

# RECAP/DRAFT MINUTES

\*\*NOTE: CHANGE IN MEETING TIME THIS MONTH ONLY

## Regular Board Meeting Board of Directors

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

Called to Order at 9:50 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  
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, 10, 11, 19, 20, 21, 22, 34, 43, 44, 46, 47 and 67.

*Consent Calendar was approved by one motion except Items 8 and 45 which were removed.*

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2. **APPROVED ON CONSENT CALENDAR Minutes of Regular Board Meeting and Special Board Meeting held May 24, 2012.**

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

- Election of Board Officers.

ELECTED: Director Richard Katz, 2<sup>nd</sup> Vice-Chair, FY12

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

- Presented Resolution regarding Operator Alan Theodore Thomas.
- Presented video and commemorative book to outgoing MTA Chair Antonio Villaraigosa.
- Presented Resolution from Director Wilson to Hitesh Patel, Deputy Executive Officer, Project Management, and Orange Line staff members.
- Director Miles provided an update on yesterday's CTC meeting.

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4.1 WITHDRAWN - oral presentation by Hasan Ikhata, Executive Director of SCAG, on **Impacts of the 2016-2035 Regional Transportation Plan/Sustainable Communities Strategy in Los Angeles County.**

5. AUTHORIZED:

- A. the Chief Executive Officer (CEO) to execute a firm fixed price Contract No. PS4330-2863 for the **Union Station Master Plan** with Gruen Associates for an amount not to exceed \$4,150,000;
- B. establishing Contract Modification Authority of 15% of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within and up to the Board approved Contract Modification Authority;
- C. delegating to the CEO, should staff be unable to conclude negotiations with Gruen Associates, the authority to negotiate and execute a contract with the next most qualified proposer; and
- D. increasing the Proposed FY13 budget by adding \$990,000 in Cost Center 4520, in Countywide Planning Project 405557 Union Station Transportation Master Planning.

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6. APPROVED AS AMENDED:

- A. award recommendations totaling \$19,246,743 in **federal Job Access and Reverse Commute (JARC)** and \$4,127,185 in **federal New Freedom (NF) funds**;
- B. amending the fiscal year (FY) 2013 Budget to add the necessary revenues and expenses for the projects recommended for funding awards per Action A, once the Federal Transit Administration (FTA) awards JARC and NF grant funds;

(Continued)

(Item 6 – Continued)

- C. authorizing the Chief Executive Officer or his designee to negotiate and execute pass-through agreements with agencies approved for funding award recommendations per Action A once the FTA awards JARC and NF grant funds; and
- D. certifying that there has been a fair and equitable distribution of federal JARC and NF funds resulting from a competitive selection process and that projects recommended for funding awards per Action A were derived from our region's Coordinated Public Transit-Human Services Transportation Plan that the Board of Directors approved in January 2008.

**DuBois Amendment:** The following alternative is listed on page 5 of the Board report for this item, under “Alternatives Considered.” Move that the proposals underlined below be funded – One JARC proposal that received a score of 59, and three new NF proposals that received a score of 55.

“The Board of Directors also may choose to fund proposals that received a score lower than the minimum funding threshold of 60 points as follows: **i) partially fund one JARC proposal that received a score of 59 with \$734,528; and ii) fully fund three NF proposals that received a score of 55 with a combined total of \$3,123,330** and partially fund one NF proposal that received a score of 54 with \$1,482,327. Consistent with the recommendation of the Evaluation Panel, we do not recommend this alternative and suggest reserving the funds for another solicitation for proposals planned for next year. The Evaluation Panel already lowered the funding threshold from 70 points. Funding proposals that received a score lower than 60 points would require major revisions to their proposed scopes of work, implementation approaches, and budgets. From our experience, such "revised" proposals can result in projects that are not implemented successfully or at all.”

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7. APPROVED AS AMENDED:

- A. awarding \$1,000,000 in **Transit Oriented Development Grants** to the five recommended jurisdictions;
- B. authorizing the Chief Executive Officer to execute Grant Agreements for the funds; and
- C. approving the revised Lapsing Policy, for Rounds 2 and 3. (Cont'd)

(Item 7 – Continued)

**O’CONNOR/KNABE AMENDMENT** that the MTA Board of Directors direct the CEO to include the entire Green Line corridor as an eligible corridor in Round 3 of the TOD Planning Grant.

