

Thursday, January 24, 2013 9:00 AM

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# RECAP of Proceedings

## Regular Board Meeting Board of Directors

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

Called to Order at 9:38 a.m.

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### Directors Present

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

### Officers

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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

1. APPROVED **Consent Calendar** Items: 2, 9, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 50, 52, 53\*\*, 54, 55, 56\*\*, 57\*\*, 58, 59, 66, 67, 68, 70, 85, 86, 87, 88 and 89.

\*\*REQUIRES 2/3 VOTE

*Consent Calendar items were approved by one motion.*

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

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held December 13, 2012.**

3. Chair's Report – NO ACTION.

4. RECEIVED Chief Executive Officer's Report.
  - Presented Proclamation to the City of El Monte

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

9. APPROVED ON CONSENT CALENDAR:

- A. adopting the **Investment Policy**;
- B. the **Financial Institutions Resolution** authorizing financial institutions to honor signatures of LACMTA Officials; and
- C. delegating to the Treasurer or his/her designees, the authority to invest funds for a one-year period, pursuant to California Government Code Section 53607.

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

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

18. APPROVED ON CONSENT CALENDAR the proposed updates and new projects for the **Measure R Highway Operational Improvement funding for the Arroyo Verdugo and Las Virgenes/Malibu Subregions, and for Interstate 405, I-110, I-105, and SR-91 Ramp and Interchange Improvements (South Bay)**.
  
19. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:
  - A. award and execute a cost plus fixed fee (CPFF) Contract No. PS4720-3004 to Cambridge Systematics, Inc. for an amount not to exceed \$7,662,203 for **Gateway Cities Transportation Strategic Plan Phase II**; and
  - B. executing individual contract modifications as required, but not to exceed a total of up to 15% of the total contract amount to cover the cost of any unforeseen issues that may arise during the performance of the contract.
  
20. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:
  - A. execute contract modification No. 12 to Contract No. PS4340-1939 with URS Corporation to **address public comments on the I-710 South Corridor Project Draft EIR/EIS, incorporate project changes, changes in state and federal approval requirements, evaluate a Preferred Alternative, re-circulate the Draft EIR/EIS and complete the Final EIR/EIS**, in an amount not to exceed \$9,190,276, increasing the total contract amount from \$29,521,327 to \$38,711,603, and a contract extension of 27 months;
  - B. execute contract modification No. 6 to Contract No. PS4340-1940 with Moore laconfano Goltsman, Inc., for the continued facilitation of community outreach services through the completion of the Final EIR/EIS, in an amount not to exceed \$863,028, increasing the total contract amount from \$2,329,284 to \$3,192,312, and a contract extension of 24 months;

(Continued on next page)

(Item 20 – continued from previous page)

- C. increase Contract Modification Authority for PS4340-1939 by \$919,028 and PS4340-1940 by \$86,303, thus increasing total contract modification authority from \$2,521,000 to \$3,526,331, to cover the cost of any unforeseen issues that may arise during the performance of the contracts;
- D. execute any necessary agreement(s) with third parties (e.g. Gateway Cities Council of Governments, Gateway Cities, Southern California Edison, Los Angeles County, U.S. Army Corps of Engineers) to provide coordination and technical support for the completion of the EIR/EIS and the development and implementation of individual I-710 Early Action Projects, in an amount not to exceed \$2,500,000, increasing the total amount from \$900,000 to \$3,400,000 for FY12 through FY15.

AN	JF	JH	ZY	PO	RK	MA	MRT	DD	DK	AV	GM	MW
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23. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to execute modification No. 3 to Contract No. PS40102178-19-01-01 with Arellano Associates to provide **outreach services for the High Desert Corridor** environmental clearance for an additional term of 24 months in the firm-fixed amount of \$699,944 increasing the Total Contract Value from \$598,939 to \$1,298,883; and
- B. Contract Modification Authority specific to Contract No. PS40101178-19-01-01 with Arellano Associates in the amount of \$100,000.

