



MINUTES

Board of Directors - Regular Board Meeting

Thursday, March 23, 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

James Butts

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

ROLL CALL

APPROVED Consent Calendar Items: 2, 6, 7, 8, 10, 11, 13, 17, 19, 20, 21 and 22.**

Consent Calendar items were approved by one motion except items 8 and 20 which were held by a Director for discussion and/or separate action.

****Item required two-thirds vote**

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

1. **RECOGNIZED former Director Diane DuBois.** **2017-0189**

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

2. **APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held February 23, 2017.** **2017-0129**

3. **RECEIVED report by the Chair.** **2017-0185**

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

4. **RECEIVED report by the Chief Executive Officer.** **2017-0186**

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

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

5. RECEIVED AND FILED report on **FY2018 Program Management Annual** **2017-0047**
Program Evaluation (APE).

APPROVED **Motion by Fasana, Dupont-Walker, Hahn and Solis as** **2017-0211**
amended by Bowen that the Board direct the CEO to:

- A. Explore options to improve existing High-Occupancy Vehicle lanes in Los Angeles County, including:
1. Conduct a Performance Impact Study to explore raising the minimum occupancy requirement, where justified, from two-person to three-person for HOV lanes in LA County, in particular on the HOV corridors that are considered degraded;
 2. Coordinate with Caltrans and the California Highway Patrol (CHP) to evaluate any safety and compliance impacts from raising the minimum occupancy requirement;
 3. TDM strategies, mode shift incentives, dynamic work hours, Active Traffic Management and ITS;
- B. Explore options to expand and improve ExpressLanes, including but not limited to the following:
1. Develop an acceleration strategy for constructing first- and second-tier projects outlined in the MTA Countywide ExpressLanes Strategic Plan;
 2. Collaborate between Los Angeles and Orange Counties on a region-wide approach to delivering ExpressLanes projects;
 3. Coordinate with Caltrans on an I-105 ExpressLanes advance improvement project to update and improve lane configuration to discourage car weaving on I-105 between I-405 and I-605;
 4. Report back on congestion demand management strategies on degraded general purpose lanes in Los Angeles County, including but not limited to pricing;
 5. Report back on a process and implementation plan to ensure exempt vehicles pay their fair share of ExpressLanes costs;
 6. Report back on status of program that will identify and deter scofflaws in the ExpressLanes, including individuals who set the transponder to HOV while driving alone;
 7. Recommend options to use toll revenue on existing facilities to advance the above studies;

(Continued on next page)

(Item 5 – continued from previous page)

- C. Explore additional carpooling benefits and incentives for Los Angeles County, including but not limited to a program similar to the Bay Area Commuter Benefits Program administered by the Metropolitan Transportation Commission and the Bay Area Air Quality Management District; and
- D. Report back on all the above during the September 2017 Board cycle.

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

- 6. APPROVED ON CONSENT CALENDAR the Resolution in Attachment A to: **2016-0987**
 - A. AUTHORIZE the Chief Executive Officer (CEO) or his designee to **claim \$7,750,898 in fiscal year (FY) 2016-17 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. CERTIFY that Metro will comply with LCTOP Certification and Assurances and the Authorized Agent requirements, and authorize the CEO or his designee to execute all required documents and any amendments with the California Department of Transportation.
- 7. APPROVED ON CONSENT CALENDAR: **2016-0807**
 - A. AUGMENTING the Life-of-Project (LOP) Budget for the **P2000 Light Rail Vehicle Overhaul Program** (CP 206044) by \$30,000,000 adjusting the LOP Budget from \$130,800,000 originally established March 2013, to \$160,800,000;
 - B. AUTHORIZING the Chief Executive Officer to award a firm-fixed price Contract No. OPP2000 Light Rail Vehicle Overhaul to Alstom Transportation Inc. in the amount of \$140,079,867, inclusive of taxes for a period of 50 months for the overhaul and delivery of the 52 P2000 LRVs, subject to resolution of protest(s), if any; and
 - C. FINDING that the award to Alstom Transportation, Inc. is the proposer providing the best value and is the most advantageous to Metro.

