

RECAP/DRAFT MINUTES

Regular Board Meeting
Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at: 9:17 a.m.

Directors Present:

Don Knabe, Chair
Antonio Villaraigosa, 1st Vice Chair
Michael Antonovich, 2nd Vice Chair
Diane DuBois
John Fasana
Richard Katz
Tom LaBonge**
Gloria Molina
Ara J. Najarian
Pam O'Connor
Mark Ridley-Thomas
Mel Wilson
Zev Yaroslavsky
Michael Miles, non-voting member
**Appointed to replace Director Huizar.

Officers

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



Los Angeles County
Metropolitan Transportation Authority

Metro

Pledge of Allegiance

Reading of the Agenda

I. PRESENTATIONS/SET MATTERS

S-1. RECEIVED Chair's Report.

- Introduced and welcomed new Board Member Mel Wilson and Councilmember Tom LaBonge, who was appointed in place of Director Huizar.
- The Chair and Mayor recently testified at a congressional hearing at a VA facility.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
P	P	A	A	P	P	P	A	P	P	A	P	P	

S-2. RECEIVED Chief Executive Officer's Report.

- An article will be featured in the L.A. Times on MTA's proposed service changes to be implemented June 2011 or later. MTA staff has communicated with L.A. Times staff about improvements in service quality.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
P	P	A	A	P	P	P	A	P	P	A	P	P	

II. BOARD OF DIRECTORS ITEMS 1 THROUGH 4

1. APPROVED **Minutes** of the January 27, 2011 Regular Meeting.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	Y	Y	

MW = M. Wilson	AN = A. Najarian	RK = R. Katz	JF = J. Fasana
TL = T. LaBonge**	MA = M. Antonovich	DD = D. DuBois	
PO = P. O'Connor	DK = D. Knabe	MRT = M. Ridley-Thomas	
ZY = Z. Yaroslavsky	AV = A. Villaraigosa	GM = G. Molina	**SAT IN FOR J. HUIZAR

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

II. BOARD OF DIRECTORS – Continued

2. RECEIVED AND FILED **Public-Private Partnership Program** preliminary costing information for the SR-710 North gap project, in response to Motion by Director Najarian at the December 9, 2010 Board meeting.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	Y	Y	

3. RECEIVED AND FILED response to DUBOIS, O’CONNOR, NAJARIAN AND VILLARAIGOSA MOTION approved at the December 9, 2010 Regular Board Meeting regarding **Regional Fare System Plan (RFSP) activities:**

DUBOIS, O’CONNOR, NAJARIAN AND VILLARAIGOSA MOTION instructing the CEO to:

- A. Return in February of 2011 with the results of a meeting(s) with Los Angeles County Municipal Operators Association (LACMOA) addressing and resolving outstanding issues and concerns as detailed in the LACMOA matrix and any additional comments prior to bringing the RFSP back to the Board; and
- B. Return with an implementation plan for the RFSP that has been vetted and discussed with the MTA’s regional transit partners.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	A	Y	Y	Y	Y	A	Y	Y	A	A	Y	

4. RECEIVED AND FILED a **Risk-Based Cost Estimating Approach for Metro Projects.**

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	A	Y	Y	Y	Y	A	Y	Y	A	A	Y	

III. APPROVED CONSENT CALENDAR ITEMS 5 THROUGH 11.

Consent Calendar Items were approved by one motion except Item 12 which was held by a Director for discussion.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	Y	Y	

CONSTRUCTION COMMITTEE

5. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to negotiate full payment from the City of Los Angeles for additional scope of work to incorporate overlapping portions of the **Reversible Lane and Intersection Improvements Project into the I-405 Sepulveda Pass Improvements Project;**
- B. authorizing the Chief Executive Officer to execute a Master Cooperative Agreement with the City of Los Angeles for added scope of work to incorporate overlapping portions of the Reversible Lane and Intersection Improvements Project (STPL-5006(368)) into the I-405 Sepulveda Pass Improvements Project; and
- C. approving increase to the life of project budget and total contract value by \$6 million, to be funded by the City of L.A., from \$1,034 billion to \$1,040 billion for Project 405523, I-405 Sepulveda Pass Improvement Project.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
					C								

III. CONSENT CALENDAR - Continued

FINANCE AND BUDGET COMMITTEE

6. APPROVED ON CONSENT CALENDAR:

ANTONOVICH, KATZ AND NAJARIAN MOTION that the MTA Board direct the CEO to amend the **recommended budget for MTA's share of Metrolink funding for FY11** by an additional \$22,907 to allow Metrolink to provide Memorial Day service May 30, 2011 on the Antelope Valley Line.

