

Metro

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



MINUTES

Thursday, January 25, 2018

9:00 AM

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

Board of Directors - Regular Board Meeting

**Sheila Kuehl, Vice Chair
James Butts, 2nd Vice Chair**

Kathryn Barger

Mike Bonin

Jacquelyn Dupont-Walker

Robert Garcia

Janice Hahn

Paul Krekorian

Ara Najarian

Mark Ridley-Thomas

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT: 9:07 a.m.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 7, 8, 10, 12, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, 32, 34, 37, 44 and 45.

Consent Calendar Items were approved by one motion except for 7, 16, 18, and 24 which were held for discussion and/or separate action.

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

CONSENT CALENDAR

2. **SUBJECT: MINUTES** **2017-0808**

ACTION

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held November 30, 2017.

3. **SUBJECT: REPORT BY THE CHAIR** **2017-0917**

ACTION

RECEIVED report by the **Chair**.

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

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2017-0919**

ACTION

RECEIVED report by the **Chief Executive Officer**.

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

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

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

**5. SUBJECT: I-5 NORTH CAPACITY ENHANCEMENTS FROM SR-134 TO 2017-0801
SR-118**

ACTION

AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 221 (CCO 221) by the California Department of Transportation (Caltrans) for construction contract of Segment 3 of the I-5 North Capacity Enhancements Project between SR-134 and SR-118 (Project) under Funding Agreement No. MOU.P0008355/8501A/A6, in the amount of \$1,589,186.01 within the LOP budget.

7. SUBJECT: METRO EXPRESSLANES CALIFORNIA HIGHWAY PATROL CITATION DISTRIBUTION 2017-0820

ACTION

RECEIVED AND FILED report on the distribution of Metro ExpressLanes California Highway Patrol (CHP) issued citations.

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

8. SUBJECT: METRO EXPRESSLANES OPERATION AND MAINTENANCE 2017-0717

ACTION

APPROVED ON CONSENT CALENDAR:

- A. AUTHORIZING the Chief Executive Officer (CEO) to exercise Option 4.5, Additional Year of Operation and Maintenance (O&M) - Year 5 (from February 24, 2018 to February 23, 2019), Modification No.76 for Contract No. PS0922102333 with Atkinson Contractors, LP (Atkinson) for Metro ExpressLanes Operation and Maintenance in the amount of \$3,120,000, increasing the total contract price from \$164,257,920 to \$167,377,920;
- B. AUTHORIZING the CEO to execute Contract Modification No.77 for additional O&M Support Costs for Option Year 5 in the amount of \$15,699,569, increasing the total contract price from \$167,377,920 to \$183,077,489;
- C. AUTHORIZING the CEO to negotiate and execute Contract Modification No. 79 for an Occupancy Detection System in the amount not-to-exceed \$11,250,000 increasing the total contract price from \$183,077,489 to \$194,327,489; and

(Continued on next page)

- D. APPROVING an increase in Contract Modification Authority (CMA) for Contract No. PS0922102333, to Atkinson in the amount of \$28,396,228, increasing the total CMA from \$107,354,954 to \$135,751,182, to cover the costs of the recommended Contract Modification above, and any pending and future changes listed in the Contract Modification/Change Order Log (Attachment B).

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

9. SUBJECT: METRO EXPRESSLANES - BACK OFFICE SYSTEM 2017-0779

ACTION

AUTHORIZED the Chief Executive Officer to award an eight-year firm fixed unit price Contract No. PS40164000, to TransCore for implementing and maintaining an ExpressLanes back office system in an amount not to exceed \$48,327,615 for the eight-year base period, with two, three-year options, in amounts not to exceed \$19,031,882 and \$20,733,661, respectively, for a total not to exceed amount of \$88,093,158, subject to resolution of protest(s), if any.

