

REVISED AGENDA

**Regular Board Meeting
Board of Directors**

**One Gateway Plaza
3rd Floor Board Room**

Call to Order

Directors

Don Knabe, Chair
Antonio Villaraigosa, 1st Vice Chair
Michael Antonovich, 2nd Vice Chair
Diane DuBois
John Fasana
José Huizar
Richard Katz
Gloria Molina*
Ara J. Najarian
Pam O'Connor
Rita Robinson
Mark Ridley-Thomas
Zev Yaroslavsky
Vacant, non-voting member

Officers

Arthur T. Leahy, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
Karen Gorman, Acting Inspector General
County Counsel, General Counsel

*Participating in Closed Session via teleconference from 300 East Ocean Boulevard,
Long Beach, CA 90802.*

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

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

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

Pledge of Allegiance

Reading of the Agenda

I. PRESENTATIONS/SET MATTERS

S-1. Chair's Report

S-2. Chief Executive Officer's Report

II. BOARD OF DIRECTORS 1-3

1. APPROVE **Minutes** of the A) June 24, 2010 Regular Meeting; and B) June 24, 2010 Special Meeting.
2. RECEIVE status update on **Light Rail Vehicle Request for Proposals**.
3. Antonovich Najarian Katz Motion authorizing the Chief Executive Officer to **amend the recommended budget for LACMTA's share of Metrolink funding** for FY 2011 by an additional \$11,000 to be used for September 6th service on the Antelope Valley Line.

III. CONSENT CALENDAR ITEMS 4-14

All matters are approved by one motion unless held by a Director for discussion and/or separate action.

AD-HOC SUSTAINABILITY COMMITTEE

4. AD-HOC SUSTAINABILITY COMMITTEE RECOMMENDED (4-0) requesting that the Finance and Budget Committee annually **allocate \$2 million to the Sustainability Implementation effort** with savings returned to the General Fund.

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE

5. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0):
 - A. adopting a resolution that describes the **proposed amendment to the Funds Available Beginning dates of the projects listed in the Transit Capital Subfund** shown in the Expenditure Plan of Ordinance #08-01, Measure R, as detailed in Exhibit 1 in the Resolution;
 - B. directing the Chief Executive Officer (CEO) to notify the Members of the California State Legislature representing the County of Los Angeles as required by Assembly Bill 2321 and provide such other notifications and a public meeting as required by the Ordinance; and
 - C. directing the CEO to provide a status report to the Board on the 30/10 Initiative (30/10) and highway project acceleration plans, if necessary, at least 60 days prior to scheduling the final action to amend the Measure R Expenditure Plan's "funding beginning dates" for the seven transit projects. The report should include an evaluation of any and all acceleration plans with specific actions and milestones necessary to accomplish the goals of 30/10.

6. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following position:

TO BE DETERMINED (TO BE DETERMINED) – which would **modify the legislative notice requirements regarding changes to the Measure R Expenditure Plan. SUPPORT**

7. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 2 to Contract No. PS2610LASD with the County of Los Angeles Sheriff's Department to provide **law enforcement services for the period covering July 1, 2010 through June 30, 2011** in an amount not to exceed \$62,937,004 for Fiscal Year 2011, increasing the total contract value from \$69,760,613 to \$132,697,617.

8. EXECUTIVE MANAGEMENT AND AUDIT RECOMMENDED (5-0) **as amended** authorizing the Chief Executive Officer to **approve interim appointments** to existing positions.

FINANCE AND BUDGET COMMITTEE

9. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving **transfer of \$36.7 million from Proposition C 40 percent Discretionary Fund to the Proposition 95 percent of 40 Percent Transit Fund (PA40)**, representing a reconciliation of PA40 revenues through June 30, 2009.
10. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to negotiate and award **excess liability insurance policies** with \$200 million in limits at a cost not to exceed \$3.85 million for the 12-month period effective August 1, 2010 through July 31, 2011.

PLANNING AND PROGRAMMING COMMITTEE

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. recertifying \$213.87 million in existing Fiscal Year (FY) 2010-11 commitments from previous Countywide Calls for Projects and authorizing the expenditure of funds to meet these commitments;
 - B. deobligating \$18.06 million of previously approved Countywide Calls for Projects and reprogramming these funds to the project(s) in the same modal category from the 2009 Call for Projects or future Calls for Projects;
 - C. authorizing the Chief Executive Officer to: 1) negotiate and execute all necessary agreements for approved projects; and 2) amend the FY 2010-11 budget, as necessary, to include the **2010 Countywide Call for Projects Recertification and**

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Extension funding in the Regional Programs budget and our programmed projects in the appropriate cost center budgets;

- D. receiving and filing time extensions for \$114.17 million in projects;
- E. approving change-in-project sponsorship and scope of work for the Harbor Freeway Transitway Extension project (CFB# 77743B).

