



**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, June 27, 2002**

Called to order at 9:50 a.m.

Directors present:

John Fasana, Chair  
James Hahn, 1st Vice Chair  
Zev Yaroslavsky, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Hal Bernson  
Yvonne Brathwaite Burke  
Paul Hudson  
Don Knabe  
Gloria Molina  
Pam O'Connor  
Beatrice Proo  
Frank Roberts  
Allison Yoh

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, 10\*\*, 11\*\*, 14, 15, 16, 17, 18, 21, 24, 25, 31-A, 42, 47, 48, 49, 50 and 51

Items 31-B, 43, 44 and 45 removed from Consent Calendar.

\*\*Requires two-thirds vote of the Board.

NOTED Committee Authority Item: 20

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held May 23, 2002.
3. Chief Executive Officer’s Report – NONE
4. Chair’s Report
  - Elected Director Roberts as 2<sup>nd</sup> Vice Chair, Director Yaroslavsky as 1<sup>st</sup> Vice Chair; and Director Bernson as Chair.
  - Presented:
    1. Resolutions to Inspector General Arthur Sinai from the MTA and the City of Los Angeles;
    2. MTA resolution to Claudette Moody, Director of Government Relations; and
    3. MTA resolution to outgoing Chair Fasana.

10. APPROVED ON CONSENT CALENDAR by a two-thirds vote a finding that the **Automated Guided Vehicles** (AGVs) consist of highly specialized hardware equipment, communication technology, and software, such that the procurement qualifies under Public Utilities Code Section 130238 for procurement by competitive negotiation. Using this methodology staff will solicit a package of system hardware and software to be installed on site.
  
11. APPROVED ON CONSENT CALENDAR by a two-thirds vote:
  - A. a finding that there is only a sole source to provide **S-1 Gards**. The purchase is for the sole purpose of enhancing the safe operation of the MTA's existing bus fleet. The Board hereby authorizes the purchase of 1,979 S-1 Gards pursuant to Public Utilities Code Section 130237; and
  
  - B. award of a sole source, firm fixed-price contract to Willamette Valley Company, Eugene, Oregon, for the procurement of 1,979 S-1 Gards for a firm fixed-price of \$2,720,680 inclusive of sales tax.
  
12. APPROVED:
  - A. award of a firm fixed-price contract to International Power Machines (IPM), the lowest responsive, responsible bidder under Bid No. 01-0229 for the purchase of 14 **Uninterruptible Power Supply (UPS)** units for Segments 2 and 3 of the Metro Red Line subway system for an amount not to exceed \$1,071,141 inclusive of sales tax.
  
  - B. receipt and filing of report notifying the Board that the Chief Executive Officer has purchased 4 UPS Systems under immediate remedial measures in accordance with Public Utilities Code Section 130235(b).

13. APPROVED award of a two-year contract to BP West Coast Products, the lowest responsive, responsible bidder under Bid 04-0216, for **ultra low sulfur diesel fuel** for an amount not to exceed \$9,286,335, inclusive of sales tax.
  
14. APPROVED ON CONSENT CALENDAR the **2002 Hollywood Bowl Park-and-Ride** service agreement with the Los Angeles County Department of Public Works and the Los Angeles Philharmonic Association.
  
15. APPROVED ON CONSENT CALENDAR execution of two three-year contracts and one two-year contract for the **Metro Freeway Service Patrol** for a total amount not to exceed \$3,172,965:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
11	Hadley Towing, Whittier	\$1,005,350	10/1/02 - 9/30/05
43	S&W Towing Hawthorne	\$1,508,234	10/1/02 - 9/30/05
42	Panorama City Towing, San Fernando	\$ 659,381	10/1/02 - 9/30/04
<b>Total Amount</b>		<b>\$3,172,965</b>	

16. APPROVED ON CONSENT CALENDAR award of a two-year contract to Corporate Express, Paramount, the lowest responsive, responsible bidder under Bid No. 03-0205, for **office supplies** for an amount not to exceed \$1,500,000 inclusive of sales tax.
  
17. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract to Johnson Lift/Hyster, the lowest responsive, responsible bidder under Bid No. 04-0211, for **18 motorized hand lift trucks** for a firm fixed-price of \$208,275, inclusive of sales tax.

