

Thursday, March 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 9:18 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



Metro

Los Angeles County
Metropolitan Transportation Authority

1. APPROVED **Consent Calendar** Items: 2, 6, 10, 11, 12, 13, 14, 15, 22, 23, 25, 26, 27, 35, 37, 38, 49 and 50.

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

Consent Calendar items were approved by one motion.

2. APPROVED ON CONSENT CALENDAR **Minutes of the Special Board Meeting held on February 25, 2015, Minutes of the Regular Board Meeting held on February 26, 2015, Minutes of the Special Board Meeting held on February 26, 2015 and Minutes of the Special Board Meeting held on March 12, 2015.**

3. RECEIVED Chair’s Report.

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

4. RECEIVED Chief Executive Officer’s Report.

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

- 5.1 APPROVED **Motion by Directors Butts, Knabe, DuBois and Antonovich** that this Board instruct the Capital Planning, Construction and Operations staff with the validation of data by the Chief Financial Officer and Treasurer to report back in June 2015 to the Finance, Budget and Planning Committees with the information described above in order to provide this Board, the new CEO and the subregion stakeholder partners a financial baseline from which to develop a framework for the updated LRTP, sales tax measure and other pertinent strategic financial decisions for the future of transportation development.

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

6. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed price, Contract No. 3000002673, to Crowe Horwath, LLP for **Metro Annual Financial Audit Services** in the amount of \$1,866,086, for a four-year base period plus a one-year option term in the amount of \$467,009, for a total contract value of up to \$2,333,095.

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

7. APPROVED AS AMENDED **Motion by Directors Ridley-Thomas and Butts** that within ninety days, the CEO shall:

- A. develop a strategic plan for the joint development activities along the Crenshaw Line that will:
1. prepare a preliminary development envelope, building massing and permissible land uses for the properties based on adopted local plans and zoning, access, lot configuration, availability of utilities and Metro infrastructure;
 2. create a timeline for joint development activities based on when each opportunity site will be available;
 3. identify strategic public sector partners;
 4. outline the community engagement process;
 5. determine any formal partnerships or agreements necessary to implement the strategic plan including allocation of costs of studies, appraisals, increased staffing, and other development requirements; and
- B. work with the County CDC to develop a scope of work and budget for an MOU that will allow Metro’s Joint Development Department to implement the joint development of the two County-owned sites along the Crenshaw Line in conjunction with Metro-owned property.

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(Item 7 – continued from previous page)

AMENDMENT BY DIRECTOR SOLIS that a reasonable percentage of future housing units be affordable to low income families and individuals. The percentage of affordable housing units should be consistent with local demand resulting from a comprehensive community participation process. Moreover, move that the Board instruct staff to report back with a thorough community outreach plan and potential funding options to achieve this goal.

AMENDMENT BY DIRECTORS GARCETTI AND DUPONT-WALKER AS AMENDED that the CEO direct staff to:

- A. negotiate and execute a Memorandum of Understanding with the City of Los Angeles to coordinate jointly on the development of design guidelines, parking and market analysis, strategic land acquisition and future issuances of any Requests for Proposal for development of City of Los Angeles publicly-owned properties adjacent or in close proximity to the Crenshaw/LAX Transit Line; this includes the following stations;
 - 1. Martin Luther King/Crenshaw Station
 - 2. Leimert Park Village Station

- B. prioritize the evaluation of creative options for developing existing Park and Ride lots as well as, in cooperation with the City of Los Angeles additional public parking along the Crenshaw/LAX Transit Line in a manner that would free up valuable land for development and reduce surface parking lots and return to the Board with cost analysis and feasibility;

- C. develop a community outreach strategy that recognizes and incorporates the various planning efforts, both community driven and government agency driven, for the Crenshaw area; and

- D. report back to the Board with a progress report in June 2015.

AMENDMENT BY DIRECTOR BUTTS to include the Florence-La Brea station in Inglewood in order to further leverage the various planning efforts underway not only in the City of Los Angeles, but in Inglewood, as well.