**DUBOIS AMENDMENT** to the existing administrative guidelines: Metro staff may negotiate grant reimbursements from quarterly schedule to a bi-monthly schedule in order to assist grantee jurisdictions with cash-flow issues.

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7.1 **APPROVED RIDLEY-THOMAS AMENDMENT** that the MTA Board of Directors direct the CEO to employ the priorities and guidelines established in the Round 1 TOD grant program to govern the award of Round 3. These priorities are as follows:

Funding Priorities

- A. First priority will be for funding proposals that will result in eliminating regulatory constraints to TOD projects. Such regulatory changes will result in conditions that encourage development near transit stations, provide for appropriate density given the immediate access to transit, reduce dependency on the private automobile and provide for strong pedestrian and bicycle connections between development sites and transit. While adoption of a Transit Village Development District [Government Code 65460] is only one method of achieving the regulatory changes desired under this grant program, proposals may seek to emulate major portions of the objectives stated in Government Code 65460; and
- B. Second priority will be given to funding proposals that include planning at or near station locations that may be a precursor to regulatory change, including, but not limited to: traffic modeling, density studies and financial feasibility of various development forms. Funding of such projects will only be considered if available funds remain after qualified first priority projects are funded.

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8. APPROVED AS AMENDED the reprogramming of \$61.6 million in project savings from the Metro Orange Line Canoga Extension to the East San Fernando Valley North/South project and other related actions, to ensure the **timely use of Proposition 1B State and Local Partnership Program funds.**

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**NAJARIAN AMENDMENT** that staff be directed to explore funding and report back within 30 days on ways to support the Bob Hope Airport Authority's proposed ground access program establishing direct connections to MTA's regional transit network, including the Orange Line BRT system and the Metro North Hollywood Red Line Station.

10. APPROVED ON CONSENT CALENDAR:

- A. adding the **Venice Metro Rapid to the Metro Rapid Expansion Program**; and
- B. allowing existing Metro Rapid Expansion Program funds to be used for capital improvements.

11. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:

- A. award a firm fixed price Architectural & Engineering task order under Contract No. PS4010-2540 **Highway Programs Planning & Deliverables Bench Contract** to Axiom Engineering & Science Corporation (Axiom) in the amount of \$387,120 for professional services to provide project management and quality control for the Central and North I-710 Utility Relocation Studies contracts;
- 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 performance of the contract; and
- C. increase Task Orders under the individual Highway Bench Contracts from \$250,000 up to \$500,000 per contract.

18. **ADOPTED UNDER RECONSIDERATION AS AMENDED the FY13 Proposed Audit Plan.**

**MOLINA AMENDMENT** to add an audit of Expo Phase I and begin the audit of Expo Phase II.

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19. **APPROVED ON CONSENT CALENDAR:**

A. **the Southern California Regional Rail Authority (SCRRA) FY 2012-13 Budget, and the Los Angeles County Metropolitan Transportation Authority's (LACMTA) FY 2012-13 Commuter Rail Program contribution of \$63,935,488**, consisting of \$46,134,700 for Operations; \$15,712,300 for Rehabilitation and Renovation; and \$2,088,488 for Right-of-Way (ROW) Security; and approving the programming of funds for SCRRA as follows:

1. \$54,088,488 in new Proposition C 10% funding for Operations, Rehabilitation/Renovation and Right-of-Way Security for FY 2012-13;
2. \$9,847,000 in Measure R 3% prior year carryover funds, for the Rehabilitation and Renovation program for FY 2012-13;

B. \$4,100,000 as LACMTA's first payment towards OCTA's rehabilitation and renovation program, as consideration for the Rotem rolling stock acquisition;

C. amending the LACMTA FY 2012-13 Budget, adopted in May 2012, to reflect the programming actions in Recommendations A and B;

D. extending the lapsing date one year, from June 30, 2012 to June 30, 2013, for \$4,944,092 in FY 2009-10 Proposition C 10% funds previously allocated to SCRRA for the FY 2009-10 Rehabilitation/Renovation Program;

E. approving the reprogramming of \$261,633 in project savings from the Lang Siding project, to the Broadway/Brazil grade crossing improvement project; (Continued)

(Item 19 – Continued)

- F. approving for FY 2012-13, the revised Transfers to Other Operators payment rate of \$1.10 per boarding to LACMTA; and
- G. authorizing the Chief Executive Officer or his designee to negotiate and execute all necessary agreements between LACMTA and the SCRRRA for the approved funding.