18. APPROVED ON CONSENT CALENDAR award of twenty-four month, firm fixed-price requirements contracts to the following lowest responsive, responsible bidders under Bid No. 04-0212, for **bus electrical parts** for a total amount not to exceed \$706,786 inclusive of sales tax:
- A. Crain Auto Electric for electrical regulator, housing assembly, stator and field coil assembly, end housing assembly, and solenoid for a total contract value of \$388,018;
  - B. Kirk's Automotive for bus alternators for a total contract value of \$150,960;
  - C. Auto Diesel Electric for alternator kit and flasher for a total contract value of \$88,818;
  - D. Hydraulic Electric for frame end drive for a total contract value of \$49,362; and
  - E. Neoplan, Inc. for alternator stator assembly for a total contract value of \$29,628.
20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. negotiation and execution of Change Order No. 4 to Contract No. PS-4310-0964, with Eastside LRT Partners, a Joint Venture, consisting of Parsons Brinckerhoff, Jenkins/Gales & Martinez and Barrio Planners, Inc., for the amount of \$3,926,062 for **phase II final engineering design services** for Eastside Light Rail Transit Project increasing the CWO value from \$24,169,883 to \$28,095,945; and
  - B. an increase in the Authorization for Expenditure (AFE) to provide funding for the identified Change Order in the amount of \$3,926,062, increasing the current AFE from \$24,177,184 to \$28,103,246.

21. APPROVED ON CONSENT CALENDAR:
- A. execution of Change Order 4, Contract Work Order (CWO) No. 1 to Contract PM022, Project Management Assistance with URS Corporation, for the preparation and deliverable of an **independent cost estimate for the Eastside Light Rail Transit Project**, for an amount not to exceed \$586,068, increasing the CWO value from \$709,888 to \$1,295,956; and
  - B. an increase in the Authorization for Expenditure (AFE) to provide funding for the identified Change Order and for other changes to be issued within Board-delegated authority, in the amount of \$586,068, increasing the current total AFE from \$709,888 to \$1,295,956.
23. APPROVED negotiation and award of an **Excess Liability Insurance Program** for MTA liability exposures, other than major construction projects, at a cost not to exceed \$4.4 million for a 12-month period beginning August 1, 2002 through July 31, 2003.
24. APPROVED ON CONSENT CALENDAR negotiation and execution of a non-competitive one-year indefinite delivery, indefinite quantity Contract No. PS92101275 to IBM Corporation for **annual software maintenance**, for an amount not to exceed \$1,110,000.
25. APPROVED ON CONSENT CALENDAR award of a five-year labor hour contract No. PS-9210-1129 to Van & Associates, Inc. to provide **technical support services for IBM software products** for an amount not to exceed \$390,000, inclusive of three one-year options, effective July 1, 2002.

31. APPROVED ON CONSENT CALENDAR the following position on **state legislation**:
- A. AB 2333 (Nakano) – amended to require that the benefits and burdens of airports are fairly distributed among the counties and requires that the principles of environmental justice are utilized in airport planning. **NEUTRAL**

31. APPROVED the following position on **state legislation**:

- B. SB18 (Alarcon) – amended to restructure the MTA Board by designating one seat for the San Fernando Valley should it secede. **OPPOSE**

32. APPROVED AS AMENDED BY BURKE, adoption of support positions on the following **TEA-21 reauthorization principles**:

- A. State of California Consensus General Principles for Reauthorization of Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21); and
- B. Los Angeles region’s General Principles for Reauthorization of Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21).

**BURKE AMENDMENT:** Support the creation of a Metropolitan Congestion Program.

33. APPROVED clarifications to **MTA’s FY03 Financial Standards**.

**APPROVED HAHN MOTION:** Staff to report back to Executive Management and Audit Committee next month with options for use of the \$3.6 million.

34. APPROVED funding strategies to ensure the timely completion of the **Pasadena Gold Line** by:
- A. funding the unanticipated additional net cost of constructing a parking structure at the Sierra Madre Villa station site for an amount not to exceed \$10 million, on a reimbursement basis;
  - B. relieving the Pasadena Authority from its obligation to reimburse the MTA for pre-revenue start up activities and other minor items; and
  - C. negotiation and execution of agreement(s) and/or amendment(s) to existing agreements to implement required actions.

The Board directed staff to continue review of Director Robert's Amendment regarding the possible purchase of Del Mar station parking structure in addition to Sierra Madre Villa.

35. APPROVED AS AMENDED BY BURKE:
- A. the **Disadvantaged Business Enterprise (DBE) Program**;
  - B. authorizing the Chief Executive Officer to make administrative changes to the DBE Program that result from Department of Transportation Final Rule changes, new regulatory amendments and DOT/FTA program interpretations; and
  - C. adopting 20% as the DBE Annual Goal for Federal Fiscal Year 2003 (FFY03).

