

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Pam O'Connor, Chair
Antonio Villaraigosa, 1st Vice Chair
Don Knabe, 2nd Vice Chair
Michael Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Bonnie Lowenthal
Gloria Molina
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
Karen Gorman, Acting 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:

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

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Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

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

**REGULAR BOARD MEETING
THURSDAY, JANUARY 24, 2008**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	39
5		4	
6		10	
7		14	
8		16	
9		50	
11		54	
15		56	
17		57	
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1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 8, 9, 11, 15, 17, 18, 19, 20, 30, 31, 41, 45, 46, 47, 48, 49 and 55.

CONSENT CALENDAR:

2. APPROVE **Minutes of Regular Board Meeting held November 29, 2007.**

5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. establishing **Proposition A Capital Reserve Accounts** for the City of Duarte for \$2,000,000 and the City of Industry for \$4,000,000, and amending the existing Proposition C Capital Reserve Accounts for the City of Pico Rivera for \$3,500,000 from their Local Return funds, so that their funds may be used to finance transit-related improvements; and
 - B. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Los Angeles County Metropolitan Transportation Authority and the Cities for their Capital Reserve Accounts as approved.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) amending the lapsing date for the **Carson South Bay Pavilion Regional Transit Center Project #8219** from June 30, 2008 to June 30, 2010.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. adopting the **“Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County”** in order to comply with the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU);
 - B. authorizing the Chief Executive Officer to execute a Memorandum of Understanding with Caltrans that will allow Los Angeles County Metropolitan Transportation Authority and Caltrans to coordinate a Job Access and Reverse Commute (JARC) and New Freedom (NF) project selection process for areas below 200,000 in population; and
 - C. amending the FY 2008 Budget to add one Full Time Equivalent for support needed to manage, administer and oversee federal JARC and NF funding from SAFETEA-LU.

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) increasing the **Metro Rapid Five-Year Implementation Plan budget** in the amount of \$16.3 million to cover cost increases, increasing the project budget from \$112.2 million to \$128.5 million.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving for release comments on the **Southern California Association of Governments' Draft Regional Transportation Plan.**

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. approving the strategic plan to **initiate contacts with public and private sector collaborators and developing a strategy for identifying and evaluating public and private venture opportunities** for transportation projects; and
 - B. receiving and filing responses to the November 2007 Board motion on public and private partnerships; and

Directed staff to specify that this includes both transit and highway projects.

15. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) appointing the following **underwriters to serve as co-senior managing underwriters and brokers/dealers** for the negotiated sales and ongoing remarketing of variable rate multimodal refunding bonds in one or more series for each refunding:
 - A. Banc of America Securities LLC and Morgan Stanley to refund the Prop C 1998-A Bonds; and
 - B. Merrill Lynch Global Markets and Investment Banking, JP Morgan, De La Rosa & Co. and UBS Investment Bank to refund the Prop A 1999-A and Prop A 1999-B Bonds.

17. FINANCE AND BUDGET COMMITTEE RECOMMENDED APPROVAL (3-0) AND EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the **modifications to the Financial Stability Policy**, including the FY 2009 budget Business Planning Parameters.

Finance and Budget Committee directed staff to indicate that the Short Range Transportation Plan will be updated at least once every five years.

18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) AND EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0):

- A. **adopting the Investment Policy;**
- B. approving the Financial Institutions Resolution authorizing financial institutions to honor signatures of Los Angeles County Metropolitan Transportation Authority Officials; and
- C. delegating to the Treasurer or his/her designees, the authority to invest funds for a one-year period, pursuant to California Government Code § 53607.

19. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) adopting a resolution **extending the expiration of the Prop C commercial paper program** from June 30, 2009 until January 31, 2012.

20. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute contract Amendment No. 2 to Contract No. PS-035210-10 with **Public Financial Management to provide financial advisory services** for an amount not to exceed \$100,000, increasing the total contract value from \$1,940,365 to \$2,040,365.

30. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) AND OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. authorizing the Chief Executive Officer to:
 - 1. execute a Lease Agreement with Cubic Transportation Systems, Inc. for an amount not to exceed \$46,467,840 (\$387,232 per month for 120 months, includes Metro Gold Line Eastside Extension Mariachi, Soto and Atlantic stations);
 - 2. execute Amendment No. 1 to Contract No. OP-02-4610-Maintenance with Cubic Transportation Systems, Inc. for an amount not to exceed \$12,240,000 (\$102,000 per month for 120 months), increasing the total maintenance contract value from \$12,359,257 to \$24,599,257; and
 - 3. execute Amendment No. 50 to Contract No. OP-02-4610-10 with Cubic Transportation Systems, Inc. for an amount not to exceed \$10 million to **design and build station modifications for relocation of existing stand alone validators and perform associated civil engineering work for gating Metro Rail stations**, increasing the total capital cost and contract value from \$96,035,101 to \$106,351,101;
- B. authorizing the Chief Executive Officer to execute Amendment No. 10 to Contract No. PS-4210-1026 with Booz Allen Hamilton for a period of twenty-four months for an amount not to exceed \$1 million, increasing the total contract value from \$9,425,250 to \$10,425,250;
- C. authorizing the Chief Executive Officer to increase the life of project budget of CP# 210094, Metro Rail Gating, from \$999,663 to \$21 million for Metro Rail station modifications; and
- D. amending the FY 2008 budget to add \$5 million of expenditures and revenues for the gating project.

31. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) approving **salaries for the following new hires**:

- A. \$147,554 for the Director of Construction Management; and
- B. \$158,000 for the Deputy Executive Officer, Operations (Service Planning and Development).

41. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:
 - A. award a five-year Indefinite Quantity/Indefinite Delivery Contract No. PM024 to STV, Incorporated for **Project Management Assistance services** inclusive of two one-year options for an amount not to exceed \$22,000,000; and
 - B. issue individual Contract Work Orders up to \$500,000 each within the total amount in recommendation A.

45. OPERATIONS COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to award a five-year firm fixed price Contract No. PS08064105 to Terminix International for **vehicle and facilities pest control services** in the amount of \$1,435,000, effective March 7, 2008.

46. OPERATIONS COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 08-0004 to the following lowest responsive and responsible bidders for **Compressed Natural Gas engine oil** for an amount not to exceed \$5,283,149, inclusive of sales tax and two one-year options:
 - A. Conoco Phillips for a total contract value of \$2,679,719, inclusive of sales tax; and
 - B. Rosemead Oil Products, Inc. for a total contract value of \$2,603,430, inclusive of sales tax.

47. OPERATIONS COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate Contract No. OP33442103 to Woods Maintenance Services, Inc. for **trash and vegetation removal services** for operational and non-operational railroad rights-of-way, parcel properties and facilities for an amount not to exceed \$4,800,120, inclusive of two one-year options, effective March 1, 2008.

48. OPERATIONS COMMITTEE RECOMMENDED (4-0-1) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate Contract No. OP33442097 to Nationwide Environmental for **power sweeping services** of bus and rail facilities for an amount not to exceed \$3,922,457, inclusive of two one-year options and 5% contract modification authority of \$186,783 for as-needed services, effective February 1, 2008.

49. OPERATIONS COMMITTEE RECOMMENDED (5-0) directing the Chief Executive Officer to report back at the March 2008 Board Meeting with a plan to implement the **Rosa Parks Human Rights Day** on an annual basis.

55. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving **FLEMING MOTION** that the Los Angeles County Metropolitan Transportation Authority (LACMTA) Board direct the CEO to provide up to one-third of the total study cost but in no event to exceed \$100,000 for the **RAND Corporation study of Strategies for Reducing Traffic Congestion in Los Angeles in the Near-Term** with the understanding that the LACMTA will have full access to the study analysis and results.

NON-CONSENT:

3. Chair's Report.

4. Chief Executive Officer's Report.

10. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION (for discussion with the Long Range Transportation Plan) approving programming of up to \$201.6 million in **Proposition 1B Public Transportation Modernization Improvement, and Service Enhancement Account (Transit Modernization) bond funds** that the Los Angeles County Metropolitan Transportation Authority is entitled to receive as a **the regional** transit operator (~~Transit Modernization~~) bond funds.

14. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) adopting a resolution that authorizes the **issuance of up to \$200 million of Prop C refunding bonds** to refund the Prop C 1998-A Bonds and that approves related documents that are on file with the Board Secretary.

(REQUIRES SEPARATE, SIMPLE MAJORITY VOTE OF THE BOARD)

16. FINANCE AND BUDGET COMMITTEE RECOMMENDED APPROVAL (3-0) AND EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED APPROVAL (5-0) **AS AMENDED to retain 62 as the qualifying age for the discounted senior cash fares and passes:**
- A. adopting the proposed Fare Policy; and
 - B. ~~increasing the qualifying age for the discounted Senior cash fares and passes from 62 to 65 effective July 1, 2008 and “grandfather” seniors under 65 who have registered in our Senior program as of June 30, 2008.~~
50. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS:
- A. awarding an eleven-year Public/Private Partnership agreement, Contract No. OP33440678, to Chevron Energy Solutions to design, build and provide maintenance oversight of a **Solar Energy Generation and Energy Conservation Project** at the Metro Support Services Center (MSSC) for an amount not to exceed \$16,908,332, inclusive of \$500,936 for ten years of maintenance oversight;
 - B. adopting a resolution authorizing Los Angeles County Metropolitan Transportation Authority to enter into a Master Equipment Lease Agreement to finance project cost for an amount not to exceed \$16,407,396 plus capitalized interest that may accrue for up to 18 months during the installation period, followed by a lease repayment term of up to 120 months with Bank of America, Public Capital Corporation of Santa Fe, New Mexico, as the lending source provided by Chevron Energy Solutions Company;
 - C. establishing a life-of-project budget for this project of \$21,143,000, which is inclusive of all monthly financing payments for the ten-year life of the financing, staff labor for design review and construction oversight, and \$500,936 for maintenance oversight over the life of the 11-year performance contract; and
 - D. amending the FY 2008 Facilities-Operations budget, cost center 3344, to add one Full Time Equivalent position for a Facilities Support Technician for maintenance and operation of the solar panels and energy conservation equipment at the MSSC, as well as the solar panel systems previously installed at Divisions 8, 15 and 18.

54. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) APPROVAL OF CONSTRAINED PLAN projects and programs for inclusion in the **Draft 2008 Long Range Transportation Plan for Los Angeles County** for public review and comment AND FORWARDED TO THE FULL BOARD discussion of the strategic plan and priority tier of projects. (HANDOUT)
56. APPROVE the following **nominee for membership on the Westside/Central Service Sector Governance Council:**
- Catherine Bator –New appointment to fill seat vacated by Gregory Fischer
Appointed by: City of Los Angeles (Mayor)
Term ending: June 2010
57. APPROVE the **following nominees for membership on the South Bay Service Sector Governance Council:**
- John Addleman – Re-appointment
Appointed by: South Bay Cities Council of Governments
Term Ending: January 2011
- John McTaggart – Re-appointment
Appointed by: South Bay Cities Council of Governments
Term Ending: January 2011
- Lou Mitchell – Re-appointment
Appointed by: South Bay Cities Council of Governments
Term Ending: January 2011
- Robert Pullen-Miles – Re-appointment
Appointed by: South Bay Cities Council of Governments
Term Ending: January 2011
- Don Szerlip –New appointment to fill seat vacated by Ron Ikejiri
Appointed by: South Bay Cities Council of Governments
Term ending: January 2009

39. CLOSED SESSION:

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

1. Matthew Eisenstein v. LACMTA, Case No.: SC091947
2. Gregory Bakarian v. LACMTA, Case No.: EC043704
3. Hsin-Hui April Kuo v. LACMTA, Case No.: BC359058
4. Rahman Parnassizadeh v. LACMTA, Case No.: SC089542
5. Tutor-Saliba-Perini v. LACMTA, Case No.: BC123559
6. Barakat v. L.A.D.W.P, Case No.: SCVSS100293

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

Agency Negotiator - Carolyn Flowers
Employee Organization - AFSCME

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