

RECAP of Proceedings

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:35 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
Antonio Villaraigosa*
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

*Via telephone:
Mayor Villaraigosa's D.C. Office
1301 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 90004



Metro

Los Angeles County
Metropolitan Transportation Authority

1. APPROVED UNDER RE-CONSIDERATION **Consent Calendar** Items: 2, 10, 15, 47, 48, 19, 31, 32, 33, 34, 35, 36, 37, 50, 51, 52 and 63.

Consent Calendar items were approved by one motion except items 17, 18 and 63 which were pulled for discussion/reconsideration.

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

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

3. RECEIVED Chair’s Report.

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

4. RECEIVED Chief Executive Officer’s Report.

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

9. ADOPTED a resolution authorizing:
- A. **the issuance of bonds by competitive bond sale to refund the Prop C 2009 A1 & A2 Bonds and approving the Notice of Intention to Sell Bonds and Notice Inviting Bids;**
 - B. the termination of the associated interest rate swap and standby bond purchase agreement; and
 - C. the bond documentation associated with the issuance of the bonds, including, but not limited to, a preliminary official statement.

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

10. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **purchase All Risk Property and Boiler and Machinery insurance policies for all property** at a not to exceed price of \$2.4 million for the 12-month period May 10, 2013 through May 10, 2014.
11. APPROVED 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.

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

15. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and execute:
- A. **a five-year, cost plus fixed fee (CPFF) contract under RFP No. PS2415-3046 with HNTB, Inc., for the Doran Street Crossing Grade Separation Project engineering services**, for an amount not to exceed \$5,774,644, inclusive of two one-year options; and
 - B. a contract with the next most qualified proposer, should staff be unable to conclude negotiations with HNTB, Inc.

16. APPROVED the following actions for the **2013 Countywide Call for Projects**:
- A. preliminary Transportation Modal Category Funding Marks and Preliminary Fund Estimate of \$150 million;
 - B. reprogram \$49.3 million from the 2012 Countywide Call for Projects (Call) Deobligations to the 2013 Call; and
 - C. receive and file report on the response to the February 20, 2013 Board motion regarding active transportation.

AMENDMENT: Increase Call for Projects pedestrian reserve category from 7.5 to 10%; and any reserve remaining subsequent to TAC appeals could be used for Crenshaw Project pedestrian uses.

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

17. APPROVED UNDER RECONSIDERATION:
- A. receiving and filing the **I-5 North Capacity Enhancements Draft Supplemental Environmental Impact Report/Environmental Reevaluation**;
 - B. adopting High Occupancy Toll Lanes, replacing the previously proposed High Occupancy Vehicle Lanes, on Interstate 5 from State Route 14 to Parker Road in the City of Santa Clarita and unincorporated Los Angeles County, California, as the Locally Preferred Alternative; and
 - C. authorizing the Chief Executive Officer to:
 - a. execute modification(s) to Contract No. PS4370-2316 Public-Private Partnership (PPP) Consulting Services, with InfraConsult LLC, (Consultant), to continue providing PPP advisory and transactional services for Accelerated Regional Transportation Improvements (ARTI) under Task 5 – Procurement and Task 6 – Concession/Contractual

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Agreements, representing all final work required to reach commercial and financial close with a concessionaire in early 2015, in an amount not to exceed \$8.7 million, increasing the Total Contract Value from \$18,857,535 to \$27,557,535;

- b. increase Contract Modification Authority specific to Contract No. PS4370-2316 to fund pending changes in an amount not to exceed \$1,305,000; and
- c. amend the FY13 budget to increase expenditures by \$4,700,000 and the FY14 budget by \$3,000,000 for contract amendments.

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

18. APPROVED UNDER RECONSIDERATION:

- A. awarding and executing a firm fixed price **Contract No. PS4730-2932 to Kimley-Horn and Associates, Inc. for State Route 138 between Interstate 5 and State Route 14 project approval and environmental document, for a fixed price of \$9,203,412;**
- B. authorizing the Chief Executive Officer to execute individual contract modifications as required, but not to exceed a total of 15% of the total contract amount to cover the cost of any unforeseen issues that may arise during the performance of the contract; and
- C. including up to \$5 million in Cost Center 4730 in FY14 budget to cover expenditures for that fiscal year.

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

19. APPROVED:

- A. the **prioritization list for the transfer of up to 42 park and ride lots owned by the State of California to Metro;**
- B. authorizing the Chief Executive Officer to prepare appropriate documents and execute all agreements necessary to move forward with and effect the transfer of the park and ride locations from the State of California to Metro in the amount of \$1,500,000 for transfer of Priority 1 and 2 park and ride lots;
- C. authorizing the CEO to enter into negotiations with the City of El Monte and property owner for the acquisition of an approximately 3.5 acre property/parcel located at Santa Anita Ave and the Interstate Route 10/Brockway St. (Gunderson Chevrolet) in an amount not to exceed \$8,500,000 to support the on-going operation of the El Monte Transit Center and Busway park and ride lot; and
- D. including \$10,000,000 in the FY 14 budget to fund recommendations B and C.