**BURKE AMENDMENT** that the Board instruct the Chief Executive Officer and the staff of Diversity and Economic Opportunity Department to develop recommendations and written procedures on how to implement a "SHARED RESPONSIBILITY" Program in an effort to apply the DBE annual Goal to MTA Departments and report back with their recommendations in October 2002.



36. **CLOSED SESSION:**

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

1. Obayashi v. MTA EC024692

NO REPORT

2. Labor/Community Strategy Center CV 94-5936 TJH

NO REPORT

B. Potential Litigation (GC 54956.9(b)

(One case)

NO REPORT

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

Chief Executive Officer

NO REPORT

D. Public Employee Appointment - G.C. 54957:

Appointment of an Acting Inspector General

APPOINTED William Waters as Interim Inspector General.

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

Agency Negotiators: Roger Snoble and Brenda Diederichs  
Employee Organizations: AFSCME, ATU and Engineers and  
Architects Association

NO REPORT

42. APPROVED ON CONSENT CALENDAR execution of Memorandums of Understanding with the Southern California Association of Governments to perform transitional **rideshare activities in FY 03** for a total amount not to exceed \$1,959,200.

43. APPROVED AS AMENDED BY YAROSLAVSKY a six-month **Exclusive Negotiation Agreement** with Legacy Partners for the development of approximately 2.8 acres of MTA-owned properties located at the Hollywood and Vine Metro Red Line Station.

**YAROSLAVSKY AMENDMENT:** If the developer changes any of the major elements of the proposal (i.e. W Hotel, condominiums or acreage), MTA will immediately cease negotiations.

44. APPROVED AS AMENDED BY HUDSON a six-month **Exclusive Negotiation Agreement** with Urban Partners, LLC for the development of approximately 7.0 acres of MTA-owned properties located at the Metro Red Line Wilshire/Vermont Station.

**HUDSON AMENDMENT:** If the developer changes any major element of the proposal, including acreage, MTA will cease negotiations.

45. APPROVED deferment of the **joint development of the North Hollywood Metro Red Line Station** at this time.

46. APPROVED AS AMENDED BY YOH:

A. **relocation of the 60-foot MTA-owned right-of-way between Vineland Avenue and Lankershim Boulevard in North Hollywood** subject to the following conditions:

1. realignment preserves the option of constructing and operating a light rail or bus rapid transit system in the future;
2. realignment generally follows the proposed route;
3. a right-of-way width of at least 56 feet is maintained to allow 36 feet for the rail guideway and a 10-foot buffer on both sides;

4. **that the MTA, Los Angeles Unified School District and the City of Los Angeles resolve concerns about the impact of the Right Of Way realignment on the alley located east of Vineland Avenue; and**
  5. the Los Angeles Unified School District (LAUSD) and the Los Angeles Community Redevelopment Agency (CRA), agencies requesting the right-of-way relocation, incorporate appropriate features in the design, construction and operation of planned uses on their respective sites to be compatible with the future transit system.
- B. authorizing the Chief Executive Officer to enter into agreements with the LAUSD and the CRA for the property exchange and related transactions associated with the right-of-way relocation.
47. APPROVED ON CONSENT CALENDAR adoption of the **2002 Congestion Management Program** for Los Angeles County.
48. APPROVED ON CONSENT CALENDAR execution of **Amendment No. 1 to Amtrak Intercity Agreement** among National Railroad Passenger Corporation, Southern California Regional Rail Authority, Los Angeles County Metropolitan Transportation Authority, Riverside County Transportation Commission, San Bernardino Associated Governments and Ventura County Transportation Commission.
49. APPROVED ON CONSENT CALENDAR:
- A. recertifying \$358.8 million in existing Fiscal Year 2002-03 commitments from previous **Call for Projects** and authorized the expenditure of funds to meet these commitments;
  - B. deobligating \$12.5 million of previously approved Call for Projects funding, including funds from savings, program adjustments, canceled or late projects;
  - C. reserving from the \$12.5 million in deobligated funds:

1. \$3.0 million for the State Highway Program Claims Reserve Account to be used to pay outstanding claims for completed Call for Projects funded State Highway construction projects;
  2. \$9.5 million to be reprogrammed in the 2003 Call for Projects for all modes including the newly proposed category of capacity enhancement/3R (reconstruction, rehabilitation, repavement);
- D. receiving and filing the list of time extensions totaling \$218.6 million for projects; and
- E. adopting the resolution required by the Southern California Association of Governments, which certifies that Los Angeles County has the resources to fund the projects in the FY 2003-2008 Transportation Improvement Program and affirms its commitment to implement all of the projects in the program.

