

Metro

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



MINUTES

Thursday, April 28, 2016

9:00 AM

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

Board of Directors

Directors Present:

John Fasana, 1st Vice Chair

Eric Garcetti, 2nd Vice Chair

Michael Antonovich

Mike Bonin

James Butts

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Sheila Kuehl

Ara Najarian

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT: 9:09 A.M.**ROLL CALL**

1. APPROVED Consent Calendar Items: 2, 5,-6, 28, ~~**29~~, 30, 31, 36, 37 and 39.

Consent Calendar items were approved by one motion except for items 6 and 29 which were held by a Director for discussion and/or separate action.

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

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held March 24, 2016.** **2016-0278**

3. RECEIVED Report by the **Chair.** **2016-0340**

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

4. RECEIVED Report by the **Chief Executive Officer.** **2016-0342**

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

5. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer **2015-1765** to **negotiate and award All Risk Property and Boiler and Machinery Insurance Policies** for all property at the current policy limits at a not to exceed price of \$2.4 million for the 12-month period May 10, 2016 through May 10, 2017.

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

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

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

6. AUTHORIZED AS AMENDED the Chief Executive Officer to execute **2015-1804** contract modifications under Contract No. OP02461010 with Cubic Transportation Systems, Inc. (Cubic):

- A. Contract Modification No. 140 for the **purchase and installation of 54 TAP Vending Machines (TVMs) at key Metro stations**, in the amount of \$5,194,834; and
- B. Contract Modification No. 94.03 for **maintenance support services** of these 54 TVMs in the amount of \$838,211 through June 2019; increasing the total contract value by \$6,033,045 from \$253,351,430 to \$259,384,475. No additional funds are being requested for Contract Modifications 140 and 94.03.

AMENDMENT BY **DIRECTORS BUTTS, KNABE, NAJARIAN AND DUPONT-WALKER** that this Board instruct the CEO and Metro staff to return to this Board in six (6) months with a plan designed to select and prioritize the expansion of TVM machines to the sites described above based on a ridership and TAP card usage threshold to warrant selection and placement of TVM machines.

The Plan should then recommend options for funding, especially CMAQ; including a phased implementation, respective roles and responsibilities of Municipal Operators and Metro, and funding for purchase, installation, operation and maintenance, and security for the selected TVM sites.

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

7. ADOPTED a resolution, Attachment A, that: **2016-0211**

- A. AUTHORIZES the **issuance of bonds by competitive sale to refund the Proposition C Series 2006-A Bonds** (the "2006-A Bonds") in one or more transactions, consistent with the Debt Policy;
- B. APPROVES the forms of Notice of Intention to Sell Bonds, Notice Inviting Bids, Supplemental Trust Agreement, Continuing Disclosure Agreement, Escrow Agreement, and Preliminary Official Statement, all subject to modification as set forth in the resolution; and
- C. AUTHORIZES taking all action necessary to achieve the foregoing, including, without limitation, the further development and execution of bond documentation associated with the issuance of the Bonds.

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

10. AUTHORIZED the Chief Executive Officer (CEO) to award a 30-month firm **2015-1729** fixed price Contract No. AE469080015383, to CH2M Hill Inc. in the amount of \$30,975,446 for **Architecture and Engineering (A&E) services for Plans, Specifications and Estimate (PS&E) for I-5 North Managed Lanes.**

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

12. AUTHORIZED the Chief Executive Officer to award a 36-month cost plus **2016-0123** fixed fee Contract No. AE476110012334, to Michael Baker International, Inc. in an amount not to exceed \$7,762,669 for **Architectural and Engineering (A&E) services for the preparation of the Project Approval and Environmental Document (PAED) on Westbound SR-91, from Shoemaker Avenue to the I-605/SR-91 Interchange.**

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

13. APPROVED: **2016-0162**

- A. ADOPTING findings of the **Environmental Analysis for the Metro Countywide Bike Share Phase I Pilot in Downtown Los Angeles (DTLA Pilot)** that the project qualifies for a CEQA Categorical Exemption under the Section 15303 (Class 3) New Construction or Conversion of Small Structures exemption (Attachment A);
- B. AUTHORIZING staff to file the **Notice of Exemption for the DTLA Pilot**; and
- C. ADOPTING findings of the **Title VI and Environmental Justice Analysis for the DTLA Pilot** that no Disparate Impact and no Disproportionate Burden associated with the project (Attachment B).