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

**10. SUBJECT: LEASE AGREEMENT WITH BAKEWELL HAWTHORNE, 2017-0777
LLC FOR LOS ANGELES METRO SYSTEM SECURITY
AND LAW ENFORCEMENT**

ACTION

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a five-year amendment to the existing lease agreement with Bakewell Hawthorne, LLC ("Landlord"), and option a five-year term extension, for use of 11,500 rentable square feet ("RSF") of office space located at 4401 Crenshaw Boulevard, Los Angeles ("Crenshaw Building") commencing August 1, 2018 at a monthly rate of \$18,644 for total value of \$1,189,092 including annual escalations of three percent, with a five-year option to extend commencing August 1, 2023, for \$1,378,500 costing a combined \$2,567,592 over the ten-year term.

12. SUBJECT: NEW LOW INCOME FARE SUBSIDY PROGRAM (LIFE) 2017-0813

ACTION

APPROVED ON CONSENT CALENDAR:

- A. AMENDING the FY18 Adopted budget in the amount of \$3.6 million to include Measure M funds to support the Board approved Low Income Fare is Easy (LIFE) program; and
- B. RECEIVING AND FILING the LIFE Program Update.

12.1 SUBJECT: REVISED MOTION BY HAHN, GARCETTI, DUPONT-WALKER AND KREKORIAN 2017-0926

ACTION

APPROVED Revised Motion by Hahn, Garcetti, Dupont-Walker and Krekorian that the Board direct the CEO to:

- A. work in partnership with the following organizations to host on-site events in order to directly enroll eligible individuals in the LIFE Program: the LA County Department of Children and Family Services, LA County Department of Workforce Development, Aging and Community Services, LA Department on Disability, LA Department of Aging - as well as the Los Angeles Homeless Services Authority, and all community colleges in LA County.
- B. explore the feasibility of providing victims of domestic violence and individuals experiencing homelessness with pre-loaded TAP Cards which carry enough cash value to meet the individual's immediate and urgent transportation needs.

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

16. SUBJECT: INTEGRATED STATION DESIGN SOLUTIONS 2017-0716

ACTION

AUTHORIZED UNDER RECONSIDERATION the Chief Executive Officer to award and execute an 18-month, firm fixed Contract No. PS35771-2001 to M. Arthur Gensler Jr. & Associates, Inc. in the amount of \$1,694,864 for integrated station design solutions, subject to the resolution of protest(s), if any.

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

17. SUBJECT: MARIACHI PLAZA JOINT DEVELOPMENT**2017-0740****ACTION**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate and execute an 18-month Exclusive Negotiation Agreement and Planning Document (ENA) with East LA Community Corporation (“ELACC” or “Developer”) for the development of 1.08 acres of Metro-owned property at the Mariachi Plaza Station Site (Site), subject to resolution of protests, if any.

18. SUBJECT: CHAVEZ AND FICKETT JOINT DEVELOPMENT**2017-0741****ACTION**

AUTHORIZED UNDER RECONSIDERATION the Chief Executive Officer to negotiate and execute an 18-month Exclusive Negotiation Agreement and Planning Document (“ENA”) with Abode Communities (“Abode”) for the development of 1.56 acres of Metro-owned property at Cesar E. Chavez Avenue and Fickett Street (“Site”) in the Boyle Heights community of Los Angeles, subject to resolution of protests, if any.

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

19. SUBJECT: SUPPORTIVE TRANSIT PARKING PROGRAM MASTER PLAN**2017-0762****ACTION**

APPROVED ON CONSENT CALENDAR:

- A. ADOPTING the Supportive Transit Parking Program Master Plan; and
- B. AMENDING Metro’s Parking Ordinance (Attachment A) and Parking Rates and Permit Fee Resolution (Attachment B) in support of the implementation of the Supportive Transit Parking Program Master Plan.

20. SUBJECT: SYSTEMWIDE STATION DESIGN STANDARDS**2017-0605****ACTION**

ADOPTED ON CONSENT CALENDAR the Metro Systemwide Station Design Standards Policy.

21. SUBJECT: CLAREMONT METROLINK STATION STUDY REPORT 2017-0836

ACTION

RECEIVED AND FILED ON CONSENT CALENDAR final report on the Claremont Metrolink Station Study with staff recommendations to keep the Claremont Metrolink Station open and proceed with a staff-level task force to provide recommendations on how Metrolink and Gold Line Phase 2B and other transit services will complement each other to provide greater transit services to the surrounding communities along the shared rail corridor.

