Maintenance Facility in Los Angeles County**; and
- B. authorizing the Chief Executive Officer to solicit and award design-build contract for the storage building construction at Metro Green Line Maintenance Facility, pursuant to Public Utilities Code Section 130242 (a), (c), (d), and (e).

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	A	Y	Y	Y	Y	A	A	

34. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute Contract Modification No. 27 to Contract No. C0882, with **Kiewit Infrastructure West Company, for a Los Angeles Department of Water and Power (LADWP) Betterment at the Mulholland Bridge**, at a value not-to-exceed \$1,733,163, increasing the Total Contract Value from \$744,294,248 to \$746,027,411. This change is contingent upon reimbursement of the cost by LADWP, resulting in a net zero cost to the project budget.

35. APPROVED KNABE MOTION AS AMENDED by RIDLEY-THOMAS that the MTA Board of Directors direct the CEO to:

- A. ~~Include the **Westchester (Manchester/Aviation) Station (at-grade near Hindry) as a bid option during the construction procurement**, i.e. bidders will propose prices for the following additional Option (in addition to the three Options identified as 1A, 1B, and 1C that were adopted by the MTA Board for Item 1, May 26, 2011), and establish a clear pecking order for the additional option below that the first priority is the Leimert Park/Vernon underground station, with second priority to the Westchester (Manchester/Aviation) Station (at-grade near Hindry):~~

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A. Include the Westchester (Manchester/Aviation) Station (at-grade near Hindry) as a bid option during the construction procurement, i.e. bidders will propose prices for the following additional Option (in addition to the three Options identified as 1A, 1B, and 1C that were adopted by the MTA Board for Item 1, May 26, 2011), and establish a clear pecking order for the additional option below with the condition that the Westchester (Manchester/Aviation) Station (at-grade near Hindry) is contingent upon the Leimert Park/Vernon underground station being constructed.

1. Baseline project plus Leimert Park/Vernon underground station and Westchester (Manchester/Aviation) Station (at-grade near Hindry)

B. Recommend for MTA Board approval a design/build contract for Options 2A, 2B that were adopted by the MTA Board for Item 1, May 26, 2011, and include the following additional Option for consideration:

1. Option A1 (as described in this motion) if a responsible and responsive bid is received that is less than or equal to the adopted life of project budget.

C. authorize a contract modification in the amount of ~~\$250,000~~ \$300,000 to complete the additional design and engineering work needed for the Project, to prepare the Westchester Station Option for the construction procurement, that is within the adopted life of project budget.

D. Staff report back to the Board in 90 days on other possible options for providing transit services to this community such as the Green Line to LAX project. The report should include timelines for options and possible funding sources that are outside the adopted life of project budget for the Crenshaw/LAX Transit Corridor.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	A	

41. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year firm fixed unit rate contract under IFB No. PS127140608, with Spicer’s Paper, Inc. and Unisource, as the lowest priced responsive and responsible bidders for **non-inventory paper supplies**, for an amount not to exceed \$3,000,000 inclusive of sales tax, inclusive of four one-year options.

42. APPROVED authorizing the Chief Executive Officer to award a ten-year, task order contract, Contract No. PS116430102 to the team led by Vanir Construction Management, the most qualified proposer, for **USG Engineering Management Services** in an amount not to exceed a cumulative total of \$8,000,000.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	C	Y	A	Y	Y	A	C	Y	Y	

43. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year firm fixed unit rate contract under RFP No. OP30102785 with Mobility Advancement Group, as the highest rated, lowest price Proposer for the **Metro Fixed Route Service Quality and Americans with Disabilities Act Compliance** for an amount not to exceed \$569,184, inclusive of three one-year options.

44. APPROVED authorizing the Chief Executive Officer to award a five year firm-fixed unit rate Contract No. OP30002745, to **Becnel Uniforms to provide uniforms for Transit Operations Supervisors** in an amount not to exceed \$806,750, inclusive of sales taxes and two one-year options.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	A	Y	A	C	Y	A	

45. APPROVED ON CONSENT CALENDAR adopting the proposed **Metro service standards and policies** that support Metro’s commitment to providing quality service to its patrons.

46. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 12-0003 to Drake Controls-West, LLC, the lowest responsive and responsible bidder for the **PSV valves for the natural gas bus fleet** for an amount not to exceed \$2,541,595, inclusive of sales tax and a one year option.
47. APPROVED ON CONSENT CALENDAR:
- A. approving preliminary Life-of-Project budget for new Capital Project 212021-**Metro Emergency Operations Center/Bus Operations Center/Rail Operations Center** in the amount of \$16,103,043 and
  - B. amending the FY12 budget for Cost Center 2610, System Security and Law Enforcement in the amount of \$10,000,000 to allow Metro to perform environmental assessment, land acquisition, and conceptual design.
48. APPROVED ON CONSENT CALENDAR ANTONOVICH MOTION that the MTA Board directs the CEO to:
- A. **Develop a partnership with the theme parks** (e.g. Six Flags Magic Mountain, Universal Studios, Knott's Berry Farm, Disneyland) and entertainment industry (i.e. Warner Brothers) to review and make recommendations on how MTA can provide a better customer experience when using our system, and report back to the board within 90 days on this effort.
  - B. Provide to the Board by December 2011 a plan to convert the schedule displays in our system stations to provide a countdown timer in lieu of the current arrival schedule, including timeline and cost to accomplish this goal.
  - C. Provide to the Board by January 2012 a review of all signage at our MTA stations with recommendations on how to enhance system signage to help our customers use the system more effectively and make transfers easier.