8. APPROVED AS AMENDED the release of the **draft Measure M Master Guidelines for public review.** **2017-0051**

AMENDING Motion by Garcia, Garcetti, Hahn and Kuehl that the MTA Board direct the CEO to: **2017-0212**

- A. Evaluate additional Local Return allocations including but not limited to the following factors:
1. Setting a floor which allows small cities to invest in critical transportation/infrastructure project
 2. Daytime and nighttime population
 3. Employment population
 4. Proportion of Measure M sales tax generated
- B. Identify other eligible funding sources that can supplement the Measure M Local Return subfund.
- C. Evaluate the reliability and validity of data sources considered in the above allocations
- D. Report back on Local Return distribution for public review at the May 2017 MTA Board cycle
- E. Incorporate feedback from the Measure M Policy Advisory Council into the May 2017 Board report.

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

9. APPROVED AS AMENDED: **2016-0835**

- A. RECEIVING AND FILING update on **Vermont BRT Corridor Technical Study**;
- B. APPROVING the findings and recommendations from the **North Hollywood to Pasadena Bus Rapid Transit (BRT) Technical Study**;
- C. APPROVING advancement of the **North Hollywood to Pasadena BRT corridor into environmental review**; and
- D. APPROVING initiation of a technical study for the **North San Fernando Valley BRT Improvements Project preceding environmental review**.

AMENDING Motion by Garcetti, Ridley-Thomas and Dupont-Walker that **2016-0213** the MTA Board direct the CEO to:

- A. Proceed with the Vermont Bus Rapid Transit project as a near-term “Phase 1” transit improvement along the Vermont Avenue Corridor;
- B. Initiate the study of extending the Red Line along Vermont Avenue to 125th Street, specifically focusing on connecting the Wilshire/Vermont Red Line Station to the Expo/Vermont Expo Line Station as a “Section 1”;
- C. Include a heavy rail alternative in the Alternative Analysis and Environmental Studies for the Measure M Vermont Transit Corridor; and
- D. Report back on all the above to the Planning and Programming Committee during the July 2017 Board cycle.

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

10. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to: **2017-0066**

- A. EXECUTE Modification No. 6 to Contract No. AE354280011791 with **RNL Interplan, Inc. (RNL) for the Willowbrook/Rosa Parks Station Improvement Project (Project) Design and Engineering Services** to complete final design for the Project in the firm fixed amount of \$1,391,035, increasing the total contract value from \$6,904,331 to \$8,295,366; and
- B. INCREASE Contract Modification Authority (CMA) specific to Contract No. AE 354280011791 for the Willowbrook/Rosa Parks Station Improvement Project Design and Engineering Services, in the amount of \$250,000, increasing the total authorized CMA amount from \$1,151,214 to \$1,401,214.

11. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer, **2016-0997**
in accordance with the 2006 Board adopted Bicycle Transportation Strategic Plan (Attachment C), to award a Contract No. PS67785000 (Contract) to Estolano LeSar Perez Advisors for a three-year period of performance for the **Bicycle Education Safety Team (BEST)** program in the amount of \$2,308,001.01, subject to resolution of protest(s), if any.

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

13. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to **2017-0023**
execute two Easement Agreements allowing construction of a portion of the **Hope/2nd Street Pedestrian Bridge to be built on, and Metro patron access across, private property owned by the Broad Museum.**

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

17. APPROVED ON CONSENT CALENDAR **bylaws revisions for Metro's Citizens' Advisory Council (CAC).** **2017-0075**

19. ADOPTED ON CONSENT CALENDAR staff recommended positions: **2017-0114**

B. **AB 378 (C. Garcia)** - California Global Warming Solutions Act of 2006:
Regulations **SUPPORT**

C. **AB 408 (Chen)** - Eminent Domain: Final Offer of Compensation **OPPOSE**

20. AWARDED a cost plus fixed fee contract for Technical and Program Management Support Services under Contract No. OP20113000 for the **2017-0149**
P2000 Light Rail Vehicle Overhaul Program Consultant Support Services, to CH2M Hill, Inc., in the not-to-exceed amount of \$5,829,626 for a period of 55 months from issuance of a Notice-to-Proceed (NTP) for the overhaul of 52 Siemens P2000 LRVs, subject to resolution of protest(s), if any.

