



MINUTES/PROCEEDINGS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING
BOARD OF DIRECTORS
MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza, Los Angeles

Thursday, May 23, 2002

Called to order at 9:50 a.m.

Directors present:

John Fasana, Chair
Zev Yaroslavsky, 2nd Vice Chair
Michael Antonovich
Hal Bernson
Yvonne Brathwaite Burke
Paul Hudson
Don Knabe
Gloria Molina
Pam O'Connor
Beatrice Proo
Frank Roberts
Allison Yoh
Robert Sassaman, Ex Officio

Chief Executive Officer – Roger Snoble
Board Secretary - Michele Jackson
Ethics Officer - Karen Gorman
Inspector General - Arthur Sinai
General Counsel - County Counsel

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 9**, 29, 31, 32, 33, 34 and 35

** - Requires 2/3 vote of the Board

Items 23, 30 and 36 removed from Consent Calendar.

NOTED Committee Authority Items: 11, 12 and 14

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held April 25, 2002 and Special Board Meeting held on May 13, 2002.

3. RECEIVED Chief Executive Officer’s Report.

- Requested Special Board meeting for labor issues.

4. RECEIVED Chair’s Report

- Presented of Resolution to retiring Ex Officio Board Member Robert Sassaman.
- Announced formation of Ad Hoc Committee for start up of Gold Line to be comprised of two Gold Line appointees and Directors Molina and Roberts representing MTA
- Adjournment of meeting in Memory of Los Angeles Sheriff’s Department Deputy David March.

5. ADOPTED AS AMENDED BY BURKE, REVISED BY BERNSON, YAROSLAVSKY AND YOH the **Joint Development Policies and Procedures** to replace the MTA's previously adopted joint development policy document.

Burke Amendment, as Revised by Bernson, Yaroslavsky and Yoh:

Section C - Exclusive Negotiations Agreement:

Developer shall provide a comprehensive list of previous experience in the specific project area being described in the solicitation document in both the construction and operation of the said project type being solicited, as well as disclose full credit and litigation history under penalty of perjury.

Additionally, staff is directed to:

- Set up a process to brief Board Members on planned developments
- Evaluate all modes of access to transit
- Correct language regarding parking in attachment B
- Do complete background and credit checks on potential developers

9. APPROVED ON CONSENT CALENDAR by a 2/3 vote of the Board:

- A. finding that procurement under Public Utilities Code §130232 does not constitute a procurement method adequate to meet MTA's needs and that the procurement of the buses qualifies under Public Contracts Code (PCC) § 20217 for procurement by competitive negotiation;
- B. authorizing the Chief Executive Officer to solicit proposals for up to seventy-two (72) **CNG-electric or CNG-hybrid 60-foot articulated transit buses** as a competitive negotiation pursuant to PCC § 20217 and MTA's Procurement Policies and Procedures for use on the San Fernando Valley Bus Rapid Transit (BRT); and
- C. authorizing the Chief Executive Officer to solicit proposals for up to 200 advanced design, high performance **60-foot articulated CNG transit buses** as a competitive negotiation pursuant to PCC §20217 and MTA's Procurement Policies and Procedures for use on existing MTA bus routes.

11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an agreement with the California Highway Patrol to provide field officer and dispatch support to the **Metro Freeway Service Patrol** (FSP) during FY03 for a total amount not to exceed \$405,000.

12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm, fixed-price contract under Bid No. 01-0224 to the following lowest responsive and responsible bidders for **pick-up trucks** for the total amount of \$410,965, inclusive of sales tax:
 - A. Burch Ford for line item #1 for 15 each compact pick-up trucks for the amount of \$191,510 inclusive of sales tax; and
 - B. Ford West for line item #2 for 10 each full-size pick-up trucks for the amount of \$219,455 inclusive of sales tax.

14. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY AS CORRECTED:
 - A. execution of Work Authorization Change Notice (WACN) No. 45.04 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems Inc., **to design, build and install between car barriers** on the 52 light rail vehicles currently on order under the contract, increasing the amount of the WACN from \$200,000 to \$500,000, and increasing the total contract value from \$214,552,446 to \$214,852,446; and
 - B. negotiation and execution of the subsequent contract change order, providing that the negotiated value is less than or equal to the current proposed value of \$1,165,893, which includes the above \$500,000 increased WACN value.

16. ADOPTED with Amendment:
 - A. the **Fiscal Year 2002-2003 Budget**; and
 - B. the Reimbursement Resolution to authorize the expenditure of funds for capital construction and acquisition activities prior to issuance of debt for specific activities.

BURKE AMENDMENT: that the MTA Board approve the MTA Budget with the condition that those items containing money for the Pasadena Gold Line (PGL) are approved contingent upon this Board's further review and receiving a full report discussing the issues and containing answers to the following questions:

- A. What are the "real" total costs to MTA for all aspects of Pasadena Line opening on the proposed schedule?
- B. What are the terms contained in the Master Cooperative Agreement as it pertains to Reimbursement for costs expended by the MTA?
- C. Identify what costs are proposed to be the sole responsibility of the MTA and why they are the MTA's responsibility in the context of the "Turnkey" project's definitions.
- D. What sources of funds are being proposed to be used? What is being deferred or what other regional projects are not being funded due to the use of these funds for the PGL project? What were these funds programmed for before any such PGL proposal?
- E. If Bonds are sold (as indicated on pg 6-20 in Appendix 4) to provide funds for this project, what revenue sources are being bonded against and what are the primary uses for these revenues if not used for bonding on this project?

