

*Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
3rd Floor Board Room*

**MINUTES
Board of Directors - Regular Board Meeting**



Thursday, May 25, 2017

9:00 AM

**One Gateway Plaza, Los Angeles, CA 90012,
3rd Floor, Metro Board Room**

Directors Present:

John Fasana, Chair

Eric Garcetti, 1st Vice Chair

Sheila Kuehl, 2nd Vice Chair

Kathryn Barger

Mike Bonin

James Butts

Jacquelyn Dupont-Walker

Robert Garcia

Janice Hahn

Paul Krekorian

Ara Najarian

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

ROLL CALL

APPROVED Consent Calendar Items: 2, 5, 6, 7, 9, 10, 11, 13**, 16, 21, 22, 24, 25, 30, 32, 33, 35, 36, 37 and 38.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

Consent Calendar items were approved by one motion except items 9, 11, 24, 35 and 38 which were held by a Director for discussion and/or separate action.

**Required 2/3 vote of the Board

2 APPROVED ON CONSENT CALENDAR Minutes of the Regular Board **2017-0293**
Meeting held April 27, 2017.

3 Report by the Chair – NONE. **2017-0377**

4 Report by the Chief Executive Officer – NONE. **2017-0378**

5 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer **2017-0243**
(CEO) to execute a three (3) year agreement for **FY18, FY19 & FY20 with the California Highway Patrol (CHP) to provide services in support of the Metro Freeway Service Patrol (FSP) program**, in the amount of \$4,755,495.

6 AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 42 **2017-0151**
(CCO 42) by **State of California Department of Transportation (Caltrans) for the construction contract of the Segment 5 of I-5 South Capacity Improvements Project from Orange County Line to I-605** under the Funding Agreement No. MOU.P0004292A-3, in the total amount of \$1,700,000 within the LOP budget.

JH = J. Hahn	KB = K. Barger	SK = S. Kuehl	RG = R. Garcia
PK = P. Krekorian	MRT = M. Ridley-Thomas	JB = J. Butts	
JDW = J. Dupont-Walker	JF = J. Fasana	HS = H. Solis	
MB = M. Bonin	EG = E. Garcetti	AN = A. Najarian	

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

7 AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 115 **2017-0229** (CCO 115) by **State of California Department of Transportation (Caltrans)** for the construction contract of the Segment 4 of I-5 South Capacity Improvements Project from Orange County Line to I-605 under the Funding Agreement No. MOU.P0004292A-3, in the total amount of \$577,500 within the LOP budget.

9 AUTHORIZED: **2017-0068**

- A. the Chief Executive Officer to execute a five-year, fixed unit rate Contract No. PS27736000 to **Bank of America for basic and specialized banking services**, in an amount-not-to-exceed \$2,328,909, effective July 1, 2017, subject to resolution of protest(s), if any; and
- B. the payment of up to \$320,000 over the next five years for **Federal Deposit Insurance Corporation (FDIC) assessment fees as mandated by 12 C.F.R. § 327.9 to cover insurance premiums for Metro's deposits**. This is an estimate based on historical experience. If FDIC increases the rate and the actual amount exceeds the estimate, staff will seek approval for a Contract modification. The combined total cost of the Contract is a not-to-exceed \$2,648,909 over its entire life-cycle.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB*	HS	AN	RG
Y	Y	Y	C	Y	A	Y	C	C	Y	C	Y	C

*Selected to vote under Rule of Necessity

10 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to: **2017-0252**

- A. AWARD five-year fixed rate bench Contract Nos. PS36627000 through PS36627018, with the firms listed in Attachment A, for **Management Audit Services**, for a not-to-exceed amount of \$6,864,000 for the base three-years, effective July 1, 2017 through June 30, 2020, plus \$2,288,000 for each of the two, one-year options, for a combined total amount not to exceed \$11,440,000, subject to resolution of protest(s), if any; and
- B. EXECUTE Task Orders under these Contracts for audit services in a total amount not-to-exceed \$11,440,000.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
								C				

- A. a new low income fare subsidy program to replace the Rider Relief Transportation Program (RRTP) and Immediate Needs Transportation Program (INTP), with an estimated year one budget of \$14 million, and;
- B. the Title VI Analysis for the new program.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	A	Y	Y	A

13 APPROVED ON CONSENT CALENDAR by 2/3 vote finding that use of **2017-0173** the **design-build project delivery approach for Metro Emergency Security Operation Center Project** pursuant to Public Contract Code §§22160-22169 to reduce project costs, expedite project completion and allow for negotiation and award of a design-build contract to a responsible proposer whose proposal is determined to be the best-value to Metro.