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

*Selected to vote under the Rule of Necessity

21. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE:**2016-0881**

- A. FINDING that compliance with PUC sections 130232 and 130233 does not constitute a method of procurement adequate for the operation of prototype equipment and herewith approves the procurement of prototype buses under PUC section 130236 without further observance of any provisions regarding contracts, bids, advertisement or notice;
- B. APPROVING the **Advanced Transit Vehicle Consortium's (ATVC) Award and Execution of a non-competitive Contract No.OP29199 with BYD Motors, Inc. (BYD), for the purchase of five (5) prototype 60 foot articulated battery electric vehicles and charging equipment** at a firm fixed price of \$6,594,771, including applicable taxes;
- C. AUTHORIZING the Contract Modification credit in the amount of \$3,000,000 under Contract No. OP33202790, with BYD, resulting from the buy-back of five (5) battery electric 40 foot vehicles delivered to Metro to be expended on the five prototype articulated battery electric vehicles in recommendation B; and
- D. CLOSING project 201071 Bus Acquisition 30 Zero Emission/Super Low Emission and utilize unused funds from this project to establish a Life-of-Project (LOP) Budget of \$8,109,500 for project 201074, BYD 60 foot Articulated Zero Emission Bus.

(REQUIRED TWO-THIRDS VOTE)

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

- 22. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, indefinite delivery/indefinite quantity Contract No. PS28069-2000, for **space planning/installation services and furniture**, to M3 Office, Inc., for a not to exceed amount of \$5,000,000 for the three-year base period, and \$1,000,000 for each of the two, one-year options, for a combined total of \$7,000,000 effective April 1, 2017, subject to resolution of protest(s), if any.**

2016-0969

26. APPROVED:

2017-0146

- A. AWARDING and AUTHORIZING the Chief Executive Officer to execute a cost-plus fixed fee Contract No. AE66758000 to perform preliminary engineering and complete final design for the **Core Capacity Enhancements at Division 20 for a Portal Widening and Turnback Facility** to T.Y. Lin International, Inc., in an amount not-to-exceed \$10,265,661, subject to resolution of any protests;
- B. AUTHORIZING Contract Modification Authority in the amount of \$2,053,132 (20% of the not-to-exceed contract award value) and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority;
- C. INCREASING anticipated expenditures and authorization from \$3.5M to \$17.2M to include contract amounts and modification authority requested in A and B, and Metro staff support costs through Final Design;
- D. ENTERING into Letters of No Prejudice (LONP) with the State of California as needed to ensure the eligibility of reimbursement of State funds for design work required to begin before State funds are available;
- E. FINDING the Division 20 Portal Widening and Turnback Facility is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080, subdivision (b)(10);
- F. ADOPTING the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Division 20 Portal Widening and Turnback Facility, and the recommended Mitigation Monitoring and Reporting Program (MMRP) of the Final IS/MND; and
- G. ASSURING that the final design in this action preserves the ability to construct a potential future station in the vicinity of 6th Street in the Arts District.

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

27. APPROVED BY 2/3 VOTE:

2017-0087

- 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 Parcels HS-2701 (APN 4013-008-008) and HS-2701-1 (APN 4013-007-32, 022, 021 and 029)**, consisting of the real property and site improvements (hereinafter the "Property").

(REQUIRED TWO-THIRDS VOTE)

