

Agenda

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Zev Yaroslavsky, Chair
Frank Roberts, 1st Vice Chair
James Hahn, 2nd Vice Chair
Mike Antonovich
Yvonne Brathwaite Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Gloria Molina
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa
Ron Wong, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
William Waters, Inspector General
County Counsel, General Counsel



Metropolitan Transportation Authority

Metro

1. APPROVE **Consent Calendar** Items: 2, 8, 11, 16, 19, 20, 25, 26, 33, 39, 40, and 42.

NOTE: The following items are being forwarded to the June 7, 2004 Special Board Meeting:

28. Fiscal Year FY05 Budget
29. Consent Decree Service
32. Design Build Contracts for Eastside Project

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held April 22, 2004.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving the programming of \$1,092,000 in **FTA Section 5311 funds** for Los Angeles County for a six-year period and authorizing the Chief Executive Officer or his designee to identify projects annually.
11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. approving the revised and updated **Exposition Project** schedule; and
 - B. amending the FY05 budget to add \$5.8 million to the Exposition Project for a total approved project budget through Preliminary Engineering of \$17.8 million.
16. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) receiving and filing the **ordinance regulating the MTA's contractor pre-qualification program** at the May Board meeting and adopting it at the next meeting.

19. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting the following **positions on Federal Legislation**:
- A. S.2276 (Boxer) – A bill to allow the Secretary of Homeland Security to make grants to Amtrak, other rail carriers, and providers of mass transportation for improvements to the security of our Nation’s rail and mass transportation system. **SUPPORT**
 - B. S.2273 (McCain) – A bill to provide \$1.2 billion in funding to meet immediate security needs for intercity and freight rail transportation providers. **WORK WITH AUTHOR**
 - C. S.2289 (Sessions) – A bill to ensure that railroad carriers and mass transportation providers receive the same protection under federal criminal law. **SUPPORT**
20. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting the following **positions on State Legislation**:
- A. AB 2456 (Spitzer) – Would establish a base amount of funding through the STIP for planning, programming, and monitoring activities and would authorize the allocation of the base amounts even in years when no new STIP funds are made available. **SUPPORT**
 - B. SB 138 (Knight) – Would allow Caltrans to enter into agreements with private entities to construct a toll road in the SR 138 corridor running through the Antelope and Apple Valleys. **SUPPORT**
 - C. SCA 20 (Torlakson) – Would increase the vote threshold to suspend Proposition 42 and require that suspended funds be repaid under specified conditions. **SUPPORT**

25. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1):
- A. appointing Goldman Sachs & Co. and Morgan Stanley as **co-senior managing underwriters and remarketing agents for one or more series of auction rate securities**; and
 - B. appointing Goldman Sachs & Co. and Morgan Stanley as co-senior managing underwriters, with Goldman Sachs & Co. to serve as the bookrunning underwriter, and the following firms to serve as co-managing underwriters in the event one or more fixed rate bond series are issued: E.J. De La Rosa & Co., Jackson Securities, Inc., Loop Capital Markets, and LLC, Backstrom McCarley Berry & Co., LLC to transact a refunding of the General Revenue Bonds, Series 1996-A in a negotiated sale.
26. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) adopting a resolution extending the expiration of the **tax-exempt commercial paper (TECP) program** by an additional six years until January 31, 2012.
33. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute **Change Order No. 61 to Contract No. H1100, Automatic Train Control**, with Union Switch and Signal, Inc. on the Metro Green Line for a credit in the amount of not less than \$395,000 for the deletion of Driverless Demonstration Test, decreasing the total contract value from \$62,785,743 to \$62,390,743.
39. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute contract modification No. 3 to Contract No. PS-6810-1346 with Enternet Business Systems to provide **consulting services to Metro for the on-going implementation of the integrated Transitsafe™ and Vehicle Accident Monitoring System (VAMS)**, extending the contract period three years to June 30, 2007 for an amount not to exceed \$255,000, inclusive of a one-year option, increasing the total contract value from \$147,999 to \$402,999.

40. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute contract modification No. 3 to Contract No. PS-6810-1282 with Transportation Resource Associates (TRA) for **maintenance, upgrades and enhancements to the proprietary software program, Transitsafe™**, in support of our incident and claims management activities, for an amount not to exceed \$376,000, increasing the total contract value from \$238,645 to \$614,645 and extending the period of performance from July 1, 2004 to July 1, 2009.

42. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) approval of **revised recommendation** authorizing the Chief Executive Officer to:
 - A. execute Memorandum of Understanding (MOU) Modification No. 3 to MOU No. TCP2610LASD to provide funding for **FY05 transit community policing services** for an amount not to exceed ~~\$49,794,668~~, \$49,054,950 for the period July 1, 2004 through June 30, 2005; and ~~increasing the total contract value from \$55,081,812 to \$104,876,480 for the period July 1, 2004 through June 30, 2005.~~

 - B. add the amount of \$500,000 to MOU TCP2610LASD for contingency funding to cover emergency services required for heightened security resulting from activities similar to the recent Madrid train bombing, revising the total contract value from \$55,081,812 to \$104,636,762.