14 CARRIED OVER DUE TO ABSENCES AND CONFLICTS: **2017-0188**

- A. AUTHORIZING the Chief Executive Officer to award a cost reimbursable fixed fee contract, Contract No. AE35279, to **Kal Krishnan Consulting Services/Triunity Engineering & Management Joint Venture (KKCS/Triunity JV), the most qualified proposer, for Program Management Support Services (PMSS)** for a not-to-exceed amount of \$76,745,629.86 for the base five-years, plus \$32,436,264.59 for a two-year option, for a combined total amount not to exceed \$109,181,894.45, subject to resolution of protest(s), if any;
- B. AUTHORIZING the Chief Executive Officer to execute individual Contract Work Orders and Contract Modifications within the Board approved contract funding amount;
- C. APPROVING Contract Modification Authority specific to Contract No. AE35279 for 10% of the not-to-exceed award value.

16 APPROVED ON CONSENT CALENDAR **a phased approach to art asset management in response to October 2015 Board Motion** (Attachment A). **2017-0013**

20 CARRIED OVER DUE TO ABSENCES AND CONFLICTS AUTHORIZING **2016-1004**
the Chief Executive Officer to:

- A. AWARD Bench Contract No.PS37755 to consultant firms CH2M Hill, Inc., LTK Engineering Services, Mott McDonald, LLC, WSP/Parsons Brinkerhoff, and STV Inc., to establish a general account for consultant support services that will be utilized for **Rail Vehicle and Rail Systems Engineering Consultant Services**, for an amount not-to-exceed \$8,027,100, subject to resolution of protest, if any; and
- B. EXECUTE Task Work Orders within the approved total not-to-exceed amount of the Contract.

21 APPROVED ON CONSENT CALENDAR amending the existing **2017-0245**

repayment schedule agreement between the County of Los Angeles (County) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) for the State Route 126/Commerce Center Drive Interchange Improvement Project STP-L fund exchange.

22 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **2017-0260**

execute a **five-year lease agreement (Lease Agreement) for the property located at 203 E. College Street, Los Angeles (Property, APN# 5409-014-906) with California Drop Forge, Inc.** (Lessee) in the amount of \$7,890.84 monthly with an annual increase of four percent.

24 ADOPTED staff recommended positions: **2017-0302**

A. **SB 268 (Mendoza)** - Los Angeles County Metropolitan Transportation Authority **OPPOSE**

DIRECTED staff to seek the opinion of County Counsel regarding disenfranchisement issue.

D. **AB 1479 (Bonta)** - Public Records: Custodian of Records: Civil Penalties **OPPOSE**

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	A	Y	Y	A

- A. the Chief Executive Officer to execute Modification No. 2 to the **Labor Compliance Bench (the Bench) Contracts Numbers PS-21307700 A-J, for labor compliance monitoring services**, to exercise the second and third year options, extending the contract term from July 1, 2017 to June 30, 2019, increasing the total authorized not-to-exceed amount by \$4,000,000 (\$2,000,000 for each option year) from \$15,056,648 to \$19,056,648; and
- B. the Chief Executive Officer to award and execute task orders for a not-to-exceed total authorized amount of \$19,056,648.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
S				C							C	C

26 AUTHORIZED:

2017-0141

- A. implementation of the **Parking Management Pilot Program at the Metro Gold Line Monrovia Station with a public shared parking program during non-peak transit hours**;
- B. implementation of the **Parking Management Pilot Program at the Metro Green Line Crenshaw Station**;
- C. AMENDING Metro's Parking Rates and Fee Resolution (Attachment A) in support of the implementation of the Parking Management Pilot Program and Shared Public Parking Pilot Program at the Monrovia and Crenshaw Stations; and
- D. APPROVING Contract Modification Authority (CMA) to Contract No. PS6264800 with L&R Group of Companies dba Joe's Auto Parks in the amount of \$1.3 million, increasing the total CMA amount from \$838,827 to \$2,138,827 to provide additional parking management services at two (2) locations and improved functions for all 15 Metro parking facilities.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	A	Y	A	Y	A	Y	A	Y	A	Y	Y	Y

