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
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 ITEM 1

1. APPROVE Minutes of the A) July 22, 2010 Regular Meeting; B) September 8, 2010 Special Meeting; and C) September 13, 2010 Special Meeting.

III. CONSENT CALENDAR ITEMS 2 THROUGH 27

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

AD-HOC SUSTAINABILITY COMMITTEE

2. AD-HOC SUSTAINABILITY COMMITTEE RECOMMENDED (4-1) supporting the California Air Resources Board’s staff recommended SB 375 final draft greenhouse gas (GHG) emission reduction target of 8% for 2020 and 13% for 2035.

CONSTRUCTION COMMITTEE

3. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to perform Preliminary Engineering for Universal City Station Pedestrian Bridge and prepare Performance Specifications for a Design Build project delivery method, and AMEND the Universal City Station Pedestrian Bridge FY11 Budget to add $750,000 to fund the cost of this activity, and increase the life of project budget from $4,139,000 to $4,889,000.
CONSTRUCTION COMMITTEE - Continued

4. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY authorizing the Chief Executive Officer to approve the FY11 Annual Work Plan for City of Los Angeles.

5. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to amend FY11 Budget to add one Full Time Equivalent position to the Safety Education and Outreach Program to support the Exposition Light Rail Transit Project – Phase 1.

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE

6. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) approving revisions to MTA’s Rules and Procedures regarding conduct and decorum during public participation at Board and Committee meetings.

7. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to approve the Portal-to-Portal implementation agreement between the American Federation of State, County and Municipal Employees Union (AFSCME) and the Los Angeles County Metropolitan Transportation Authority.

8. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0):
   
   A. receiving and filing the revised organizational structure;
   
   B. authorizing the Chief Executive Officer (CEO) to upgrade the position of Executive Director, Highway Programs from pay grade BB ($142,641 - $213,962) to pay grade CC ($190,621 - $278,793) and approving a salary of $240,000 for the position;
   
   C. authorizing 20 new positions necessary to meet our Measure R/30-10 and Accelerated Highway Program commitments;

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EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE - Continued

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D. authorizing the CEO to hire and negotiate a salary within the pay range for the new position of Executive Director, Project Management Oversight, pay grade BB ($142,641 - $213,962); and

E. amending the FY11 budget to implement the above actions.

9. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) approving:

VILLARAIGOSA MOTION that the MTA Board direct the CEO to do the following and report back no later than the December 2010 Board cycle:

Funding

1. Recommend increased bicycle funding in the 2011 Call for Projects (tentative goal increasing modal category from 7% to 15%, subject to future MTA Board approval)

Current Transit System

2. Develop a phased plan for the installation of triple bicycle racks on all MTA buses (estimated cost $1.6 million)

3. Develop a cost estimate, implementation schedule, and possible funding sources for retrofitting MTA trains for bikes

4. Propose a Revised Customer Code of Conduct and develop a “How to Ride Metro” document that helps customers with bicycles and other large belongings, including luggage, strollers and rolling briefcases, safely board and ride MTA’s system during peak hours

5. Identify the feasibility and cost of adding bicycle racks to the back or top of MTA vanpool vehicles

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EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE - Continued
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6. Provide an estimated cost and potential funding source to install improved bicycle/stroller/luggage wayfinding signage at all rail and bus stations

7. Incorporate bicycle mode messages in all marketing materials and campaigns and provide an update on the status of MTA’s Bicycle Safety Advertising Campaign on buses

8. Work with the Los Angeles Sheriff’s Department Transit Security Bureau to summarize crimes on MTA property affecting bicycles and bike facilities and recommend appropriate measures to improve bicycle security

Future Transit Projects

9. Include in all future transit station designs stair channels or ramps so that bicyclists can wheel their bikes safely up and down staircases

10. Incorporate robust bicycle facilities in all transit project designs (e.g. increase bicycle parking at high demand stations, adjacent bike lanes or bike paths, i.e. Expo and Orange Line) to facilitate first mile/last mile transit access by bike