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

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

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

31. APPROVED ON CONSENT CALENDAR increasing **life-of-project (LOP) budget for Division 11 Body Shop Ventilation (CP 204123) by \$1,650,000**, increasing the LOP budget from \$550,000 to \$2,200,000.

32. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:
- A. establishing **bench contracts commencing April 1, 2013 to provide contract task-order based engineering and technical services for various Wayside Systems operating and capital projects**; and
 - B. executing Contract Task orders under the individual bench contracts in a cumulative amount not to exceed \$5,000,000.

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

33. APPROVED ON CONSENT CALENDAR increasing **life-of project (LOP) budget for Metro Blue Line Signal Rehabilitation, CP 211005 by \$63,180,000**, increasing the LOP budget from \$820,000 to \$64,000,000.
34. APPROVED ON CONSENT CALENDAR:
- A. authorizing the Chief Executive Officer to negotiate and execute a contract modification for Change Order No. 2 to Contract No. C0966R with TRC Solutions, Inc., to perform additional **water mitigation services** that are not covered in the base contract for a period of one month in an amount not to exceed \$286,114 and increasing the total contract value from \$842,548 to \$1,128,662; and
 - B. increasing the Contract Modification Authority (CMA) by 15% of the recommended not-to-exceed Contract Modification in the amount of \$42,917 increasing the total CMA from \$100,000 to \$142,917.
35. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year firm fixed price Contract No. OP35903018, to **Veolia Transportation for Contract Bus Service** in an amount not to exceed \$62,245,053 for the five-year period effective August 3, 2013.

36. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute:
- A. Modification No. 1 to Contract No. PS68102730 with Xerox State and Local Solutions (Xerox) to provide **photo enforcement Operations, Maintenance, and Citation processing services** for the Exposition Line for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$501,600, increasing the total contract value from \$877,800 to \$1,379,400, effective July 1, 2013;
 - B. Modification No. 6 to Contract No. SP035 with Xerox to provide photo enforcement Operations, Maintenance, and Citation processing services for the Blue and Orange Lines for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$1,531,200, increasing the total contract value from \$12,359,820 to \$13,891,020, effective July 1, 2013; and
 - C. Modification No. 2 to Contract No. SP037 with Xerox to provide photo enforcement Operations, Maintenance, and Citation processing services for the Metro Gold Line Photo Enforcement Program for a period up to twelve months for a fixed unit price of \$2,200 per camera location for a total not-to-exceed amount of \$712,800, increasing the total contract value from \$2,422,200 to \$3,135,000, effective July 1, 2013.

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

37. AUTHORIZED ON CONSENT CALENDAR:
- A. the Chief Executive Officer to execute a **Memorandum of Understanding (MOU) with the Los Angeles Community College District (LACCD) and the Los Angeles Trade Technical College (LATTC) to work with Rail Operations' management** to design, develop and deliver standardized training curriculum to support Rail Technical Training for Metro's incumbent workforce and to support the Rail Apprentice Program as defined in the ATU & LACMTA 2010-2013 Negotiations Tentative Agreement – Article 8 Section G;

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- B. \$187,000 as part of the MOU with LATTC, to design, develop and deliver standardized training curriculum to support the Rail Technical Training Program; and
- C. the Chief Executive Officer to approve access to Metro Rail facilities and equipment, and the donation of obsolete or surplus equipment and materials to be used as supplemental training aids.

41. AUTHORIZED the Chief Executive Officer to execute **a revision to Contract Modification No. 22 to Contract No. C0882, with Kiewit Infrastructure West Company (Kiewit), for an additional \$3,500,000** to construct the realignment of the I-405 Freeway between Stations 1754+00 and 1839+75, including mitigation for Getty impacts, increasing the Total Contract Value from \$829,203,103 to \$832,703,103, without a change to the life-of-project budget.

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

42. APPROVED:

- A. a reduction to the **Division 2 Maintenance Building Renovation and Facility Upgrade Capital Project** (CP 202307) life-of-project (LOP) Budget in the amount of \$9,200,000 resulting in a new Division 2 LOP Budget of \$33,375,000, and reprogram to fund construction work for Division 13 (CP 202001);
- B. an increase to the LOP Budget for the Division 13 Bus Maintenance and Operations Facility (Division 13) by \$9,200,000 from \$95,000,000 to \$104,200,000; and
- C. awarding Contract No. OP83803019, to design and construct the Division 13 Compressed Natural Gas Fueling Facility, and to operate and maintain for 10-years, to Clean Energy, the lowest responsive, responsible bidder, in an amount not to exceed \$11,583,048.