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

- A. approving a total of \$23 million: \$19 million in State Transportation Improvement Program funds and \$4 million in Congestion Mitigation and Air Quality funds for **the Interstate 405 High Occupancy Vehicle Lanes and Soundwall Construction Project** from State Route 90 to Interstate 10 to compensate the contractor for Time-Related Overhead, Contractor Cost Change Orders, and resolution of all remaining outstanding Notice of Potential Claims, increasing the total programmed budget from \$157.8 million to \$180.8 million; and
- B. authorizing the Chief Executive Officer to execute an amendment to the existing funding agreement with the California Department of Transportation (Caltrans) for the additional funds.

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

- A. **establishing a Proposition C Capital Reserve Account** for the City of Agoura Hills for \$313,282; the City of Beverly Hills for \$625,000; the City of La Mirada for \$797,400; and the City of Lomita for \$1.2 million; amending the existing Proposition C Reserve Accounts for the City of Malibu to change the Malibu Canyon Road Street Overlay Project to the Civic Center Way Project using the same funds of \$160,000, including extending

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the termination date; and amending the City of Santa Monica's Bus Stop and Shelter Improvement Program to extend the termination date for their Proposition A Local Return funded project; 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.

- 14. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to enter into a six-month Exclusive Negotiating Agreement with the Riboli Family Wine Estates for a public-private partnership for construction of a **Covered LACMTA Rail Storage Yard and commercial development of air rights over and adjacent to the Yard.**

IV. DISCUSSION ITEMS 15-36

- 15. EXECUTIVE MANAGEMENT AND AUDIT FORWARDED WITHOUT RECOMMENDATION:

- A. **establishing and implementing a transit court** consistent with the provisions of Section 640 (c) of the California Penal Code and Chapter 8, Sections 99580 through 99582, Part 11, of Division 10 of the California Public Utilities Code;
- B. amending the Fiscal Year 2011 budget in the amount of \$664,518 for mobilization and hiring of additional staff; and
- C. adopting the new LACMTA Customer Code of Conduct as an amendment to the Administrative Code.

16. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. increasing the life-of-project budget for Project 809081, **Red Line Segment 2 Close-out**, in the amount of \$7.56 million, increasing the previous authorization amount of \$15.307 million to \$22.867 million; and
- B. amending the Fiscal Year 2011 budget to add \$2.272 million to Project 809081, Red Line Segment 2 Close-out.

17. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE BOARD WITHOUT RECOMMENDATION:

- A. **appointing** Barclays Capital Inc., Citigroup Global Markets Inc. and Goldman, Sachs & Co. to serve as joint bookrunners and senior managing underwriters, appoint co-senior managing underwriters De La Rosa & Co., Siebert Brandford Shank & Co., LLC, and Stone & Youngberg ~~Citigroup Global Markets Inc. and Goldman Sachs & Co.~~ and co-managing underwriters, De La Rosa & Co., Jefferies & Company, Inc., Loop Capital Markets LLC, and Ramirez & Co., Siebert Brandford Shank & Co., LLC, and Stone & Youngberg all to serve for one or more negotiated bond sales through June 2011, to accomplish the **initial taxable and tax-exempt negotiated financings to fund Measure R projects.**; and
- B. amending the financial advisory contract (No. PSFY09052101) with Public Financial Management to increase the task order authority in the contract by \$350,000, increasing the total contract value from \$1.935 million to \$2.285 million.

18. PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION DuBois O'Connor Motion that the **Call for Projects process be postponed for one year** to allow for sufficient time to incorporate Sustainable Community Strategy and Congestion Mitigation Fee efforts.

ITEM 18 WITHDRAWN

19. CONSIDER:

- A. as a responsible agency under the California Environmental Quality Act (CEQA) the **Environmental Impact Report/Environmental Assessments (EIR/EA) for both the Interstate 10 and Interstate 110 High Occupancy Toll (HOT) lanes** for the Los Angeles County Congestion Reduction Demonstration Program (collectively, Project) as approved by the California Department of Transportation (Caltrans), the lead agency;
- B. the build or no build alternatives, the less than significant environmental effects of the Project as shown in the EIR/EAs and review the mitigation measures to be performed by LACMTA;
- C. After consideration of the EIR/EAs, and other pertinent evidence in the record, pursuant to CEQA Guidelines Section 15096(a), finding and determining, based on the LACMTA's independent judgment and analysis and substantial evidence in the EIR/EAs and elsewhere in the record, that:
 - (1) The mitigation measures outlined in the EIR/EAs shall be sufficient to mitigate the consequences of the less than significant effects as set forth in the EIR/EAs and the following mitigation measures specifically to be carried out by LACMTA are adopted:
 - a. All revenue generated as a result of collecting tolls from single occupant vehicles (SOVs) will be reinvested into the corridor where generated. This includes transit services and operations and maintenance of the facility;
 - b. As a part of the Project's operational plan, LACMTA will offer a toll credit in the form of a Low-Income Commuter Discount that will credit the accounts of qualifying low-income households \$25 for account set-up/establishment fees that can be applied to the transponder deposit or pre-paid toll balance, and waive the monthly non-use fee for qualifying low income households (this includes Los Angeles County