22. SUBJECT: ADDITIONAL METROLINK REHABILITATION FUNDING 2017-0823

ACTION

APPROVED ON CONSENT CALENDAR:

- A. PROGRAMMING the Los Angeles County Metropolitan Transportation Authority's (Metro) share of Southern California Regional Rail Authority's (SCRRA - operating as Metrolink) FY17 "Priority B" track and structure rehabilitation work up to \$13,297,500;
- B. APPROVING payment for the City of Los Angeles San Fernando Road Bike Path Three Settlement Costs totaling \$59,629;
- C. REPROGRAMMING prior year SCRRA MOU surplus funds totaling \$3,014,089 as listed below for SCRRA's state of good repair projects:
 - 1. FY 2010-11 MOU - \$1,038,316
 - 2. FY 2011-12 MOU - \$791,123
 - 3. FY 2012-13 MOU - \$471,898
 - 4. Capital Project MOUs - \$712,752
- D. EXTENDING the lapsing dates for funds previously allocated to SCRRA for the Rehabilitation and Renovation Program as follows:
 - 1. FY 2010-11 from June 30, 2017 to June 30, 2018
 - 2. FY 2011-12 from June 30, 2017 to June 30, 2018
 - 3. FY 2012-13 from June 30, 2017 to June 30, 2018
 - 4. FY 2013-14 from June 30, 2017 to June 30, 2018

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- E. AUTHORIZING the Chief Executive Officer to negotiate and execute all necessary agreements between LACMTA and the SCRRA for the approved funding and lapsing date extensions.

23. SUBJECT: MEMBERSHIP ON METRO SERVICE COUNCILS 2017-0770

ACTION

APPROVED ON CONSENT CALENDAR nominee Rosalba Sánchez González for membership on Metro's San Fernando Valley Service Council.

24. ~~WITHDRAWN~~: SUBJECT: HIGH SPEED/VOLUME COPIERS - METRO 2017-0834
COPY CENTER

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate, Contract No. PS9395700 to Canon Solutions America, Inc., to provide high speed/volume copiers for Metro Copy Center for five years in an amount not-to-exceed \$1,977,549, inclusive of sales taxes, subject to resolution of protest(s), if any.

29. SUBJECT: RAIL AND BUS VEHICLE HISTORICAL PRESERVATION 2017-0803
EFFORTS

ACTION

APPROVED ON CONSENT CALENDAR:

- A. ADOPTING an expanded donation policy, as defined in Attachment B, for the purpose of enabling the historical preservation by others of some portion of the original rail vehicle and bus fleet; and
- B. RECEIVING AND FILING the attached P865 retirement schedule that is consistent with the revised donation policy for the transfer of rail vehicle 100 to the City of Long Beach.

**31. SUBJECT: BOARD DELEGATED AUTHORITY FOR LOP
BUDGET MANAGEMENT**

2017-0827

ACTION

APPROVED:

- A. RECEIVING AND FILING report on the Board delegated authority to the Chief Executive Officer (CEO) one-year pilot program authorizing negotiation and execution of project related agreements, including contract modifications, up to the Life-of-Project (LOP) budgets on Crenshaw/LAX, Regional Connector, Westside Purple Line Extension Section1 and Section 2 Projects; and
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute project related agreements, including contract modifications, up to the authorized Life-of-Project Budget on all transit and regional rail capital projects program-wide.

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

31.1 SUBJECT: MOTION BY GARCETTI, BUTTS, AND DUPONT-WALKER 2017-0924

ACTION

APPROVED AS AMENDED Motion by Garcetti, Butts, and Dupont-Walker that the Board direct the CEO to:

- A. Include the following information in the form of quarterly report to the Board:
1. Provide a detailed description and explanation of each change Order above \$500,000 issued and executed;
 2. Provide details of the timeline for each change order and/or claim that is submitted and approved. Including the date of contractor submission and MTA execution;
 3. Include the contract modification and/or change order amount that was submitted and what was approved by MTA staff and/or the CEO; and
 4. Issue the first quarterly report to the Board by April 2018.