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

8. **APPROVED Motion by Directors Garcetti, Krekorian, Najarian and Solis** AS AMENDED that the Board instruct the CEO to:

A. develop an action plan to address the downward trend in ridership. The plan should include:

1. evaluate existing travel demand and identify new ridership opportunities;
2. optimizing the existing transit network, including but not limited to: a) Improving bus service between rail service and key destinations, b) Establishing a frequent transit network, c) Developing new types of bus service to attract discretionary riders, and d) Better coordination with municipal operators and Metrolink;
3. develop a campaign to market, promote, and outreach to potential new and discretionary riders about MTA transit services, including but not limited to 1) a revenue-neutral residential TAP bulk purchase program, 2) an incentive to travel during times of excess capacity, and 3) exciting marketing programs such as MTA's recent Red Line Speed Dating event;
4. strategies to improve on-time performance, including but not limited to 1) testing all-door boarding, 2) installing stand-alone TAP validators, and 3) working with local jurisdictions to implement bus-only lanes in key locations and at key times;
5. evaluate the reliability of existing rail station countdown clocks and install countdown clocks at additional rail stations and high-use bus stops;
6. develop and utilize a frequent network map;
7. other innovative strategies to increase ridership; and

B. report to the MTA Board in 90 days on the action plan.

(Continued on next page)

(Item 8 – continued from previous page)

ANTONOVICH AMENDMENT that the Board directs the CEO to review all motions made by Directors over the past five (5) years that focus in whole or in part on increasing ridership by improving:

- A. Customer safety and experience
- B. System connectivity and improved transfers
- C. Improved bus and rail service

FURTHERMOVE to report to the Board in 90 days as part of the Action Plan requested in the Garcetti/ Solis/Krekorian/Najarian motion a review of these motions, their status and outcomes, and how these motions can be integrated into the Action Plan requested so that prior Board policies are reviewed and considered as part of the staff report.

ALSO MOVE that the Board directs the CEO to include as part of this Action Plan an item that seeks input from the non-transit riding public on their primary reasons for not using transit, and provide recommendations as part of this Action Plan on how to address this input to entice new riders onto the MTA system.

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

10. APPROVED ON CONSENT CALENDAR:

- A. programming \$8,000,000 in Measure R 3% funds for the **Grade Crossing Improvements at Ramona Boulevard, Citrus Avenue, and CP Soledad Speed Increase Projects**; and
- B. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all agreements necessary for this action.

11. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute and enter into the following amendments:

A. an amendment to **Metro’s existing Joint Development Agreement (JDA)** with Taylor Yards, LLC, a development entity created by McCormack Baron Salazar for the development of an approximately **17.7-acre portion of Taylor Yard** (Development Site) to:

1. allow Taylor Yards, LLC to subdivide a 4.8-acre portion of the Development Site (“Lot 2”) into two separate lots (“Lot 2A” and “Lot 2B”);
2. change the scope of the proposed development for Lot 2 from a single-phase, 97 unit, for-sale condominium project to a phased development project containing 54 for-sale condominiums on Lot 2A and 41 affordable family apartments and one unrestricted manager’s unit on Lot 2B;

B. an amendment to **Metro’s existing Common Area Ground Lease** with Taylor Yard Master Association, the homeowners’ association created by McCormack Baron Salazar to oversee the Development Site’s common improvements to:

1. allow a 0.45-acre, triangular-shaped portion of the ground leased premises (Triangle Parcel) to be used as a construction staging area until the earlier of:
 - i. the date when all of the Development Site’s housing and retail projects are substantially complete; or
 - ii. the date that the JDA expires or is terminated; and
2. require that, thereafter, landscaped, passive open space be constructed on the Triangle Parcel instead of a community center and swimming pool for the residents of the Development Site.

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

12. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a six-month “Short Term” Exclusive Negotiation Agreement (ENA) with an option to extend up to three additional months, with Bridge Housing Corporation/East LA Community Corporation (“Bridge/ELACC”), or an entity created by Bridge/ELACC, to conduct community outreach regarding two mixed-use real estate developments and to refine the project scope to be included in a full term ENA, for the Metro-owned property situated at and **across the street from the Metro Gold Line Soto station.**

MA	PK	JB	SK	MB	JF	EG	MRT	DD	JDW	HS	DK	AN
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13. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a six-month “Short Term” Exclusive Negotiation Agreement (ENA), with an option to extend up to three additional months, with Abode Communities (“Abode”), or an entity created by Abode, to conduct community outreach regarding a mixed-use real estate development and to refine the project scope to be included in a full term ENA, for the Metro-owned property at **East Cesar E. Chavez Avenue and North Soto Street.**

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

14. AUTHORIZED ON CONSENT CALENDAR:
- A. approving the revised **Transit Oriented Development Planning Grant Program Guidelines**; and
 - B. approving the revised Lapsing Policy.