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- D. Provide to the Board by January 2012 an update with recommendations on what services to add (e.g. wifi, coffee kiosks) at our MTA stations that would promote a better customer experience.
- E. Provide to the Board by January 2012 an update with recommendations on how purchasing fare media to use the MTA system could be made more customer friendly.
- F. Provide to the Board by March 2012 a review of other major transit properties in the country with recommendations on other ideas currently in place nationally that could improve the customer experience using the MTA bus and rail system.

53. **ADOPTED the proposed 2012 Federal and State Legislative Program.**

Director Fasana requested that delegation of NEPA authority for transit projects be listed as an agency goal in the Federal Legislative Program.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	

54. **APPROVED receiving and filing report on the exercise of Option No. 3 to contract OP33202082 for additional Compressed Natural Gas Composite Buses with North American Bus Industries.**

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	A	Y	Y	Y	Y	Y	A	

55. APPROVED the following **nominee for membership on the Gateway Cities Service Council:**

- A. Marisa Perez, Filling unexpired term of George Bass,  
Gateway Cities Service Council  
Nominated by: Gateway Cities Council of Government  
Term Ending: June 30, 2014

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	A	

56. APPROVED WILSON MOTION to **appoint two additional members to the MTA Citizen Advisory Council:**

- A. Mr. Michael Conrad who has been a member of the Access Transit Citizen Advisory Board and
- B. Ms. Sherry Bailey who has been an active community member in the Crenshaw-Baldwin Hills-Leimert Part communities.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	A	Y	Y	Y	Y	Y	Y	

57. APPROVED ANTONOVICH AND DUBOIS MOTION that the MTA Board:

- A. Support the allocation of the \$950M in Proposition 1A funds programmed for **connectivity projects** throughout California, specifically those allocated for the Regional Connector.
- B. Direct the CEO to develop a list of projects in Los Angeles County that provide for advance investment in rail corridors while providing advance benefit for residents of Los Angeles County.
- C. Urge investment in Southern California’s segment of rail to ensure timely connections to population centers and key ridership areas concurrently with other program development.

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D. Continue working with the CAHSRA to addresses the interests and concerns of stakeholders in Los Angeles County.

E. Direct the CEO to send a letter to the CAHSRA discussing items 1, 2, 3 and 4 above.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	A	A	

58. APPROVED ANTONOVICH, KNABE and NAJARIAN MOTION that the MTA Board directs the acting MTA Inspector General to return to the Board by March 2012 with a **review of the Metro Gold Line Foothill Extension Construction Authority, the Exposition Metro Line Construction Authority and the Alameda Corridor-East Construction Authority** that contains:

A. The full staffing plan for each Authority, including in-house employees, contract employees and consultants, with salaries for each employee.

B. A review of each Authority’s Chief Executive Officer’s contract that describes total compensation, including but not limited to deferred compensation, incentives, and benefits.

C. A review of each Authority’s policies regarding expenditures, including but not limited to travel, training, per diems and miscellaneous expenses.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y	Y	Y	

59. APPROVED AS AMENDED receiving and filing update on the **FTA Civil Rights Compliance Audit.**

Villaragosa Amendment that the MTA Board direct the CEO to:

- A. Comply and adhere to all General Reporting and Program-Specific Requirements, in accordance with FTA Circular 4702.1A.
- B. Complete and submit a corrective action plan that complies with all the FTA Title VI compliance audit findings and requirements no later than the April 2012 MTA Board cycle.
- C. Ensure that all executives, staff, and consultants responsible for Title VI compliance receive additional training, including but not limited to:
  - 1. Reviewing all current FTA Title VI standards, directives and procedures
  - 2. Participating in and/or attending official FTA Title VI training sessions
  - 3. Participating in FTA sponsored Title VI Technical Assistance Webinars.
- D. Provide a monthly status report on the corrective action plan and training to the Executive Management Committee.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	A	

60. CLOSED SESSION:

A. Conference regarding Potential Threats to Public Services and Facilities – G.C. 54975:

While there may be no immediate threat, this is to provide the Board with a confidential update by Ruthe Holden, Chief Auditor, and Paul Taylor, Deputy Chief Executive Officer, on security related matters.

NO REPORT.

B. Public Employment - G.C. 54957:  
Position of Inspector General

NO REPORT.

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

1. Sharon Bagley v. LACMTA, Case No. BC421803

NO REPORT.

2. Jose Beltran and Maria Sanchez v. LACMTA, Case No. BC443892

NO REPORT.

3. Linda Lum, Cynthia Yung, Donald Lum and Danny Lum v. LACMTA, Case No. BC450095

NO REPORT.

4. Donald Schneider v. LACMTA, Case No. BC444158

NO REPORT.

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

Agency Representative: Richard Hunt and designated staff

Employee Organization: ATU, UTU, TCU, Teamsters

APPROVED Labor Contract between the MTA and UTU.

AN	JF	JH	PO	ZY	DD	AV	MA	RK	MRT	DK	MW	GM	
Y	Y	Y	Y	Y	A	Y	A	Y	A	Y	Y	A	

ADJOURNED at 12:28 p.m.

Prepared by: Collette Langston  
Board Specialist

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