20. APPROVED ON CONSENT CALENDAR:

- A. **\$1.521 billion in FY2013 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators and Metro operations.** These allocations comply with federal and state regulations and MTA Board policies and guidelines:
  - 1. \$59.9 million in Planning and Administrative allocations of Transportation Development Act, Proposition A, Proposition C and Measure R;
  - 2. \$1.055 billion in Bus Transit Subsidies;
  - 3. \$12.2 million in Proposition A Incentive Programs;
  - 4. \$393.6 million in Proposition A Local Return, Proposition C Local Return, Measure R Local Return, Transportation Development Act Article 3 (Pedestrian and Bikeways) including a one-time supplemental allocation of \$2.5 million from unallocated fund reserves, and Transportation Development Act Article 8 (Street and Highways);
- B. authorizing the Chief Executive Officer to adjust FY2013 Federal Section 5307 allocations upon receipt of final apportionment from the Federal Transit Authority and amend FY2013 budget as necessary to reflect the aforementioned adjustment;
- C. fund exchange in the amount of \$9.5M of Santa Monica's Blue Bus' FY2013 Federal Section 5307 formula share allocation with Metro's TDA Article 4 revenues, to be adjusted upon receipt of final apportionment and will be disbursed in FY2014;

(Continued)



(Item 20 – Continued)

- D. adopting a resolution designating TDA and STA fund allocation compliance to the terms and conditions of the allocation; and
- E. upon approval, authorizing the Chief Executive Officer to negotiate and execute all necessary agreements to implement the above funding programs.

21. APPROVED ON CONSENT CALENDAR:

A. adopting findings and recommendations for using **FY 2012-13 Transportation Development Act (TDA) Article 8 funds** estimated at \$18,449,643 as follows:

1. In the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon chooses to use \$106,643 of their Article 8 funds for their transit services; therefore, TDA Article 8 funds will be used to meet the unmet transit needs;
2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition C Local Return; therefore, their transit needs can be met with other funding sources. Hence, TDA Article 8 funds in the amount of \$4,371,055 and \$4,573,225 (Lancaster and Palmdale, respectively), may be used for street and road purposes and/or transit;
3. In the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with other funding sources, such as Proposition A and Proposition C Local Return, and TDA Article 8 funds in the amount of \$5,322,904 for the City of Santa Clarita may be used for street and road and/or transit purposes, as long as their transit needs continue to be met;

(Continued)

(Item 21 – Continued)

4. In the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, the allocation is \$4,075,816 and may be used for street and road purposes and/or transit; and
- B. adopting a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

22. APPROVED ON CONSENT CALENDAR:

- A. establishing a **new Proposition C Capital Reserve Account** for the City of Bell for their Florence/Bear Video Detection and Traffic Signal Improvements project in the amount of \$91,158;
- B. amending the existing Proposition C Capital Reserve Accounts for 1.) the City of Bell to change the street rehabilitation project to **add** the intersection rehabilitation project which also includes improvements to Slauson Bridge, this request changes the original amount to add an additional ~~\$473,000~~ **\$273,000** for a total of ~~\$273,000~~ **\$373,000**; 2.) the City of Redondo Beach to add an additional \$1 million for a total of \$1,650,000 to the existing Reserve Account; and
- C. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority (LACMTA) and the Cities for their Capital Reserve Accounts as approved.

23. ADOPTED a resolution, authorizing:

- A. the Chief Executive Officer and other Authorized Officers to negotiate and execute the agreements between the Crenshaw Project Corporation ("CPC") and the U.S. Department of Transportation ("USDOT"), related to the CPC entering into the \$546 million **Transportation Infrastructure Finance and Innovation Act ("TIFIA") loan for the Crenshaw/LAX Transit Corridor Project**; and
- B. execution of documents and agreements with the USDOT for a TIGER II Discretionary Grant that will fund the \$20 million credit charge on the loan.