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households (family of 3) with a yearly income of \$35,000 or less); and

c. Throughout Project construction, coordination will occur with local emergency service providers to keep them informed of the Project construction schedule and any detour routes so as to avoid or minimize any impacts to emergency service response time;

(2) The EIR/EA is the proper environmental review and both EIR/EAs are adequate under CEQA for approval of the Project; and

(3) Although the EIR/EAs identified community and hazardous waste impacts, it was determined in the EIR/EAs that these impacts fall below a level of significance. Since there are no significant impacts associated with the Project, a Statement of Overriding Considerations is not necessary.

20. APPROVE the use of **\$20 million in Proposition C 25 percent funds for a Proposition 1B Letter of No Prejudice arrangement** to be considered for approval by the California Transportation Commission on August 12, 2010.

21. CONSIDER delegating authority to the Chief Executive Officer to award Contract PS0922102333 to the successful **Design-Build-Operate-Maintain bidder selected for the Metro HOT ExpressLanes Project**.

22. CONSIDER:

A. approving the **South Bay Cities Council of Governments (SBCCOG) Highway Implementation Plan project** and program \$2 million in Measure R funds. Measure R dollars earmarked for the South Bay Region will be used to fund this effort; and

B. authorizing the Chief Executive Officer to execute any necessary agreement(s) for the SBCCOG to access these funds, retroactive to July 1, 2010.

23. AUTHORIZE:

- A. the Chief Executive Officer to award a firm, fixed-price Contract (No. PS43402538) to Cityworks Design to perform **design and outreach work for the Eastside Access Project** in an amount not to exceed \$1,094,404; and
- B. contract modification authority for up to 15 percent of the above amount to cover the cost of any potentially unforeseen issues that may arise during the above phase of the project.

24. AUTHORIZE the Chief Executive Officer to:

- A. negotiate and execute Modification No. 18 to Contract No. PS43100964, with Eastside LRT Partners, a joint venture, consisting of Parsons Brinckerhoff, Jenkins/Gales & Martinez, and Barrio Planners, Inc., for **continuation of Phase III Design Support during construction and Division 21 Improvements – Phase II**, in an amount not to exceed \$500,000, increasing the total contract value from \$45,741,168 to \$46,241,168; and
- B. negotiate and execute contract modifications to Contract No. PS43100964 for the Metro Gold Line Eastside Extension, in an amount not to exceed \$50,000.

25. AUTHORIZE the Chief Executive Officer to:

- A. negotiate and execute Modification No. 6 to Contract No. MC067 with Jacobs Carter Burgess, Contract Work Order (CWO) No. 4, for continuation of **Construction Management Support Services for the Metro Gold Line Eastside Extension Project and Division 21 Improvements – Phase II**, in an amount not to exceed \$450,700, increasing the total contract value from \$24,572,312 to \$25,023,012; and
- B. negotiate and execute contract modifications to Contract No. MC067, CWO No. 4, in an amount not to exceed \$45,100.

26. CONSIDER:

- C. approving an increase to the life-of-project budget for the **additional Safety Enhancement Program for Project 890001, Exposition Light Rail Project** (Phase 1) in the amount of \$33,590,455, increasing the previous authorized amount of \$862,300,000 to \$895,890,455; and
- D. amending the FY 2011 budget to add \$850,000 to Project 800113, Exposition Light Rail Project, and \$23,086,533 to Project 890001, Exposition Light Rail Project (Phase 1). Project 800113 is subsumed within the life-of-project budget for 890001.

27. CONSIDER:

- A. finding that there is only a single source of procurement to **upgrade the existing Supervisory Control and Data Acquisition (SCADA) System to include the Metro Exposition Light Rail Transit Project (Expo)-Phase 1**. The Board hereby authorizes purchase of the software for the sole purpose of upgrading the system already in use;
- B. authorizing the Chief Executive Officer to negotiate and award a firm, fixed price Contract, No. OP39622521 to ARINC Inc. in an amount not to exceed \$1.7 million, effective August 1, 2010; and
- C. amending the Fiscal Year 2011 budget to add \$300,000 to Project 800113, Expo Phase 1, using approved Exposition Metro Line Construction Authority funding.