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

14. AUTHORIZED the Chief Executive Officer (CEO) to enter into a **Funding Agreement (FA) for the West Santa Ana Branch Transit Corridor - Sustainable Transit Oriented Communities Predevelopment and Planning Activities (Operation Shovel Ready) with the Gateway Cities Council of Governments (COG), to be led by the Eco-Rapid Transit Joint Powers Authority (JPA)** for near-term project activities in response to the Metro Board February 2016 directive, in an amount not-to-exceed \$230,800. **2016-0209**

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

15. APPROVED: **2016-0231**

- A. APPROVING the revised Resolution in Attachment A that authorizes the Chief Executive Officer (CEO) or his designee to claim \$16,825,598 in fiscal year (FY) 2015-16 **Low Carbon Transit Operations Program (LCTOP) grant funds for one year of Gold Line Foothill Extension Phase 2A operations and one year of Expo Line Phase 2 operations**; and
- B. APPROVING the Resolution in Attachment B that certifies that Metro will comply with the LCTOP Certification and Assurances and the Authorized Agent requirements, and authorizes the CEO or his designee to execute all required documents and any amendments with the California Department of Transportation.

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

16. APPROVED: **2016-0252**

- A. SUPPORTING the establishment of the proposed **Hollywood Western Business Improvement District ("BID") in the City of Los Angeles** and the resulting assessments on properties within the District boundaries owned by Metro; and
- B. AUTHORIZING the Chief Executive Officer or his delegate to sign any necessary petition and cast any subsequent ballots in support of the BID and property assessments.

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

19. RECEIVED AND FILED report on **Capital Project Construction Management Best Practices Study.** **2016-0279**

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

20. RECEIVED Oral Report by the Program Management Executive Director. **2016-0251**

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

22. APPROVED: **2016-0235**

- A. ESTABLISHING a total budget of \$3.5 million for the **design phase of the Portal Widening and preliminary design of the Turnback Facility at Division 20** to accommodate system capacity need; and
- B. AMENDING the FY16 budget to include \$0.8M for start of design efforts.

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

24. RECEIVED AND FILED status report on the **February 2016 Public Hearings**; and APPROVED **Motion by Directors Knabe, DuBois and Dupont Walker** that the MTA Board instruct the CEO to complete the actions necessary to implement the Metro staff proposal to transition the southern portion of Line 270 to Norwalk Transit, and the northern portion to Foothill Transit, with the transition point for north and south in El Monte, effective June 27, 2016 **2016-0144**

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

28. ADOPTED ON CONSENT CALENDAR: **2016-0153**

- A. the finding of no Disparate Impact and no Disproportionate Burden resulting from **proposed major service discontinuations and major new service proposals for June 2016 implementation (Attachment A)**;

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- B. the finding that improving service on Line 704 to conform to the new loading standards creates a Disparate Impact but no Disproportionate Burden. The Disparate Impact is created because Line 704 serves an area significantly less minority than the county average and there is no alternative that is less discriminatory (**Attachment A**); and
- C. the finding of no Disparate Impact and no Disproportionate Burden for proposed exemption of Line 577 from express fare charge (**Attachment B**).