(REQUIRED SEPARATE, SIMPLE MAJORITY BOARD VOTE)

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24. APPROVED **REVISED ANTONOVICH, NAJARIAN, AND RIDLEY-THOMAS AND WILSON MOTION** that the MTA's Inspector General retain a consultant, funding to be determined, to:

- a) evaluate the organizational structure of MTA;
- b) identify potential duplication of effort;
- c) evaluate non contract employee titles commensurate with duties, **salary and MTA tenure**; and
- d) review span of control and the flattening of the agency;
- e) evaluate compensation inequities or disparities between new recruits and seasoned employees; and
- f) establish criteria to compensate long-term valued employees who retain the knowledge and ability to build and train future employees in order to promote proper succession planning for the Agency.

Further move that MTA's consultant report back to the Executive Management Committee and the full Board in November 2012 with:

- a) a comprehensive evaluation of non contract FTEs, including recommendations for **addressing** the MTA organizational structure, specifically duplication of efforts, silos, salary and title structure and flattening; and

(Continued)

(Item 24 – Continued)

- b) a comprehensive evaluation, including recommendations for **addressing the MTA organizational structure, including specifically duplication of efforts, silos, salary, resolving compensation inequities and title structure and flattening;** and
- c) ~~b~~ provide a sound business-oriented Organizational Efficiency Plan.

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34. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute Contract Modification No. 9 to Contract No. OP30101812 with Agreement Dynamics, Inc. to provide **interest-based problem solving training consulting services** for the amount not to exceed \$150,000 through June 30, 2013, increasing the Total Contract Value from \$877,944 to \$1,027,944.

35. APPROVED AS AMENDED the following actions related to the **Measure R Extension:**

- A. adopting the Ordinance, including Expenditure Plan and Ballot Language;
- B. adopting the Resolution requesting the Los Angeles County Board of Supervisors to place the Ordinance on the ballot for the November 6, 2012 countywide general election; and
- C. amending the FY13 budget to add \$10 million to fund election costs and public information.

**DUBOIS AMENDMENT:**

In November of 2008, the voters of the City of Los Angeles approved the passage of Measure R - the third Los Angeles County half-cent sales tax.

Since the passage of Measure R, the anticipated sales tax revenue has not materialized and the MTA faces not being able to deliver the projects promised to LA County voters.

(Continued)

(Item 35 – Continued)

**DUBOIS AMENDMENT (Continued):**

We are currently considering putting an initiative before the voters that will lift the sunset on the Measure R sales tax and continue the tax. There is a recommendation before us to continue the tax "until the voters decide to eliminate it". This representation that the voters can eliminate a tax through popular mandate does not take into account the significant expense and time associated with eliminating a tax.

In recognition of the above, I therefore, recommend the following:

The MTA place a ballot measure before the voters that extends the Measure R sales tax for an additional 30 years whereupon the sales tax will sunset.

**YAROSLAVSKY AMENDMENT:** Direct the Board to refrain from spending MTA monies on public information campaigns for Measure R without Board approval.

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**FASANA AMENDMENT:**

Move to include in Ordinance # 12-01: Traffic Relief and Rail Expansion Tax Extension Ordinance, the following amendment to Ordinance #08-01: Traffic Relief and Rail Expansion Ordinance;

Section 11. Amendments

- b. Notwithstanding Section 11(a) of this Ordinance, Metro shall not adopt any amendment to this Ordinance, including Attachment A, that reduces total Net Revenues allocated to the sum of the Transit Capital Subfund and the Highway Capital Subfund. ~~Not more than once in any ten (10) year period commencing after the year 2019,~~ Metro may adopt an amendment *by a two-thirds vote* transferring Net Revenues between the Transit Capital Subfund and the Highway Capital Subfund within the same sub-region.

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(Item 35 – Continued)

**FASANA AMENDMENT (Continued):**

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**FAILED:**

**RIDLEY-THOMAS SUBSTITUTE MOTION:**

Metro's polling on the proposed Measure R extension was conducted prior to several significant developments affecting the electoral climate for an upcoming ballot initiative. The Secretary of State recently certified three statewide initiatives to raise revenues for State government. These initiatives would fund core services, workforce development and criminal justice, including K-12 education, higher education, public safety and administration of the courts.

