

Thursday, May 28, 2015 9:30 AM

MINUTES

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:45 a.m.

Directors Present

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

Officers

Phillip Washington, 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, 15, 46, 19, 20, 21, 23, 24, 25, 33, 34, 35, 36, 45, 46, **48, 50, 52, 62, 63 and 64.

Consent Calendar items were approved by one motion except items 16 and 25 which were held by a Director for discussion and/or separate action.

***Item required 2/3 vote*

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

2. APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held April 30, 2015.

3. RECEIVED Chair's Report.

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

4. RECEIVED Chief Executive Officer's Report.

- Presentation of the Telly Award to the Metro Board of Directors.

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

10. APPROVED Motion by Director O'Connor to adopt the updated SCAG/Metro Joint Work Program.

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

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

15. **APPROVED ON CONSENT CALENDAR Access Services Proposition C local funding request in an amount not-to-exceed \$84,164,299 for FY 15/16.** This amount includes:

- A. \$82,077,993 – Access Services Operating Funds; and
- B. \$2,086,306 – paid directly to the Southern California Regional Rail Authority (Metrolink) for its participation in the Board-adopted Access Free Fare Program.

15.1 **WITHDRAWN: Knabe, DuBois and Butts Motion that:**

- A. the MTA Board of Directors formally support the Access Services Petition for Rulemaking that asks for an amendment to the DOT’s regulations concerning Americans with Disabilities Act paratransit fares, which would allow the Access Services coordinated fare to continue as it has for the last two decades;
- B. as access works with DOT regarding the petition, Access should continue their efforts to comply with the FTA finding; and
- C. report back to the Board in November of this year on the status of the ASI request.

16. **ADOPTED a resolution on the Measure R Program** authorizing:

- A. a short-term borrowing program not to exceed \$300,000,000;
- B. the execution and delivery of documents related to the short-term borrowing program; and
- C. the pledge of revenues and other security for such subordinate obligations and super subordinate obligations.

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

19. **APPROVED ON CONSENT CALENDAR Design Option 3 for the S track alignment to accommodate the future Airport Metro Connector transit station.**

20. **AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate a Funding Agreement for \$1,000,000 with Caltrans to conduct noise studies on the freeway system.**

21. **APPROVED ON CONSENT CALENDAR:**
 - A. **the updated Project Lists for Measure R Highway Subregional Program (MRHSP) including:**
 1. Highway Operational Improvements in Arroyo Verdugo sub region;
 2. Highway Operational Improvements in Las Virgenes/Malibu sub region;
 3. Interstate 405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay);
 4. State Route 138 Capacity Enhancements;
 5. Interstate 605 Corridor "Hot Spots" Interchanges;
 6. Interstate 710 South and/or Early Action Projects; and
 - B. **authorizing the Chief Executive Officer to negotiate and execute all necessary agreements for approved projects.**

23. **APPROVED ON CONSENT CALENDAR:**
 - A. **programming \$116,000 in new Measure R 3% funds to the Vincent Grade/Acton Station Second Platform and Siding Extension Project (Vincent Project);**

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(Item 23 – continued from previous page)

- B. reprogramming \$275,000 in cost savings from the Antelope Valley Line Infrastructure Improvement Strategic Plan (AVL Study) to the Vincent Grade/Acton Station Second Platform and Siding Extension Project (Vincent Project); and
 - C. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all agreements necessary for this action.
24. APPROVED ON CONSENT CALENDAR:
- A. updated **countywide light rail yard cost allocation** percentages and amounts; and
 - B. allocating costs to projects accordingly.
25. AUTHORIZED the Chief Executive Officer to commit up to \$10.8 million in local matching funds to facilitate competitive match packages for submittal of two grant applications for the **"Rail to Rail Active Transportation Corridor (ATC) Connector Project"** a segment of the Rail to River Intermediate ATC Project:
- A. \$8.4 million in additional local funds will be applied for a hard match for a grant request in the amount of \$9.6 million through the Caltrans Division of Local Assistance Active Transportation Program (ATP) Grant funding program. Total project cost for Segment A-1 (3.6 miles) is estimated to be \$18 million, including estimated remaining right-of-way (ROW) easement acquisition costs;
 - B. \$10.8 million in local match funds, which includes remaining estimated ROW easement acquisition costs, will be applied as part of a local match package for a grant request in the amount of \$21.3 million through the Department of Transportation (DOT) Transportation Investment Generating Economic Recovery Act (TIGER) VII grant program. Project cost for the full length of Segment A, inclusive of Segment A-1, A-2, and A-3 (6.4 miles) is estimated to be \$32.1 million, and includes estimated construction costs and estimated ROW easement acquisition costs. Preconstruction activities in the amount of \$2.8 million previously funded by the Board are excluded from these estimates; and