OPERATIONS COMMITTEE

7. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year firm fixed unit rate Contract No. OP33442634 to Specialty Doors + Automation, Inc. (SDA), the lowest responsive, responsible bidder, to provide **roll-up door repairs and installation services for MTA transit facilities** for an amount not to exceed \$1,536,750, inclusive of two one-year option periods, effective February 28, 2011.

8. APPROVED ON CONSENT CALENDAR an amendment to add \$1,500,000 to the FY11 budget for the **Metro Vanpool Program** costs to continue implementation through June 30, 2011.

9. ADOPTED ON CONSENT CALENDAR the updated **2011 Metro Transit Service Policy**.

10. APPROVED ON CONSENT CALENDAR:

RIDLEY-THOMAS AND DUBOIS MOTION that:

1. The Metro Board adopt the **Rosa Parks/Willowbrook Metro Station Master Plan and Transit Oriented District** as the guiding document for the Station.
2. Direct staff to report back to the Board, no later than 60 days, with a proposed implementation and funding plan to achieve the improvements outlined in the Station Master Plan and Transit Oriented District.

III. CONSENT CALENDAR - Continued

OPERATIONS COMMITTEE – Continued

11. APPROVED ON CONSENT CALENDAR the following **nominees for membership on the Gateway Cities Governance Council and Westside/Central Governance Council:**
- A. Sergio Infanzon – New appointment to fill unexpired term of Gateway Cities Governance Council representative Anne Bayer.
Nominated by: Gateway Cities Council of Governments.
Term Ending: June 30, 2012
 - B. Perri Sloan Goodman - New appointment to fill Westside/Central Governance Council position vacated by Terri Slimmer.
Nominated by: Westside Cities Council of Governments.
Term Ending: June 30, 2013

PLANNING AND PROGRAMMING COMMITTEE

12. APPROVED:
- A. Funding Agreement term sheet and Master Cooperative Agreement term sheet to allow MTA to finalize agreements with the Exposition Metro Line Construction Authority (“Construction Authority”) for construction of the **Exposition Light Rail Transit (Expo LRT) Phase 2 project** from its current planned terminus at the Culver City Station to Colorado/4th in Santa Monica;
 - B. authorizing the CEO to concurrently execute Funding and Master Cooperative Agreements with the Construction Authority predicated upon the conditions set forth in the Board approved Funding Agreement and Master Cooperative Agreement term sheets;

(CONTINUED ON NEXT PAGE)

III. CONSENT CALENDAR - Continued
PLANNING AND PROGRAMMING COMMITTEE – Continued

(Item 12 – Continued)

- C. adopting the Life-of-Project budget for Expo LRT Phase 2, MTA costs and the Light Rail Vehicles of \$1,511,158,000; and
- D. authorizing the CEO to execute the Amended and Restated Memorandum of Understanding with the Construction Authority for Expo LRT Project Phase 1 of the Project. This Amended and Restated Memorandum updates the funding amount and increases the Life-of-Project budget for Phase 1 from the last Board approved Life-of-Project budget of \$927,390,445 to \$930,625,055 as well as adds provisions for LACMTA inspection and participation in testing and start up of Expo LRT Project Phase 1.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

IV. DISCUSSION ITEMS 13 THROUGH 20

13. AUTHORIZED staff to:

- A. begin recruitment for 32 **additional positions within the Transit Project Delivery Division** to support delivery of the Measure R Transit Program and other critical construction projects;
- B. fill up to 10 of these positions during FY11, with the balance to be considered as part of the FY12 Budget approval process; and
- C. amend the FY11 Budget to include \$200,000 for the 10 new positions.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	N	Y	