Opposition to measures designed to raise revenue to finance governmental services may be growing. Metro plans to spend \$10 million to fund its campaign for a Measure R extension. The magnitude of the effort and high stakes of the outcome call for a thorough assessment of the public's willingness to consider an extension of a sales tax increase. Polling conducted several months ago may already be outdated and must be updated.

I therefore move, that the Metro Board Metro delay a vote on the extension of Measure R pending results of another poll designed to gauge support for extension of Measure R, now that other tax measures have qualified for the November ballot; and that the Board authorize staff to conduct another poll in consultation with the Board.

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43. APPROVED ON CONSENT CALENDAR the following actions related to the **I-405 Sepulveda Pass Improvements Project**:

- A. authorizing the Chief Executive Officer to issue and negotiate Change Order No. 55 to Contract No. C0882, with Kiewit Infrastructure West Company, for construction of redesigned work at Bridges 10 and 11 and the right-turn lane from southbound Sepulveda Boulevard to westbound Wilshire Boulevard, for an amount not to exceed \$3,612,000, increasing the Total Contract Value from \$794,975,625 to \$798,587,625; and
- B. approving an increase of \$3,612,000 to the Contract No. C0882 Change Modification Authority (CMA), from \$93,450,700 to \$97,062,700, with no change to the Project 405523 Life of Project (LOP) budget.

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44. AUTHORIZED ON CONSENT CALENDAR:

- A. an increase to the Total Contract Value for Contract No. MC069, with Stantec Consulting, Inc. to provide **Construction Management Support Services** for an amount not to exceed \$15,440,000 for the fourth year of a five year contract, from \$37,500,000 to \$52,940,000; and
- B. the Chief Executive Officer to execute individual Contract Work Orders and Modifications within the Board approved contract value.

45. APPROVED RECOMMENDATIONS A THROUGH C, AND CARRIED OVER RECOMMENDATION D:

- A. authorizing a Life of Project budget increase for project 809082, **Metro Red Line Segment 3 Close-out**, from \$4,139,000 to \$23,139,000, an increase of \$19,000,000 to:
  - 1. complete concurrently the documentation required by the FTA for Metro Red Line Segment 3 Close-out; and prepare the Advanced Conceptual design;
  - 2. construct the Universal City Station Pedestrian Bridge, including without limitation, Advanced Conceptual design, final design, construction costs, construction management, insurance, contingency, 3<sup>rd</sup> party, City and County coordination and Agency costs;
- B. amending the FY13 budget to add \$771,000 in project 809082, Metro Red Line Segment 3 Close-out project for recommendation A;
- C. authorizing the Chief Executive Officer to negotiate and execute a Contract Modification to Contract PS-8510-2539, with Rios Clementi Hale Studios for the amount not to exceed \$550,842 to perform Preliminary Engineering design services, increasing the total Contract Value from \$124,158 to \$675,000; and

CARRIED OVER:

- D. authorizing the Chief Executive Officer to solicit and award Design-Build contracts for the Universal City Pedestrian Bridge pursuant to Public Utilities Code section 130242(a), (c), (d) and (e).

(RECOMMENDATION D REQUIRES 2/3 VOTE OF THE BOARD)

**The above recommendation is subject to approval by the Board of a settlement agreement between MTA and Universal.**

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\*Conflict is for Part C only.



46. AUTHORIZED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to negotiate and execute a five-year labor-hour Contract No. EN078, to AECOM Technical Services, Inc. for **Environmental Compliance Services** on Task Orders, inclusive of two one-year options with an initial amount not-to-exceed \$10,525,000;
- B. the Chief Executive Officer to execute individual Task Orders and changes within the Board approved contract amount; and
- C. delegated to the Chief Executive Officer, should staff be unable to conclude negotiations with AECOM Technical Services, Inc., the authority to negotiate with the next most qualified proposer.

