

Thursday, February 23, 2012 9:00 A.M.

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# RECAP/DRAFT MINUTES

Regular Board Meeting  
Board of Directors

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

Called to Order at 9:42 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  
Michael Miles, non-voting member

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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



Los Angeles County  
Metropolitan Transportation Authority

**Metro**

1. APPROVED **Consent Calendar** Items: 2, 7, 8, 9, 10, 11, 17, 24, 29, 30, 41, 42, 43\*\*, 44, 51 and 53.

\*\*Required 2/3 Vote.

*Consent Calendar Items were approved by one motion except Item 31 which was removed from Consent Calendar.*

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

2. APPROVED ON CONSENT CALENDAR **Minutes of Regular Board Meeting held January 26, 2012.**

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

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

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

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

5. CARRIED OVER TO MARCH BOARD MEETING the following recommendations related to the **Regional Connector Transit Corridor**:
- 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.

(Continued next page)

(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;

**FORWARDED TO MARCH PLANNING & PROGRAMMING COMMITTEE MEETING RECOMMENDATION E2:**

- ~~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

**FORWARDED TO MARCH PLANNING & PROGRAMMING COMMITTEE MEETING RECOMMENDATION E4:**

- ~~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.~~

6. CARRIED OVER TO MARCH BOARD MEETING 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 planned use of the funds reimbursed to the State Repayment of Capital Project Loans (SRCPL) funds for subsequent project segments included in the funded Long Range Transportation Plan (LRTP), but require that such planned uses be brought to the Board for specific approval when a life of project budget including such funds is adopted;
    - 3. To include the definitions and assumptions described in Attachment A of the Board report; and
  - 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.
7. AUTHORIZED ON CONSENT CALENDAR 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. AUTHORIZED ON CONSENT CALENDAR 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. APPROVED ON CONSENT CALENDAR the **Round 2 Transit Oriented Development Planning Grant Program Guidelines**.
10. APPROVED ON CONSENT CALENDAR 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. APPROVED ON CONSENT CALENDAR **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.
17. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a Memorandum of Understanding with the City of San Gabriel pertaining to the City's railroad grade separation bridges, trench and supporting structures as part of the **Alameda Corridor East Project**.
24. ADOPTED ON CONSENT CALENDAR the **Amendments to the Administrative Code**.

26. APPROVED **YAROSLAVSKY MOTION** that staff return in March with a plan that would implement **gate locking** within 5-6 months, phased in on an aggressive schedule. Work to resolve fare media issues with Metrolink and the Municipal Operators and fare inspection issues with the Sheriff's Department.

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

29. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to negotiate and execute a Contract Modification for Change Notice No. 11 to Contract No. E0119 with the Connector Partnership Joint Venture to advance Preliminary Engineering, support FTA Approval to Enter into Final Design, and the Board approved \$500,000 for the preliminary design of the second entrance at 2nd Street/Broadway station for the **Regional Connector Transit Corridor Project**, for an amount not to exceed \$9,296,670, increasing the total contract value from \$23,309,794 to \$32,606,464; and
- B. increasing the Contract Modification Authority in the amount of \$10,226,337 increasing the total CMA from \$3,225,000 to \$13,451,337.

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

30. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a **Bid Stipend Agreement** with each of the qualified proposers for **the Crenshaw/LAX Transit Corridor** in an amount of \$1,000,000 per Stipend Agreement for unsuccessful responsive proposers.



31. APPROVED AS AMENDED to include a system-wide review **VILLARAIGOSA, O’CONNOR, WILSON AND HUIZAR MOTION** that the MTA Board of Directors adopt and direct the CEO to use the following framework to improve existing and future stations along the MTA rail system:

A. Signage and Way-finding

1. Prepare an assessment of pedestrian & bicycle connectivity and customer amenities (“connectivity elements”) for stations and surrounding areas on both the Blue Line and Green Line that shall include, but not be limited to:
  - a. Crosswalk and sidewalks
  - b. Bicycle racks, corrals & other bicycle facilities
  - c. Pedestrian & bicycle signals
  - d. Station canopies
  - e. Streetscape amenities (e.g. street trees, decorative sidewalk treatments, etc.)
2. Recommend improvements to connectivity elements, especially signage, that will make it easier to use the transit system and improve the customer experience.

