

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 B. 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

1. APPROVE **Consent Calendar** Items: 2, 6, 7, 12, 13, 18, 19, 22**, 23, 27, 28, 30, AND 34,

REQUIRES 2/3 VOTE OF THE BOARD **

NOTE Committee Authority Items: 31- 32

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held [May 27, 2004](#) and Special Board Meeting held [June 7, 2004](#).

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving:

A. the MTA's \$40,181,000 financial contribution to **the FY 2004-05 Southern California Regional Rail Authority (SCRRA) Preliminary Budget** consistent with Board action on the MTA Budget on June 7th, 2004; and

B. the reprogramming of:

1. \$630,500 in FY 2001-02 SCRRA operations, rehabilitation and renovation funding to projects as described; and
2. \$457,400 in FY 2002-03 operations, rehabilitation and renovation funding to projects as described.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting:

A. findings and recommendations for using **FY 2004-05 TDA Article 8 fund estimates** totaling \$15,948,475 as follows:

1. In the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet. Therefore, TDA Article 8 funds will be used

to meet these unmet transit needs as described. The allocations are \$99,381 and \$4,876,230 for Avalon and Santa Clarita, respectively.

2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County unincorporated areas of Antelope Valley, Santa Clarita Valley and Catalina Island, transit needs are met using other funding sources, such as Propositions A and C Local Return. Therefore, there are no unmet transit needs that are reasonable to meet, because other funding sources will be used to address these needs. Thus, TDA Article 8 funds may be used for street and road purposes. The allocations for the Antelope Valley are \$3,774,663 and \$3,807,590 (Lancaster and Palmdale, respectively). The allocation for Los Angeles County Unincorporated is \$3,390,611 as described.

- B. a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the MTA service area.

12. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting the **updated MTA Debt Policy and Interest Rate Swap Policy**.
13. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0-1) award of a five-year firm fixed unit rate Contract No. PS4625-1522, to ComPsych Corporation for **Employee Assistance Program Services** for an amount not to exceed \$794,052 inclusive of two one-year options effective October 1, 2004.
18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) award of five-year indefinite quantity requirements fixed-fee Contract No. PS0452101506 to Bank of New York Western Trust Company for **custody, compliance reporting and performance measurement services** for an amount not to exceed \$482,083 inclusive of two one year options, effective August 1, 2004.
19. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) negotiation and award of an **Excess Liability Insurance program** for METRO liability exposures, other than major construction projects, at a cost estimated not to exceed \$5,640,000 for a 12-month period beginning August 1, 2004 through July 31, 2005.

22. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. finding that award of **design-build contracts pursuant to Public Utilities Code Section 130242(a)** will achieve for the MTA certain private sector efficiencies in the integration of the design, project work and components related to the real property renovation, repair and construction work at MTA facilities in Los Angeles County; and
 - B. solicitation and award of design-build contracts for renovation, repair and construction at MTA facilities, pursuant to Public Utilities Code Section 130051.9 (c).
- (REQUIRES A 2/3 VOTE OF THE BOARD)
23. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approval of MOLINA AND VILLARAIGOSA MOTION that the **MTA Board rescind its action of December 4, 2003**, which created a temporary contingency fund for the Eastside Extension of the Gold Line.
27. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) award of a 24-month contract under Bid 04-0010 to BP West Coast Products LLC, the lowest responsive and responsible bidder for **Ultra-Low Sulfur Diesel Fuel** for an amount not to exceed \$14,127,502, inclusive of sales tax.
28. OPERATIONS COMMITTEE RECOMMENDED (3-0) execution of an agreement with the California Highway Patrol (CHP) to provide **field officer and dispatch support to the Los Angeles County Metro Freeway Service Patrol (FSP)** during FY05 in the amount of \$600,000.
30. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of LABONGE, FASANA, AND PROO MOTION that the Board direct MTA staff to work with Southern California Regional Rail Authority (SCRRA) staff to explore **new opportunities to reduce air quality emissions from Metrolink operations** and report back to the Board within 90 days on issues and potential options.

34. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-2) adopting the following **position on State Legislation**:

- A. AB 712 (Liu) – Would create the Metro Foothills Gold Line Construction Authority with a board structure of seven voting members. **OPPOSE – UNLESS AMENDED (to include a 5-member board and that MTA remain the sole recipient of federal funds).**

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following **positions on State Legislation**:

- B. Proposed language to create Regional Authority for Investment in Transportation (RAIT). Legislation has been proposed by the Southern California Association of Governments (SCAG) that would authorize the creation of RAITs. The RAITs would be charged with responsibilities currently retained by the LACMTA. At this point SCAG has indicated that this language will be amended into an as yet unidentified bill. **OPPOSE – RAIT LANGUAGE AS PROPOSED**
- C. AB 2628 (Pavley) – Would allow hybrid vehicles, or advance technology partial zero-emission vehicles (AT PZEV), to use high-occupancy vehicle (HOV) lanes regardless of the number of occupants. **SUPPORT SEEK AMENDMENTS**

36. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1) approval of the use of \$11.3 million of General Fund right-of-way lease revenues to fund the 208,250 hours of **Consent Decree service** to be implemented in FY05, as ordered by the Special Master.

38. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of LABONGE MOTION that staff report to the Operations Committee **in August** on the feasibility of developing a program that would identify the locations on railroad bridges and tunnels that are used by Metro and Metrolink trains with the **appropriate aesthetically pleasing logos** to heighten motorists' awareness of the various transportation options available in the region, which they fund through transportation tax revenues.

39. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of LABONGE MOTION that staff report to the Operations Committee on the feasibility of developing a **Sunday family day pass**.
40. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of LABONGE MOTION that staff report to the Operations Committee on the feasibility **of converting the last end car on the Metro Red Line subway to allow bicycles without any restrictions**.

APPROVED UNDER COMMITTEE AUTHORITY

31. OPERATIONS COMMITTEE APPROVED (4-0) award of a firm fixed-price Contract No. OP33201516 to First Transit, Inc. for **articulated bus inspection services** for 200 CNG, sixty-foot buses for an amount not to exceed \$273,445, for a period of two years, effective July 1, 2004.
32. OPERATIONS COMMITTEE APPROVED (4-0) award of a five-year, time and materials Contract No. OP33441513 to Ace Crane Service, Inc. to provide **overhead cranes maintenance and repair services on an “as needed” basis**, for an amount not to exceed \$202,750, inclusive of two one-year options, effective July 1, 2004.

NON-CONSENT

3. Chair’s Report
 - Election of Officers
4. Chief Executive Officer’s Report
 - Status update on Outplacement Assistance.

20. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) amending the FY04 budget to appropriate **\$23.9 million of General Fund right-of-way lease revenues to the Enterprise Fund.** AS AMENDED BY VILLARAIGOSA

Amendment: Staff to add projections and forecasts to the quarterly reports, provide a monthly status report, and reinstate the mid-year budget amendment process.

21. CONSTRUCTION COMMITTEE FORWARDED TO THE BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES authorizing an increase for an amount not to exceed \$5,765,000 to Contract No. EN069 with CH2M Hill Constructors, Inc. (CCI), to provide **environmental waste handling services** for Fiscal Year 2005, increasing the total contract not-to-exceed (NTE) value from \$12,130,000 to \$17,895,000.

35. APPROVE execution of Amendment No. 8 to Contract No. PS-9240-0681 with Shared Technologies, **to provide telephone maintenance system service** for a period of one month, in the amount not to exceed \$12,831 increasing the total contract value from \$544,475 to \$557,306.

37. VILLARAIGOSA MOTION to **eliminate Soto and Cesar Chavez site as a staging area and make it available for joint development.**

41. 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.

(CARRIED OVER FROM MAY BOARD MEETING)

42. ADOPT ordinance regulating the **MTA’s contractor pre-qualification program.**

43. 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-602 for the Eastside Light Rail Transit Project –Indiana Street Station.**

REQUIRES 2/3 VOTE OF THE BOARD

33. CLOSED SESSION:

A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9 (a):

- 1. MTA v. Travelers CV 03-9277 MMM
- 2. Argonaut Insurance v. MTA BC 156601

B. Conference with Real Property Negotiators concerning Price and/or Terms of Payment - (G.C. 54956.8)

Division 10 Expansion Project

Negotiator: Velma Marshall

1.

Parcel No.	Owner	Address
WI-201	Peter Damico, Vincent Gacchina, and the Gacchina Family Trust	Bounded by Mission Road to the NW, Golden State (5) freeway to the NE, San Bernardino (10) freeway to the SE, Cesar Chavez Ave. to the SW

2.

Parcel No.	Owner	Address
WI-100	Arnold W. & Ruth Carlson, Trustees of the Arnold & Ruth Carlson Family Trust	Bounded by Mission Road to the NW, Golden State (5) freeway to the NE, San Bernardino (10) freeway to the SE, Cesar Chavez Ave. to the SW

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

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU and TCU.

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