

Thursday, February 26, 2015 9:00 AM

RECAP of Proceedings

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:24 a.m.

Directors Present:

Eric Garcetti, Chair
Mark Ridley-Thomas, 1st Vice Chair
John Fasana, 2nd Vice Chair
Michael Antonovich
Mike Bonin
James Butts
Diane DuBois
Jacquelyn Dupont-Walker*
Don Knabe
Paul Krekorian
Sheila Kuehl
Ara J. Najarian
Hilda Solis
Carrie Bowen, non-voting member

Officers

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

*Via Telephone
National 4H Youth Conference Center
7100 Connecticut Avenue
Chevy Chase, MD 20815



Metro

Los Angeles County
Metropolitan Transportation Authority

1. APPROVED **Consent Calendar** Items: 2, 6, 11, 12, 13, 23, 24, 32 and 39.

Consent Calendar items are approved by one motion except for item 24 which was held by a Director for discussion and/or separate action.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	A	Y	Y	Y	Y	Y	A	Y	Y	A	A	Y

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held January 29, 2015.**

3. RECEIVED Chair's Report.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	A	P	P	P	P	P	A	P	P	A	A	P

4. RECEIVED Chief Executive Officer's Report.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	P	P	P	P	P	P	A	P	P	P	A	P

5. AUTHORIZED the Chief Executive Officer to ~~award a ten-year firm fixed unit rate Contract No. PS189840071403371, extend the current contract No. PS107140706 for 9 months from July 1, 2015 to March 31, 2016, with~~ **to Inland Transportation Services**, the highest rated proposer, for program support for the Employer Annual Pass Programs for an amount not to exceed \$419,140. \$6,374,722, inclusive of six, one-year options.

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MA = M. Antonovich	MB = M. Bonin	DD = D. DuBois	AN = A. Najarian
PK = P. Krekorian	JF = J. Fasana	JDW = J. Dupont-Walker	
JB = J. Butts	EG = E. Garcetti	HS = H. Solis	
SK = S. Kuehl	MRT = M. Ridley-Thomas	DK = D. Knabe	

LEGEND: Y = YES, N = NO, C = HARD CONFLICT, S = SOFT CONFLICT ABS = ABSTAIN, A = ABSENT, P = PRESENT

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~~The contract amount consists of \$2,400,112 for the four-year base period, \$630,450 for the first option year, \$630,450 for the second option year, \$661,012 for the third option year, \$661,012 for the fourth option year, \$695,843 for the fifth option year, and \$695,843 for the sixth option year, for a combined total of \$6,374,722.~~

SOLIS AND GARCETTI AMENDMENT: that the MTA Board directs the CEO to:

- A. extend the current EAPP support contract by nine months;
- B. examine the benefits and costs associated with additional staff (full-time equivalent, non-contract, part-time, etc.) congruent to historical and projected growth rates of the EAPP, including a detailed overview of potential consequences if staffing levels are not consistent with program growth;
- C. conduct a customer satisfaction survey of EAPP clients, including those that chose to no longer participate in the program;
- D. utilize letters B and C, recommend an EAPP staffing plan, with an analysis including but not limited to bringing the program in-house, contracting out entirely, or a hybrid approach; and
- E. report back on the above at the May 2015 MTA Board meeting.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y

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

A. establish a **bench of printing vendors** by executing five-year indefinite delivery/indefinite quantity multiple award agreements with the following vendors effective March 1, 2015, with an aggregate total value not to exceed \$1,000,000:

- i. Corporate Impressions LA Inc PS147140650A
- ii. Fusion Media PS147140650B
- iii. Pacific Graphics Int'l (PGI) PS147140650C
- iv. Peaks & Associates PS147140650D
- v. Maps PS147140650E

B. execute Task or Contract Work Orders under these agreements for outside printing as necessary.

11. APPROVED ON CONSENT CALENDAR finding that all **88 cities and the County of Los Angeles are in conformance with the Congestion Management Program for Los Angeles County.**

12. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to approve the submission of two or more project applications for grant funds from **California's Cap-and-Trade Program's Greenhouse Gas Reduction Fund through the Transit and Intercity Rail Capital Program.**

13. APPROVED ON CONSENT CALENDAR:
 - A. funding to Joint Management Council to reflect the programming of funds consistent with the Board approved **FY 2014-15 Budget for Capital Improvement Projects (CIP) for Roof, HVAC and Restoration of Los Angeles Union Station:**
 - i. Roof \$7,080,000 (CIP 210136)
 - ii. HVAC \$5,376,000 (CIP 210138)
 - iii. Restoration \$8,500,000 (CIP 210139)
 - B. amending the FY2015 budget to add \$7,505,687 to cost center 2210 with Prop C 40% funding to fund these action.