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(Item 25 – continued from previous page)

C. receive and file update on Rail to River study.

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

28. AUTHORIZED the Chief Executive Officer to execute a two-year agreement for FY16 and FY17 with the California Highway Patrol to provide services in support of the **Metro Freeway Service Patrol, Big Rig Service Patrol and ExpressLanes FSP programs** in an amount not to exceed \$2,811,284.

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

29. APPROVED:

A. awarding and executing a three-year, cost plus fixed fee Contract No. PS272690011369 to Jacobs Engineering Group, Inc. for an amount not-to-exceed \$3,097,404 for **ExpressLanes operations and maintenance technical oversight support**; and

B. amending the FY15 budget by \$100,000 in Cost Center 2220 to cover expenditures for the remainder of the fiscal year.

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

30. AUTHORIZED the Chief Executive Officer to execute a three-year Funding Agreement No. FA.CRI15222001 with the CHP to provide **enforcement services on the I-10 and I-110 ExpressLanes** starting in July 2015 and ending June 2018 in the amount of \$9,715,383.

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

33. APPROVED ON CONSENT CALENDAR:
- A. programming of up to \$32.2 million that is available to the Los Angeles County Metropolitan Transportation Authority from FY2014 and FY 2015 State Proposition 1B Transit Security Program for **eligible transit system safety, security and disaster response capital projects**; and
 - B. adopting resolutions required by the Governor's Office of Emergency Services to obtain financial assistance from the FY2014 and FY2015 State Proposition 1B Transit Security Program.
34. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed price contract under IFB OP37903380A to Wondries Fleet Group the lowest responsive and responsible bidder for **40 Mid-Size Sports Utility Vehicles (SUVs)** for a firm fixed price of \$1,519,429 inclusive of sales tax and environmental fees.
35. APPROVED ON CONSENT CALENDAR the following **nominees for membership on Metro's Gateway Cities Service Council**:
- A. Al Austin II
Nominated by: Gateway Cities Council of Governments
Term Ending: June 30, 2016
 - B. Isaac Galvan
Nominated by: Gateway Cities Council of Governments
Term Ending: June 30, 2017
36. AUTHORIZED ON CONSENT CALENDAR:
- A. Modification No. 13 to Contract OP35032075 with SmartDrive Systems Inc. for a fixed unit rate not-to-exceed amount of \$666,892 increasing the total contract price from \$6,343,757 to \$7,010,649 to **extend incident Based Surveillance System services on Metro's bus fleet and on the Blue Line rail car fleet** for a period of six months; and

(Continued on next page)

(Item 36 – continued from previous page)

- B. an increase of Contract Modification Authority (CMA) in the amount of \$350,532, increasing the CMA from \$271,507 to \$622,039 to allow for changes due to schedule variations associated with bus and rail fleet procurements.