15. APPROVED ON CONSENT CALENDAR the resolution which:
- A. authorizes the Chief Executive Officer or his designee to claim up to \$7,140,233 in **FY 2014-15 Low Carbon Transit Operations Program funds from California’s Cap-and-Trade Program’s Greenhouse Gas Reduction Fund**, including \$5,875,784 in funding appropriated to Metro and up to \$1,264,449 in funding appropriations to any other Los Angeles County eligible recipients which may opt not to claim their appropriation; and
 - B. identifies the projects for which LCTOP funds are to be claimed.
17. RECEIVED AND FILED the **quarterly status report on the Airport Metro Connector** including:
- A. initiation of environmental review;
 - B. procurement of architectural/engineering design services; and
 - C. refinement of the project implementation schedule in response to the July 2014 Board motion; and

APPROVED **Motion by Directors Knabe, Garcetti, Dupont-Walker, Bonin, Butts and Ridley-Thomas** that the MTA Board instruct the CEO to report back to the Board during the April/May 2015 Board cycle with:

- A. a timeline for optimal 96th Street Station design and construction;
- B. a cost and schedule comparison between constructing the optimal 96th Street Station as:
 - 1. part of the Crenshaw/LAX Project, or
 - 2. a separate project after Crenshaw/LAX Project is completed;
 - and
- C. a recommendation based on a cost/benefit analysis.

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

22. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to increase the Contract Modification Authority to Contract No. PS12643059R with Global Power to provide **Gateway Building emergency generator additions and upgrades** from \$216,245 to \$966,245 for an increase of \$750,000.
23. APPROVED ON CONSENT CALENDAR:
- A. authorizing the Chief Executive Officer to execute Modification No. 15 to Contract No. PS26102156 with RMI International to provide **private security services** for the period April 1, 2015 through September 30, 2015 in the amount of \$3,300,000, increasing the total contract value from \$34,638,383 to \$37,938,383; and
 - B. cancelling procurement No. PS2610-3117 for Private Security Services.
25. APPROVED ON CONSENT CALENDAR establishing a Life-of-Project budget for the **Metro Information Security Improvement Program** in the amount of \$7,814,000. The FY16 portion is \$860,000.
26. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a Contract Modification No. 4 to Contract No. OP85102554, with Mitsubishi Electric and Electronics USA, Inc. for **elevator/escalator maintenance and repair services** throughout the Metro transit system facilities (excluding Gateway Building), to exercise option year two for the amount of \$8,702,716. This contract amount consists of \$27,271,675 for the three-year base period, \$8,402,964 for the first option year and \$8,702,716 for the second option year, for a combined total of \$44,377,355.

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

A. negotiate and execute a contract modification to Contract No. OP39603035 with ARINC, Inc. to **supply Information Technology equipment that comply with the most current Metro Information and Technology Services Department recommended standards** in an amount not-to-exceed \$1,500,000 inclusive of sales tax. This action increases the total contract value from \$9,697,765 to \$11,197,765; and

B. purchase additional coverage on the existing \$15,000,000 supplemental project insurance for 10 years after contact award in excess of ARINC limited liability in an amount not-to-exceed \$225,000 inclusive of premium and fees. This action increases the total coverage cost from \$774,000 to \$999,000.

32. RECEIVED oral report on **Preliminary Research of Zero Tolerance Policy for Red Light Violations** on Metro Rail and Bus Systems.

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

35. APPROVED ON CONSENT CALENDAR a Life of Project Budget for **Facility Improvement Projects at Metro Bus Divisions** in the amount of \$21,650,000.

37. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a cost-plus-fixed-fee Contract No. AE11298-2415-10135 with AECOM Technical Services, Inc. for the **Burbank-Bob Hope Airport Station Pedestrian Bridge Final Design Project** in the amount of \$1,559,386, inclusive of all design phases. This contract is for a base of three years. The base contract is for the amount of \$1,559,386.

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

38. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and execute a cost-plus-fixed-fee Contract No. PS2415- 3420 with Biggs Cardosa Associates, Inc. for the **Rosecrans/Marquardt Grade Separation Project** in the amount of \$6,273,306, inclusive of all design phases. This contract is for a base of three years. The base contract is for the amount of \$6,273,306.

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

48. ADOPTED staff recommended positions:

A. **AB 194 (Frazier)** – High Occupancy Toll Lanes Authorization Process **SUPPORT**

B. **AB 210 (Gatto)** – High Occupancy Vehicle Access **OPPOSE**

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

C. **AB 318 (Chau)** – Lost and Found **SUPPORT**

D. **AB 338 (Hernandez)** – Potential Sales Tax Measure **WORK WITH AUTHOR**

E. **SB 9 (Beall)** – Cap and Trade Funds – Transit and Intercity Rail Capital Program **SUPPORT - WORK WITH AUTHOR**

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

48.1 APPROVED **Motion by Fasana and Ridley-Thomas AS AMENDED** that the MTA Board direct the CEO, in conjunction with California Department of Transportation to:

- A. develop a comprehensive list of proposed bills with the potential impact of limiting Metro’s ability to pursue implementation of future ExpressLanes identified as part of the LA County ExpressLanes Strategic Plan for distribution at the April 2015 Executive Management Committee;
- B. expeditiously develop an overarching policy on HOV/HOT/ExpressLanes based on analysis that can guide the agency’s position on proposed legislation; and
- C. oppose any legislation that could negatively impact Metro’s ability to operate its current program or proceed with future ExpressLanes related efforts until Board adoption of the ExpressLanes policy.