24. AUTHORIZED ON CONSENT CALENDAR:
- A. the Chief Executive Officer to:
    - 1. execute modification No. 2 to Contract No. PS-4370-2622 with KOA Corporation (Contractor) in the firm-fixed amount of \$1,090,851 to complete the Draft Environmental Impact Statement/Report (DEIS/R) for the **East San Fernando Valley North-South Rapidways project** increasing the total contract value from \$4,556,307 to \$5,647,158; and
    - 2. increase Contract Modification Authority to Contract No. PS4370-2622 in the amount of \$218,170;
  - B. changing the name of the project from East San Fernando Valley North/South Rapidways to East San Fernando Valley Transit Corridors; and
  - C. receiving and filing the alternatives being moved forward into the DEIS/R.
25. APPROVED ON CONSENT CALENDAR amending the **Funding Agreement between the Gold Line Construction Authority and the MTA for Phase 2A** to increase funds associated with CEQA/NEPA compliance, preliminary engineering and planning for Phase 2B along with revised conditions for payment of such funds based upon milestones.
26. APPROVED ON CONSENT CALENDAR the CEO to amend the **Gold Line Foothill Extension Funding Agreement to allow projected savings on MTA Project Costs to pay for MTA requested operational and safety betterments** and other MTA Projects Costs. MTA will cap its Project Costs at \$173.6 million.

27. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into an Exclusive Negotiation Agreement with a joint venture of Polis Builders, Ltd., The McGregor Company, and St. Nicholas Foundation, Inc. **to develop a mixed-use joint development project on a set of MTA-owned and private parcels situated immediately adjacent to the Vermont/Santa Monica Station on the Metro Red Line**; and amend the FY13 budget to allow any deposits that may be collected from Developer to offset support costs.

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

28. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **sell approximately 80,000 square feet of surplus property located adjacent to the Orange Line Right-of-Way, west of the Balboa Orange Line station**, in Van Nuys to George E. Moss, or his assign, in accordance with the Purchase Term Sheet.

AN	JF	JH	ZY	PO	RK	MA	MRT	DD	DK	AV	GM	MW
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29. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. execute a one (1) year Exclusive Negotiation Agreement and Planning Document, with an option to extend for up to an additional one (1) year, with McCormack Baron Salazar, Inc. (“MBS”), or a development entity controlled and managed by McCormack Baron Salazar, Inc. that is reasonably approved by the Chief Executive Officer, to, among other things, **explore the feasibility of developing a grocery store/market and associated parking on 1.56 acres of Metro property (the “Site”) located on the south side of Cesar E. Chavez Avenue between Fickett and Matthews Streets, in Boyle Heights**; and
- B. terminate an existing Joint Development Agreement with MBS to develop and construct on the Site a mixed-use project containing 73 affordable apartments and approximately 3,250 square feet of retail space.

- 30. **ADOPTED ON CONSENT CALENDAR the Conceptual Development Guidelines for 1.95 acres of Metro property located south of Cesar Chavez Avenue between Soto and Matthews Streets in Boyle Heights.**
  
- 31. **ADOPTED ON CONSENT CALENDAR the "Conceptual Development Guidelines" for the Metro Gold Line 1<sup>st</sup>/Soto Station site and the Metro-owned parcel on the opposite corner.**
  
- 32. **ADOPTED ON CONSENT CALENDAR the Conceptual Development Guidelines for the Metro Gold Line Mariachi Plaza Station site and the Metro-owned parcel on the southeast corner of Bailey Street and Pennsylvania Avenue.**
  
- 33. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:
  - A. execute a twenty-four-month Exclusive Negotiating Agreement, with an option to extend for up to two additional (6)-month terms, with Cohen Brothers Realty Corporation of California (CBRCC) to:
    - 1. **explore the feasibility of developing a Master Plan for a proposed mixed-use development to co-exist with the Metro Division 7 Maintenance and Operations facility and the adjacent West Hollywood Sheriff's Station site, both located north of the Pacific Design Center Campus in the City of West Hollywood, and**
    - 2. negotiate the key terms and conditions of a Joint Development Agreement and Ground Lease(s) which respect MTA's interests relating to both interim and long-term operational and fiscal requirements associated with the proposed facilities and development; and
  - B. amend the FY13 budget to allow any deposits that may be collected from CBRCC to be expensed to cover any out-of-pocket costs that may be incurred. These deposits are currently estimated at \$50,000.

<b>AN</b>	<b>JF</b>	<b>JH</b>	<b>ZY</b>	<b>PO</b>	<b>RK</b>	<b>MA</b>	<b>MRT</b>	<b>DD</b>	<b>DK</b>	<b>AV</b>	<b>GM</b>	<b>MW</b>
			<b>C</b>			<b>C</b>	<b>C</b>		<b>C</b>			

34. APPROVED ON CONSENT CALENDAR amending FY13 Budget to add one new **Civil Rights Analyst position at the H1L pay grade for Civil Rights Programs Compliance Division** to oversee federal grant subrecipient compliance with Federal Transit Administration Civil Rights regulations and guidance.
36. RECEIVED AND FILED reports on a business plan to deliver the **High Desert Corridor (HDC) Project as a public-private partnership in the form of a toll concession with upfront public funding, and the feasibility of including other development opportunities and uses in the HDC.**

**ANTONOVICH MOTION** that the Board directs the CEO to return no later than the March 2013 Planning Committee with a proposal for a pre-development agreement (or similar Public-Private Partnership method) that would capture the potential for combined investment in and development of the Victorville to Los Angeles (via Palmdale) High Speed Rail Corridor.

