

RECAP of Proceedings

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:33 a.m.

Directors Present

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

Officers

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



Metro

Los Angeles County
Metropolitan Transportation Authority

1. APPROVED **Consent Calendar** Items: 2, 10, 15, 17, 24, 25, 26, 27, 39, 40, 42, 43, 44, 45, 48, 49, 50, 58, 59, 61, 62, 63, 64, 66 and 67.

Consent Calendar items were approved by one motion except items 25, 27, 48 and 63 which were pulled for discussion.

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

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held February 28, 2013.**

3. RECEIVED Chair’s Report.

Director DuBois requested that staff return next month with a fare restructuring plan that includes a variety of fare scenarios to meet the objectives outlined below:

- financial stability for operations funding (the customer is expected to pay a reasonable portion for the service provided)
- improved fare box recovery ratios (there are assumptions made in the LRTP that are not being met with the current fare structure)
- time-based fares (TAP capabilities will allow for more flexible fares)
- maintains a low cash fare
- premium fare for premium service (higher for rail/BRT)
- ease of transfer (between Metro bus/rail and municipal operator services)

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

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

4. RECEIVED Chief Executive Officer's Report.

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

10. **ADOPTED ON CONSENT CALENDAR a support position on principles related to the allocation of cap and trade revenues to ensure that a significant portion of cap and trade revenues are invested in transportation.** These principles should clarify that funds allocated to our region should be allocated by the county transportation commissions and will also guide advocacy efforts.

15. APPROVED ON CONSENT CALENDAR:

- A. **adopting the Debt Policy;**
- B. **adopting the Interest Rate Swap Policy;** and
- C. receiving and filing the Annual Report on Interest Rate Swaps.

16. APPROVED:

- A. **adopting a resolution, that approves the selection of Wells Fargo Bank, National Association ("Wells") and forms of a revolving credit agreement, a second supplemental subordinate trust agreement and promissory notes;**
- B. authorizing the Chief Executive Officer to **enter into a revolving line of credit for a commitment amount of \$75 million for a three-year term at an estimated cost of \$1,530,000,** including legal fees and other related expenses; and
- C. authorizing the Chief Executive Officer to negotiate with each successfully ranked proposer if unable to reach agreement with the recommended proposer for agreements having the terms and estimated costs.

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

17. APPROVED ON CONSENT CALENDAR:

A. supporting the renewal of the proposed **LA Fashion District 2014-2018 Business Improvement District (“BID”) in the City of Los Angeles and the resulting assessments on properties within the District boundaries owned by LACMTA;** and

B. authorizing the Chief Executive Officer or his delegate to sign any necessary petition and cast any subsequent ballots in support of the BID and property assessments.

24. APPROVED ON CONSENT CALENDAR the **implementation of temporary park and ride lots at potential Transit Oriented Development sites adjacent to the Metro Red Line North Hollywood Station.**

25. APPROVED:

A. **programming of up to \$18.6 million from fiscal year (FY) 2012 federal Department of Homeland Security - Transit Security Grant program and State Proposition 1B Transit Security Grant Program** funds that are available for eligible capital transit projects; and

B. adopting the required FY 2012 resolution authorizing the Chief Executive Officer to execute any actions necessary for obtaining state financial assistance that the California Emergency Management Agency may provide.

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

26. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:
- A. receive the draft schedule of actions required to finalize the **Public-Private Partnership (PPP) procurement of ARTI**;
 - B. enter into a bid stipend agreement in the amount of \$900,000 with each of the unsuccessful, qualified, short-listed proposers submitting responses to the ARTI Request for Proposals;
 - C. work with Caltrans and the State of California to secure enactment of State Budget authority for allocation of funds for Caltrans' share of ARTI operations and maintenance costs, and any approvals needed to secure the allocation; and
 - D. enter into Funding Agreements and Amendments to Existing Funding Agreements with Caltrans for preliminary preparation work commencing FY13 in anticipation of the ARTI Project, not to exceed \$10 million.
27. AUTHORIZED the Chief Executive Officer to enter into an Exclusive Negotiation Agreement with **A Community of Friends (Developer) to develop a mixed-use joint development project on vacant Metro property adjacent to the 1st/Lorena Traction Power Substation along the Metro Gold Line**; and amend the FY13 budget to allow any deposits collected from Developer to offset support costs.

