

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.

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General Information/Rules of the Board - (213) 922-4600
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NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

**SUMMARY OF AGENDA ITEMS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
MONDAY, APRIL 30, 2007**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	30
6		4	
7		26	
8		37	
9		43	
10		47	
12		53	
13		54	
14			
18			
21			
32			
33			
44			
45			
46			
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51			
52			

****REQUIRES 2/3 VOTE OF THE BOARD**

1. APPROVE **Consent Calendar** Items: 2, 6, 7, 8, 9, 10, 12, 13, 14, 18, 21, 32, 33, 44, 45, 46, 50, 51 and 52.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held March 22, 2007.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving the **2007 Countywide Call for Projects transportation modal category preliminary funding marks**, and a preliminary fund estimate of \$450 million.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) adopting a set of Guiding Principles to frame Metro's outreach effort currently underway for the **Countywide Congestion Mitigation Fee Feasibility Study**.

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. programming **funds to fiscal year (FY) 2007 that were previously budgeted in FY 2007 for projects** listed in Attachment A of the Board report; and
 - B. requiring a three-year timely use provision for the funds.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. enhancing the **State's Goods Movement Action Plan**, continuing to strongly advocate for the L.A. County projects included in the Plan; advocating for increased levels of funding for Los Angeles County through additional allocation of Trade Corridor funding; and utilizing future recommendations from the Multi-County Goods Movement Action Plan to potentially advocate for additional projects;
 - B. approving the addition of two policy statements to Metro's adopted Goods Movement Policies;
 - C. incorporating evaluation of the feasibility of a Los Angeles County Inland Port into the Goods Movement Strategic Plan for Los Angeles County to be initiated in FY 2008; and (Continued on next page)

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- D. directing staff to monitor the final report of the 1909 Commission and developing recommendations for Board Advocacy for Federal funding in support of priority projects and process improvements to streamline environmental clearance of projects with federal funding.
10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the **“Conceptual Development Guidelines” for the Metro Orange Line Sepulveda Station park-and-ride site.**
12. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) declaring a portion of the **Metro Red Line Yard (Division 20) site between 4th Street and 6th Street in the City of Los Angeles as surplus** and authorizing the sale of the property for \$1,050,550 to Chalmers Santa Fe, LLC.
13. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to **purchase All Risk Property insurance policies and a Boiler and Machinery insurance policy for all Metro property** for a combined cost not to exceed \$3.2 million for the 12-month period effective May 10, 2007 through May 9, 2008.
14. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to award a ten-year, unit rate Contract No. PS0752101933 to Bank of America for **general and specific banking services** for an amount not to exceed \$1,675,260, inclusive of five one-year options, effective June 1, 2007.
18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following **position on State Legislation:**
- AB 1351 (Levine) - Would establish conditions for allocating State and Local Partnership Program funds from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act (November 2006). **SUPPORT**

21. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the **proposed FY08 Audit Plan**.
32. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-2) authorizing the Chief Executive Officer to execute a utility **Cooperative Agreement between TCG Los Angeles, Inc. and the Los Angeles County Metropolitan Transportation Authority** for the Metro Gold Line Eastside Extension project and future bus and rail transit projects.
33. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
 - A. execute Modification No. 81 to Contract No. C0803 with Eastside LRT Constructors for \$1,926,280.95 for **Economic Price Adjustment for Rebar**;
 - B. negotiate and execute a Modification to Contract No. C0803 with Eastside LRT Constructors for an amount not to exceed \$1,563,545 for Economic Price Adjustment for Track Material; and
 - C. negotiate and execute a Modification to Contract No. C0803 with Eastside LRT Constructors for an amount not to exceed \$1,015,198 for Economic Price Adjustment for Custom Tunnel Construction Steel Material.
44. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a three-year firm fixed price contract under Bid 07-0005A with **Liberty Paper and Printing, the lowest responsive, responsible bidder for copier paper** for an amount not to exceed \$592,934, inclusive of sales tax and two one-year options.
45. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year fixed unit rate Contract No. PS-6810-1946 to Examinetics, Inc. for **audiometric, medical evaluation, respirator fit testing, and training** for an amount not to exceed \$303,899, inclusive of two one-year options, effective July 1, 2007.

46. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 3 to Contract No. PS0264301321 with MCM Integrated Systems, Inc. to provide and install additional surveillance cameras and card readers to enhance **security for Metro’s Gateway Headquarters building and parking garage** for an amount not to exceed \$395,000, increasing the total contract value from \$894,936 to \$1,289,936.
50. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award and execute:
- A. three (3) year firm fixed price Contract No. PS 4330-1968 to PB Americas Inc. to provide professional services in the amount of \$5,144,889 for the purpose of completing environmental clearance and conceptual engineering for the **Crenshaw-Prairie Transit Corridor**;
 - B. three (3) year firm fixed price Contract No. PS-4330-1969 to Lee Andrews Group, Inc. to provide professional services in the amount of \$772,371 for public outreach and community participation for the Crenshaw-Prairie Transit Corridor; and
 - C. contract modifications for up to \$757,928 to cover the cost of any potentially unforeseen issues that may arise during the environmental clearance and conceptual engineering phase.
51. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following **positions on State Legislation**:
- A. SB 445 (Torlakson) – Would create the Road User Task Force to report on alternatives to the current system of taxing road users through per-gallon fuel taxes. **SUPPORT IF AMENDED**
 - B. SB 748 (Corbett) – Would establish the purpose of State-Local Partnership Program and adopt guidelines for the California Transportation Commission. **OPPOSE**
 - C. AB 470 (DeSaulnier) – Would remove the sunset clause on provisions relating to electric personal assistive mobility devices (Segways). **SUPPORT**