This proposal will also engage the private sector to examine efficiencies, cost savings, time savings and best practices in developing this rail corridor.

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

47. RECEIVED report on **System Safety.**

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

48. RECEIVED presentation on **LACMTA's safety culture – Findings and Recommendations.**

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



50. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate a **Memorandum of Understanding with the City of Los Angeles to add the Transit Access Pass to the City of Los Angeles City Service Card**. Provide a one-time, 7-day pass for the first 10,000 card holders as an incentive to promote transit use and encourage cardholders to purchase the card.

51. CARRIED OVER FOR 60 DAYS AS AMENDED: approval of **YAROSLAVSKY MOTION** that the monthly maintenance fee be waived for 6 months for all participants who either work or reside in Los Angeles County; and

FURTHER that Staff continue to gather and analyze data and provide the Board with quarterly updates.

**FASANA AMENDMENT** to terminate accounts after 6 months of non-use.

52. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 13-0006 to **Valley Power Systems, the lowest responsive and responsible bidder for bus manifolds** for an amount not to exceed \$2,501,314, inclusive of sales tax and a one year option.

53. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE:

- A. the Chief Executive Officer to **award a five-year firm fixed unit rate contract PS54302898 to Southern AM Engineering to provide Fare Collection System mid-life maintenance services** in an amount not-to-exceed \$1,470,034; and
- B. that there is only a single source of procurement for these mid-life maintenance services, and the purchase of these services is for the sole purpose of maintaining existing equipment already in use. The Board hereby authorizes the purchase pursuant to Public Utilities Code section 130237.

54. APPROVED ON CONSENT CALENDAR:

- A. the Chief Executive Officer to **award a firm fixed price contract under RFP No. OP33202869 with New Flyer of America, Inc. for the manufacturing and delivery of 550 forty-foot CNG transit buses**, in the amount of \$302,094,182 for the base contract buy including tax and delivery, exclusive of contract Options for up to 350 additional buses for a total of 900 buses;
- B. increasing the Life-Of-Project budget for capital project 201056 – 550 40-Foot Bus Buy from \$297,070,000 to \$304,943,000, an increase of \$7,873,000; and
- C. amending the FY13 budget to add two new engineering FTE's in Strategic Vehicle and Infrastructure Delivery (Cost Center 3043) to support this project.

55. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 13-0008 to **The Jankovich Company, the lowest responsive and responsible bidder for synthetic oil** for an amount not-to-exceed \$2,282,526, inclusive of sales tax consisting of a base year and a one-year option.

56. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE:

- A. ratifying the **award of a firm fixed price contract to Ansaldo STS USA (formerly Union Switch & Signal (US&S)) (“Ansaldo”) for the upgrade of the existing solid-state train control equipment** for an amount not-to-exceed \$7,867,854; and
- B. that there is only a single source of procurement for the upgrade of the Metro Green Line (MGL) Train Control Equipment (MicroLok I) to Ansaldo's MicroLok II system. The existing MGL MicroLok I Train Control Equipment is proprietary. The purchase is for the sole purpose of replacing existing equipment already in use. The Board hereby authorizes the purchase of Ansaldo MicroLok II pursuant to Public Utilities Code section 130237.

57. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE:
- A. ratifying the **award of a firm fixed price contract to Wabtec Passenger Transit for friction brake overhaul services of 52 P2000 Light Rail Vehicles (LRV)** for an amount not-to-exceed \$1,664,000; and
  - B. that there is only a single source of procurement for the overhaul of the friction brake equipment on the P2000 LRV fleet (P2000 LRV). The purchase is for the sole purpose of overhauling existing friction brake equipment for continued safe operations. The Board hereby authorizes the purchase of overhaul services for the P2000 LRV friction brakes equipment pursuant to Public Utilities Commission Code Section 130237.
58. AUTHORIZED ON CONSENT CALENDAR the CEO to award a five-year firm fixed unit rate contract, OP33672967 to Woods Maintenance Services Inc., the lowest responsive, responsible bidder, in an amount not-to-exceed \$810,000, effective January 1, 2013 for **Metro Red/Purple Line tunnel cleaning services**.
59. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **award a 36-month, firm fixed price contract under Bid Number 13-0013 to North American Bus Industries, the lowest responsive and responsible bidder for bus bellow assemblies** for an amount not-to-exceed \$4,449,563, inclusive of sales tax and two one-year options.
66. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **execute Contract Modification No. 52 to Contract No. C0942 with Sema Construction Inc. for a Mutual Release and Settlement Agreement** resolving all claims and disputes in the amount of \$1,750,000 increasing the total contract value from \$17,558,527 to \$19,308,527. This action does not increase the Life-of-Project Budget.

67. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **enter into a bid stipend agreement with each of the pre-qualified proposers for the Regional Connector Transit Corridor Project in an amount of \$1,000,000 per stipend agreement for unsuccessful responsive proposers.** Upon contract award to the successful responsive and responsible proposer, the common construction industry practice is to pay a stipend to each unsuccessful responsive proposer because of the high cost of producing a competitive and comprehensive engineering and cost proposal.

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

68. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a **bid stipend agreement with each of the pre-qualified proposers for the Westside Subway Extension Project in the amount of \$1,500,000 per stipend agreement for unsuccessful responsive proposers.** Upon contract award to the successful responsive and responsible proposer, the common construction industry practice is to pay a stipend to each unsuccessful responsive proposer because of the high cost of producing a competitive and comprehensive proposal.

69. APPROVED BY 2/3 VOTE:

- A. 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 an awning at Metro Blue Line Maintenance Facility** in Los Angeles County; and
- B. authorizing the Chief Executive Officer to solicit and award design-build contract for the awning construction at Metro Blue Line Maintenance Facility, pursuant to Public Utilities Code Section 130242 (a), (c), (d), & (e).

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

70. AUTHORIZED ON CONSENT CALENDAR:

- A. ratifying the decision to **proceed with work for value engineering and additional design for the Patsaouras Plaza Busway Station** pending contract change; and
- B. the Chief Executive Officer to increase the cumulative contract modification authority from \$200,000 to \$500,000 to execute additional contract modifications, if required, to Contract No. PS0933432406A for additional design or professional services for the Patsaouras Plaza Busway Station.

71. AUTHORIZED the Chief Executive Officer to negotiate and execute a:

- A. Contract Modification No. 41 to Contract No. PS43502000 with Parsons Brinckerhoff, Inc. to provide engineering support services during the solicitation process, design for relocation of utilities, design support services during construction and continued **Advanced Preliminary Engineering for Section 1 of the Westside Subway Extension Project**, in an amount not to exceed \$18,845,160, increasing the total contract value from \$90,107,773 to \$108,952,933;

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

- B. Contract Modification No. 42 with Parsons Brinckerhoff, Inc. for a single source award to perform Final Design Services for Division 20 Yard Modifications to support the turn-back and other modifications to the existing yard and Shop facilities for the extension of the Metro Purple Line, in an amount not to exceed \$2,803,946, increasing the total contract value from \$108,952,933 to \$111,756,879;

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

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- C. establish Project 865522 Westside Subway Extension Section 2 to Century City using CP 865518 FY13 unused funds to date; and authorize the CEO to negotiate and execute a Contract Modification No. 43 to Contract No. PS43502000 with Parsons Brinckerhoff, Inc. to provide continued Advanced Preliminary Engineering for Section 2 of the Westside Subway Extension Project, in an amount not to exceed \$8,879,740, increasing the total contract value from \$111,756,879 to \$120,636,619; and

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

- ~~D. establish Project 865523 Westside Subway Extension Section 3 to Westwood/VA Hospital using CP 865518 FY13 unused funds to date; and authorize the CEO to negotiate and execute a Contract Modification No. 44 to Contact No. PS43502000 with Parsons Brinckerhoff, Inc. to provide continued Advanced Preliminary Engineering for Section 3 of the Westside Subway Extension Project, in an amount not to exceed \$7,256,823, increasing the total contract value from \$120,636,619 to \$127,893,442 to include both Recommendations C and D.~~

- 84. **APPROVED AS AMENDED BY DUBOIS, MOLINA AND WILSON continuation of first, second, and third decade Measure R project development work while we seek a viable financial strategy to allow acceleration of Measure R projects.**