FINANCE AND BUDGET COMMITTEE

10. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) adopting:

   A. a resolution approving extension of the term of the Proposition A Sales Tax Revenue Commercial Paper Program to June 30, 2017, and providing for automatic one-year extensions to maintain the seven-year term of the program and authorizing Seventh Supplemental Subordinate Trust Agreement; and

(Continued on next page)
B. a resolution approving extension of the term of the Proposition C Sales Tax Revenue Commercial Paper Program to June 30, 2017, and providing for automatic one-year extensions to maintain the seven-year term of the program and authorizing Amendment No. 6 to First Supplemental Subordinate Trust Agreement.

11. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0):
   A. adopting the Debt Policy;
   B. adopting the Interest Rate Swap Policy; and
   C. receiving and filing the Annual Report on Interest Rate Swaps.

12. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the pledge of all categories of Measure R revenues other than Local Return in a common pledge to bondholders and other creditors under the Measure R master trust agreement being developed.

13. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-1) authorizing the Chief Executive Officer to ratify expenditures for direct mail services under Purchase Order PS09714049 with Epsilon in the amount of $37,520.

14. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to renew group insurance policies covering non-contract, AFSCME, and Expo employees for the one-year period beginning January 1, 2011.
15. **MEASURE R PROJECT DELIVERY COMMITTEE RECOMMENDED (3-0) AND CONSTRUCTION COMMITTEE RECOMMENDED (3-0):**

   A. authorizing the Chief Executive Officer to award a firm, fixed-price Contract No. PS4340-2538 to Cityworks Design to perform **design and outreach work for the Eastside Access Project** for an amount not to exceed $1,094,404; and

   B. approving 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.

16. **MEASURE R PROJECT DELIVERY COMMITTEE RECOMMENDED (3-0-1) AND CONSTRUCTION COMMITTEE RECOMMENDED (3-0):**

   A. authorizing the Chief Executive Officer to exercise a 21-month cost plus fixed fee option to Contract No. E0117 for Phase II Preliminary Engineering, Design/Build Construction Contract Development and Bid Period Services to Hatch Mott McDonald for an amount not to exceed $21 million;

   B. establishing Contract Modification Authority for 10% of the not-to-exceed value of the Phase II Option, and authorizing the CEO to execute individual contract modifications within and up to the Board approved Contract Modification Authority;

   C. amending the FY11 budget to add $12.0 million of Measure R funds to Project 860002 **Crenshaw/LAX Transit Corridor** for Recommendation A scope and necessary pre-construction activities to cover expenditures during the fiscal year; and

   D. establishing a preliminary life-of-project budget of $21,000,000. The final life-of-project budget will be developed during the Preliminary Engineering phase of the project.
17. MEASURE R PROJECT DELIVERY COMMITTEE RECOMMENDED (4-0):

A. receiving and filing the update on the High Desert Corridor project; and

B. removing the condition that MTA and the San Bernardino Associated Governments (SANBAG) become members of the High Desert Corridor (HDC) Joint Powers Authority Board of Directors before entering into a Memorandum of Understanding for the HDC Project's environmental clearance.

OPERATIONS COMMITTEE

18. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a two-year, firm fixed price unit rate contract under Bid No.10-0029 to Wabtec Passenger Transit, the single lowest responsive and responsible bidder, for the overhaul of Metro Red Line heavy rail vehicle friction brake system equipment for an amount not to exceed $1,500,928.

19. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five and a half-year firm fixed price Contract No. OP39612514 to NextBus, Inc. for a real time bus arrival information system for an amount not to exceed $1,649,900, inclusive of two one-year options.

20. OPERATIONS COMMITTEE RECOMMENDED (3-0):

A. finding that the bids received for lube trucks under Public Utilities Code section 130232 have been rejected and the lube trucks may be purchased at a lower price on the open market. The Board hereby authorizes purchase of those on the open market pursuant to Public Utilities Code section 130233; and

B. authorizing the Chief Executive Officer to award a firm fixed price contract under IFB No. OP34342557 for an amount not to exceed $1,394,351, inclusive of sales tax.