27 RECEIVED AND FILED Policy Advisory Council update on public review of Draft Measure M Master Guidelines.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	A	Y	Y	Y

29 RECEIVED AND FILED status update on the State Route 710 (SR 710) 2017-0097 North Project environmental process including explanation of the performance measures/scoring and methodology used to compare and contrast various alternatives studied in the environmental process leading to recommendation of the Preferred Alternative.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

29.1 APPROVED revised Motion by Fasana, Barger Solis, Garcetti and Najarian that to implement mobility improvements that are fundable with existing resources and bring some relief to affected corridor cities, the Metro Board:

- A. SUPPORT adoption of the Transportation System Management/Transportation Demand Management Alternative as the Locally Preferred Alternative (LPA) and defer a decision on any other alternative for future consideration by the Board until the community collectively agrees on the value of that investment and funds are identified to implement a project. This decision and the Board's vote will allow for timely implementation of cost-effective transportation improvements that would include the projects that have support by affected jurisdictions on the TSM/TDM list in the EIS/EIR as well as additional improvement projects that can promote capacity enhancements and operational improvements consistent with the Purpose and Need statement of the project in communities along the corridor. The new Measure R and Government Code 54237.7 projects, described in this motion, that are not included in the environmental document will undergo their own environmental process and clearance as necessary.
- B. ALLOCATE \$105 million of Measure R funds available for the "Interstate 710 North Gap Closure (tunnel) Project" for development and implementation of TSM/TDM projects listed in the EIS/EIR.

(Continued on next page)

(Item 29.1 – continued from the previous page)

C. ALLOCATE remaining Measure R funds available for the “Interstate 710 North Gap Closure (tunnel) Project” for new mobility improvement projects within the San Gabriel Valley sub-region, if consistent with the purpose and need of the Gap Closure Project to relieve congestion on local streets along the SR-710 alignment between I-10 and I-210, with highest priority for projects proximate to I-10. Newly proposed projects not included in the environmental document will undergo their own environmental process and clearance as necessary. Other funding dedicated to this project, including Regional Surface Transportation, Congestion Mitigation and Air Quality, and Regional Improvement Program funds, shall be allocated for use in the Central sub-region, including Unincorporated East Los Angeles. Funds shall be prioritized for multi-modal and safety enhancement projects within the SR-710 North Study Area. To ensure equitable cashflow, these funds shall be scheduled proportionally to Measure R funding in the next Long Range Transportation Plan update.

D. CONSULT WITH affected jurisdictions and Caltrans and report back to the Metro Board within 90 days on a procedure to initiate the identification of projects to be funded through the SR-710 Rehabilitation Account, as prescribed in Government Code 54237.7. Such projects are to be located in Pasadena, South Pasadena, Alhambra, La Cañada Flintridge, and the 90032 postal ZIP Code, and may include, but are not limited to: sound walls; transit and rail capital improvements; bikeways; pedestrian improvements; signal synchronization; left turn signals; and major street resurfacing, rehabilitation, and reconstruction. Metro shall be responsible for submitting the list of projects to the California Transportation Commission (CTC) who will have the final authority to approve those projects.

E. ENCOURAGE the corridor cities, Caltrans, and Metro to collectively pursue policies and actions that would promote smart and functional land use, reduce automobile dependency, encourage multi-modal trips, improve traffic operations, and maximize the use of the latest available technologies to enhance the performance of the existing transportation system to minimize impacts of the regional traffic on the communities along the SR-710 corridor.

F. ENCOURAGE Caltrans, working with Metro and affected jurisdictions, to identify corrective measures to contain the regional traffic on the freeway system and minimize impacts on the local street network in the SR-710 corridor.

G. DIRECT the Metro staff to work with Caltrans, the corridor cities, and other affected jurisdictions to identify and pursue the new Measure R and the Government Code 54237.7 projects referenced in this motion.