(REQUIRES A 2/3 VOTE OF THE BOARD)

- 28. AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Contract No. PS8310-1267 with **LTK Engineering Services to provide rail consulting services** for a period of six months in the amount of \$1,129,796 increasing the Total Not-To-Exceed Contract Amount from \$12,456,153 to \$13,585,949.
- 29. ADOPT the **Blue Ribbon Committee's proposed policy guidance** for service development in the region.

30. CONSIDER:

- A. finding that there is only a single source of procurement for **Cummins 8.9 ISLG natural gas engines** and purchase is for the sole purpose of duplicating our existing equipment already in use. The Board hereby authorizes the purchase of Cummins 8.9 ISLG natural gas engines pursuant to Public Utilities Commission Code section 130237.
- B. authorizing the Chief Executive Officer to:
 - 1. award a firm fixed price contract to Cummins Cal Pacific, LLC, for the procurement of 100 Cummins 8.9 ISLG natural gas engines for an amount not to exceed \$4,168,952 inclusive of sales tax;
 - 2. exercise an option with Cummins Cal Pacific, LLC to purchase up to 131 additional 8.9 ISLG natural gas engines subject to availability of funding for an amount not to exceed \$5,679,014 inclusive of sales tax.

(REQUIRES A 2/3 VOTE OF THE BOARD)

31. AUTHORIZE the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price contract under Bid Number 10-0034 to the following lowest responsive and responsible bidders for **spark plugs and wires** for an amount not to exceed \$4,810,349 inclusive of sales tax and two one-year options as follows:

- A. Muncie Reclamation and Supply for line item #1 (Item 137224 – Plug - Spark CNG Detroit Series 50 engine) and line item #2 (Item 143080 – Plug - Spark CNG S50G) for a total contract value of \$1,219,993 inclusive of sales tax; and
- B. Cummins Cal Pacific for line item #3 (Item 180199 – Plug – Spark Kit Cummins ISL), line item #4 (Item 118187 – Wire – Spark Plug LG - 280G Cyl. 1 & 6) and line item #5 (Item 118185 – Wire – Spark Plug LG-280G Cyl. 2, 3, 4, & 5) for a total contract value of \$3,590,356 inclusive of sales tax.

32. AUTHORIZE the Chief Executive Officer to award a five-year firm fixed unit rate contract, Contract No. OP31202523, to The Goodyear Tire and Rubber Company of Akron Ohio, for **bus tire leasing and maintenance services** in an amount not to exceed \$41,138,648, inclusive of \$985,000 in estimated sales/use taxes and two, one-year options, effective September 1, 2010.
33. AUTHORIZE the Chief Executive Officer to award a five-year firm fixed price contract, Contract No. OP35902469, to Southland Transit for contract bus services in an amount not to exceed \$53,302,841 and provide for **reimbursement of fuel costs** in an amount not-to-exceed \$592,984 for a total contract not-to-exceed amount of \$53,895,825 effective December 5, 2010.
34. AUTHORIZE:
- A. the reprogramming of \$7.9 million in federal Congestion Mitigation and Air Quality (CMAQ) funds from the Metro Rapid Five-Year Plan for the purchase of eight buses and to provide operating funds for two years to **implement the Torrance-Long Beach Rapid Corridor** in accordance with Torrance Transit's funding plan, contingent upon federal approval; and
 - B. the reprogramming of \$23.3 million in federal CMAQ funds from the Metro Rapid Five-Year Implementation Plan to Metro's bus acquisition capital project; and
 - C. the Chief Executive Officer or his designee to negotiate and execute a funding agreement with Torrance Transit for the operations of the Torrance-Long Beach Rapid Corridor.
35. AUTHORIZE the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price contract under Bid Number 10-0009 to the following lowest responsive and responsible bidders to supply **regional Transit Access Pass (TAP) cards for LACMTA and Municipal Operators** for an amount not to exceed \$19,009,954 inclusive of sales tax and two one-year options to Gemalto for total contract value of \$1,535,959; to eAccess, LLC for a total contract value of \$10,584,301; to Electronic Data Magnetics, Inc. for a total contract value of \$6,282,090; and to Paragon Identification for a total contract value of \$468,974.

36. APPROVE the following **nominee for membership on the Gateway Cities Governance Council**:

Josue Barrios – City of Cudahy Representative
New Appointment replacing Representative Larry Nelson
Appointed by: Gateway Cities Council of Governments
Term ending: June 30, 2011

V. MISCELLANEOUS

37. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.
38. 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.
39. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

VI. CLOSED SESSION

- CS-1. Conference with Legal Counsel - Pending Litigation- G.C. 54956.9(a):
- A. Tutor-Saliba-Perini v. LACMTA
Los Angeles County Superior Court Case No. BC 123559
 - B. LACMTA v. Parsons-Dillingham, et al., Case No. 150298
consolidated with Case No. BC 179027

ADJOURNMENT