(REQUIRES 2/3 VOTE OF THE BOARD)
OPERATIONS COMMITTEE - Continued

21. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price contract under Bid Number 10-0038 to The Jankovich Company, the lowest responsive and responsible bidder, for synthetic transmission oil for an amount not to exceed $3,821,533, inclusive of sales tax and two one-year options.

22. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:

A. award a five-year, indefinite delivery, indefinite quantity contract beginning October 1, 2010 under RFP No. PS10642010, with Canon Business Solutions, Inc., the highest rated proposer for the lease and maintenance of multi-function peripherals, for convenience copying and document management services for an amount not to exceed $6,240,255, inclusive of estimated sales taxes; and

B. award a five-year, indefinite delivery, indefinite quantity contract beginning October 1, 2010 under RFP No. PS10642010, with SoCal Office Technologies, the highest rated proposer, for a one-year pilot test of print management services and four-years of additional service for an amount not to exceed $1,866,151, inclusive of estimated sales taxes.

23. OPERATIONS COMMITTEE RECOMMENDED (4-0):

A. approving a Life of Project (LOP) for new Capital Project 212008 - Central Remote Monitoring System of Existing Bus Division CCTV System at USG Building in the amount $9,506,820. Transit Security Grant Program DHS 2009-RA-T9-K004 will fund $7,300,000 and Transit Security Grant Program 2008-RL-T8-K018 will fund $1,600,000 in equipment costs. Labor costs will be funded by TDA Article 4 in the amount of $606,820; and

B. amending FY11 Budget in Cost Center 2610, System Security and Law Enforcement, in the amount of $811,197 for Central Remote Monitoring System of Existing Bus Division CCTV System at USG Building.
24. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving service changes to Tier I bus lines scheduled to be implemented effective December 12, 2010.

   Addressed concerns regarding Line 620. Hourly service will be maintained for six months on Line 620, after which time staff will report back.

PLANNING AND PROGRAMMING COMMITTEE

25. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):

   A. adopting findings and recommendations for using fiscal year (FY) 2010-11 Transportation Development Act (TDA) Article 8 fund estimates of $14,586,988 as follows:

      1. In the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon chooses to use $84,220 of their Article 8 funds for their transit services; therefore, TDA Article 8 funds will be used to meet the unmet transit needs;

      2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition C Local Return; therefore, there are no unmet transit needs that are reasonable to meet, because other funding sources will be used to address these needs, and TDA Article 8 funds in the amount of $3,452,447 and $3,600,664 (Lancaster and Palmdale, respectively), may be used for street and road purposes and/or transit;

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3. In the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with TDA Article 8 funds; however, other funding sources, such as Proposition A and Proposition C Local Return, may be used to address their needs; therefore, there are no unmet transit needs that are reasonable to meet, and TDA Article 8 funds in the amount of $4,214,566 for the City of Santa Clarita may be used for street and road and/or transit purposes, as long as their transit needs continue to be met;

4. In the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, the allocation is $3,236,092; and

B. adopting a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

26. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:

A. execute the loan agreement in the amount of up to $6,621,836 to the Ventura County Transportation Commission (VCTC); and

B. amend the FY 2010-11 Budget to include $6,621,836 to be paid to Southern California Regional Rail Authority on behalf of VCTC.
PLANNING AND PROGRAMMING COMMITTEE - Continued

27. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approving KNABE – VILLARAIGOSA - DUBOIS MOTION that the MTA Board direct the CEO to:

A. analyze the Orange County Transportation Authority I-405 widening HOT lanes project and its impacts on Los Angeles County, including the potential for a corresponding facility in LA County;

B. complete a corresponding traffic analysis that describes the traffic impacts of the project at and near the Los Angeles-Orange county line; and