38. RECEIVED AND FILED Gateway Building Space Assessment report.

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

38.1 APPROVED Motion by Director Fasana to report back within 90 days with the following path forward items:

- A. Engage Architect
- B. Assess current and near term space requirements
- C. Return with alternatives
- D. Request budget amendment to implement selected alternative

42. RECEIVED AND FILED monthly report on Crenshaw/LAX safety.

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

44. APPROVED:

- A. an increase in Life-of-Project budget for Division 16: Southwestern Yard Project Life-of-Project budget in the amount of \$22.0 million increasing the LOP from \$285.2 million to \$307.2 million to **complete final design and construction of the Southwestern Yard Project**; and

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(Item 44 – continued from previous page)

- B. awarding a firm fixed price contract under Contract No. C0991, to Hensel Phelps/Herzog JV for the final design and construction of Division 16: Southwestern Yard, in the amount of \$172,312,697, which includes \$163,565,200 for base scope, \$5,210,000 for provisional sums and \$3,537,497 for two options, subject to resolution of any timely protests.

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

- 45. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to establish Life of Project budgets totaling \$141,545,000 for three capital projects to **construct two freeway sound wall projects and extend one existing sound wall according to the cash flow plan:**

- A. Capital Project 460323 Sound Wall Package 10: The I-210 Freeway from **Santa Anita in the City of Arcadia to Fair Oaks in the City of Pasadena** the amount of \$50,862,000;

- B. Capital Project 460321 Sound Wall Package 07: Route 134 extends recently completed Sound Wall No. 260 from **Placidia Avenue to Sancola Avenue** in the amount of \$1,500,000. Because it is not economical or cost effective to design and construct a segment of a sound wall from Package 7 as a stand-alone project, the construction contract for Sound Wall Package 07 will be issued with Sound Wall Package 10 Project; and

- C. Capital Project 460324 Sound Wall Package 11: Route 170 from **Riverside Drive to Sherman Way and Route 405 at Stagg Street** in the amount of \$89,183,000.

- 46. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to enter into a **stipend agreement with each of the pre-qualified proposers for the Westside Purple Line Extension Section 2 Project**, in an amount of \$1,500,000 per stipend agreement for the unsuccessful responsive and responsible proposers.

48. APPROVED ON CONSENT CALENDAR BY TWO-THIRDS VOTE:
- A. finding that awarding a design-build contract pursuant to **Public Utilities Code section 130242 (a)** will achieve certain private sector efficiencies in the integration of design, project work, and components related to real property renovation, improvements, and construction work at Metro transit facilities in Los Angeles County as defined by the type of projects; and
 - B. authorizing the Chief Executive Officer to solicit and award design-build contracts for renovations, improvements, and construction at Metro transit facilities, pursuant to Public Utilities Code Section 130242.
50. AUTHORIZED ON CONSENT CALENDAR:
- A. a Contract Modification No 47 by **Caltrans for Segment 3 construction contract of the I-5 North Capacity Enhancements from SR-134 to SR-118** under Funding Agreement No. MOU. P0008355/8501 A/A5, in the amount of \$1,500,000 without an increase in the project budget or contract value; The contract value of this project remains \$405,575,000; and
 - B. a Contract Modification No. 80 (aka Contract Change Order, CCO 80) by Caltrans for Segment 1 construction contract of the I-5 South HOV Widening from I-605 to Orange County Line under the Funding Agreement No. MOU.P0004292 A/A2, in the amount of \$822,444 without an increase in the project budget or contract value. The contract value of this project remains \$108,771,000.
52. APPROVED ON CONSENT CALENDAR recommended **incentives for meeting or exceeding the goals of Metro's Project Labor Agreement and Construction Careers Policy**; and the recommended changes to Metro's Federal Legislative Program.