AMENDMENT: Before any of the suggested strategies are placed into action or are further articulated we would like staff to return to the Board with the following analysis as part of the financial strategy:

- A. a strategy for keeping ALL second and third decade projects in shelf-ready condition for federal funding on an accelerated schedule on equal footing; including funding plans consistent with the LRTP;
- B. identification and funding requirements for state of good repair and major rehabilitation through the second and third decade;

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- C. more detail on cash flow requirements to fund operations, state of good repair, call for projects, other programs in an accelerated environment that includes bonding against Prop A & C revenues;
- D. detail on the proposed “financial and process paths” to pursue with the FTA on the South Bay Green Line Extension, Eastside Gold Line Phase II Extension, West Santa Ana Branch, Gold Line Foothill Extension and Metro Airport Connector;
- E. develop funding plans for the remaining 12 highway initiatives that are in the planning stage or not under consideration for 3P. These plans should include anticipated MCA and TIFIA programming commitments; and
- F. estimate of the public investment required to support 3P investment (environmental review, right-of-way, other costs).

Return to the Board with this information at the March 2013 meeting.

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

- 85. **ADOPTED ON CONSENT CALENDAR the proposed amendments to the Administrative Code relating to Title VI definitions.**
- 86. **ADOPTED ON CONSENT CALENDAR the proposed 2013 Federal and State Legislative Program.**
- 87. **APPROVED ON CONSENT CALENDAR the revised Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Joint Powers Agreement.**

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

- A. **award a 30-month, firm fixed price contract under RFP No. PS92402983 to AST Corporation, the highest rated proposer, for the Oracle Enterprise Business Suite (FIS) upgrade project at a firm fixed price amount of \$3,779,900; and**
- B. exercise options not to exceed \$1,873,100 for the implementation of Oracle Business Intelligence and Oracle Fusion Middleware software.

89. APPROVED ON CONSENT CALENDAR:

- A. a contract modification to Contract No. PO PS71302754, Holland & Knight, LLP, **for Federal Advocacy services for a six month schedule extension through August 30, 2013**, increasing the total contract value by \$74,000 from \$220,000 to \$296,000; and
- B. receiving and filing **a new solicitation for Federal Legislative Advocacy.**

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

90. APPROVED:

- A. authorizing the CEO to execute a **Contract modification to Contract #OP2461010 with Cubic Transportation Systems, Inc. for an amount not to exceed \$610,000 to procure and install four Tap Ticket Vending Machines (TVMs) at El Monte Transit Center** increasing the value of the contract from \$160,416,339 to \$161,026,339;
- B. additional contract modification authority for Contract #OP2461010 with Cubic Transportation Systems, Inc., for an amount not to exceed \$500,000 for miscellaneous contract changes for the remainder of FY2013 increasing the value of the contract from \$161,026,339 to \$161,526,339; and

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- C. an annual contract modification authority for Contract #OP2461010 with Cubic Transportation Systems, Inc., for the life of the contract in an amount not to exceed \$500,000 per year.

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

- 91. RECEIVED **Civil Rights** update.

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

- 95. RECEIVED oral presentation from **Gina Marie Lindsey** regarding **Airport Metro Connector Project**.

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

- 96. APPROVED BY 2/3 VOTE:

- A. adopting “**Universal City/Studio City Station**” as the official name for Metro Rail’s current Universal City Station;
- B. adopting “**Civic Center/Grand Park/Tom Bradley Station**” as the official name for Metro Rail’s current Civic Center/Tom Bradley station;
- C. adopting “**Wilshire/Western/Alfred Hoyun Song Station**” as the official name for Metro Rail’s current Wilshire/Western Station; and
- D. approving the staff plan to implement the above changes at minimal cost without using operating funds.

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

97. **WITHDRAWN:** RECEIVE I-405 and Orange Line Chronology and Status Update.
98. **WITHDRAWN:** FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (5-0) approval of **KATZ MOTION regarding State Route North 710 Project** that the MTA Board consider the following:
- A. Direct the Chief Executive Officer to report back at the ~~March~~ February 2013 MTA Board on the following:
1. a description of the study area and the limits of the project;
  2. a complete project schedule that identifies major milestones;
  3. the current scope of work being performed by staff and consultants;
  4. a project cost breakdown related to all the alternatives being evaluated including:
    - a. Bus Rapid Transit (BRT)
    - b. Light Rail Transit (LRT)
    - c. surface freeway
    - d. underground tunnel
    - e. other options being considered
  5. a report on consultant services and related costs to date; and
- B. discontinue any technical and ~~public outreach~~ efforts until the Board receives a full report at the ~~March~~ February 2013 Board meeting.