NON-CONSENT

3. Chair's Report

4. Chief Executive Officer's Report

21. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-1)
AS AMENDED:

- A. receiving and filing the report on costs associated with the Sector Governance Councils; and
- B. modifying the **Service Sector Governance Council Bylaws and Policy** to help streamline costs as follows:
 - 1. Bylaw Article II, Membership, Paragraph E Code of Conduct – add language to clarify that Sector Governance Council Members have no individual authority over MTA Operations and must act only through the Governance Council of which they are a member.
 - 2. Bylaw Article II, Membership, Paragraph I Removal/Replacement – add language to allow the MTA Board to remove or replace a Service Sector Council member by a majority vote. This will become effective immediately.
 - 3. Bylaw Article V, Meetings, Paragraph B, Regular Meetings – add language to reflect that Sector Governance Councils shall meet ~~four~~ **six** times a year inclusive of public hearings **or be required to stay within the annual budget allotment for six meetings, except for emergency situations in which a meeting is necessitated.** This will become effective May 31, 2004.
 - 4. Bylaw Article VI, Amendments – clarify language that allows the MTA Board to amend the bylaws by simple majority vote. This will become effective immediately.
 - 5. Policy Section 2, Travel – replace existing language **and specify an annual travel allowance cap of \$3,500 \$7,500 per year per Sector for all five Governance Councils on travel allowance provisions for Council members.**—The policy will include language requiring Service Sector Council members to adhere to the provisions of MTA Travel Policy, FIN#14.

38. FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES authorizing the Chief Executive Officer to execute **twelve Metro Freeway Service Patrol (FSP) contracts** for a total amount not to exceed \$15,157,283 to the following contractors:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
44*	Bob & Dave's Towing, Whittier	\$ 562,495	09/01/04 – 08/31/06
19	J&M Towing, Alhambra	\$ 1,735,272	09/01/04 - 08/31/07
20	Navarro's Towing, Monterey Park	\$ 1,237,860	09/01/04 – 08/31/07
23	City Terrace Service, Los Angeles	\$ 1,273,715	09/01/04 – 08/31/07
12	Al's Towing, Alhambra	\$ 1,214,449	10/01/04 – 09/30/07
14	Kenny's Auto Service, Bellflower	\$ 1,455,915	10/01/04 – 09/30/07
15	Kenny's Auto Service, Bellflower	\$ 1,138,669	10/01/04 – 09/30/07
16	Pepe's Towing, Los Angeles	\$ 1,526,004	10/01/04 – 09/30/07
18	Bob's Towing, Rowland Heights	\$ 1,647,996	11/01/04 – 10/31/07
26	ABA Towing, Los Angeles	\$ 896,974	11/01/04 – 10/31/07
38	Bob & Dave's Towing, Whittier	\$ 959,909	11/01/04 – 10/31/07
41	Hollywood Car Carrier, Los Angeles	\$ 1,508,025	11/01/04 – 10/31/07
Total Amount Not-to-Exceed		\$15,157,283	

* 2-Year Contract

43. APPROVE **the following Service Sector Council Nominations:**

- A. Mr. A. Dennis Lytton, a Hollywood resident, law student at the Southwestern University School of Law, and an avid user of the Metro transit system, for the final vacant seat on the Westside/Central Governance Council; and
- B. Dr. Richard O. Arvizu, a resident of West Hills, the Associate Vice President of Administrative Services at Los Angeles Mission College, and a regular patron of the Metro Transit System. He has been nominated by Los Angeles City Council President Alex Padilla to replace Mr. Bart Reed on the San Fernando Valley Governance Council.

44. CONSIDER:

- A. adopting position on Assembly Budget Subcommittee #5 Item #2660-001-650, which would **remove the cap on overruns associated with the San Francisco Bay Area Toll Bridges** as proposed by the Department of Finance. **OPPOSE**; and
- B. recommending that the MTA Board of Directors communicate to the legislature that overruns on the Bay Area Bridges be funded out of bay area sources.

45. 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 Parcel ES-588** for the Eastside Light Rail Transit Project – Indiana Street Station.

(REQUIRES A 2/3 VOTE OF THE BOARD).

23. CLOSED SESSION:

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9 (a):
Benitez v. MTA BC 295729
- B. Conference with Real Property Negotiators Concerning Price and/or Terms of Payment – G.C. 54956.8:
Negotiator: Velma Marshall

Metro Orange Line Warner Center Park and Ride Facility

Owner	Address
Boeing North America, Inc.	6620 Canoga Avenue, Canoga Park

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