B. Station Park & Rides

1. Evaluate the current security systems and recommend as appropriate the installation of additional video surveillance cameras at MTA owned (or used) property.
2. Identify best practices for facility maintenance and recommend changes to MTA’s existing maintenance practices.
3. Conduct a parking space utilization study and recommend strategies to increase utilization.

C. Noise Abatement

1. Evaluate options for reducing station noise along the Green Line using advanced noise reduction techniques and/or strategies.
2. Recommend noise reduction strategies for the Green Line.

D. Transit Oriented Development

1. Expand the TOD grant program in the adopted FY 2012 Budget to fund additional planning work and design guidelines that promote sustainable transit oriented design principles along the following transit and rail lines:
  - a. Blue Line
  - b. Green Line Extension to Los Angeles International Airport
  - c. West Santa Ana Branch
  - d. Westside Subway Extension (Continued next page)

(Item 31 – Continued)

- e. Silver Line/Artesia Transit Center and other Transitway Stations
- f. Los Angeles County Metrolink Stations

E. Funding

- 1. Amend the FY 2012 Budget to allocate \$10 million to fund recommendations from Item D above from the “FY12 Adopted Budget: Transit Capital, Metro Capital – System Improvements, Rail Yards and Rail Cars; FY 12 Estimated Ending Fund Balance” (Fiscal Year 2012 Approved Budget, p.38, line 5).

- F. Report back by the April 2012 Board meeting on all the findings and recommendations as described above.

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

41. APPROVED ON CONSENT CALENDAR the following findings for recently completed **equity evaluations**:

- A. there are no disparate or disproportionately adverse impacts from the planned implementation of the following major service changes:
  - Cancellation of Route 363 and replacement with Route 162;
  - Extension of Routes 30 & 330 from Pico Bl. to Sunset Bl.;
  - Cancellation of Route 730 and replacement with Route 330;
  - Shortening of Line 740 to Exposition/Crenshaw; and
  - Operation of Phase 1 of the Metro Expo Line to Culver City Station; and
- B. find that despite disparate impacts on some riders there is substantial legitimate justification for adopting the proposed service changes as they meet a goal that is integral to the mission of Metro of achieving a balanced operating budget, and that the selected alternatives to these service changes would have a less severe adverse effect on Title VI protected populations than other alternatives that were studied:

(Continued next page)

(Item 41 – Continued)

- Discontinuation of Line 439 and extension of Line 217 to Fox Hills Mall;
- Shortening of Line 42 to MLK/Western, reroute of Line 42 to Western/Exposition, and combination with Line 102 to its Palm/Seville terminal (Line 102 west of Western Av will be discontinued);
- Discontinuation of Line 305; and
- Shortening of Line 550 to Exposition/Vermont together with discontinuation of Harbor Transitway operation during off-peak periods.

42. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. execute Amendment No. 1 to Contract PS07701003B with Enterprise Rent-A-Car and Contract PS07701003C with VPSI, Inc., extending the current **vanpool lease program** for a period of six months for an amount not to exceed \$2,950,000, increasing the total contract value for the Metro Vanpool Program from \$19,128,400 to \$22,078,400; and
- B. amend the FY12 Budget to add \$577,500 of revenues and expenses for the purposes of continuing Metro Vanpool Program implementation through June 30, 2012.

43. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE:

- A. finding that the **procurement of 40' transit buses** under Public Utilities Code Section 130232 does not constitute a procurement method adequate for Metro's needs. The Board hereby authorizes procurement of these 40' transit buses pursuant to Public Contracts Code (PCC) Section 20217 for procurement by competitive negotiation; and
- B. authorizing the Chief Executive Officer to solicit a Best Value Request for Proposal for a contract to purchase up to a total of 900 transit buses, including a base order of 550 buses and options for up to 350 buses, as a competitive negotiation pursuant to PCC Section 20217 and Metro's Procurement Policies and Procedures.