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47. APPROVED ON CONSENT CALENDAR:

- A. acknowledging the cost estimate increase for construction of the **Eastern Operation and Maintenance (O&M) Facility** by \$12,000,000 to a new total of \$276,583,167;
- B. establishing a Life of Project (LOP) budget of the Eastern O&M Facility for Metro's 75% share under Project 800200 of \$207,437,375 that includes the \$9,000,000 cost increase above the prior reported estimate;
- C. increasing LOP budget for **Foothill Extension Phase 2A** by \$6 million for a new total of \$741 million to meet Metro's Contingency Policy;
- D. amending the Funding Agreement to incorporate the changes noted above; and
- E. modifying punch list and warranty language in Master Cooperative Agreement (MCA) for consistency with the Exposition Metro Line Construction Authority MCA.

58. AUTHORIZED the Chief Executive Officer to award a firm fixed unit price contract for **Light Emitting Diode (LED) light fixtures** for the next three years under Request for Proposal No. OP39602864 to Alternative Consumption Technologies, Inc. (ACT) doing business as Go Green Solutions. The firm will supply tunnel lighting fixtures and replacement lenses for the existing 5,000 fixtures, and associated equipment, and 200 spare units, for the total contract amount of \$2,233,574, inclusive of delivery and sales taxes.

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59. APPROVED the **initial program strategy designed to improve the distribution of freeway and other related traveler and public information** in a customer-friendly, safe, comprehensive and efficient manner.

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

60. AUTHORIZED:

- A. the Chief Executive Officer to negotiate and execute a Contract Modification No. 92 to Contract OP-02-4610-10 with Cubic Transportation Systems, Inc. ("CTS") for **Universal Fare System maintenance**, for up to twelve months, July 1, 2012, to June 30, 2012 ~~2013~~, for an amount not to exceed \$9,000,000, increasing the total contract value from \$160,416,339 to \$169,416,339; and
- B. ~~additional contract modification authority in the amount of \$1,000,000 in the event of unanticipated changes.~~

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

66. APPROVED:

- A. staff's report on the results of the **Red Light Photo Enforcement program evaluation** as a basis for continuing the program under the current contracts which expire June 30, 2013, pending the outcome of proposed legislation by the end of the current calendar year; and
- B. receiving an update on the status of the alternative engineering countermeasures being implemented on the Metro Gold Line and an update on pending legislation as described in staff's August 11, 2011, and January 19, 2012 reports.

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67. APPROVED ON CONSENT CALENDAR the following **nominees for membership on the San Fernando Valley Service Council, Westside/Central Service Council, South Bay Service Council, and Gateway Cities Service Council:**

- A. Dina Garcia, San Fernando Valley Service Council, New Appointment  
Nominated by: Mayor Antonio R. Villaraigosa  
Term Ending: June 30, 2015
- B. George Taule, Westside/Central Service Council, New Appointment  
Nominated by: Mayor Antonio R. Villaraigosa  
Term Ending: June 30, 2015
- C. Don Szerlip, South Bay Service Council, Re-Appointment  
Nominated by: South Bay Cities Council of Governments  
Term Ending: June 30, 2015
- D. Rena Kambura, South Bay Service Council, Re-Appointment  
Nominated by: South Bay Cities Council of Governments  
Term Ending: June 30, 2015
- E. John Addleman, South Bay Service Council, Re-Appointment  
Nominated by: South Bay Cities Council of Governments  
Term Ending: June 30, 2015 (Continued next page)

(Item 67 – Continued)

- F. Jo Ann Eros Delgado, Gateway Cities Service Council, Re-Appointment  
Nominated by: Gateway Cities Council of Governments  
Term Ending: June 30, 2015
  
- G. Richard Burnett, Gateway Cities Service Council, Re-Appointment  
Nominated by: Gateway Cities Council of Governments  
Term Ending: June 30, 2015
  
- H. Wally Shidler, Gateway Cities Service Council, Re-Appointment  
Nominated by: Gateway Cities Council of Governments  
Term Ending: June 30, 2015
  
- I. Elliott Petty, Westside/Central Service Council, Re-Appointment  
Nominated by: Supervisor Mark Ridley-Thomas  
Term Ending: June 30, 2015

68. APPROVED:

- A. returning to the Board, under Contract No. PS33201664 with ACS State and Local Solutions, delegated authority of \$24,182,212 for two options that will not be exercised (Option Period 1 and Option Period 2);
  