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

50. **ADOPTED ON CONSENT CALENDAR the following official and operational station names for the six stations that comprise Metro Rail's Gold Line Foothill Extension Phase 2A:**

<u>Official Station Name</u>	<u>Operational Station Name</u>
A. Arcadia	Arcadia
B. Monrovia	Monrovia
C. Duarte/City of Hope	Duarte/City of Hope
D. Irwindale	Irwindale
E. Azusa Downtown	Azusa Downtown
F. APU/Citrus College	APU/Citrus College

51. **APPROVED ON CONSENT CALENDAR:**

- A. **continuation of the pilot Youth On The Move (YOTM) program and move it from pilot program status to a regular program, similar to the Immediate Needs Transportation Program, Support for Homeless Re-Entry and Rider Relief Transportation Programs;**
- B. a Public Hearing to be held during the month of June 2013 at the scheduled Executive Committee and/or Board meeting to receive public comment on the proposed fare change to be implemented in July 2013 to continue to give free EZ and Metro passes to the Youth On The Move program; and
- C. authorizing publication of the Notice of Public Hearing, to be advertised beginning Friday, May 17, 2013.

52. **APPROVED ON CONSENT CALENDAR:**

- A. **AB 179 (Bocanegra)** – Would prohibit a transportation agency from selling or providing personally identifiable information obtained through electronic toll collection. **SUPPORT IF AMENDED**
- B. **AB 266 (Blumenfield/Bloom)** - **Would extend expiration date of current low emission vehicle program allowing use of HOV lanes without carrying the requisite number of passengers until the year 2025 NEUTRAL**

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- C. **SB 286 (Yee)** – Would extend expiration date of current low emission vehicle program allowing use of HOV lanes without carrying the requisite number of passengers. **NEUTRAL**
- D. **AB 417 (Frazier)** – Establishes a CEQA exemption for bicycle transportation plans until 2018. **SUPPORT**
- E. **AB 466 (Quirk-Silva)** – Would require that federal funds allocated under the Air Quality and Improvement Program be based on a weighted formula that considers population and pollution. **SUPPORT**
- F. **AB 756 (Melendez)** – Would have CEQA lawsuits pertaining to Public Works Projects heard directly by the Court of Appeals. **SUPPORT**
- G. **AB 1257 (Bocanegra)** – Would require the California Energy Commission to prepare a report that identifies strategies to best employ natural gas as an energy source. **SUPPORT**
- H. **SB 142 (DeSaulnier)** – Would authorize a transit district/operator/agency to create special benefit districts and issue bonds (repaid through special assessments) within the district(s) to create rail and transit stations. **SUPPORT**

57. 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	P	A	P	A	A	P	A

63. ADOPTED AS AMENDED by Director Yaroslavsky 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 / <u>Westwood/Rancho Park</u>	Expo / <u>Westwood/Rancho Park</u>
C. Exposition/Sepulveda	Expo/Sepulveda
D. Exposition/Bundy	Expo/Bundy
E. 26 th Street/Bergamot	26 th St/Bergamot

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F. 17th Street/Santa Monica College 17th St/SMC
 G. Downtown Santa Monica Downtown Santa Monica

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

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

68. APPROVED AS AMENDED **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

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

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

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

69. RECEIVED oral report on **fare restructuring**.

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

70. APPROVED AS AMENDED **NAJARIAN MOTION** that the CEO direct staff to provide the full board at its May 2013 meeting with an accounting of MTA’s roles and responsibilities as a Caltrans “partner” in the alternative study and any future analysis for the SR-710 Gap Closure Project.

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AMENDMENT:

Is there an MOU for the \$4 million dollar contract MTA executed for the EIR?

Based on Measure R funds expended for the EIR consultant and the awarding of the contract by the MTA, I would like to direct the county counsel to research liability issues.

I THEREFORE AMEND the motion and direct County Counsel to return to the full board in July with answers to:

- A. are MTA and Caltrans required by statute to have a fully-executed MOU regarding the funds expended on the EIR;
- B. are MTA and Caltrans co-leads on the project as MTA and Caltrans are on the I-710 south project; and
- C. or by funding the contract for the EIR, is MTA the lead agency and therefore vulnerable to any future litigation.

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

71. ADOPTED staff recommended position on **AB 574 (LOWENTHAL-LONG BEACH)** which would establish an allocation plan for Cap and Trade revenues including an allocation process administered by regional agencies. **SUPPORT IF AMENDED**

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

END OF NON-CONSENT ITEMS

72. **CLOSED SESSION:**

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

1. Cynthia Madueno v. LACMTA, Case No. BC482792

APPROVED SETTLEMENT OF \$725,000.

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

2. Crenshaw Subway Coalition v. LACMTA, Case No. CV 11-9603-FMO (JCx) consolidated with CV 12-01672-FMO (JCx)

NO REPORT.

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

Agency Representative: Richard Hunt

Employee Organizations: TCU, AFSCME

NO REPORT.

C. 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 Paul Taylor, Deputy Chief Executive Officer and Sheriff Commander Anda, on security related matters.

NO REPORT.

RECEIVED public comment.

ADJOURNED at 12:50 p.m. in memory of **Julian Burke** and the CalTrans workers who lost their lives in the line of duty: **Joseph “Robert” Jones** and **Shawn Baker**.

Prepared by: Deanna Phillips, Board Specialist