C. report back in the November/December 2010 MTA Board cycle.

IV. DISCUSSION ITEMS 28 THROUGH 33

28. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0):

A. adopting a resolution authorizing the negotiated bond sale and issuance of up to $825 million of bonds in one or more series, to be issued on one or more dates, and approving the related documents on file with the Board Secretary;

B. receiving and filing the resolution adopted by the Measure R oversight committee making a finding of benefit related to the issuance of debt;

C. adopting a resolution authorizing execution of the Amended Agreement For State Administration of Local Transactions And Use Tax, each substantially in the form as provided herein; and

D. appointing U.S. Bank to serve as the bond trustee including Measure R Master Trust Agreement, any future supplemental trust agreements and any subordinate trust agreements.

(Requires separate, simple majority Board vote)
29. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to amend the FY11 budget to increase expenses by $1.0 million for Phase 1 of the Lankershim Depot Transit Center Rehabilitation project (CP# 800118), to undertake hazardous remediation and initial structure stabilization to maintain safety in and around the Depot structure. Upon completion of the Phase 1 work, Invitations for Bids (IFB) will be released for the remainder of the Rehabilitation Scope of work with a maximum budget of $1.9 million. Should the bids received exceed the budget the project will be put on hold until such time as additional non-MTA funds can be secured.

30. OPERATIONS COMMITTEE RECOMMENDED (4-0) AS REVISED:

A. establishing life-of-project budget of $5,987,180 for the Metro Blue Line (MBL)/ Metro Green Line (MGL) Transit Passenger Information System, Capital Project (CP) #212010; and

B. approving reprogramming of $1,500,000 of project savings from CP# 210094, Metro Rail Gating to CP# 212010, MBL/MGL Transit Passenger Information System; and

C. amending the FY11 budget to add $1,800,000 of expenses and revenues.

31. APPROVE the changes proposed by the Planning and Programming Committee to the receive and file status report on the acceleration of schedules and project costs for the 2009 Long Range Transportation Plan incorporating the 30/10 Initiative.
32. AUTHORIZE the Chief Executive Officer to:

   A. award and execute Contract No. PS4603-2582 for professional services to prepare a *I-605 “Hot Spots” Feasibility Study* to RBF Consulting, for an amount not to exceed $7,162,058. In the event we cannot reach an agreement with the recommended proposer, we will proceed to the next highest evaluated proposer;

   B. approve and exercise up to three options for preparation of Project Study Reports for three selected projects following the successful performance of the Feasibility Study, for an amount not to exceed $6,300,000; and

   C. amend and execute contract modifications for up to $1,200,000.

33. ADOPT the following *position on Federal Legislation*:

   **H.R. 6150 (Gallegly)** – Would raise the liability cap for passenger rail accidents from $200 million to $500 million – **OPPOSE/WORK WITH AUTHOR**

### V. MISCELLANEOUS

34. Additions to the agenda which were posted more than 72 hours in advance of the meeting, as indicated on the supplemental agenda.

35. 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.

36. 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. Harris v. MTA Case No. BC415984
B. Martinez v. MTA Case No. BC393737
C. Gonzalez v. MTA Case No. BC417460
D. Chustz v. MTA – Case No. BC411902
E. Posis v. MTA – Case No. BC 406099

CS-2. Conference with Real Estate Negotiator - G.C. 54956.8:
Property Address: One Gateway Plaza, Los Angeles, CA 90012
MTA Negotiator: Velma Marshall
Negotiation Parties: LACMTA and SCRRRA
Negotiation: Lease terms and payment

CS-3. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(b):
Significant exposure to Litigation (one case)

CS-4. Personnel Matters – G.C. 54957:
Public Employee Appointment
➢ Consider appointment of Inspector General

CS-5. Conference with Labor Negotiator - G.C. 54957.6:
Agency Representative: Richard Hunt
Employee Organizations: ATU, UTU, TCU and Teamsters

ADJOURNMENT