IV. DISCUSSION ITEMS - Continued

14. APPROVED:

- A. directing the Chief Executive Officer (CEO) to implement an advocacy structure in Washington, D.C. without an umbrella lead firm to direct the advocacy team; and

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	

- B. directing the CEO not to exercise a six month option to extend the **federal advocacy services contract** currently provided by Manatt, Phelps & Phillips, LLP at a monthly rate of \$51,500.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	N	ABS	Y	Y	Y	C	A	Y	

Directed the CEO to report back to the Executive Management and Audit Committee next month on federal advocacy structure, and hold off on filling the previously approved high-level advocacy position but proceed with the Request for Proposals (RFP).

15. APPROVED AS AMENDED:

RIDLEY-THOMAS, O’CONNOR **AND VILLARAIGOSA** MOTION that:
Staff report back to the Board, no later than 90 days, with:

1. A review and study of **renewable energy and energy efficiency options for existing and new transit lines**, that should assess the following:
 - o Technical feasibility for off-track and on-track renewable power, (e.g. canopies, substations, parking lots and park ‘n rides, landscaped areas, utility poles, tunnels, garages, maintenance buildings, etc.) and creative renewable energy solutions—primarily solar, but also other technologies.
 - o Life-cycle financial considerations including cost (i.e., initial capital as well as maintenance and replacement costs and life-cycle cost analysis). (Continued on next page)

IV. DISCUSSION ITEMS - Continued

(Item 15 – Continued from previous page)

- Use of creative financing mechanisms (such as Feed-in Tariff, Power Purchase Agreements, ground leases, Public/Private Partnerships and State and Federal grants).
 - Inclusion of life-cycle cost analyses for renewable energy use in awarding construction contracts for new lines.
 - Existing industry and government guidelines for evaluating renewable energy and energy efficiency in new transit projects and discussion of their potential application to Metro projects.
 - Retrofitting existing light rail, subway and bus rapid transit corridors for solar and other renewable power systems.
 - Opportunities to partner with local power utilities.
2. Utilizing the review and study above, present, for Board consideration, a proposed agency Policy, plan of action and identification of specific opportunities for incorporating renewable energy (solar and other renewable power systems) and energy efficiency measures into existing and new transit projects. The Policy and plan should include the installation of a demonstration renewable energy system (preferable but not limited to solar panels) on at least one existing station, as a demonstration project.

O’Connor Amendment to include a further recommendation to the full Board that the initial instructions contained in the Motion of review and study of a proposed agency Policy, plan of action and identification of specific opportunities, etc. be initially assigned to the Ad Hoc Sustainability Committee (on which both Director Ridley-Thomas and I sit) in order to put a greater focus on the issues during this initial development period.

Once the Policy has been developed with a Plan of Action and opportunities identified, the Renewable Energy Policy and project opportunities would return to the Operations Committee for the pursuit of implementation.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	

IV. DISCUSSION ITEMS - Continued

16. APPROVED:

- A. authorizing the Chief Executive Officer to issue a unilateral change order under Contract C0942 to SEMA Construction for the construction of the redesigned foundations for Soundwalls 144, 184, 190, 196, 210 and retaining walls 192 and 194 in the amount of \$1,493,000, increasing the total contract price from \$15,057,080 to \$16,550,080;
- B. approving an increase in the Contract Modification Authority for Contract No. C0942 from \$1,370,000 to \$5,810,000, and authorizing the CEO to execute contract modifications within Board approved CMA Authority;
- C. approving an increase to the FY11 budget in the amount of \$1,935,000 to cover Contract C0942 Contract Modifications; and
- D. approving an increase to the Life of Project budget for the **I-210 Freeway Soundwall Construction Project** from the amount of \$17,760,000 to \$22,200,000.