29. APPROVED BY TWO-THIRDS VOTE AS AMENDED finding that a 2016-0182 new procurement of 60' advanced transit buses under Public Utilities Code (PUC) §130232 low bid requirement does not constitute a procurement method adequate for LACMTA's needs. The Board, pursuant to Public Contract Code (PCC) §20217, hereby directs the **procurement of up to four hundred (400) new 60' advanced transit buses in a procurement by competitive negotiation.**

AMENDMENT BY DIRECTORS GARCETTI, SOLIS, FASANA AND DUPONT-WALKER that the Board direct the CEO to:

- A. develop an initial outline for a comprehensive plan to further reduce greenhouse gas emissions by gradually transitioning to a zero-emission bus fleet;
- B. report which public transit agencies have deployed zero emission vehicle buses in the U.S.
- C. identify manufacturers that provide zero emission bus technology for large U.S. transit agencies.
- D. report that provides the following information for zero emission buses:
 - 1. Greenhouse gases and air pollutant levels;
 - 2. Noise levels (i.e. decibels) comparison between conventional Clean Natural Gas ("CNG") and zero emission buses;
 - 3. Production challenges and opportunities to partner with other agencies in large procurements to achieve economies scale discounts; comparison of long-term maintenance costs.

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4. Chronological timeline of the advancements and forecasts in zero emission bus technologies;
- E. provide a report on all mile-range and run times for all current MTA bus routes.
- F. identify possible Federal, State and local funding sources that are eligible for the purchase of zero-emission bus vehicles.
- G. for this new bus procurement of advanced transit buses, include the following:
 1. Zero emission bus technology cost options for the base order and all other bus purchase options.
 2. Increasing and maximizing seating capacity.
- H. report back on the above at the October 2016 MTA Board meeting and provide a semi-annual report thereafter on zero emission bus technology.

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

30. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer **2016-0003** to award a firm fixed-price Contract No. MA4829600, a single source procurement, to Hegenscheidt-MFD Corporation (USA) to **perform a midlife overhaul of the Blue Line Wheel Truing Machine** for \$1,385,769.
31. AWARDED ON CONSENT CALENDAR a three-year, firm fixed price **2016-0124** Contract No. PS4443900HONEYWELL, a sole source procurement, to Honeywell International, Inc. (Honeywell) for the **Platform Track Intrusion Detection System (PTIDS) pilot program** for an amount of \$1,553,050 inclusive of sales tax. The contract includes both labor and materials, including project management support, installation and demonstration planning, system design and testing, and training of Metro staff on installation. Materials will include the PTIDS system, to be installed at three station platform sides on the Metro Rail system.
36. ADOPTED ON CONSENT CALENDAR staff recommended position: **2016-0247**

AB 1964 (Bloom) - Alternative Fuel Vehicle HOV Lane Access WORK WITH AUTHOR

36.1 **WITHDRAWN:** ADOPT staff recommended position:

2016-0368

SB 1362 (Mendoza) - Metro Transit Security ~~WORK WITH AUTHOR~~ SUPPORT

37. ADOPTED ON CONSENT CALENDAR staff recommended positions:

2016-0269

A. AB 1595 (Campos) - Human Trafficking Training Requirements SUPPORT

B. AB 2222 (Holden) - Transit Passes SUPPORT IF AMENDED

C. AB 2742 (Nazarian) - Public Private Partnerships SUPPORT

D. SB 824 (Beall) - Low Carbon Transit Operations Program SUPPORT

E. SB 951 (McGuire) - Golden State Patriot Pass Program SUPPORT

39. APPROVED ON CONSENT CALENDAR **Motion by Directors**

2016-0325

Krekorian, Kuehl, Garcetti and Antonovich that the Board of Directors direct the CEO to implement a Rapid bus running along Nordhoff and Osborne Streets, providing service between the Rapid 794 line and the Nordhoff stop of the Metro Orange Line. Metro bus operations should work with the university to ensure that service is provided late enough into the evening to accommodate all students, faculty and staff who would need to remain on campus until later hours.

FURTHER MOVE that Metro staff study utilizing all-door boarding along this line, similar to the pilot project that has been very successful along the Rapid 720 line at reducing dwell times and speeding up headways.