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

49. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to exercise the option to extend the **Billboard Management Contract with All Vision** for one year from July 1, 2015 to June 30, 2016.

50. APPROVED ON CONSENT CALENDAR directing the Chief Executive Officer to continue to fulfill the changes decreed in the **2011 Gaddy Settlement Order requiring Metro to meet or exceed the minimum requirements of the Americans with Disabilities Act** beyond the expiration date of the Order.

51. RECEIVED AND FILED the requested information regarding **affordable housing and Metro involvement.**

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

51.1 **APPROVED REVISED MOTION by Directors Garcetti, Ridley-Thomas, Kuehl, Solis, Bonin and Dupont-Walker AS AMENDED by Directors DuBois and Knabe** 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;

FURTHERMORE, 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 and Business loan fund. Potential partners should include community development financing institutions and community-based development organizations whose primary goal is to develop, invest in or preserve affordable homes or businesses within ½ mile of MTA rail stations, bus rapid transit or rapid bus stops. Through the loan fund, developers would be able to access flexible, affordable capital to purchase or improve available property near transit lines for the development or preservation of affordable housing and small business, creating and retaining community job opportunities for MTA's joint development. and
- E. 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;

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(Item 51.1 – continued from previous page)

2. administration of the fund;
 3. loan program structure;
 4. potential sources of funds including, but not limited to partners/collaborators.
- F. 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 revolving loan fund; and from sources, including but not limited to, non-operations/maintenance eligible funding sources, such as cap and trade affordable housing funds and with a plan to geographically disperse the funds equitably so that sites within each subregion are eligible for a share of the funds
- G. work with a diverse stakeholder the affordable housing community to establish a revenue neutral TAP purchase program that provides passes to current and future occupants of MTA joint developments.
- H. reference MTA’s Sustainability Planning Policy to insure a compatible and integrated approach to joint development and any potential loan fund
- I. to the extent possible, provide an estimate or projection of the “proportional discount” to the fair market value of MTA-owned properties listed in Attachment C of the report using the “typical subsidy” level of \$80,000 to \$150,000 per unit.

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

55. APPROVED **Motion by Garcetti, Antonovich and Kuehl** that the Board instruct the CEO to:

Task Force

- A. formalize a multi-departmental Safe Space Task Force, including but not limited to the Communications, Community Relations, Ethics, Human Resources, Information Technology, Operations, Security, and Planning departments.

Community Input

- B. convene a community roundtable on issues of safe space and sexual harassment to better connect MTA with its customers and inform MTA’s response to these issues.
- C. work with the American Public Transportation Association (APTA) to review national and international best practices for safe space in transit.

External Policy

- D. update the MTA Customer Code of Conduct to explicitly prohibit unwanted sexual attention and identity-based harassment.
- E. partner with an appropriate local agency or agencies to provide a non-law enforcement support option for victims.

Internal Policy

- F. In partnership with an appropriate local agency or agencies, review training guidelines for all MTA staff and contract public safety personnel to ensure that staff is properly trained to respond in cases of unwanted sexual attention, including those in which a minor is involved.
- G. utilizing item B and C, review station, bus stop, and transit vehicle design guidelines to ensure customer safety is taken into account.

Board Reporting

- H. report to the Board on all the above on a quarterly basis beginning with the April 2015 Board cycle.

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

56. RECEIVED:

- A. and filed report on the **APTA Peer Review** of Fare Policy; and
- B. oral report from the APTA Peer Review panel.

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

57. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(d)(1):

- 1. Gilberto Rebollar, et al. v. LACMTA, LASC Case No. BC421357

Approved settlement in the amount of \$4,250,000.

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

- 2. LACMTA v. Parsons-Dillingham, LASC Case No. BC150298 (Consolidated with Case No. BC179027)

NO REPORT.

- B. Conference with Labor Negotiator – G.C. 54957.6
 Agency Designated Representative: Don Ott or designee
 Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters

NO REPORT.

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