44. APPROVED ON CONSENT CALENDAR SUBJECT TO RESOLUTION OF PROTEST:

- A. authorizing the Chief Executive Officer to award fifteen (15) multi-year firm fixed unit rate requirements contracts under Bid No. FSP12 with the following lowest responsive and responsible bidders for towing services for the **Metro Freeway Service Patrol (FSP)** for an amount not to exceed \$26,122,300:

Beat	Contract	Contractor	Amount	Contract Period
3	FSP12-3	Navarro's Towing	\$ 1,772,558	06/01/12 - 03/31/15
5	FSP12-5	Neighborhood Towing 4u, Inc.	\$ 1,674,661	06/01/12 - 03/31/15
6	FSP12-6	Mighty Transport, Inc.	\$ 1,484,718	06/01/12 - 03/31/15
7	FSP12-7	South Coast Towing, Inc.	\$ 1,788,820	07/01/12 - 04/30/15
9	FSP12-9	Classic Tow, Inc.	\$ 1,801,504	07/01/12 - 04/30/15
10	FSP12-10	Classic Tow, Inc.	\$ 1,588,901	06/01/12 - 02/28/15
11	FSP12-11	J&M Towing, LLC	\$ 1,366,527	07/01/12 - 03/31/15
17	FSP12-17	Sonic Towing, Inc.	\$ 1,624,122	07/01/12- 03/31/15
23	FSP12-23	Navarro's Towing	\$ 1,535,647	07/01/12 - 03/31/15
27	FSP12-27	Disco Auto Sales, Inc.	\$ 2,059,119	08/01/12 - 04/30/15
29	FSP12-29	Platinum Tow and Transport, Inc.	\$ 1,997,304	08/01/12 - 03/31/15
31	FSP12-31	Sonic Towing, Inc.	\$ 1,768,697	08/01/12 - 03/31/15
39	FSP12-39	J&M Towing, LLC	\$ 1,325,078	08/01/12 - 03/31/15
43	FSP12-43	Disco Auto Sales, Inc.	\$ 1,706,563	08/01/12 - 03/31/15
50	FSP12-50	Girard & Peterson, Inc.	\$ 2,628,083	06/01/12 - 01/31/15
		Total	\$26,122,300	

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(Item 44 – Continued)

- B. approving Contract Modification Authority for a total amount not to exceed \$3,671,030 to modify a total of 16 FSP contracts. Funding will be added to twelve current contracts to ensure that there are sufficient funds within each contract to operate until new contracts start. Two contracts will be extended and funded to complete the realignment of FSP contracts and funding is being added to two additional contracts that have drawn down contract value to support Caltrans and MTA freeway construction projects and unforeseen operational issues.

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

- 48. APPROVED **HUIZAR MOTION** that the CEO establish a working group comprised of six municipal operators of which three are TAP enabled and three that are not TAP enabled along with high level executive MTA staff.

The working group shall address the 7 overarching items identified in the Municipal Operator letter dated January 30, 2012.

Also move that the CEO report back at the March 2012 Board meeting with an update.

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

- 51. AUTHORIZED ON CONSENT CALENDAR 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

(Continued next page)

(Item 51 – Continued)

- 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.

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

- 53. APPROVED ON CONSENT CALENDAR **HUIZAR AND YAROSLAVSKY MOTION** that the Board direct the CEO to report back at the March board meeting on viable options that would include retaining the free information services that were provided by the Travelers Aid Society of Los Angeles volunteers at Union Station.

- 54. RECEIVED **civil rights compliance update.**

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

- 55. APPROVED **FASANA AND RIDLEY-THOMAS MOTION** that the Metro Board of Directors opposes any efforts, including State Legislation, by Caltrans to abandon State Route-39 and requests that Caltrans continue their efforts to complete the **State Route-39 reopening Project.**

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

56. **CLOSED SESSION:**

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

1. Nadia Ahdout, et al v. LACMTA, Case No. BC448290

APPROVED settlement in the amount of \$500,000.

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

2. Rosario Barajas, et al v. LACMTA, Case No. BC385950

APPROVED settlement in the amount of \$462,500.

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

3. Sonia Pichardo-Cabrera v. LACMTA, Case No. SC104002

APPROVED settlement in the amount of \$400,000.

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

4. Maria Hernandez v. LACMTA, Case No. VC056218

APPROVED settlement in the amount of \$450,000.

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

5. Kaliyah Tamayo v. LACMTA, Case No. BC448942

APPROVED settlement in the amount of \$475,000.

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

(Continued next page)

(Item 56 – Continued)

- B. Personnel Matters - G.C. 54957:  
Public Employee Appointment  
Consider Appointment of Inspector General

NO REPORT.

- C. 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.

RECEIVED public comment.

ADJOURNED at: 12:55 p.m.

Prepared by: Michele Chau  
Board Specialist

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