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

28. APPROVED AS AMENDED:

2017-0121

- A. the recommended Alternative 2 with six Regional Rail run-through tracks and two High Speed Rail run-through tracks (also referred to as "6+2 Run Through Tracks" Alternative) to be carried forward in the California Environmental Quality Act (CEQA) Draft Environmental Impact Report (EIR) and National Environmental Policy Act (NEPA) Draft Environment Impact Statement (EIS) and continue to evaluate Alternatives 1, 3 and 4 as reasonable alternatives in the Draft EIR/EIS;
- B. AUTHORIZING the Chief Executive Officer (CEO) to execute Modification No. 4 to Contract No. PS2415-3172, with **HDR Engineering, Inc., for Link Union Station (Link US)** to provide advanced engineering for the run-through tracks and environmental and preliminary engineering services for the expansion of Link US to connect the Link US project with Patsaouras Transit Plaza to the east and the historic Union Station to the west, increasing the total contract value by \$13,761,273, from \$48,279,357 to a not to exceed amount of \$62,040,630;
- C. AUTHORIZING the CEO to increase Contract Modification Authority (CMA) in the amount of \$1,376,127, increasing the total CMA amount from \$2,980,588 to \$4,356,715;
- D. AUTHORIZING the Chief Executive Officer to execute a funding agreement with California High-Speed Rail Authority (CHSRA) in the amount of \$3,726,102 for project development work related to Contract Modification No. 4; and
- E. APPROVING an amendment to increase the FY17 fiscal year budget in the amount of \$9,200,000 for the LINK US Project in Cost Center 2145.

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(Item 28 – continued from previous page)

AMENDING Motion by Fasana, Barger, Solis and Dupont-Walker
that the MTA Board direct the CEO to:

2017-0214

- A. Authorize an amendment to the Link Union Station contract – within the limits of the approved contract authority and proposed modification – to develop a new alternative that modifies the substructure and concourse which includes, but is not limited to, the following:
 - 1. An outdoor and community-oriented passenger concourse option that is above or at-grade with the rail yard and maximizes panoramic views of Unions Station, the LA River and Downtown Los Angeles to passengers and visitors;
 - 2. Allows passengers and the community to access the train terminals from above or at-grade with the rail station and track facility while enhancing ADA accessibility and meets modern standards for fire and life safety;
 - 3. Limits the substructure and concourse elements to core facility operations, baggage handling, etc.;
- B. Require for this modified alternative be as cost-effective as possible.
- C. Direct MTA's joint development team to lead the following coordinated efforts in parallel to the Link Union Station project:
 - 1. Release a Request for Information/Request for Qualifications (RFI/RFQ) to attract private development opportunities within Union Station and Gateway Plaza.
 - 2. Partner with the City and County of Los Angeles and surrounding property owners to develop a common joint-development plan.
- D. Evaluate opportunities to create pedestrian/active transportation linkages to the LA River.
- E. Direct Metro's Union Station/Civic Center Taskforce to establish a volunteer-based, architectural review panel to offer suggestions and recommendations aimed at ensuring design consistency in and around Union Station that amalgamates the historic and modern elements of the surrounding area while promoting innovative ideas.
- F. Develop a comprehensive community engagement strategy designed to capture input that is representative of the cultural diversity in the Union Station service area.

(Continued on next page)

(Item 28 – continued from previous page)

G. Report back on all the above during the July 2017 Board cycle.

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

29. ADOPTED staff recommended position:

2017-0187

AB 17 (Holden) - Transit Pass Program: Free or Reduced-Fare Transit Passes SUPPORT

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

30. **RECEIVED** General Public comment.

31. **CLOSED SESSION:**

2017-0190

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

1. Carol Bohaty v. LACMTA, LASC Case No. BC593988

APPROVED settlement of \$750,000.

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

2. Carolyn Bondoc v. LACMTA, LASC Case No. BC527211

APPROVED settlement of \$300,000.

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

B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(d)(2):

Significant Exposure to Litigation (One Case)

NO REPORT.

(Continued on next page)

(Closed session, Item 31 – continued from previous page)

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: 620 W. 2nd Street, Los Angeles, CA

Agency Negotiator: Carol A. Chiodo

Negotiating Party: The Broad

Under Negotiation: Price and Terms

NO REPORT.

2. Property Description: 14 No. La Cienega, Beverly Hills, CA

Agency Negotiator: Carol A. Chiodo

Negotiating Party: Sweetzer Plaza and The Phoenix Restaurant

Under Negotiation: Price and Terms

AUTHORIZED final offer of \$4,358,800 consisting of \$4,300,000 for fee interest, \$35,000 for loss of business goodwill and \$23,800 for fixtures and equipment.

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

ADJOURNED at 1:16 p.m.

Prepared by: Collette Langston
Board Specialist


Michele Jackson, Board Secretary