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

FAILED: HUIZAR substitute Motion to reissue RFP.

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

28. APPROVED **ANTONOVICH AND NAJARIAN MOTION** that the MTA Board instructs the CEO to develop a North County Multimodal Integrated Transportation Study (NCMITS) that will serve as the update to the original North County Combined Highway Corridors Study (NCCHCS).

To accomplish this initiative, the CEO will:

- Identify a source of funding and report to the Board the amount and source of funding for the NCMITS
- Work collaboratively with and seek policy guidance from the County of Los Angeles and Cities of Lancaster, Palmdale and Santa Clarita through the North County Transportation Coalition (which provided policy oversight for the NCCHCS) in developing the NCMITS
- Develop a work plan to reach out to and include in this process the following parties:
 - North County local jurisdictions – Lancaster, Palmdale, Santa Clarita, Los Angeles County
 - Adjacent jurisdictions (e.g. Kern County, San Bernardino County)
 - Transportation stakeholders (e.g., Antelope Valley Board of Trade, Santa Clarita Chamber of Commerce)
 - Potential partners (e.g., California High Speed Rail, XpressWest)
 - Other interested stakeholders
- Include as part of the NCMITS the development of an airport ground access / modal connectivity study that will assist the City of Palmdale's efforts to meet Part 139 re-certification process requirements for the Palmdale Airport's master plan.

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- Include as part of the NCMITS the development of a feasibility study for an Inland Multimodal Freight Transfer Facility (i.e., “inland port”), including a full review of the opportunities for and barriers to implementing such a facility, with recommendations on overcoming any barriers to making this facility feasible.
- Include as part of the NCMITS a fixed guideway transit feasibility and assessment study for the Santa Clarita Valley and Antelope Valley to accommodate long-term growth and transit needs.

The CEO will report back to the MTA Planning and Programming Committee in April with an update on the status of this Board direction and a proposed timeline for completing the NCMITS.

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

37. **RECEIVED report on System Safety and Operations.**

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

39. **APPROVED ON CONSENT CALENDAR as amended the revisions to Service Policies and Standards.**

AMENDMENT: Directed staff to seek input from Governance Councils in the future.

40. **APPROVED ON CONSENT CALENDAR an implementation plan to better coordinate transit agencies’ schedules development and transfers.**

42. **AUTHORIZED ON CONSENT CALENDAR the CEO to establish a life-of-project budget in the amount of \$130,800,000 for the refurbishment of the P2000 light rail vehicles, CP 206044.**

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

A. execute a **five year (5) lease agreement commencing April 1, 2013, including three (3) one year options, with S & R Partners for the rental of approximately 100,000 square feet of land and 12,167 square feet of warehouse space for rail communication use located at 1251 North Spring Street, Los Angeles**, at an estimated rental cost of \$1,815,724.45 over the initial five year term of the lease; and

B. enter into a five year (5) lease agreement with Mod Space Corporation (dba "Mod Space") for the lease of the existing trailers occupying the property at 1251 North Spring Street at an estimated rental cost of \$243,514 over the initial five year term of the lease.

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

44. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award, subject to resolution of protest, a five-year firm fixed unit rate contract to **Woods Maintenance Service Inc., the lowest responsive, responsible bidder, to provide trash and vegetation removal services for Metro Right-Of-Way and facilities** in an amount not-to-exceed \$11,440,638, inclusive of two option years, effective June 1, 2013.

45. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year firm fixed unit rate contract to **Nationwide Environmental Services Inc., the lowest responsive, responsible bidder to provide power sweeping services for all Metro facilities** in an amount not-to-exceed \$7,124,250, inclusive of two option years, effective June 1, 2013.

48. AUTHORIZED the Chief Executive Officer to:
- A. negotiate and execute a three-year labor-hour contract, for **PS8510-3000 to Maintenance Design Group, LLC for Supplemental Engineering Services for Rail and Bus Maintenance** on a task order basis, inclusive of two one-year options with an initial amount not to exceed \$6,000,000;
 - B. negotiate and execute a three-year labor-hour contract, for PS8510-3001 to **LTK Engineering Services for Supplemental Engineering Services for Rail Systems Engineering** on a task order basis, inclusive of two one-year options with an initial amount not to exceed \$6,000,000;
 - C. negotiate and execute a three-year labor-hour contract, for PS8510-3002 to **JL Patterson & Associates, Inc. for Supplemental Engineering Services for Rail Facilities and Third Party** on a task order basis, inclusive of two one-year options with an initial amount not to exceed \$6,000,000;
 - D. execute individual Task Orders and changes within the Board approved contract amount;
 - E. negotiate with the next most qualified proposer should staff be unable to conclude negotiations with the selected firms; and
 - F. exercise the option of extending any of the three contracts for the two (2) one-year extensions subject to funding availability.

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

49. APPROVED ON CONSENT CALENDAR the proposed program in response to the **Director Knabe and DuBois motion with phased levels that include the following 6 tasks:**
- A. **implementation of A Regional Construction Coordination committee to improve coordination of all construction activities between all county agencies;**

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- B. **implementation of a system providing Construction Impacts on the Community and include an Alert Program giving real time Traffic Alert reliable information to the public;**
- C. distribution of information via a mobile Metro app;
- D. distribution of information via online centralized landing page;
- E. distribution of information via social media tools; and
- F. distribution of information via GPS tools.

50. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to negotiate and execute an eight year cost-plus fixed fee contract, Contract No. **MC070, to ARCADIS, U.S., Inc. for Construction Management Support Services (CMSS)**, inclusive of two one-year options with an amount not-to-exceed \$3,500,000 for the first year;
- B. establishing Contract Modification Authority for 15% of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority and;
- C. delegating to the CEO, should staff be unable to conclude negotiations with ARCADIS, U.S., Inc., the authority to negotiate and execute a contract with the next most qualified proposer.

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

58. ADOPTED ON CONSENT CALENDAR staff recommended positions on state legislation:
- A. **SB 33 (Wolk)** – Would allow local agencies to use Infrastructure Financing Districts to pay for public works projects. **SUPPORT WORK WITH AUTHOR**
 - B. **AB 405 (Gatto)** – Would create a six-month demonstration project to evaluate part-time usage of HOV lanes on State Route 134. **SUPPORT WORK WITH AUTHOR**
 - C. **AB 8 (Perea) and SB 11 (Pavley)** – Would extend existing funding for alternative fuels and air quality programs. **SUPPORT**
59. APPROVED ON CONSENT CALENDAR **amendments to Title 5, Chapters 5-10 and 5-20 of the Los Angeles County Metropolitan Transportation Authority Administrative Code, also known as the Board Code of Conduct and Contractors Code of Conduct.**
60. **WITHDRAWN:** FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED APPROVAL (5-0) and EXECUTIVE MANAGEMENT FORWARDED WITHOUT RECOMMENDATION pending inclusion of language assuring project sequences are not changed issuing the appropriate notices to enable an **amendment to the Measure R Expenditure Plan to advance “Funds Available Beginning” dates for transit corridor projects as shown in the Proposed Measure R Expenditure Plan.**
61. APPROVED ON CONSENT CALENDAR:
- A. the proposed amendment to the Federal Fiscal Year 2013 through 2015 **Disadvantaged Business Enterprise (DBE) Overall Goal from 14.2% to 27% for Federal Transportation Administration (FTA) funded contracts, in accordance with Title 49 Code of Federal Regulations (CFR) Part 26.45;** and

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B. authorizing the CEO to submit DBE program waiver to the FTA Office of Civil Rights for limited application of race-conscious contract goals for ethnic groups that have been determined by the Disparity Study to have statistically significant disparities in contracting: African American, Asian-Pacific American, Subcontinent Asian, Hispanic American. The wavier shall also include Native Americans, who were found to be an underutilized group; however, there were too few firms to test statistical significance.

62. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate modification to **Contract No. PS63502579 for an amount not-to-exceed \$712,000 to Zanett Commercial Solutions, Inc., to incorporate the development and implementation of a Vendor Certification and Labor Compliance Management System as an extension of the Contract Information Management System**, increasing the contract value from \$6,231,032 to a maximum of \$6,943,032, and extending the period of performance from twenty-seven months to thirty-six months.

63. CARRIED OVER: adopting the **following official and operational station names for the seven stations that comprise Metro Rail’s Expo Line Phase 2 extension:**

<u>Official Station Name</u>	<u>Operational Station Name</u>
A. Palms	Palms
B. Exposition/Westwood	Expo/Westwood
C. Exposition/Sepulveda	Expo/Sepulveda
D. Exposition/Bundy	Expo/Bundy
E. 26 th Street/Bergamot	26 th St/Bergamot
F. 17 th Street/Santa Monica College	17 th St/SMC
G. Downtown Santa Monica	Downtown Santa Monica

Any costs related to adopting these names will be borne by the Expo Construction Authority.

64. APPROVED ON CONSENT CALENDAR amending FY13 Budget for **reorganization, integration and expansion of TAP** to:
- A. add nine (9) Non-contract Full-Time Equivalent (FTE's) to eliminate consultants and convert temporary employees to full time; and
 - B. add twelve (12) Full-Time Equivalent (FTE's) agency-wide to support gate latching, nine (9) contract FTE's and three (3) non-contract FTE's.

65. RECEIVED report on **Civil Rights Compliance Update**.

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

66. ADOPTED ON CONSENT CALENDAR the staff recommended position:

- A. **H.R. 1124 (Waters)** – Would provide a \$1 billion emergency supplemental appropriation for the Transportation Investment Generating Economic Recovery (TIGER) Program over the next two years. **SUPPORT**

67. APPROVED ON CONSENT CALENDAR **ANTONOVICH, YAROSLAVSKY, NAJARIAN AND WILSON MOTION** that the MTA Board direct the CEO to recognize formally these priorities of the San Fernando Valley Council of Governments (SFVCOG) and return within 90 days with a presentation to the Board that includes the following for each of the SFVCOG transportation priorities:

- Current project status
- Current placement in the Long Range Transportation Plan
- Estimated costs
- Strategies for implementation

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- Current and potential funding opportunities
- Recommended legislative initiatives as well as outreach plan to work with other jurisdictions and agencies
- Coordination with and integration into other MTA initiatives such as the Bus Rapid Transit Study

68. CARRIED OVER: **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.

69. APPROVED BY 2/3 VOTE:

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 Parcel HS-2206 (APN 4015-019-024), consisting of the real property and any immovable fixtures and equipment relating to the Crenshaw LAX Transit Corridor Project.**

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

70. APPROVED **HUIZAR MOTION** that the Board direct the CEO to underground the electric utility poles along Cesar Chavez Avenue as part of the Division 13 bus maintenance facility construction project to be funded under existing LOP/contingency approved by the board.

FURTHERMORE that the contingency be maintained at a minimum of 3% and if additional funding is needed outside the LOP/contingency, report back to the board on additional funding sources.

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

71. **CLOSED SESSION:**

A. 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.

RECEIVED public comment.

ADJOURNED at 12:19 p.m.

Prepared by: Collette Langston, Board Specialist