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- D. AB 901 (Núñez) – Would provide accountability measures in the allocation of the money deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account. **SUPPORT IF AMENDED**
- E. AB 1209 (Karnette) – Would establish requirements for the allocation of \$1 billion in Proposition 1B proceeds for the California Ports Infrastructure, Security and Air Quality Improvement Account. **SUPPORT**
- F. AB 1306 (Huff) – Would eliminate the Public Transportation Account Spillover mechanism and reduce the portion of gasoline sales tax revenues that are deposited in the Public Transportation Account. **OPPOSE**
- G. AB 1326 (Houston) – Would remove the escalation clause automatically adjusting procurement thresholds applicable to Metro. **SUPPORT**
- H. AB 1350 (Núñez and Richardson) – Would establish requirements to conduct a study in order to facilitate allocation of transit security funds from Proposition 1B. **SUPPORT IF AMENDED**

52. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving LOWENTHAL MOTION that the following actions take place in order to **maximize the deterrence factor and promote rider safety:**

- The Communications Department work with the Safety and Security Department (including the Sheriff's Transit Service Bureau and Metro Security Staff) to develop appropriate, highly visible signage that will promote crime deterrence and safety on the Metro bus and rail system;
- That Communications revive and maintain on an ongoing basis the safety and security campaigns characterized by "Always Be Aware", "What's suspicious", "Which one is Undercover" as well as periodically disseminate wallet cards, "take-ones", "seat-drops", and other safety materials developed in conjunction with the Safety and Security Dept.;
- In the course of developing this campaign, the Communications Department and Safety and Security Department will work with the Metro Governance Councils to promote customer safety and security information appropriate to the individual sector;

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- The Communications Department will consider using Metro pass media periodically to provide safety, awareness and emergency protocol information to the public; and
- Return to the Committee within 90 days with a plan for implementing a comprehensive program.

NON-CONSENT

3. Chair's Report.

- Presentation By Director Failing on Caltrans' efforts with respect to highway cost estimating.

4. Chief Executive Officer's Report.

26. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) AND OPERATIONS COMMITTEE RECOMMENDED (3-0) receiving and filing AS AMENDED report on status of **Metro Red Line Gating Analysis**.

Burke/Fasana Amendment that this Board instruct the CEO to return to the Board in May 2007 at the Executive Management and Operations Committees (respectively) with:

1. A cost proposal from the existing UFS/TAP fare technology consultants to produce the scope of work for gating the Metro Rail System and deploying new distance-based fare initiatives that will enable the full implementation of the policy direction given by the Board for transit security improvements based on Metro's risk-based Security and Emergency Preparedness Plan and the Regional Transit Security Strategy;
2. Provide a funding plan for the procurement of the barrier gates, bus validators, and the technical oversight consultant to oversee the implementation; and
3. Provide a complete procurement strategy and schedule that includes the design, build, test and implementation of barrier gates to improve security and safety of patrons traveling on all Metro Rail lines with options for implementing distance-based fares on Metro bus and rail systems.

37. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION FOR A MORE DETAILED EXPLANATION OF THE SCOPE OF WORK increasing the life-of-project budget for CP#209027, **Division 3 Replace Warehouse Facility Project**, increasing the life-of-project from \$894,000 to \$1,603,614. (HANDOUT)
43. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED authorizing the Chief Executive Officer to:
- A. establish a life-of-project budget for the purchase of up to one hundred **sixty-foot Compressed Natural Gas (CNG) high capacity articulated buses** for the FY08 capital program including project contingency in the amount of ~~\$86,428,426~~ **\$86,427,426**;
 - B. negotiate and execute Contract Option No. 2 to Contract No. OP33200646 with North American Bus Industries, to purchase up to one hundred additional sixty-foot CNG high capacity articulated buses including the cost of fareboxes and Advanced Transportation Management System radio system, increasing the total contract value from \$221,734,831 to ~~\$306,163,257~~ **\$306,162,257**, inclusive of sales tax; and
 - C. authorize staff to negotiate and execute modifications for this procurement in an amount not to exceed \$2,000,000, increasing the total contract value from ~~\$306,163,257~~ **\$306,162,257** to ~~\$308,163,257~~ **\$308,162,257**.

Parks Amendment that the Board direct the CEO to report back on:

- The feasibility of debt financing this procurement; and
- How the delivery of the buses would be impacted if the purchase is delayed until the FY08 budget hearing. (HANDOUT)

47. OPERATIONS COMMITTEE RECOMMENDED (3-0) AS AMENDED approving **service changes to Tier 1 bus lines** scheduled to be implemented in June 2007.

Parks Amendment that the Board direct the CEO to report back at the April 30 Board meeting with a comprehensive Metro Connections plan and how the proposed Tier I, II and III cuts fit into this plan. (HANDOUT1) (HANDOUT2)

53. ADOPT 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 APPROVE related documents that are on file with the Board Secretary.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

54. ADOPT the **following position on State Legislation:**

AB 889 (Lieu) – Establishes a Metro Green Line Construction Authority. **OPPOSE**

(CARRIED OVER FROM MARCH BOARD MEETING)

30. **CLOSED SESSION:**

- A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment – G.C. 54956.8:

Negotiator: Velma Marshall

APPROVE Just Compensation for the following parcels required for the Mid-City/Exposition Light Rail Transit Project.

Parcel No.	Owner
M-100	Union Pacific Railroad
MC-322	Stacey R. Held, Trustee, Stan Volk and Joyce Volk Living Trust

- B. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(a):

1. Rodriguez v. LACMTA, Case No. BC345728
2. LACMTA v. RAD Jefferson, Case No. BC351804

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

Significant exposure to litigation (1 case)

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