Directed staff to report back to Construction Committee on soundwall construction concept.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	C	Y	Y	Y	Y	Y	Y	Y	

17. APPROVED:

- A. the **South Bay Measure R Early Action Program project list** contingent upon finalizing a nexus determination; and
- B. the project list of current fully-funded projects shown on Attachment B of the Board report as potential candidates for Measure R funding should additional dollars be necessary and AUTHORIZE the Chief Executive Officer to administratively approve funding for these projects should the need arise.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	A	Y	Y	Y	A	Y	

IV. DISCUSSION ITEMS – Continued

18. APPROVED SUBJECT TO RESOLUTION OF PROTEST:

- A. **Joint Development Bench** for Economic and Financial Discipline, and authorizing the Chief Executive Officer (CEO) to approve Bench contract resulting from the Request for Interest and Qualifications (RFIQ) for a three-year period beginning on February 1, 2011 with two one-year extensions for professional services not to exceed a cumulative total value of \$2,000,000 for both Bench contracts; and

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	Y	Y	Y	Y	C	C	A	Y	Y	C	Y	Y	

- B. Joint Development Bench for Urban and Architectural Planning Discipline, and authorizing the CEO to approve Bench contract resulting from the RFIQ for a three-year period beginning on February 1, 2011 with two one-year extensions for professional services not to exceed a cumulative total value of \$2,000,000 for both Bench contracts.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	C	Y	C	Y	Y	C	A	Y	Y	C	Y	Y	

19. APPROVED:

- A. holding a public hearing on the proposed Resolution of Necessity for the **acquisition of a portion of assessor’s parcel number 5047-018-002 for the Mid-City Exposition Light Rail Transit Project**; and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a portion of Assessor’s Parcel No. 5047-018-002.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	ABS	Y	Y	

IV. DISCUSSION ITEMS - Continued

20. APPROVED:

- A. holding a public hearing on the proposed Resolution of Necessity for the **acquisition of assessor’s parcel number 5046-009-048 for the Mid-City Exposition Light Rail Transit Project and improvements at Farmdale Avenue and Exposition Boulevard;** and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Assessor’s Parcel No. 5046-009-048.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	Y	Y	Y	ABS	Y	Y	

V. MISCELLANEOUS

- 21. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.
- 22. 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.

Item 22-A read into the record by Director LaBonge for consideration at the March Planning and Programming and Finance and Budget Committee Meetings.

LABONGE AND VILLARAIGOSA MOTION that the MTA Board direct the CEO to work with the City of Los Angeles Department of Public Works to identify immediate strategies to eradicate damage and unsafe road conditions on Wilshire Boulevard. Further move that the MTA Board direct the CEO to develop a long-term strategy for ensuring that Wilshire Boulevard and other heavily traveled MTA bus routes are maintained in a first-class condition.

(Continued next page)

(Item 22 – Continued from previous page)

Item 22-B read into the record by Director Villaraigosa for consideration at the March Finance and Budget and Operations Committee meetings.

VILLARAIGOSA, KNABE AND ANTONOVICH MOTION that the MTA Board direct the CEO to develop a recommended strategy and timeline, subject to future review and approval by the MTA Board, for transitioning to super low/zero emission buses.

23. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

RECEIVED public comment.

DRAFT

VI. CLOSED SESSION

CS-1. Personnel Matters – G.C. 54957:

Public Employee Appointment

- Consider appointment of Inspector General

NO REPORT

CS-2. Conference with Labor Negotiator - G.C. 54957.6

Agency Representative: Richard Hunt and designated staff

Employee Organizations: ATU, UTU, TCU, Teamsters

NO REPORT

CS-3. Conference with Legal Counsel - Anticipated litigation - G.C. 54956.9(c)

Significant Exposure to Litigation (one case)

NO REPORT

CS-4. Conference with Real Estate Negotiator - G.C. 54956.8

Property Address: 800 North Alameda Street, Los Angeles, CA

MTA Negotiator: Roger Moliere

Negotiating Parties: LACMTA and Prologis Logistical Services Incorporated

Negotiation: Price and terms of payment

AUTHORIZED staff to enter into purchase agreement of Union Station for \$75 million, subject to satisfaction of certain contingencies.

MW	TL	PO	ZY	AN	MA	DK	AV	RK	DD	MRT	GM	JF	
Y	A	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

ADJOURNED at 1:18 p.m.

Prepared by: Michele Chau
Board Specialist

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