17. APPROVED REVISED FASANA MOTION:

- A. that funds taken off the top for the administration of Propositions A and C programs should not be expended for regional programs that are operations related;
- B. that funds taken off the top for the administration of Propositions A and C programs should not be expended for MTA operations related activities;
- C. that the Board direct the CEO to report back to the Board within 30 days on the impact of the implementation of these clarifications to the financial standards and to recommend modifications to the FY03 budget as appropriate; and

D. that the Board direct the CEO to provide a detailed listing in future annual budgets and comprehensive annual financial reports of programs using Propositions A and C administrative funds.

23. APPROVED the following positions on Items A, B and D on **state legislation. Item C carried over with no position.**

A. AB 2098 (Bates) – a federal statute requires states to adopt four penalties for repeat drunk driving violations. California meets two of these four requirements and is subject to mandatory transfer of federal transportation funds to certain safety programs: 1) AB 2098 would impose an ignition interlock requirement; and; 2) allow currently transferred highway funds to flow through the STIP. **SUPPORT, SEEK AMENDMENTS.**

B. AB 2189 (Koretz) – would impose a 60-day employee retention requirement when a contractor for a public transit service is terminated. **OPPOSE UNLESS AMENDED.**

(CARRIED OVER WITH NO POSITION)

C. AB 2333 (Nakano) – would require Caltrans to give priority to projects that promote airport development and access, only if the county is compatible with the aviation element of the RTP under SCAG’s guidelines and authorize Southern California Regional Aviation Authority to review county master plans for compliance with RTP. **OPPOSE**

D. SB 1918 (TORLAKSON) - sponsored by the developers and manufacturers of the Segway Human Transporter vehicle. The bill defines the Segway as an electric personal assistive mobility device (EPAD), with amendments consistent with those requested by the League of California Cities. **SUPPORT, WITH AMENDMENTS**

24. CLOSED SESSION:

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

1. Alvarez v. MTA, Case No. PC026760

APPROVED settlement in the amount of \$500,000.

2. Lee v. MTA, Case No. BC237857

APPROVED settlement in the amount of \$2.4 million.

3. Burbank v. MTA, Case No. PC035498

APPROVED settlement in the amount of \$1,950,000.

4. Tutor-Saliba-Perini v. MTA. No. BC123559

NO REPORT.

5. Mangrove Estate v. MTA, BC271206

NO REPORT.

B. Public Employee Performance Evaluation - G.C. 54957:

1. Chief Executive Officer

NO REPORT.

2. Chief Ethics Officer/Manager

NO REPORT.

28. APPROVED with Amendment:

- A. receiving Caltrans' approved Project Study Report/Project Development Support (PSR/PDS) for the **State Route 2 Freeway Terminus Improvements project**; and

- B. authorizing the Chief Executive Officer to proceed with the next phase of project development, the preparation of the Project Approval/Environmental Document, and include in the environmental scoping process the four candidate alternatives identified in the PSR/PDS and the alternative proposed by the Echo Park Community Action Committee.

MOLINA AMENDMENT:

- A. that the environmental phase consist of a full environmental impact report (EIR/EIS);
 - B. that the environmental phase include an analysis of the community's alternative and that it be analyzed to the same level that the other four alternatives were studied in the PSR;
 - C. that the environmental document include a new and expanded traffic study that sets the study area to be the I-5/SR-2 interchange at the north and the Berkly/Alvarado/Glendale Blvd. intersection to the south. The traffic study must include a validation of the existing capacity on Glendale Blvd. without assuming any additional enhancements other than those associated with the LA City project. Furthermore, the study should be based upon the projected traffic volumes in 2025 given the particular constraints in the corridor, rather than the projected demand; and
 - D. that the environmental phase include additional pedestrian safety enhancements and possible traffic calming techniques beyond those that are currently included in the alternatives.
29. APPROVED ON CONSENT CALENDAR the FY 2002-03 **Southern California Regional Rail Authority (SCRRA) Preliminary Budget**; MTA's financial contributions to that Budget totaling \$37,592,549; and an additional \$20,000 for promotional train programs not included in the SCRRA budget.