59. ADOPTED AS AMENDED the following positions on Federal Legislation:

A. **H.R. 680 (Blumenauer)** - Update, Promote, and Develop America's Transportation Essentials Act of 2015 – **SUPPORT**

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

B. **H.R. 935 (Hahn)** - National Freight Network Trust Fund Act of 2015 - **SUPPORT WORK WITH AUTHOR**

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

C. **H.R. 990 (King)** - Commuter Parity Act of 2015 – **SUPPORT**

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

D. **H.R. 1308 (Lowenthal)** - Economy in Motion: The National Multimodal and Sustainable Freight Infrastructure Act – **SUPPORT WORK WITH AUTHOR**

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

E. **H.R. 1461 (Massie)** - Developing Roadway Infrastructure for a Vibrant Economy Act of 2015 – **OPPOSE**

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

F. **H.R. 1551 (Sanford)** - Highway Restoration Act of 2015 – **OPPOSE**

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

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(Item 59 – continued from previous page)

G. S. 650 (Blunt) - Railroad Safety and Positive Train Control Extension Act - ~~WORK WITH AUTHOR~~ OPPOSE

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

H. S. 797 (Booker) - Railroad Infrastructure Financing Improvement Act - SUPPORT WORK WITH AUTHOR

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

I. S. 1006 (Feinstein) - Positive Train Control Safety Act – SUPPORT

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

J. S. 880 (SCHATZ)- Transit Oriented Development Eligibility for TIFIA Program – SUPPORT

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

60. **ADOPTED** the following positions on State Legislation:

A. AB 227 (Alejo) – Truck Weight Fees – Restore truck weight fees to the State Highway Account therefore making them available for state highway maintenance needs – SUPPORT

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

B. SB 16 (Beall) – Transportation Funding – These funds would be allocated primarily to address state highways and local streets and road maintenance needs – SUPPORT

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

62. APPROVED ON CONSENT CALENDAR Metro's Participation in the City of Los Angeles Bonding Assistance Program and Request for Proposal Process.

63. AMENDED ON CONSENT CALENDAR Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority Administrative Code, otherwise known as the Metro Customer Code of Conduct. The amended Code will become effective June 1, 2015.

64. APPROVED ON CONSENT CALENDAR:

A. increasing the Life-of-Project budget for Project 809081, Red Line Segment 2 Close-out in the amount of \$2,143,403, increasing the previous authorization amount of \$29,367,000 to \$31,510,403; and

B. amending the FY15 budget to add \$2,143,403 to Project 809081, Red Line Segment 2 Close-out.

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

70. ADOPTED AS AMENDED staff recommended position:

AB 726 (Nazarian) – Higher Capacity Buses on the Metro Orange Line – WORK WITH AUTHOR SUPPORT

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

71. AMENDED the FY15 budget to add up to \$40,100,000 to Project 865522, Westside Purple Line Extension Section 2.

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

72. **WITHDRAWN: RECEIVE** oral update on development of **Potential 2016 Ballot Measure.**

73. **CLOSED SESSION**

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

Frank Cunningham v. LACMTA, LASC Case No. BC505386

APPROVED settlement in the amount of \$1,650,000.

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

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

Agency Designated Representative: Don Ott or designee

Employee Organization: Teamsters

NO REPORT.

C. Conference with Real Property Negotiator – G.C. 54956.8

1. Property Description: 9430 Wilshire Boulevard, Beverly Hills, CA

Agency Negotiator: Velma Marshall

Negotiating Party: Douglas Christmas d/b/a Ace Gallery Los Angeles

Under Negotiation: Price and Terms

APPROVED granting the seller an option to repurchase the property.

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

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(Item 73 – continued from previous page)

2. Property Description: 400-416 E. 1st Street, 114 S. Central Ave and
105 Alameda Street

Agency Negotiator: Carol Chiodo

Negotiating Party: Robert Volk/Volk Trust

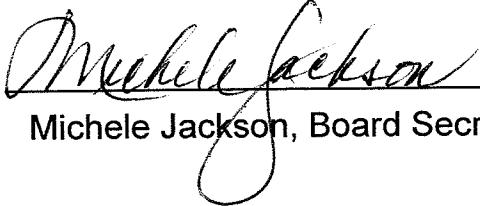
Under Negotiation: Price and Terms

APPROVED acquisition in the amount of \$18,500,000.

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

ADJOURNED at 12:44 p.m.

Prepared by: Deanna Phillips, Board Specialist


Michele Jackson, Board Secretary