21. APPROVED AS AMENDED **Garcetti, Dupont-Walker, Knabe and Butts Motion** that the Board direct the CEO to evaluate options for improving the connection between the Silver Line and service operating into South Bay communities via the Harbor/Gateway Transit Center, including:
 - A. direct routing of Silver Line trips into Palos Verdes and San Pedro;
 - B. improved frequencies on local services, including Lines 246 and 344, for better connections with the Silver Line;
 - C. timed transfers and improved on time performance to ensure connections are met;
 - D. evaluation should be based on the demand for the connection by time of day and day of week, and address fare pricing implications, resource and other requirements, ridership impacts, and implementation schedule; and
 - E. report back with the findings on all the above by the June 2015 Regular Board meeting.

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AMENDMENT BY BUTTS AND DUPONT-WALKER: Instruct staff to coordinate these efforts with the South Bay Municipal Operators including Torrance, Gardena, Beach Cities Transit, and other relevant stakeholders to avoid the potential of service duplications, customer confusion and cost overruns.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y

23. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:
- A. increase the Life-of-Project budget for the bus replacement project to include the **purchase of 350 additional Compressed Natural Gas (CNG) buses for the FY16-18 capital program** in the amount of \$195,000,000 from \$308,442,500 to \$503,442,500; and
 - B. execute Contract Option No. 1 to Contract OP33202869 with New Flyer of America, to purchase 350 additional forty-foot CNG buses for the firm fixed price of \$193,979,571, increasing the Total Contract Value from \$304,672,769 to \$498,652,341 inclusive of sales tax.
24. AUTHORIZED the Chief Executive Officer to Execute Modification No. 8 to Contract No. OP33442103 for **Right-of-Way (ROW) Trash and Vegetation Removal Services to Woods Maintenance Services** in the amount of \$2,975,000 increasing the not-to-exceed contract value from \$14,633,946 to \$17,608,946. This contract provides on-going maintenance services throughout Metro properties and ROWs. This modification extends the period of performance through September 30, 2015.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	Y	Y	Y	A	Y	A	Y	Y	Y	Y	Y	Y

32. APPROVED ON CONSENT CALENDAR an increase in Contract Modification Authority (CMA) to Contract No. C0984R with DRP National, Inc., for the **Lankershim Depot Rehabilitation Project Phase Two**, to provide funding for differing site conditions, extra work and plan modifications identified in the amount of \$150,000 increasing the current CMA from \$332,034 to \$482,034. The remaining Life-of-Project (LOP) budget after this action is \$123,934.
39. RECEIVED AND FILED AND APPROVED ON CONSENT CALENDAR:
- A. the status report addressing **FTA Triennial Review Findings**;
 - B. one Full Time Equivalent (FTE) position in the Civil Rights Programs Compliance Department to ensure oversight of the Americans with Disabilities Act compliance approximately 80 Metro grant sub-recipients; and
 - C. one FTE position in the Regional Grants Management Department to ensure oversight of all other FTA compliance areas including Procurement and Half Fare compliance of approximately 80 Metro grant sub-recipients.
40. CARRIED OVER: **Garcetti, Ridley-Thomas, Kuehl, Solis, Bonin and Dupont-Walker Motion** that the CEO direct staff to report back to the Board with the following items:
- A. amendment to MTA's Joint Development Policy, establishing a goal that in the aggregate, affordable housing units represent 35% of all residential units developed on MTA-owned property;
 - B. recommended criteria under which MTA would allow proportional discounts to the fair market value of MTA owned property for the purpose of contributing towards the cost of affordable housing;

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FURTHERMORE, WE MOVE that the CEO direct staff to:

- C. develop a memorandum of understanding with interested local cities and the County of Los Angeles to promote co-investment along transit corridors, such as leveraging municipally-controlled affordable housing and small business dollars for MTA's Joint Development affordable housing sites;
 - D. negotiate terms and conditions for the Board's consideration that reflect MTA's participation in the collaborative creation of a multi-partner Countywide Transit Oriented Affordable Housing loan fund, and report back to the Board on the following:
 - 1. criteria for eligible joint development projects, including neighborhood serving businesses to be funded by the loan fund;
 - 2. administration of the fund;
 - 3. loan program structure;
 - E. report back to the Board during the FY2015-16 Budget regarding the feasibility to budget \$2 million annually for 5 years, up to \$10 million to establish the fund; and
 - F. work with the affordable housing community to establish a revenue neutral TAP purchase program that provides passes to current and future occupants of MTA joint developments.
45. RECEIVED oral status update on the **Project Labor Agreement and Construction Careers policy programs**; and

APPROVED Motion by Directors Kuehl, Ridley-Thomas, Solis and Dupont-Walker that the MTA Board directs the CEO to:

- A. identify incentives to be included in the agency's project labor agreements as a means to encourage contractors to exceed our targeted worker participation requirements;

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- B. review the current project labor agreement liquidated damages clause for potential modifications to further strengthen penalties;
- C. report back on prospective changes to Metro’s legislative platform that would allow both penalties and incentives for federally set goals in categories such as gender and ethnic participation; and
- D. report back with recommendations at the May 2015 Board meeting.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y

46. **RECEIVED oral report on ACCESS Services.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
P	P	P	P	A	P	P	A	P	P	P	A	P

47. APPROVED AS AMENDED execution of Contract Modification No. 52 to Contract No. PS43502000 with Parsons Brinckerhoff Inc. to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during the design-build solicitation process, design support services during construction for **Section 2 of the Westside Purple Line Extension Project**, in an amount not-to-exceed \$20,820,226, increasing the total contract value from \$131,682,877 to \$152,503,103.

