

Thursday, November 13, 2014 9:00 AM

AGENDA

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Eric Garcetti, Chair
Mark Ridley-Thomas, 1st Vice Chair
John Fasana, 2nd Vice Chair
Michael Antonovich
Mike Bonin
Diane DuBois
Jacquelyn Dupont-Walker
Don Knabe
Paul Krekorian
Gloria Molina
Ara J. Najarian
Pam O'Connor
Zev Yaroslavsky
Carrie Bowen, non-voting member

Officers

Arthur T. Leahy, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Acting Ethics Officer
Karen Gorman, Inspector General
County Counsel, General Counsel



Metro

Los Angeles County
Metropolitan Transportation Authority

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.

For regular meetings of the Board, 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 contemptuous or insolent behavior toward the Board or any member thereof which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting;
- b. A breach of the peace, boisterous conduct or violent disturbance which disrupts, disturbs, or otherwise impedes the orderly conduct of the 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.

Any person so removed will also be excluded from the interior of the Metro Headquarters Gateway Building until the beginning of the next business day.

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DISCLOSURE OF CONTRIBUTIONS

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

**SUMMARY OF AGENDA ITEMS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
THURSDAY, NOVEMBER 13, 2014**

CONSENT CALENDAR ITEMS	NON-CONSENT ITEMS	CLOSED SESSION
2	3	71
5	4	
6	8	
7	12	
9	12.1	
13	35	
14	36	
15	37	
16	39	
17	51	
22	58	
23	62	
24	63	
26	64**	
27	65**	
28	66**	
38	67	
40	68	
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49	70	
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56		
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60		
** REQUIRES 2/3 VOTE		

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 9, 13, 14, 15, 16, 17, 22, 23, 24, 26, 27, 28, 38, 40, 48, 49, 50, 56, 57, 59 and 60.

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 October 23, 2014.](#)
5. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the [revised Audit Charter for Management Audit Services.](#)
6. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 27 to [Contract PS33201664 with Xerox for TAP Service Center systems support](#) for six months for an amount not to exceed \$1,350,000. This contract modification covers from January 2015 through June 2015 if the two options are fully exercised. The total contract value will increase from \$61,752,483 to \$63,102,483.
7. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to [award a non-competitive, five year contract to MuniServices](#) for a period of three years, plus two one-year options. The three-year base contract amount is \$60,000 plus a percentage of tax recovery. Each one-year option is \$20,000 plus a percentage of tax recovery. Pricing for these services is as follows:
 - A. Sales Tax Forecasting: \$20,000 per year or \$60,000 for the base period plus 2 one-year options for another \$40,000; and
 - B. Transaction and Use Tax Recovery Services is priced on a percentage of recovery basis and paid only if revenues are recovered through a review of sales tax submissions to the State Board of Equalization utilizing the following rates:

(Continued on next page)

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Recovery Amount	Percentage Fee
Less than \$5M	17%
\$5M to \$10M	14%
\$10M to \$15M	11%
Over \$15M	9%

9. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to **conduct the sale of environmental commodities** in accordance with the informal bidding process which does not require publication or notice of sale, and award such sales at market prices.

13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. authorizing the Chief Executive Officer to enter into an 18-month Exclusive Negotiation Agreement and Planning Document (ENA), with options to extend up to 12 additional months, with Primestor Development Inc. (Primestor), or an entity created by Primestor, to explore the feasibility of developing a commercial real estate development and to negotiate the development scope and business terms to be included in a joint development agreement (JDA), ground lease(s) and other development documents for the Metro-owned property situated at and across the street from the **Metro Gold Line Mariachi Plaza station** (the “Development Sites”); and
 - B. amending the FY15 budget to allow deposit(s) collected from Primestor under the ENA to be used to offset staff and third party costs associated with the negotiation of JDA and ground lease terms and the review and evolution of the development proposal.