99. APPROVED:

- A. holding a public hearing on the proposed Resolution of Necessity; and
- B. adopting the Resolution of Necessity authorizing the commencement of an **eminent domain action to acquire a full take on Parcel HS-2104 (APN 4015-019-005) for the Crenshaw LAX Transit Corridor Project.**

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

100. APPROVED:

- A. holding a public hearing on the proposed Resolution of Necessity; and
- B. adopting the Resolution of Necessity authorizing the commencement of an **eminent domain action to acquire a full take on Parcels HS-2102 and 2103 (APN 4015-019-002, 4015-019-003, 4015-019-004) for the Crenshaw LAX Transit Corridor Project.**

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

101. FAILED DUE TO CONFLICTS AND ABSENCES:

- A. authorizing the Chief Executive Officer to **finalize negotiations with the recommended banks and enter into reimbursement agreements and related documents for direct-pay letters of credit:**
  - 1. with Sumitomo Mitsui Banking Corporation ("Sumitomo") for a commitment amount of \$75 million for a three-year term at an estimated cost of \$1,135,000, including legal fees and other related expenses;

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**NON-CONSENT CONTINUED:**

(Item 101 – continued from previous page)

- 2. with Union Bank for a commitment amount of \$75 million for a three-year term at an estimated cost of \$1,130,000, including legal fees and other related expenses;
- B. if unable to reach agreement with one or both of the recommended banks, authorizing the CEO to finalize negotiations with each successively ranked bank for agreements having three year terms and estimated costs; and
- C. adopting a resolution that approves the selection of Sumitomo and Union Bank or successor(s), a form of the reimbursement agreement on file with the Board Secretary and makes certain benefit findings in compliance with the Government Code.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

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

102. APPROVED **YAROSLAVSKY MOTION** that this board direct Metro's counsel in conjunction with the CEO and the Inspector General/Ethics Officer, to amend the MTA Administrative Code, Board Member Code of Conduct and Employee Code of Conduct, and develop specific policies and procedures that define the allowable parameters of communications between the MTA CEO and Board members or their staff with regard to a pending procurement in order to protect the integrity and independence of MTA's procurement process; and

FURTHER that beginning immediately, the CEO be prohibited from discussing any procurements which are currently in its blackout period with any member of the Board or his/her staff until the proposed amendments to the Employee Code of Conduct are presented to the Board and acted upon.

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

103. DISCUSSED **Los Angeles County proposed Clean Water, Clean Beaches Measure**, impact to Metro and possible direction by the Board related to this measure.

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

104. DISCUSSED the possibility of **purchasing new chairs for the MTA Board room and MTA Board Conference room.**

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

105. **CLOSED SESSION:**

- A. Public Employee Performance Evaluation – G.C. 54957  
Chief Executive Officer

NO REPORT.

- B. Conference with Real Estate Negotiator – G.C. 54956.8  
Property: Taylor Yards Parcel C, San Fernando Road, Los Angeles, CA  
Agency Negotiators: Roger Moliere and Greg Angelo  
Negotiating parties: Taylor Yards, LLC, a subsidiary of McCormack Baron Salazar, Inc.  
Under negotiation: Price and terms of payment

NO REPORTABLE ACTION.

- C. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a)  
Today's IV, Inc. (Bonaventure Hotel) v. LACMTA, Case No. BS139540

NO REPORT.

(Continued on next page)

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D. Conference with Legal Counsel – Anticipated Litigation- G.C. 54956.9(b)  
Significant Exposure to Litigation (2 cases)

NO REPORT.

E. Conference with Legal Counsel – Anticipated Litigation- G.C. 54956.9(c)  
Initiation of Litigation (1 case)

NO REPORT.

F. Conference Regarding Potential Threats to Public Services and Facilities - G.C. 54957:  
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.

G. Conference with Labor Negotiator – G.C. 54957.6  
Agency Representative: Richard Hunt  
Employee Organizations: TCU, AFSCME

NO REPORT.

H. Conference with Labor Negotiator – G.C. 54957.6  
Agency Representative: Don Ott  
Employee Organizations: ATU, UTU, TCU

The Board voted to support legislative exemption from Public Employee Pension Reform Act (PEPRA) for transit workers' pension plans.

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

ADJOURNED at 2:30 p.m. in memory of Yolanda Louwers, daughter of Congressman Grace Napolitano.