

Metro

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



Agenda - Final

Thursday, March 23, 2017

9:00 AM

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

Board of Directors - Regular Board Meeting

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

Mark Ridley-Thomas

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES
(ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the item.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

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The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

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NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

CALL TO ORDER

ROLL CALL

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

Consent Calendar items are approved by one motion unless held by a Director for discussion and/or separate action.

****Item requires two-thirds vote**

Consent Calendar items are approved by one motion unless held by a Director for discussion and/or separate action.

***Item requires 2/3 vote*

CONSENT CALENDAR

2. **APPROVE Minutes of the Regular Board Meeting held February 23, 2017**

[2017-0129](#)

Attachments: [February 23, 2017 - Regular Board Meeting Minutes](#)

FINANCE, BUDGET AND AUDIT COMMITTEE (4-0) AND PLANNING AND PROGRAMMING COMMITTEE (3-0) MADE THE FOLLOWING RECOMMENDATION:

6. APPROVE the Resolution in Attachment A to:
- 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.

[2016-0987](#)

Attachments: [Attachment A - Resolution for FY2016-17 LCTOP Funding](#)

FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

7. CONSIDER: [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.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - P2000 Uses and Sources](#)
[Attachment C - BR DATED JULY 17, 2014 PURCHASE OF NEW HRVs AND R](#)
[Attachment D - FTA LTTR RE LOCAL PILOT HIRING PROGRAM DATED SEP](#)
[Attachment E - DEOD Summary](#)

PLANNING AND PROGRAMMING COMMITTEE (3-0) AND EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION:

8. APPROVE the release of the **draft Measure M Master Guidelines for public review.** [2017-0051](#)

Attachments: [Attachment A - Draft Measure M Guidelines.Rev](#)
[Attachment B - 20% Transit Operations Process & Working Group](#)
[Attachment C - Rev-17% Local Return Process & Working Group](#)
[Presentation - Item 8 Draft Measure M Guidelines](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

10. AUTHORIZE the Chief Executive Officer (CEO) 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.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification_Change Order Log](#)
[Attachment C - DEOD Summary](#)
[Attachment D - Project Summary](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

11. AUTHORIZE the Chief Executive Officer, 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. [2016-0997](#)

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)
[Attachment C - 2006 Bicycle Transportation Strategic Plan](#)
[Attachment D - Active Transportation Strategic Plan](#)
[Attachment E - BEST Program Board Presentation](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0-1):

13. AUTHORIZE the Chief Executive Officer to 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.** [2017-0023](#)

Attachments: [Attachment A - July 2014 Board Motion 77](#)
[Attachment B - Conceptual Design](#)
[Attachment C - Site Plan](#)
[Attachment D - Draft Plat Diagram](#)
[Attachment E - Conceptual Signage Plan](#)
[Presentation - Hope 2nd Street Bridge](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

17. APPROVE bylaws revisions for Metro's Citizens' Advisory Council (CAC). [2017-0075](#)

Attachments: [Attachment A - Revised Bylaws](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

19. ADOPT staff recommended positions: [2017-0114](#)

A. ~~AB 287 (Holden) - State Highway Route 710: Advisory Committee~~
OPPOSE UNLESS AMENDED

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**

Attachments: [Attachment B - AB 378 \(Garcia\)](#)
[Attachment C - AB 408 \(Chen\)](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0-1):

20. AWARD a cost plus fixed fee contract for Technical and Program Management Support Services under Contract No. OP20113000 for the **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. [2017-0149](#)
- Attachments: [Attachment A - Procurement Summary 2017-0149 \(0805\)](#)
 [Attachment B - DEOD Summary](#)
 [Attachment C - P2000 LIGHT RAIL VEHICLES OVERHAUL PROGRAM CONS](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

21. CONSIDER: [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.

(REQUIRES TWO-THIRDS VOTE)

- Attachments:** [Attachment A - Procurement Summary](#)
[Attachment B - ATVC BR BYD ELECTRIC BUS BUY BACK PROPOSAL DATE](#)
[Attachment C - Motion by Directors Garcetti, Krekorian and Antonovich, Oct 27.](#)
[Attachment D - DEOD Summary](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

22. AUTHORIZE 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](#)

- Attachments:** [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)

NON-CONSENT

1. SPECIAL Recognition of former Director Diane DuBois. [2017-0189](#)

3. Report by the Chair. [2017-0185](#)

4. Report by the Chief Executive Officer. [2017-0186](#)

FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (4-0):

5. RECEIVE AND FILE report on **FY2018 Program Management Annual Program Evaluation (APE)**. [2017-0047](#)
Attachments: [Attachment A - FY18 Annual Program Evaluation \(APE\) Presentation](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

9. CONSIDER: [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**.**Attachments:** [Attachment A - July 24, 2014 Board Motion](#)
[Attachment B - October 23 2014 Board Motion](#)
[Attachment C - North Hollywood to Pasadena BRT PowerPoint](#)
[Attachment D - June 23, 2016 Board Motion](#)

9.1. **WITHDRAWN:** ~~CONSIDER Motion by Directors Solis, Fasana and Barger that the Board direct the CEO to conduct a cooperative technical study with Foothill Transit to:~~

[2017-0192](#)

- ~~A. Establish an electric bus rapid transit route(s) (e.g. Ramona Blvd., Valley Blvd., Amar Rd., Temple St., etc.) that connect major destinations (i.e. employment centers, educational institutions, downtown areas, etc.) from the El Monte bus station to the Eastern region of the San Gabriel Valley;~~
- ~~B. Identify and provide recommendations to develop and/or improve transit/mobility hubs at strategic locations along the route(s); and~~
- ~~C. The study shall include, but not limited to capital and operational requirements, funding strategy, implementation timeline and opportunities to coordinate with related projects along the identified route(s).~~

~~**FURTHER MOVE** that staff report back within 120 days with the necessary next steps to implement this motion.~~

26. CONSIDER:

[2017-0146](#)

- A. APPROVING the award of and authorize 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.

Attachments: [Attachment A - Procurement Summary Div 20.pdf](#)
[Attachment B - DEOD Summary.pdf](#)
[Attachment C - Div 20 Portal Widening Turnback.pdf](#)
[Attachment D - Motion Downtown Los Angeles Arts District Connectivity.pdf](#)

27. CONSIDER: [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").

(REQUIRES TWO-THIRDS VOTE)

Attachments: [Attachment A- Site Plan](#)
[Attachment B- Staff Report](#)
[Attachment C- Resolution of Necessity](#)

28. CONSIDER:

[2017-0121](#)

- A. APPROVING 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.

Attachments:

[Attachment A - Procurement Summary](#)

[Attachment B - Contract Modification Change Order Log](#)

[Attachment C - DEOD Summary](#)

[Attachment D - Mod 4 Study Areas](#)

[Attachment E - Alternative Overviews](#)

[Attachment F - Third Party Cost and SOURCES AND USEs OF FUNDS](#)

[Attachment G - Link US Letter](#)

[Presentation - Link Union Station Metro Board Presentation March 23, 2017.ppt](#)

29. ADOPT staff recommended position:

[2017-0187](#)

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

Attachments: [Attachment A - AB 17 \(Holden\)](#)

30. GENERAL PUBLIC COMMENT

END OF NON-CONSENT ITEMS

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

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

Significant Exposure to Litigation (One Case)

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

Agency Designated Representative: Joanne Peterson or designee
Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters

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
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

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

Adjournment