14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED
(3-0):

- A. authorizing the Chief Executive Officer to enter into an 18-month Exclusive Negotiation Agreement and Planning Document (ENA), with options to extend up to 12 additional months, with Bridge Housing Corporation/East LA Community Corporation (Bridge/ELACC), or an entity created by Bridge/ELACC, to explore the feasibility of developing two mixed-use real estate developments and to negotiate the development scope and business terms to be included in a joint development agreement (JDA), ground lease(s) and other development documents for the Metro-owned property situated at and across the street from the [Metro Gold Line Soto station](#) (the “Development Sites”); and
- B. amending the FY15 budget to allow deposit(s) collected from Bridge/ELACC under the ENA to be used to offset staff and third party costs associated with the negotiation of JDA and ground lease terms and the review and evolution of the development proposal.

15. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED
(3-0):

- A. authorizing the Chief Executive Officer to enter into an 18-month Exclusive Negotiation Agreement and Planning Document (ENA), with options to extend up to 12 additional months, with Abode Communities, or an entity created by Abode Communities (Abode), to explore the feasibility of developing a mixed-use real estate development and to negotiate the development scope and business terms to be included in a joint development agreement (JDA), ground lease(s) and other development documents for the [Metro-owned property at Chavez and Soto](#) (the “Development Sites”); and
- B. amending the FY15 budget to allow deposit(s) collected from Abode under the ENA to be used to offset staff and third party costs associated with the negotiation of JDA and ground lease terms and the review and evolution of the development proposal.

16. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute an amendment to the [Exclusive Negotiating Agreement \(ENA\) with A Community of Friends](#) (Developer) to extend its term for an additional 12 months, for the joint development of Metro-owned property at 1st and Lorena Streets along the Metro Gold Line Eastside Extension.

17. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. approving the [Fiscal Year 2015 Solicitation for Proposals for federal Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds](#) for which the Los Angeles County Metropolitan Transportation Authority (Metro) is the Designated Recipient in urbanized areas of Los Angeles County, with the following:
 1. the allocation process for the Section 5310;
 2. the funding marks estimated to be up to \$4,713,220 for Traditional Capital Projects and up to \$1,704,747 for Other Capital and Operating Projects equal to a combined total of \$6,417,967; and
 3. the application package.
 - B. allocating \$6,751,327 in Section 5310 funds for Access Services, as determined by the Allocation Process, for Traditional Capital Projects that support complementary paratransit services required by the Americans with Disabilities Act of 1990 (ADA); and
 - C. amending the FY 2015 Budget to add:
 1. the \$2,535,635 of the \$6,751,327 in revenue and expense (net zero effect) to facilitate disbursement of Section 5310 funding noted in Action B to fund Access Services' FY 2015 activities; and
 2. one full-time equivalent position in Countywide Planning, which will be 100% funded from the Section 5310 allocations, to manage, administer and oversee activities required by Metro as the Designated Recipient of funds.

22. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
RECOMMENDED (4-0) authorizing:
- A. staff to issue a [Best Value federally funded solicitation for a new Heavy Rail Vehicle \(HRV\) procurement.](#) The new HRVs are required to meet the revenue service requirements and enhanced service capacity for the Westside Purple Line Extension, as specified in the 30/10 Initiative, as well as address state of good repair issues with the existing Red/Purple Line fleet; and
 - B. re-programming of funding to direct \$120 million of previously planned Heavy Rail Vehicle Mid-Life Refurbishment (CP 206038) to the Heavy Rail Vehicle Procurement (CP 206037) project to replace 30 existing Red/Purple Line vehicles in lieu of performing a mid-life overhaul on the oldest existing vehicles. The \$52 million remaining in CP 206038 will be used for Rail Vehicle component refurbishments.
23. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under [IFB OP37903310 with Harsco Rail,](#) the lowest responsive and responsible bidder, for one Production Rail Grinder for a firm fixed price of \$3,509,800, inclusive of sales tax.
24. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
RECOMMENDED (3-0) approving the transfer of \$30,000,000 from [Capital Project \(CP\) 206035, P3010 LRV Project Plus Options Life-of-Project budget.](#) to a newly created CP for LRV Acquisition Technical and Program Management Support Consultant Services.
26. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a three year, firm fixed price contract under Bid Number 13-0047A to Henschel America, Inc., the single responsive and responsible bidder for [A650 Red Line fleet gearboxes.](#) The contract one year base amount is \$1,010,000. The first one-year option amount is \$1,050,000 and the second one-year option is \$1,476,900 for a total contract amount of \$3,536,900.

27. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a three year firm fixed price contract under Bid Number 14-0016 to Vapor Stone Rail Systems, a division of Westinghouse Air Brake Technologies Corporation dba Webtec Corporation, the single responsive and responsible bidder for [A650 Heating Ventilating and Air Conditioning Compressor Motor Inverter kits.](#) The contract one year base amount is \$808,232. The first one-year option amount is \$684,515 and the second one-year option is \$681,581 for a total contract amount of \$2,174,327.
28. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Modification No. 11 to [Contract No. PS2610LASD with the County of Los Angeles Sheriff's Department to provide law enforcement services for six months](#) for the period covering January 1, 2015 through June 30, 2015 in the amount not to exceed \$44,443,488. The approval of this modification increases the total contract value for FY15 to \$88,886,976.
38. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. authorizing an increase to the total contract value for Contract No. PS12861006 to [MLM Project Services, Inc. to provide software system hosting services](#) for the Project Management Information System until December 2016 in the amount of \$476,750 increasing the total contract value from \$343,261 to \$820,011; and
 - B. establishing an increase in Contract Modification Authority in an amount not to exceed \$200,000 increasing the total Contract Modification Authority from \$100,000 and authorizing the Chief Executive Officer to execute individual Contract Modifications within the Board approved Contract Modification Authority.

40. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approving [Motion by Director Najarian](#) that the CEO:
- A. direct staff to explore establishing new bus service between the North Hollywood Red/Orange Line Stations, through Bob Hope Airport, and the Lake Avenue Pasadena Gold Line Station and report back at the January Board Meeting on the proposed route; and
 - B. explore funding sources, including but not limited to Congestion Mitigation and Air Quality Improvement Program with startup service beginning in February 2015.
48. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) adopting [Staff Recommended Position:](#)
- H.R. 5101 (Hahn) – National Freight Network Trust Fund Act of 2014
SUPPORT – WORK WITH AUTHOR**
49. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0):
- A. authorizing the Chief Executive Officer to [amend the FY15 budget to add 15 non-contract full-time equivalent \(FTE\) positions to eliminate consultants](#); convert four non-contract temporary/as-needed positions to full time; and add six contract FTE positions to reduce overtime costs;
 - B. amending the FY15 budget by \$350,000 to support additional training for cost/price analysis and negotiations, and consultant support to complete the Six Sigma streamlining process review; and
 - C. receiving and filing the status update of the FY15 Vendor/Contract Management Action Plan.
50. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving amendments to [Section VI: Director Expense Reimbursement and Travel Policy of the Los Angeles County Metropolitan Transportation Authority \(Metro\)](#) Board Rules and Procedures Policy.

56. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) AND CONSTRUCTION COMMITTEE RECOMMENDED (3-0):

A. pursuing acceleration of up to \$33.2 million in federal Congestion Mitigation and Air Quality funds and Measure R Transit Sub-funds currently planned for the [Airport Metro Connector](#) project in Fiscal Years 2024 and 2025 to cover the cost of accommodations implemented as part of the Crenshaw/LAX Transit Project (Crenshaw/LAX) and design of the new station;

B. receiving and filing:

1. preliminary project schedule, developed in coordination with Los Angeles World Airports, for the environmental review phase only; and
2. status report on the station design guidelines directed by the Board in June 2014.

57. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving [Motion by Directors Garcetti, Ridley-Thomas and O'Connor](#) that the Board instruct the CEO and MTA staff to:

A. create a two-year pilot Wayfinding Signage Grant Program in the amount of \$500,000 beginning in Fiscal Year 2015-2016;

B. make local jurisdictions eligible to apply for signage design and cost reimbursement when using the Station Trailblazing Guidelines for Non-Metro Property; and

C. include updates on this program in their quarterly First/Last Mile Way Finding report as instructed in the April 2014 Board action.

59. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving [Motion by Directors Garcetti, Ridley-Thomas, Dupont-Walker and Fasana](#) that the MTA Board direct the CEO to develop an “ExpressLanes Strategic Plan” as part of the FY15 ExpressLanes Work Plan which shall include the following:

- A. Identification and recommendations of potential corridors that can benefit from ExpressLanes conversion.
- B. Development and execution of a master cooperative agreement with Caltrans to jointly execute Project Study Report/Project Development Support (PSR/PDS), Project Approval/Environmental Document (PA/ED) and/or other technical studies for future ExpressLanes corridors.
- C. Development of a 10-year and 30-year resource plan for existing and future ExpressLanes corridors.

WE THEREFORE ALSO MOVE that the Board direct the CEO to:

- D. Report back to the MTA Board with the first update of the “ExpressLanes Strategic Plan” no later than June 2015.

60. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) approving [Motion by Directors Garcetti, Ridley-Thomas, Bonin and Dupont-Walker](#) that the CEO report back to the Board at the February 2015 meeting with a preliminary assessment of the following:

- A. An inventory of current MTA Joint Development sites and potential future affordable housing joint development opportunities resulting from the Gold Line and Expo Extensions and the Crenshaw/LAX, Regional Connector, and Purple Line Extension Projects.
- B. The efficacy of developing a memorandum of understanding with local cities and the County of Los Angeles to promote co-investment along transit corridors, such as leveraging municipally-controlled affordable housing dollars for MTA’s Joint Development affordable housing sites.

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- C. Establishing a goal within the MTA’s Joint Development Policy that, in the aggregate, affordable housing units represent 30% of all residential units developed on MTA-owned property.
- D. Amending the Joint Development policy to allow proportional discounts to the fair market value of MTA owned property for the purpose of contributing towards the cost of affordable housing development.
- E. Participating in the collaborative creation of a multi-partner Countywide Transit Oriented Affordable Housing (TOAH) loan fund, potentially in collaboration with local Community Development Financing Institutions, whose primary goal is to develop or preserve affordable housing within a ½ mile of a MTA Rail station, Bus Rapid Transit or Rapid Bus stop. Through the loan fund, developers would be able to access flexible, affordable capital to purchase or improve available property near transit lines for the development or preservation of affordable housing.
- F. Establishing a TAP purchase program that provides passes to occupants of MTA joint developments. This purchase program could be modeled on MTA’s Business TAP program, making passes available for purchase in whole or shared by entities including but not limited to occupants, property owners, and property managers.

END OF CONSENT CALENDAR

NON-CONSENT

- 3. Chair’s Report.
- 4. Chief Executive Officer’s Report.

8. FINANCE, BUDGET AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting a resolution that:

- A. authorizes the issuance of bonds by competitive sale to refund the Prop A 2005-A Bonds in one or more transactions through June 30, 2015, consistent with the Debt Policy;
- B. approves the forms of Notice of Intention to Sell Bonds, Notices Inviting Bids, Supplemental Trust Agreements, Bonds, and Preliminary Official Statements, 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.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving:

- A. carrying forward two build alternatives and the associated maintenance yard(s) into further technical study as described below:
 - 1. SR 60 North Side Design Variation (NSDV) which would extend the existing Metro Gold Line Eastside Extension from the Atlantic/Pomona Station, approximately 6.9 miles to Peck Rd. in the City of South El Monte. The Alternative would operate primarily within the southern portion of the SR 60 Freeway right-of-way. The NSDV, which would transition to the north side of the SR 60 just west of Greenwood Ave. and back to the south side just west of Paramount Blvd. is selected so as to minimize potential impacts to the OII Superfund site.