40. ADOPTED staff recommended position:

2016-0371

**SB 1018 (Liu) - State Route 710 North Study: Cost Benefit Analysis
OPPOSE**

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

41. APPROVED BY TWO-THIRDS VOTE:

2016-0273

A. HOLDING a public hearing on the proposed Resolution of Necessity.

(Continued on next page)

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- B. ADOPTING the **Resolution of Necessity** authorizing the commencement of an eminent domain action to acquire **Project Parcel W-3603 (APN: 4319-001-007)**, consisting of the real property and the Improvements Pertaining to the Realty (hereinafter the “Property” as identified in Attachment A).

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

42. APPROVED UNDER RECONSIDERATION BY TWO-THIRDS VOTE: 2016-0280

- A. HOLDING a public hearing on the proposed Amended Resolution of Necessity;
- B. ADOPTING an amended **Resolution of Necessity** clarifying the nature of the property rights to be acquired in the pending eminent domain action against **Japanese Village, LLC, et al (hereinafter "Owner")**, in support of the Metro Regional Connector Transit Corridor Project, including a provision for the bifurcation of the existing subsurface tunnel easements, and for the outgrant to the Property Owner of the space between the bifurcated tunnel easements in the context of Metro’s long-range plans affecting the Property.

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

43. APPROVED Motion by Director Knabe that the MTA Board instruct the CEO to report back to the Board during the May 2016 Board cycle with: 2016-0339

- A. a quarterly report on the status of the Airport Connector project;
- B. information on why the project’s delivery date may be later than previously reported to the Board and identifying options for putting the project back on schedule for accelerated delivery; and
- C. a recommendation based on staff’s analysis.

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

44. **APPROVED MOTION by Directors Knabe, Dubois and Butts** that the **2016-0341** Board instruct the CEO to report to the Board during the May 2016 Board cycle with copies of the draft “Financial Forecasting Model for the Potential Ballot Measure Expenditure Plan” for review and discussion by the Board at the May 26, 2016 Board meeting.

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

45. **APPROVED MOTION by Directors Antonovich and Kuehl** that the Metro **2016-0375** Board directs the CEO to return to the Board within 120 days with a comprehensive plan that identifies strategies to develop effective partnerships with ridesource companies. This plan will also include an identification of obstacles in partnering with these companies, strategies to overcome these obstacles, and a review of benefit to the public as a result of partnering with these companies.

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

46. **CLOSED SESSION:** **2016-0343**

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

1. Serafin Andres Hernandez v. LACMTA, LASC Case No. BC540487

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

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

2. Ixchelle Wagner v. LACMTA, LASC Case No. BC506769

APPROVED settlement in the amount of \$350,000.

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

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

NO REPORT.

(Continued on next page)

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

1. Property Description: 5318-5340 Wilshire Blvd., Los Angeles
 Agency Negotiator: Carol A. Chiodo
 Negotiating Party: The Wilshire Group LLC
 Under Negotiation: Price and Terms

NO REPORT.

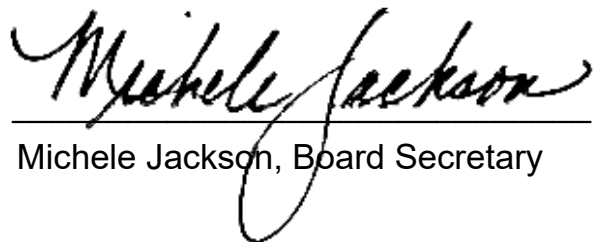
2. Property Description: 590 Santa Fe Avenue, Los Angeles
 Agency Negotiator: Carol A. Chiodo
 Negotiating Party: Butterfield Trails Limited Partnership
 Under Negotiation: Price and Terms

APPROVED settlement in the amount of \$42,250,000.

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

ADJOURNED at 12:41 p.m. in memory of Ernest Waters, Former Director of AFSCME

Prepared by: Deanna Phillips
 Board Specialist



Michele Jackson, Board Secretary