

Agenda

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Frank Roberts, Chair
James Hahn, 1st Vice Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Pam O'Connor
Beatrice Proo
Zev Yaroslavsky
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, 10, 11, 18, 26, and 27

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held September 23, 2004.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED
(3-0-1) AUTHORIZING the Chief Executive Officer to enter into a six-month Exclusive Negotiation Agreement with C. Chavez/Soto, LLC for the **development of approximately 3.5 acres of Metro-owned properties located in the proximity of the intersection of Cesar Chavez Blvd. And Soto. St.**

10. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED
(4-0) ADOPTING the following **positions on Federal Legislation:**
 - A. H.R. 5025 (Istook) – a bill making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes. **WORK WITH AUTHOR**
 - B. S. 2806 (Shelby) – a bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005 and for other purposes. **WORK WITH AUTHOR**
 - C. H.R. 5082 (Young) – The Public Transportation Terrorism Prevention and Response Act of 2004, authorizing the U.S. Secretary of Transportation to award grants to public transportation agencies and over-the-road bus operators to improve security, and for other purposes. **SUPPORT**

11. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED
(4-0) AUTHORIZING the Chief Executive Officer to execute Modification Number 4 to Contract No. PS-5420-0653 with Images in Foil, Inc. for Additional Fare Media Pass and Stamp Production Services for **Metro Passes and Stamps, Regional Transit Passes and Stamps and Day Passes** in the amount of \$260,189 revising the Total Contract Value from \$5,442,137 to \$5,702,326.

18. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) RECEIPT AND FILING of **ordinance establishing procedures for processing construction change orders** at the October Board meeting and adopting it at the next meeting.

26. OPERATIONS COMMITTEE RECOMMENDED (4-0) AUTHORIZING MTA Security Officers, consistent with appropriate federal, state and local laws, **to issue parking citations for violations occurring on MTA property.**

27. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) AUTHORIZING the Chief Executive Officer to negotiate and execute Modification No. 25 to Contract No. OP-02-4610-10 with Cubic Transportation Systems, Inc. to provide the **Municipal Operators /UFS Regional Central Data Computer System** for an amount not to exceed \$6.1 million increasing the total contract value from \$92,849,312 to \$98,949,312.

NON-CONSENT

3. Chair's Report

4. Chief Executive Officer's Report

19. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED BY MOLINA/BURKE (3-0-1) execution of Contract Modification No. 37 to Contract No. C0675 Design/Build with Shimmick Construction Co., Inc/Obayashi Corp., J. V., **to furnish and install a storm drainage system between Tyrone Avenue and Hazeltine Avenue for the Metro Orange Line Project** in the amount of \$1,299,825 (which incorporates Change Orders 47.00 and 47.01 previously issued in an amount not-to-exceed \$980,000). This action is within the current Board-authorized total contract authority of \$168,059,040.

Amendment: To allow staff time to negotiate with the City of Los Angeles regarding reimbursement of storm drainage cost.

20. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) AS AMENDED BY BURKE AUTHORIZING the Chief Executive Officer to execute a Recovery Agreement to Contract No. 0675 Design/Build with Shimmick Construction Co., Inc/Obayashi Corporation J.V. (SOJV) **to recover schedule delays and settle time related claims in lieu of compensable time extensions for the Metro Orange Line Project** for an amount not to exceed \$7.9 million.

Amendment: To require Best Efforts in lieu of Exemption of DBE requirements on recovery work.

28. MOLINA MOTION – that the Board direct MTA staff to work with Metrolink Board members and staff to identify a plan that would **increase inspections of the commuter rail lines** using ultrasonic technology and other techniques that would identify fatigued rail tracks and report back to the Board within 30 days;

Further move, that the Board direct County Counsel to request the commercial rail operators and the National Transportation Safety Board to submit to the Board a safety plan and status report on their inspection of railroad tracks in Los Angeles County.

29. CONSIDER **MTA response to Writ of Mandate** in Citizens Organized for Smart Transit v MTA, Los Angeles Superior Court Case Number BS075103.
30. AUTHORIZE the Chief Executive Officer to execute a successor **Collective Bargaining Agreement with the Transportation Communications Union ("TCU")**, effective July 1, 2003.

12. **CLOSED SESSION:**

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

- A) Reese v. MTA BC304707
- B) Citizens Organized for Smart Transit v. MTA BS075103

B. Conference with Labor Negotiator – G.C. 54957.6

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

C. Conference regarding Potential Threats to Public Services or Facilities - G.C. 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Captain Finkelstein, Chief of Security and Law Enforcement, on security related matters.

D. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation – Chief Executive Officer

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