Coordination and refinements to the Alternative would be carried out to address comments received from Cooperating and Public Agencies;

(Continued on next page)

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2. Washington Blvd. Alternative which extends the existing Metro Gold Line Eastside Extension from the Atlantic/Pomona Station, approximately 9.5 miles to Lambert Rd. in the City of Whittier, the alternative includes two grade separated design variations at Rosemead Blvd. and at San Gabriel River/I-605/Pioneer Blvd. in order to minimize potential traffic impacts and physical constraints, respectively.

Refine the Alternative to identify an alternate north-south connection to Washington Blvd.

Coordination and refinements to the Alternative would be carried out to address comments received from Cooperating Agencies, Public Agencies and stakeholder concerns;

3. Analyze environmental impacts and performance with both Alternatives in operation, including conducting cost containment studies.

B. eliminating from further study as described below:

1. State Route 60 Baseline Alternative from further study due to potential Environmental impacts and concerns expressed by the United States Environmental Protection Agency;
2. Washington Blvd. Alternative Aerial configuration on Garfield Ave. between Via Campo and Whittier Blvd. due to Community and Neighborhood, Visual and Aesthetic impacts and stakeholder concern; and

C. receiving the Eastside Transit Corridor Phase 2 Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR). The full Draft EIS/EIR is available upon request.

- 12.1 APPROVE [Motion by Directors DuBois and Knabe](#) that staff investigates coordination or potential connectivity that does not preclude integration of the Metro Gold Line Eastside Extension and the West Santa Ana Branch (Eco-Rapid Transit) Project.

35. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) AS AMENDED:
- A. authorizing an increase to the total contract value for Contract No. PS100800-2641 with MARRS Services, Inc., to provide Construction Management Consultant Support Services, in an amount not to exceed ~~\$4,288,000~~ \$2,144,000, increasing the total contract value from \$5,600,000 to ~~\$9,888,000~~ \$7,744,000; and
 - B. authorizing the Chief Executive Officer to execute individual Task Orders and Modifications within the Board approved contract value.
36. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving an increase in Contract Modification Authority to Contract C1055, Advanced Utility Relocations (Wilshire/Fairfax Station), to provide funding for differing site conditions related to unknown and abandoned utilities, for re-sequencing of work due to utility interferences, and for a noise mitigation sound wall at the Wilshire/Crenshaw laydown yard, in the amount of \$2,070,123 increasing the current CMA from \$1,443,00 to \$3,513,123.
37. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to negotiate and execute:
- A. contract modifications to Contract C0988 with Walsh/Shea Corridor Constructors (WSCC), to design and construct extended tracks in the vicinity of Arbor Vitae in an amount not to exceed \$5,500,000, increasing the total contract value from \$1,284,592,327 to \$1,290,092,327; and
 - B. contract modifications to Contract No. C0988 with WSCC, to design and construct supplemental at-grade guideway lighting in an amount not to exceed \$2,500,000, increasing the total contract value from \$1,290,092,327 to \$1,292,592,327.

39. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) AS AMENDED:
- A. [repealing Metro’s Administrative Code Section 4-15, Processing of Construction Change Orders](#), also known as the Construction Change Order Ordinance;
 - B. adopting a new Construction Change Order Policy;
 - C. establishing Construction Contract Modification Authority thresholds; and
 - D. implementing the Construction Change Order Prompt Payment Reform initiative to lead to more timely payments to prime contractors and subcontractors.
51. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION [Motion by Directors Fasana](#) that staff return to the October 2014 meeting of the Executive Management Committee to review the draft Request for Proposals for revenue-generating bus and rail advertising including both fixed guaranteed revenue and revenue sharing options, and include any other opportunities to expand available ad space requiring no policy change.
58. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) AS AMENDED by Director Bonin approving [Motion by Directors Garcetti, Knabe and O’Connor](#) that the Board instruct the CEO and MTA staff:
- A. [Once LAWA’s status as part of the new regional category is enshrined in the LRTP with Countywide and multi-county benefits not impacting subregional financing allocations](#), ensure that, henceforth, all MTA planning studies and policies reflect that the revised MTA planning boundaries conform to the South Bay sub-region as delineated by the current boundaries of the South Bay Cities COG; and
 - B. reflect these boundaries in the Mobility Matrix, LRTP planning studies, and any potential future ballot measure.

