

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Gloria Molina, Chair
Pam O'Connor, 1st Vice Chair
Antonio Villaraigosa, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Don Knabe
Bonnie Lowenthal
Ara J. Najarian
Bernard Parks
Zev Yaroslavsky
Doug Failing, 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



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. 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 up to 5 minutes 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 prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

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:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

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.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

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General Information/Rules of the Board - (213) 922-4600
Internet Access to Agendas - www.mta.net
TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

1. APPROVE **Consent Calendar** Items: 8, 9, 15, 28, 29, 30, 31**, 32, 35, 36, 37, 38 and 40.

**REQUIRES 2/3 VOTE OF THE BOARD

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held February 22, 2007 and **Special Goods Movement Workshop** held January 29, 2007.
8. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) adopting the resolution authorizing Metro to participate with the Community Redevelopment Agency of the City of Los Angeles to **issue refunding bonds to refund the outstanding 1993 Grand Central Square multifamily housing bonds** and approving related documents that are on file with the Board Secretary.
9. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) adopting the **Compressed Natural Gas hedging program**.
15. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-1) adopting the **following position on Federal Legislation**:

S. 497 (Boxer) – A bill that would repeal a prohibition on the use of federal funds on the Los Angeles to San Fernando Valley Metro Rail Project. SUPPORT.
28. OPERATIONS COMMITTEE RECOMMENDED(4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under bid number 07-0004 to Cummins Cal Pacific, the lowest responsive, responsible bidder, for the procurement of 400 **Cummins ISL G natural gas engines** for an amount not to exceed \$14,602,925 inclusive of sales tax.
29. OPERATIONS COMMITTEE RECOMMENDED (4-0):
 - A. establishing a life-of-project budget for the **FY08 Bus Midlife Overhaul Program** capital project #203005 in the amount of \$29,500,000 and include the project in the FY08 capital program budget; and
 - B. approving the addition of twenty full-time equivalents (FTEs) to the FY08 budget to cost centers 3441, 3442, and 3443 (Central Maintenance) and one FTE in cost center 6350 (Logistics) for support of the Bus Midlife Program.

30. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. establish a life-of-project budget for the **FY08 RRC Engine Replacement Program** capital project #203015 in the amount of \$11,000,000; and
 - B. approve the addition of 16 full-time equivalents (FTEs) to the FY08 budget to cost centers 3441, 3442, and 3443 (Central Maintenance) and 2 FTEs to cost center 6350 (Logistics) for the RRC Engine Replacement Program.
31. OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. finding that there is only a single source of procurement for the needed **traction power substation utility metering section and rectifier transformer** and purchase is for the sole purpose of duplicating the utility metering sections and transformers already in use. The Board hereby authorizes purchase of the utility metering section and the rectifier transformer pursuant to Public Utilities Code section 130237; and
 - B. authorizing the Chief Executive Officer to award a firm fixed price contract to Siemens Transportation Systems Inc. for a purchase of a utility metering section and rectifier transformer for an amount not to exceed \$250,000, inclusive of sales tax.
- (REQUIRES 2/3 VOTE OF THE BOARD)**
32. OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. increasing the life-of-project budget for the Metro Red Line Variable Message Sign Upgrade project by \$1,201,842, increasing the life-of-project budget from \$1,250,000 to \$2,451,842; and
 - B. authorizing the Chief Executive Officer to award a firm fixed price Contract No. OP39601922, with JM Fiber Optics, Inc., the lowest responsive and responsible bidder, to replace the existing **Transit Passenger Information System on the Metro Red Line** for an amount not to exceed \$2,228,941, inclusive of sales tax; and executing contract modifications in the amount not to exceed \$222,901. **Attachment A**

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

A. authorizing the Chief Executive Officer to:

1. negotiate and execute a professional services contract (PS-4370-1952) with Iteris, Inc. for an amount not to exceed ~~\$10,250,421~~ **\$5,950,342** for **the environmental clearance and preliminary engineering (PE) components of the Northern/Canoga Extension of the Metro Orange Line.**
2. negotiate and execute a contract (PS-4370-1962) with Consensus Planning Group for an amount not to exceed \$337,152 for the Public Outreach and Community Participation component of the Northern/Canoga Extension of the Metro Orange Line.
3. execute contract modifications for up to ~~\$1.25 million~~ **\$628,749** to cover the cost of any potentially unforeseen issues that may arise during the environmental clearance of the Northern/Canoga Extension of the Metro Orange Line.

B. authorizing the Chief Executive Officer to make \$250,000 available to the City of Los Angeles to enable the City to complete an analysis of how best to increase bus speeds on Van Nuys Boulevard and other Eastern San Fernando Valley (SFV) streets identified in the SFV North/South Transit Corridor Study, plus an additional \$650,000 for the purpose of completing any preliminary engineering work resulting from the analysis. The City shall also conduct any required environmental clearance from these improvements.

36. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) and EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0):

- A. programming of \$25.0 million from 2006 State Transportation Improvement Program Augmentation funds to address a cost increase to the I-10 Carpool Lane from I-605 to Puente Avenue;
- B. programming of up to \$452.4 million in **2006 State Transportation Improvement Program Augmentation funds for Los Angeles County transportation capital improvements;**

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- C. programming of \$284.5 million from future available sources for the I-10 Carpool Lane from Puente Avenue to Route 57 project, which would complement \$80.5 million in programming for the project included in part B of this recommendation and allow for a total programming amount of \$365.0 million for the project; and
 - D. the Chief Executive Officer or his designee to negotiate and execute funding contracts or agreements as needed with Los Angeles County jurisdictions, agencies or other entities to provide funds programmed as authorized.
38. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting the **following positions on State Legislation:**
- A. AB 889 (Lieu) – Establishes a Metro Green Line Construction Authority. OPPOSE
 - B. AB 900 (Nuñez) – Expands the voting membership of the California Transportation Commission. SUPPORT
 - C. SB 163 (Migden) – Obligates the State to fund connecting ramps from the San Francisco Oakland Bay Bridge to Yerba Buena Island. OPPOSE
 - D. SB 974 (Lowenthal) – Requires the Ports of Los Angeles, Long Beach, and Oakland to impose container fees. SUPPORT – WORK WITH AUTHOR
 - E. SB 650 (Padilla) – Expands the maximum vehicle length requirement for buses. SUPPORT
 - F. SB 724 (Kuehl) – Would specify an expedited process for Exposition Construction Authority grade crossing applications. SUPPORT

40. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving the **following pay grade adjustment, new classification and salaries:**
- A. the adjustment of pay grade CC from \$137,904 - \$207,001 to \$177,091 - \$259,001;
 - B. the creation of the Deputy Chief Capital Management Officer (DCCMO) classification, pay grade CC (\$177,091 - \$259,001);
 - C. the salary of \$250,000 and 10 days additional time off with pay for the new DCCMO;
 - D. the proposed salaries for six positions in Countywide Planning and Development (CP&D):
 - 1. the salary of \$147,500 for one Executive Officer, CP&D (Transportation Development and Implementation), pay grade AA.
 - 2. the salary of \$145,000 for one Executive Officer, CP&D (Transportation Development and Implementation), pay grade AA.
 - 3. the salary of \$140,000 for one Deputy Executive Officer (DEO), CP&D(Programming & Policy Analysis) pay grade T.
 - 4. the salary of \$137,000 for three DEOs, CP&D (Transportation Development and Implementation)
 - E. the proposed salary of \$150,000 for one DEO Labor Relations in Operations, pay grade S

NON-CONSENT

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing **as amended to delete references to environmental clearance:**
- A. receipt and filing of the status update on efforts to **advance the tunnel concept on Route 710**; and
 - B. programming \$5 million in the 2006 STIP augmentation funds for preliminary engineering and technical studies ~~leading to environmental clearance~~ for the Route 710 Tunnel. Metro's contribution is contingent upon Caltrans programming of \$5 million in Interregional Transportation Improvement Program funds for these studies.

22. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) approving **as amended** VILLARAIGOSA MOTION that the MTA Board direct the MTA Office of the Inspector General to conduct ~~a the financial,~~ **performance, and compliance audit of Access Services, Incorporated, and its subcontractors**, including those charged with determining eligibility for paratransit services, and report back to the Board with recommendations by no later than ~~June 14 August 16~~ **October 18, 2007**.

Further move that the Office of the Inspector General be permitted to secure any necessary contractual services to complete the audit; and

Amendment: Staff to report back in 60 days with the scope of the audit.

41. FASANA MOTION that:

A new simplified and equitable **Formula Application Process (FAP)** be developed that would replace the existing FAP, Municipal Operator Service Improvement Program (MOSIP), and other bus funding pools and incorporate these features:

FAP Formula: A participant's funding share will be the ratio of their total vehicle service hours (VSH) to all participants' total VSH. No more than 0.25 percent of the annual amount distributed in the formula specified in this paragraph shall be allocated for the support of non-fixed route general purpose transportation service (Dial-A-Ride).

Single Funding Pool: All current and future funding that LACMTA elects to allocate to any and all participants for transit operations must be allocated by this formula, including but not limited to TDA, STA, interest, Proposition A and C.

Transition: During the first three years after implementation of the New FAP, all participants will be guaranteed a minimum allocation equal to the total Fiscal Year 2006-2007 Transit Fund Allocation approved by the Metro Board at the July 27, 2006 meeting. (Participants with shortfalls below their FY 2006-2007 allocations would receive funds from participants with surpluses above their FY 2006-2007 allocations on a pro rata basis.)

23. **CLOSED SESSION:**

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(a);

Michael Torchia v. LACMTA, Case No. BC 342747

B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(c):

Initiation of Litigation (2 cases)

C. Conference Regarding Potential Threats to Public Facilities – G.C. 54957 (a):

While there may be no immediate threat, this is to provide the Board with a confidential update by Commander Finkelstein, Chief of Security and Law Enforcement and Ruthe Holden, Managing Director, Management Audit Services, on security related matters, specifically the results of audits completed on security at the Gateway Building, Regional Rebuild Centers and Divisions.

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