KNABE, KUEHL, SOLIS, DUPONT-WALKER AND NAJARIAN AMENDMENT that the MTA Board does the following:

- A. direct the MTA Inspector General and Ethics Officer to conduct an independent audit on Contract No. PS43502000, modification 52, which shall include, but not be limited to the following:
 - 1. perform an assessment and analysis of the total work hours to perform the proposed advanced preliminary engineering work;

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2. evaluate the proposed billable rates associated with the development of advanced preliminary engineering work;
3. identify management redundancies, if any, and recommend cost-saving efficiencies;
4. review and evaluate the accuracy and completeness of the preliminary engineering drawings versus the current advanced preliminary engineering drawings; and

B. report back on the above no later than the June 2015 MTA Board cycle.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	Y	Y	Y	A	Y	A	Y	Y	Y	Y	Y	Y

48. APPROVED **Garcetti, DuBois and Knabe Motion** that MTA Bus Division 3 in Cypress Park be dedicated “Leahy Division 3” to honor the contributions of the Leahy Family to the transportation profession and most importantly to improving the lives of past, present and future travelers within Los Angeles County.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y

49. WITHDRAWN BY THE MAKER OF THE MOTION: **Najarian Motion** that all MTA non-contract, non-security positions, including those in process, be placed on hold until the new MTA CEO reviews and approves of such proposed hirings. For the hiring of those positions deemed critical and time-sensitive, approval shall be at the sole discretion of the MTA Ethics Officer.

50. RECEIVED AND FILED report on **analysis of latest on-board customer satisfaction survey results including sexual harassment responses.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y

51. APPROVED:

- A. authorizing the Chief Executive Officer to execute modification No. 2 to Contract No. PS71303218 **to provide federal consulting services for a period of 12 months** in the amount not to exceed \$120,000, increasing the Total Contract Value from \$150,000 to \$270,000;
- B. adding Contract Modification Authority to Contract No. PS71303218 for future changes in the amount of \$120,000.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

52. APPROVED **Antonovich, Solis, Ridley-Thomas and Knabe Motion** that the MTA Board directs the Inspector General to:

- A. conduct research into an appropriate zero-tolerance policy for Red Light violations for our Rail and Bus system and return to the Board in March with such a policy for consideration; and
- B. retain an independent consultant with expertise in safety culture and rail operational safety to conduct a review of MTA rail operations and management, including a root cause analysis of the Red Light violations committed over the past two years.
- This review must at minimum include an analysis of safety culture, infrastructure issues, operator training, use of efficiency testing, and effectiveness of discipline for both operator and management.

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WE FURTHER MOVE that the MTA Board send a letter to the Administrations of the Federal Transit Administration and Federal Railroad Administration to seek partnerships in working with the MTA to reduce Red Light violations system-wide and to evaluate current policies, conditions, and management structures for flaws and deviations from industry best practices.

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

53. APPROVED BY TWO-THIRDS VOTE:

- A. holding a public hearing on the proposed new Resolution of Necessity, including rescission of the previously adopted Resolution of Necessity; and
- B. adopting the **Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Project Parcel W-1201, 1201-1 (APN 5508-007-024), consisting of the real property for the Purple Line Westside Subway Extension Project.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y

54. APPROVED BY TWO-THIRDS 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 permanent tunnel easements, subsurface easements for the installation of grouting pipe, temporary construction easements for staging, sidewalk easements, tieback easements in Parcels RC-418, 418-1, 418-2, 418A, 418A-1, 418A-2, 418A-3, 418A-4, and 418A-5 (APN's 5151-014-032 and 5151-014-033); consisting of various real property interests for the Regional Connector Transit Corridor Project.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y

55. APPROVED BY TWO-THIRDS VOTE:

- A. holding a public hearing on the proposed Resolution of Necessity; and
- B. adopting a **Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a subsurface easement and a grouting easement in Project Parcels RC-449 and RC-449-1 (Assessor Parcel No. 5161-017-009); consisting of the real property for the Regional Connector Transit Corridor Project.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y

ADJOURNED in memory of Linda Matthews-Wilcut, a Metro employee since 2004, who coordinated travel accommodations for the agency.

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