62. RECEIVE **oral report of the Chief Executive Officer on Construction Management Services** in response to Yaroslavsky, O'Connor and Najarian June 2014 motion.
63. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) AS AMENDED:
- A. authorizing the Chief Executive Officer to amend the FY15 budget to add one FTE for the Director, [Business Interruption Fund Program](#);
 - B. authorizing the Chief Executive Officer to negotiate a two-year with two one-year options, sole source contact for an amount of 4.5% of the annual Business Interruption Fund amount, with Pacific Coast Regional to serve as the fund administrator;
 - ~~C. authorizing the Chief Executive Officer to negotiate a modification to contract PS05312717 with Carl Warren & Company for claims staffing support for an amount not to exceed \$1.4 million for a period of two years;~~
 - ~~D. authorizing the Chief Executive Officer to negotiate a modification to contract PS53101807 with Computer Science Corporation for claims system software and service for an amount not to exceed \$250,000 for a period of eight years;~~
 - E. receiving and filing the draft Business Interruption Fund Program Guidelines and Application; and
 - F. receiving and filing the Measure R Cost Management Process and Policy Analysis.
64. CONSIDER:
- 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 [HS-1908 \(APN 4020-021-003\)](#), owned by Lorner Associates, a general partnership, located at 320 N. Eucalyptus Ave., in the City of Inglewood, California, consisting of a 6-month temporary construction easement.

(REQUIRES TWO-THIRDS VOTE OF THE BOARD)

65. CONSIDER:

- A. holding a public hearing on the proposed **Resolution of Necessity**; and
- B. adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire an exclusive ten year temporary construction easement on the real property, in addition to all Improvements Pertaining to the Realty for Project Parcel W-0103 ([Assessor Parcel No. 5503-031-018](#)). Owners: Young Kee Yang and Sun Duk Yang Family Trust, located at 3839 Wilshire Blvd., Los Angeles, CA.

(REQUIRES TWO-THIRDS VOTE OF THE BOARD)

66. CONSIDER:

- 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-2309 ([APN 4334-022-063](#)), owned by Twinwood, Inc., consisting of an exclusive 8-year Temporary Construction Easement and all improvements on the real property located at 111 North Gale Drive, Beverly Hills, CA.

(REQUIRES TWO-THIRDS VOTE OF THE BOARD)

67. APPROVE [Motion by Director Antonovich](#) that the Board directs the CEO to negotiate and enter into a Memorandum of Understanding on behalf of Metro with the City of Lancaster and the Southern California Regional Rail Authority that maintains the Lancaster Station as part of the Metrolink system.

68. RECEIVE AND FILE report on [Metro's plans to advertise and promote the new Valley-Westside Express](#) bus service which launches on Monday, December 15, 2014.

69. RECEIVE oral report on **denial of protest appeals of the Westside Purple Line Extension, Section 1, Contract No. C1045** as requested by Director Knabe at the November 6, 2014 Construction Committee.
70. RECEIVE oral report on the status of **Vermont and North Hollywood to Pasadena BRT projects.**

END OF NON-CONSENT ITEMS

71. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(d)(1)
Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Company v. LACMTA,
LASC Case No. BC545331
- B. Conference with Real Property Negotiator – G.C. 54956.8
Property Description: 4444 Crenshaw Blvd., Los Angeles, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: Sherry Rendel, Trustee of the Revocable Living Trust of Sherry Rendel
Under Negotiation: Price and Terms
- C. Conference with Labor Negotiator - G.C. 54957.6
Agency Representative: Don Ott
Employee Organizations: AFSCME
- D. Public Employee Performance Evaluation – G.C. 54957(b)(1):
Title: CEO

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