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B. Include the following pre-conditions to ensure accountability:

All MTA transit and regional rail capital projects program-wide must establish a Life of Project budget at the beginning of the project in order to be eligible for inclusion in this policy.

WE FURTHER MOVE that the Inspector General:

C. Perform periodical random spot-check audits of these projects to ensure to the Board that the system and policy are performing in the manner described in the recommendation.

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

32. SUBJECT: DIVISION 20 PORTAL WIDENING TURNBACK PROJECT 2017-0828

ACTION

APPROVED ON CONSENT CALENDAR:

- A. AUTHORIZING the Chief Executive Officer to execute Contract Modification No. 4 to Contract No. AE66758000 with T.Y. Lin International (TYLIN) to provide additional final design engineering services for the Division 20 Portal Widening Turnback Project, in an amount not-to-exceed \$3,449,949, increasing contract value from \$12,225,661 to \$15,675,610;
- B. AUTHORIZING an increase in Contract Modification Authority from \$2,053,132 to \$3,053,132 for potential design modifications due to Third Party coordination and extended design services during construction; and
- C. AMEND the FY18 budget for an amount not to exceed \$25M to support recommendations A, B and for the acquisition of real property and related costs including loss of good will and relocation for properties required for the Division 20 Portal Widening Turnback Project.

34. SUBJECT: 2018 LEGISLATIVE PROGRAM

2017-0736

ACTION

ADOPTED ON CONSENT CALENDAR:

- A. the proposed 2018 Federal Legislative Program as outlined in Attachment A;
- B. the proposed 2018 State Legislative Program as outlined in Attachment B; and
- C. a SUPPORT position on ACA 5 (Frazier) which seeks to protect State transportation revenues.

**37. SUBJECT: TWENTY-EIGHT BY '28 PROJECT LIST-
TRANSPORTATION INVESTMENT GUIDE IN
TANDEM WITH THE 2028 OLYMPIC AND
PARALYMPIC GAMES**

2017-0799

ACTION

APPROVED ON CONSENT CALENDAR the Twenty-Eight by '28 list provided in Attachment A.

44. SUBJECT: Motion by Solis, Najarian, Barger, Krekorian, and Fasana 2017-0901

ACTION

APPROVED ON CONSENT CALENDAR Motion by Solis, Najarian, Barger, Krekorian, and Fasana that the Board direct the CEO to work with the Southern California Regional Railroad Authority (SCRRA) and the San Bernardino County Transportation Authority (SBCTA) to develop a strategic plan to implement a Fare Discount Pilot Program to better understand the potential impact to ridership and demand for additional service on the San Bernardino Line.

WE FURTHER MOVE that the CEO report back in 90 days.

45. SUBJECT: Motion by Solis, Krekorian, Kuehl, Fasana, Garcetti, and Dupont-Walker 2017-0904

ACTION

APPROVED ON CONSENT CALENDAR Motion by Solis, Krekorian. Kuehl, Fasana. Garcetti, and Dupont-Walker that the Board direct the CEO to apply the USEP to all federally funded rolling stock procurements, and related contracts with a minimum contract value of \$100 million that prescribes inclusion of, but is not limited to, the following:

- A. Factors such as the total wages and benefits for quality jobs that would be newly created or retained in connection to a major capital project contract; a requirement that Disadvantaged Workers comprise at least 10% of the total new wages, and benefits; identification of the location(s) of manufacture and assembly of the major capital projects; investment in new or existing facilities; investment in training, workforce development and apprenticeship programs;
- B. Include an evaluation mechanism in the USEP proposal scoring criteria that represents a meaningful level of the overall possible points for a Best Value proposal evaluation; and
- C. Enforcement mechanisms requiring awardees to submit quarterly reports regarding compliance with USEP commitments by Contractor and any Subcontractors after contract awards. The quarterly report shall summarize the major actions taken during the prior quarter during implementation of the USEP, and progress toward the attainment.