- B. authorizing the Chief Executive Officer to execute modification No. 12 to Contract No. PS33201664 with ACS State and Local Solutions (ACS) to provide **Regional TAP Service Center services** for a period of ~~twenty-four~~ **eighteen** months **from July 1, 2011 to December 31, 2012. Plus an additional six-months from January 1, 2013 to June 30, 2013 on a month-to-month basis as necessary,** in the firm, fixed price of \$14,200,896 **based on a firm monthly fee of \$591,704,** increasing the Total Contract Value from \$32,169,028 to \$46,369,924;
  
- C. increasing Contract Modification Authority specific to Contract No. PS33201664 with ACS State and Local Solutions for funding pending changes in the amount of \$500,000; and
  
- D. ratifying expenditures of \$7,100,448 incurred to maintain TAP Service Center services from July 1, 2011 to June 30, 2012.

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71. APPROVED **ANTONOVICH, NAJARIAN AND HUIZAR MOTION** that the MTA Board direct the Inspector General to conduct a comprehensive audit, funding to be determined, of the TAP program including but not limited to:
- developing and review of all TAP-related change orders, contracts and charges against the TAP budget since inception, creating a TAP universe to include consultant and MTA staff, with a plan to identify tasks that can be performed in-house and a transition plan to reduce and phase out non- specialized ongoing tasks currently being performed by consultant services;
  - report on duplication of effort and redundancy by consultants and MTA staff;
  - conduct an analysis of expenditure by consultants including type of work for the last three years;
  - evaluate TAP organizational structure and methods to integrate into various MTA departments based on function; and
  - provide cost/benefit analysis on monies expended versus regional success.

Further move that a preliminary report come back to the Executive Management Committee and the MTA Board in October 2012.

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72. APPROVED **WILSON AND MOLINA MOTION**:

Currently, MTA is working to construct many highway and transit capital projects. Due to the challenges associated to each of these projects, some have either exceeded or are close to expending all of its respective contingency funds and schedules.

We therefore move to direct the CEO to analyze and report back to the Finance, Budget and Audit Committee and Construction Committee in September 2012, on **establishing a goal of retaining 3% of contingency fund associated to each of the project's life of budget.**

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

73. CARRIED OVER receiving oral report on discussions with DesertXpress for purposes of coordinating project interfaces and data sharing regarding the **High Desert Corridor Multimodal Corridor Environmental document.**

74. WITHDRAWN: RECEIVE report on **System Safety.**

75. RECEIVED **civil rights compliance update.**

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76. ADOPTED staff recommended **position on Federal Legislation:**

**H.R. 5976 (Waters)** – Would provide a \$1 billion emergency supplemental appropriation for the Transportation Investment Generating Economic Recovery (TIGER) Program over the next two years. **SUPPORT**

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

77. ADOPTED, AS AMENDED, staff recommended **position on State Legislation:**

**AB 1446 (Feuer)** – Would remove the sunset date in Measure R and authorize an extension to be placed on the ballot. **SUPPORT - WORK WITH AUTHOR**

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| Y  | Y  | Y  | Y  | Y  | Y  | Y  | N  | Y  | A   | N  | Y  | Y  |  |

78. AUTHORIZED:

- A. adoption of a resolution authorizing the:
1. **Issuance of bonds by competitive bond sale to refund the Prop C 2009-C Bonds and the Prop C 1999-A Bonds and approving the Notice of Intention to Sell Bonds, and Notice Inviting Bids, and**
  2. **Replacement of the expiring liquidity facilities for the Prop C 2009-C Bonds.**
- B. the CEO to finalize negotiations with the proposing banks short-listed and enter into any combination of agreements as provided for in the resolution for three year terms or less; and
- C. the CEO to negotiate with each successively ranked proposing bank from the lists if unable to reach agreement with one or more of the recommended proposers.

(Requires separate, simple majority Board vote)

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79. AUTHORIZED the Chief Executive Officer to execute Modification No. 7 (Option 1) to Contract No. PS2610LASD with the **County of Los Angeles Sheriff's Department to provide law enforcement services** for the period covering July 1, 2012 through June 30, 2013 in the amount not-to-exceed \$80,622,796, an increase of \$1,781,056 over the current fiscal year.