(Continued on next page)

H. REPORT BACK to the Board when Caltrans selects the Preferred Alternative.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

30 APPROVED ON CONSENT CALENDAR:

2017-0279

- A. ADOPTING the **proposed FY18 Budget** as presented in the budget document (provided in a separate transmittal and posted on metro.net); and
- B. the addition of 129 positions, including 22 contract and 107 non-contract full-time equivalent positions; and
- C. the Life of Project (LOP) budgets for new capital projects with LOP exceeding \$5 million, included in the proposed FY18 Budget; and
- D. ADOPTING Life of Project (LOP) budget of \$118.9 million for Blue Line Signaling Rehabilitation and Operational State of Good Repair Improvements that incorporates system compatibility, safety features, and new technology to improve headways during service interruptions; and
- E. AMENDING the proposed budget to add \$8.2 million for engineering support and advanced utility relocation designs on Metro Orange Line Grade Separation (project submitted after proposed budget was published); and
- F. AMENDING the proposed budget to add \$1 million for the Comprehensive Operational Analysis (COA), which is a comprehensive service restructuring study; and
- G. the Reimbursement Resolution declaring Metro's intention to issue debt in FY18 for capital projects, with the provision that actual debt issuance will require separate Board approval.

31 CARRIED OVER DUE TO ABSENCES AND CONFLICTS AUTHORIZING **2017-0132**
the CEO to award Contract No. C1081 to Mass Electric Construction Co/Parsons, the selected best value contractor to design and construct the **Blue Line State of Good Repair signaling rehabilitation and operational improvements** for a contract value of \$81,513,000.

32 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and execute a performance-based Contract Modification to **Cubic Transportation Systems Inc.** Contract No. **OP02461010** to extend the base contract through December 2024 for no upfront cost of development for Nextlink, a cloud-based connection system that will link the legacyTAP system to programs and services such as the TAP mobile payment app, Bike Share, fare subsidy programs, parking, ride-hailing services and more, in exchange for sales transaction fees of 0.5-3.0%, based on use of mobile app and retail fare sales for five (5) years of operation after development. **2017-0272**

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
				S				C				

33 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute a final Modification to Contract C1013R, with Skanska USA Civil West California District Inc., for the **design and construction of the west entrance at the North Hollywood Station on the Metro Red Line**, in the amount \$1,261,770, adjusting the total current contract price from \$15,743,901.61 to \$17,005,671.61 within the life of project budget. **2017-0137**

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
							S	S				S

35 APPROVED AS AMENDED BY FASANA, SOLIS AND HAHN: **2017-0154**

A. APPROVING an updated Project Definition for Environmental Clearance, including three alternatives:

1. SR 60 North Side Design Variation Alternative;
2. Washington Boulevard Alternative with Atlantic Below-Grade Option; and
3. Combined Alternative with both SR 60 and Washington Boulevard via Atlantic Segments; and

B. RECEIVING AND FILING the **Eastside Phase 2 Technical Study Report**. Attachment D contains the Executive Summary. The full report is available upon request.

AMENDMENT BY FASANA, SOLIS AND HAHN that upon completion of the revised environmental document, staff also report back on options to comply with the above groundbreaking dates, and potential opportunities for accelerating both alignments. **2017-0395**

(Continued on next page)

(Item 35 – continued from previous page)

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	A	Y	A	Y	A	Y	A	Y	A	Y	Y	Y

36 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to: **2017-0150**

- A. AWARD five (5) year, Indefinite Delivery/Indefinite Quantity Contract No. OP7396000 for a **Biomethane Gas Provider to Clean Energy Renewables**, the lowest responsive and responsible bidder for a not-to-exceed amount of \$1,240,520 for the base year (for one bus division as a pilot) and a not-to-exceed amount of \$54,808,110 for a four (4) year option, for a total contract amount of \$56,048,630 (for all bus divisions if the pilot is successful), subject to resolution of protest(s), if any; and
- B. EXECUTE individual Task Orders (Transaction Confirmations) and changes within the Board approved contract amount.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
C												

37 AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **2017-0144** execute an Exclusive Negotiations and Planning Agreement (ENA) with Trammell Crow Company and Greenland USA (Developer) for the **properties at North Hollywood Station** (Site), for 24 months with the option to extend up to 30 months.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
			C	C			S	S				

38 CARRIED OVER DUE TO ABSENCES AND CONFLICTS AUTHORIZING **2017-0096** the Chief Executive Officer to:

- A. AWARD three, three-year on-call contracts, Contract Nos. AE30673000, AE30673001, and AE30673002, to AECOM Technical Services, Inc., CH2M Hill, Inc., and Parsons Transportation Group, Inc., respectively, for a total not-to-exceed amount of \$30,000,000, for **Highway Program Project Delivery Support Services for Los Angeles County**, subject to resolution of protest(s), if any; and
- B. AWARD Task Orders within the approved not to exceed cumulative value of \$30,000,000.