46. SUBJECT: METRO SYSTEM ADVERTISING (LICENSE TO SELL AND DISPLAY ADVERTISING ON BUS AND RAIL) 2017-0718

ACTION

AUTHORIZED the Chief Executive Officer to:

- A. AWARD Contract No. PS41099B - License to Sell and Display Advertising on Metro Bus System to OUTFRONT Media Group, LLC for 10 years, generating an aggregate minimum guarantee of \$262,250,000 revenue for Metro, subject to resolution of protest(s), if any;

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- B. AWARD Contract No. PS41099R - License to Sell and Display Advertising on Metro Rail System to Intersection Parent, Inc. for 10 years, generating an aggregate minimum guarantee of \$42,902,200 revenue for Metro, subject to resolution of protest(s), if any; and
- C. AMEND the FY18 Budget to add three (3) Full Time Employees (FTEs) to support implementation of digital advertising and the new revenue contracts; FTEs will be funded by revenues generated from No. PS41099B and No. PS41099R.

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

46.1 SUBJECT: MOTION BY KUEHL AND BUTTS

2017-0927

ACTION

APPROVED Motion by Kuehl and Butts:

- A. that the MTA Board limit the number of days a single advertiser can "dominate" a station to 90 days. In addition, a 90-day cooling off period shall immediately follow, in which the vendor is not able to "dominate" that same station;
- B. MTA staff must inform the Metro Board of any upcoming "station domination" at least 10 business days prior to them occurring. In addition, if the "station dominations" are to occur above-ground, MTA staff must also inform the local jurisdiction at least 10 business days prior to the "station domination" occurring; and
- C. MTA staff must inform the Metro Board of any digital displays at least 10 business days prior to them being installed. The notification shall include, at a minimum, the number and location of digital displays. In addition, if the digital displays are above-ground, MTA staff must also inform the local jurisdiction at least 10 business days prior to the displays being installed.

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

47. SUBJECT: MOTION BY FASANA, BARGER, DUPONT-WALKER AND 2017-0922 SOLIS

ACTION

APPROVED Motion by Fasana, Barger, Dupont-Walker and Solis that Metro provide an analysis of current ridership as a percentage of maximum capacity for passengers at all existing rail stations during weekdays, weekends, on -peak, and off-peak hours and report the results to the Board at the April 2018 meetings.

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

48. SUBJECT: CLOSED SESSION

2017-0920

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

1. Javier Rodriguez, Jr. v. LACMTA, et al, LASC Case No. BC613442

APPROVED settlement in the amount of approximately \$7.3 million.

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

2. City of Beverly Hills v. LACMTA, LASC Case No. BS144164

NO REPORT.

3. LACMTA v. The Southern California Gas Company, LASC Case No. BC658988

NO REPORT.

B. Conference with Real Property Negotiator - G.C. 54956.8

1. Property Description: 500 Center Street, Los Angeles
Agency Negotiator: Velma C. Marshall
Negotiating Party: Center Street Realty Investors, LLC
Under Negotiation: Terms and Price

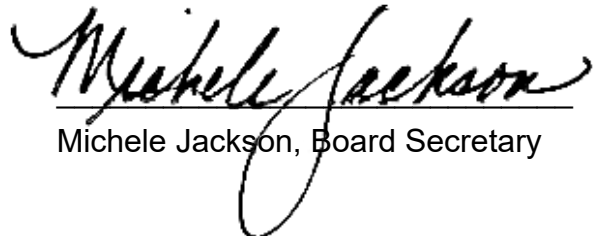
Settlement documents will be made available after they have been fully executed.

2. Property Description: 9225 Aviation Boulevard
Agency Negotiator: Velma C. Marshall
Negotiating Party: Hertz Corporation
Under Negotiation: Terms and Price

Settlement documents will be made available after they have been fully executed.

ADJOURNED AT 12:32 p.m. in memory of **Leo Joseph Fogette**, father-in-law of
Director John Fasana

Prepared by: Deanna Phillips
Administrative Analyst, Board Administration


Michele Jackson, Board Secretary