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80. AUTHORIZED the Chief Executive Officer to award a firm fixed price contract under Bid No. OP39602869 to **Balfour Beatty Rail Inc., the lowest responsive and responsible bidder for 18 Traction Power Substations** for an amount not to exceed \$19,176,024.01 inclusive of sales tax and storage fees.

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | A  | A  |  |

81. AUTHORIZED the Chief Executive Officer to execute:

- A. Modification No. 7 to Contract No. OP33202167 with Vehicle Technical Consultants to **provide bus inspection services** for the manufacturing process in Kaposvar, Hungary for a period of fifteen months in the amount not-to-exceed of \$62,692 increasing the Total Contract Value from \$249,999 to \$312,691; and
- B. Modification No. 6 to Contract No. OP33202168 with Vehicle Technical Consultants to provide bus inspection services for final assembly in Anniston, Alabama for a period of fifteen months in the amount not-to-exceed of \$58,769 increasing the Total Contract Value from \$232,553 to \$291,322.

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

82. AUTHORIZED the Chief Executive Officer to award a firm fixed price unit rate contract under Bid No. 12-0002 to Pamco Machine Works, the lowest responsive and responsible bidder, for the **overhaul of 216 Siemens P2000 light rail vehicle powered axle assemblies** for an amount not to exceed \$4,234,557.

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |



83. APPROVED the following **nominees for membership on the San Gabriel Valley Service Council:**

- A. John R. Harrington, San Gabriel Valley Service Council  
Nominated by: The City of San Gabriel  
Term Ending: June 30, 2015
- B. Mayor Pro Tem Juventino “J” Gomez, San Gabriel Valley Service Council  
Nominated by: The City of El Monte  
Term Ending: June 30, 2015

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

84. APPROVED **ANTONOVICH AND NAJARIAN MOTION** that the Board takes the following actions:

- A. Clarify that the State Route 138 Capacity Enhancement Subfund is also considered a subregional “equity” fund similar to the:
  1. Highway Operational Improvement projects for the Arroyo Verdugo and Las Virgenes/Malibu Subregions;
  2. Ramp and Interchange Improvements for the I-405, I-110, I-105, and SR-91 in the South Bay; and
  3. I-605 Corridor “Hot Spots” Interchanges, BNSF and I-710 South and/or Early Action projects in the Gateway Cities.
- B. Direct the CEO to apply to the State Route 138 Capacity Enhancement Subfund the same principles discussed in the “Measure R Regional Funds ‘Alignment’ Motion Additional Information” dated February 3, 2012, specifically declaring this Subfund eligible as a source of local match for future *Call for Projects* applications;  
(Continued)

(Item 84 – Continued)

- C. Direct the CEO to send a letter to the County of Los Angeles and the Cities of Lancaster and Palmdale outlining the content of these actions and their implications for future *Call for Projects* applications; and
- D. Direct the CEO to work with the City of Santa Clarita and the County of Los Angeles to determine a similar source of “equity” funds available for local match for Santa Clarita Valley *Call for Projects* applications, and report back to the Board in 60 days on these efforts.

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| Y  | Y  | A  | Y  | Y  | Y  | A  | Y  | Y  | A   | A  | Y  | A  |  |

85. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Pending Litigation – G.C. 54956.9(a):
  - 1. Kyung Sook Choi v. LACMTA, LASC Case No. BC461727  
NO REPORT.
  - 2. Gabriel Ogundele v. LAMTA, LASC Case No. BC460756  
NO REPORT.
  - 3. Maria Cumplido v. LACMTA, LASC Case No. BC463822  
NO REPORT.
  - 4. Josefina Torres v. LACMTA, LASC Case No. BC442286  
NO REPORT.

(Continued)

(Item 85 – Continued)

B. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9(b):

Significant exposure to litigation (one case)

APPROVED settlement agreement. Terms of the settlement agreement will be made available to the public when finalized.

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| Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | Y  | A   | Y  | Y  | Y  |  |

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

Agency Representative: Richard Hunt

Employee Organizations: ATU, TCU, Teamsters, and AFSCME

NO REPORT.

D. Public Employee Performance Evaluation – G.C. 54957:

Chief Executive Officer

NO REPORT.

ADJOURNED at 3:00 p.m.  
Prepared by: Michele Chau  
Board Specialist

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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  
C = Soft Conflict; C = Hard Conflict