39 RECEIVED AND FILED the **status report on Measure M Local Return allocation alternatives.**

2017-0226

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

40 APPROVED BY 2/3 VOTE OF THE BOARD:

2017-0085

- 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 Project Parcel W-3002 (APN: 4343-005-004), for Purple Line Westside Subway Extension Transit Project Section 2**, consisting of the real property and the improvements pertaining to the realty.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	A	Y	Y	Y	A	Y	A	Y	A	Y	Y	Y

41 APPROVED BY 2/3 VOTE OF THE BOARD:

2017-0287

- 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 Project Parcel W-3602 (APN: 4309-001-008), the Purple Line Westside Subway Extension Transit Project Section 2**, consisting of a temporary construction easement and a permanent subsurface tunnel easement.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
Y	A	Y	Y	Y	A	Y	A	Y	A	Y	Y	Y

42 CLOSED SESSION:

2017-0380

- A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d) (1):
 1. Jonathan Dean, et al. v. LACMTA, LASC Case No. BC413809

APPROVED a settlement of \$900,000.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
A	A	Y	A	Y	A	Y	A	Y	A	Y	Y	Y

(Continued on next page)

(Item 42A – continued from previous page)

2. Linda Faye Thompson v. LACMTA, LASC Case No. BC615865

APPROVED a settlement of \$250,000.

JH	PK	JDW	MB	KB	MRT	JF	EG	SK	JB	HS	AN	RG
A	A	Y	A	Y	A	Y	A	Y	A	Y	Y	Y

- B. Conference with Legal Counsel - Anticipated Litigation - G.C.

54956.9(d)(4):

Initiation of Litigation (One Case)

NO REPORT.

- C. Conference with Labor Negotiator - G.C. 54957.6:

Agency Designated Representative: Joanne Peterson or designee

Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters

NO REPORT.

- D. Conference with Real Property Negotiator - G.C. 54956.8:

1. Property Description: 6101 Wilshire Boulevard, Los Angeles, CA

Agency Negotiator: Velma C. Marshall

Negotiating Party: AU Zone Investments #2

Under Negotiation: Price and Terms

NO REPORT.

2. Property Description: 1940 Century Park East, Los Angeles, CA

Agency Negotiator: Carol A. Chiodo

Negotiating Party: Vinci Academy L.L.C. (Tenant)

Under Negotiation: Price and Terms

NO REPORT.

3. Property Description: 13900 Rosecrans Ave., Santa Fe Springs, CA

Agency Negotiator: Carol A. Chiodo

Negotiating Party: H.D. Nogle and Sons, Inc.

Under Negotiation: Price and Terms

NO REPORT.

(Continued on next page)

4. Property Description: 13720 Rosecrans Ave., Santa Fe Springs, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: D.P. Milroy, LLC
Under Negotiation: Price and Terms

NO REPORT.

5. Property Description: 13750 Rosecrans Ave., Santa Fe Springs, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: Miriam Arato, As Trustee of The Arato Family
Trust Utd. May 16, 1986
Under Negotiation: Price and Terms

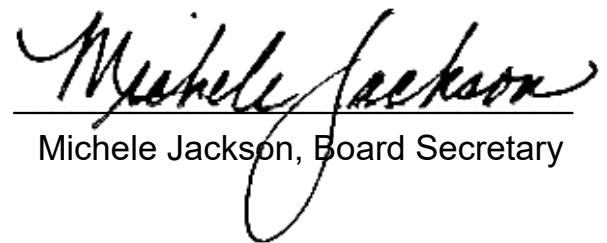
NO REPORT.

6. Property Description: 659-665 So. La Brea, Los Angeles, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: MHK IMPEX Corp. (dba Lawrence of La
Brea)
Under Negotiation: Price and Terms

NO REPORT.

ADJOURNED at 1:42 p.m. in memory of David Spence, former La Cañada Flintridge City Council Member.

Prepared by: Collette Langston
Board Specialist



Michele Jackson
Michele Jackson, Board Secretary