30. APPROVED award of three separate nine-month, firm fixed-price contracts to perform preliminary engineering services through the preparation of **Noise Barrier Scope Summary Reports (NBSSR), Environmental Documents, and Noise Study Reports for the Post 1989 MTA Retrofit Soundwalls**, Phase I, Priority 2 projects. Each of the following firms will independently perform preliminary engineering services for discrete freeway corridors:
- A. Washington Infrastructure Services, Inc. (Contract No. PS-4340-1237) for the amount of \$1,850,000 for packages 1 and 3;
 - B. Tetra Tech, Inc. (Contract No. PS-4340-1238) for the amount of \$735,000 for project package 2; and
 - C. Parsons Brinckerhoff Quade & Douglas, Inc. (Contract No. PS-4340-1239) for the amount of \$485,000 for project package 4.
31. APPROVED ON CONSENT CALENDAR seven new **Subregional Paratransit projects** for implementation beginning in FY03 in the total amount of \$700,000.
32. APPROVED ON CONSENT CALENDAR the **Regional Improvement Program (RIP)** changes for inclusion in the Final 2002 State Transportation Improvement Program (STIP) for Los Angeles County as follows:
- A. re-assign funding to four projects totaling \$43.0 million from RIP funds to Regional Surface Transportation Program funds, thereby permitting nineteen (19) projects to be advanced;
 - B. re-program \$42.5 million in RIP funds freed up by Recommendation A and \$5.0 million in RIP reserves to the Interstate 5 High Occupancy Vehicle Lane project between Routes 134 and 170 in FY 2007 and seek accelerated construction phase funding for this project from the State through the 2003 Call for Projects and 2004 STIP processes; and
 - C. re-program \$500,000 in RIP funds freed up by Recommendation A, to Route 101/Van Nuys Off-Ramp project, to meet one-half of the \$1 million match that the California Transportation Commission requires before granting \$8 million of Interregional

TIP funds and secure the remaining \$500,000 needed from the City of Los Angeles by redirecting some of their existing Call for Projects funding or providing some other non-MTA funding source.

33. APPROVED ON CONSENT CALENDAR:

- A. increasing funding limit for **Rideshare Program** from \$4,367,270 to \$4,667,270 to close out the Memorandum of Understanding with SCAG for FY 02; and
- B. transitioning to an MTA-operated Rideshare Program that integrates rideshare offerings with transit pass programs that will create a complete line of alternative transportation services for employers, schools and communities.

34. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to negotiate and execute Amendment No.1 to Contract No. OP2610LASD with the County of Los Angeles for Sheriff's Department (LASD) **transit policing service** for a period of five months beginning July 1, 2002, for an amount not to exceed \$8,750,000, for a total contract value not to exceed \$103,650,000.

35. APPROVED ON CONSENT CALENDAR award of a firm, fixed-price contracts under Bid 02-0219 to the lowest responsive, responsible bidders for **Heavy Duty Tow Trucks and Field Equipment Trucks** for a firm fixed price of \$2,538,529 inclusive of sales tax:

- A. Boerner Truck Center, for 14 Heavy Duty Tow Trucks for a total contract value of \$2,270,340 inclusive of sales tax, and;
- B. West Covina Motors Inc., for 5 Field Equipment Trucks for a total contract value of \$268,189 inclusive of sales tax.


36. APPROVED ON A ROLL CALL VOTE KNABE SUBSTITUTE MOTION AS AMENDED BY BERNSON AND YAROSLAVSKY regarding Access Services, Inc:

- Extend current service as it exists today, with existing budget, for six months and report back;
- Provide monthly report regarding complaints; and
- Commence a process of evaluating other vendors and the cost of bringing this service in-house and report back in three months.

RECEIVED public comment.

Adjourned in Memory of Los Angeles Sheriff's Department Deputy David March.

Prepared by: Christina Lumba-Gamboa
Recording Secretary


Michele Jackson
Board Secretary



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, MAY 23, 2002

DIRECTORS VOTING

		ATTENDANCE														
		H	P	P	P	P	P	P	P	P	A	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	HUDSON	PROO	O'CONNOR	MOLINA	ANTONOVICH	KNABE	FASANA	HAHN	VAROSLAVSKY	BERNSON	BURKE	YOH	ROBERTS	SASSAMAN	
1	APPROVE CONSENT CALENDAR ITEMS: 2, 9**, 29, 31, 32, 33, 34 AND 35 ** - REQUIRES 2/3 VOTE OF THE BOARD. ITEMS 23, 30 AND 36 REMOVED FROM CONSENT CALENDAR	Y	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A		
	COMMITTEE AUTHORITY ITEMS: 11, 12 AND 14															
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD APRIL 25, 2002 AND SPECIAL BOARD MEETING HELD ON MAY 13, 2002.															
3	CHIEF EXECUTIVE OFFICER'S REPORT	P	P	P	P	P	P	P	A	A	P	P	P	A		

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
 REGULAR BOARD MEETING

THURSDAY, MAY 23, 2002

DIRECTORS VOTING

		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
		ATTENDANCE																
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	HUDSON	PROO	O'CONNOR	MOLINA	ANTONOVICH	KNABE	FASANA	HAHN	YAROSLAVSKY	BERNSON	BURKE	YOH	ROBERTS	SASSAMAN		
4	CHAIR'S REPORT	RECEIVED	P	P	P	P	P	P	P	A	A	P	P	P	P	A		
5	ADOPT THE JOINT DEVELOPMENT POLICIES AND PROCEDURES TO REPLACE THE MTA'S PREVIOUSLY ADOPTED JOINT DEVELOPMENT POLICY DOCUMENT	ADOPTED AS AMENDED BY BURKE, REVISED BY BERNSON, YAROSLAVSKY AND YOH	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y		

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