50. APPROVED ON CONSENT CALENDAR adoption of:

- A. the resolution making a determination of **unmet public transportation needs** in the areas of Los Angeles County outside the MTA service area; and
- B. the findings and recommended actions for the allocation and use of FY 2002-03 TDA Article 8 funds of \$15,826,958, as follows:
- in the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet; therefore, TDA Article 8 funds shall be used to meet these unmet transit needs. The allocation is: Avalon \$98,416 and Santa Clarita \$4,755,204;
  - in the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County unincorporated areas of Santa Clarita Valley and Catalina Island, transit needs are met using other funding sources, such as Propositions A and C Local Return; therefore, the finding is that there are no unmet transit needs that are reasonable to meet, because other funding sources noted

above will be used to address these needs. Thus, TDA Article 8 funds may be used for street and road projects. The allocation for the Antelope Valley (Lancaster and Palmdale) is \$3,736,420 and \$3,671,963. The allocation for Los Angeles County Unincorporated is \$3,564,955.


51. **APPROVED ON CONSENT CALENDAR allocations to Los Angeles County Transit Operators and cities for Fiscal Year 2003** as follows:
- A. Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA interest and Proposition A Discretionary fund allocations;
  - B. Propositions A and C interest allocations;
  - C. Proposition C 40% allocation for the Bus Service Improvement Program, Foothill Mitigation Program, the Transit Service Expansion Program and the Base Restructuring Program;
  - D. Proposition C 40% Municipal Operator Service Improvement Program allocation;
  - E. TDA Article 8 Fund allocation;
  - F. Propositions A and C Local Return and TDA Article 3 allocations;
  - G. Proposition A Incentive Program allocation;
  - H. Proposition C 5% Security Fund allocation; and
  - I. Federal Section 5307 Capital Funding allocation.
52. **APPROVED YAROSLAVSKY MOTION AS AMENDED BY HUDSON** that the MTA, as a prominent tenant of **818 W. 7<sup>th</sup> Street**, communicate its concerns to the building owner regarding the treatment of janitors and report back to the Board at the July Board meeting.

**HUDSON AMENDMENT:** to change the word “better” to “fair” in paragraph 2 of the preamble of Yaroslavsky’s motion.

53. APPROVED the **addition of 25 budgeted positions to the FY03 Budget** to perform increased Consent Decree compliance monitoring and reporting.

RECEIVED public comment.

Prepared by: Christina Lumba-Gamboa  
Recording Secretary

  
Michele Jackson  
Board Secretary



# RECAP OF PROCEEDINGS

## LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY

### REGULAR BOARD MEETING

#### THURSDAY, JUNE 27, 2002

#### DIRECTORS VOTING

		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
		ATTENDANCE															
ITEM NO.	SUBJECT ITEM	HUDSON	PROO	O'CONNOR	MOLINA	ANTONOVICH	KNABE	FASANA	HAHN	YAROSLAVSKY	BERNSON	BURKE	YOH	ROBERTS			
1	APPROVE CONSENT CALENDAR ITEMS: 2, 10**, 11**, 14, 15, 16, 17, 18, 21, 24, 25, 31-A, 42, 47, 48, 49, 50 AND 51  **REQUIRES TWO-THIRDS VOTE OF THE BOARD. ITEMS 31-B, 43, 44, AND 45 WERE REMOVED FROM THE CONSENT CALENDAR	Y	Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	Y	Y		
	NOTE COMMITTEE AUTHORITY ITEM: 20																
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD MAY 23, 2002																

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



**RECAP OF PROCEEDINGS**  
**LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY**  
**REGULAR BOARD MEETING**  
**THURSDAY, JUNE 27, 2002**

**DIRECTORS VOTING**

		P	P	P	P	P	P	P	P	P	P	P	P	P	P
		ATTENDANCE													
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
3	CHIEF EXECUTIVE OFFICER'S REPORT														
4	CHAIR'S REPORT														
	ELECTED ROBERTS AS 2ND VICE CHAIR, YAROSLAVSKY, AS FIRST VICE CHAIR AND DIRECTOR BERNSON AS CHAIR														
		HUDSON	PROO	O'CONNOR	MOLINA	ANTONOVICH	KNABE	FASANA	HAHN	YAROSLAVSKY	BERNSON	BURKE	YOH	ROBERTS	

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





# RECAP OF PROCEEDINGS

## LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING

THURSDAY, JUNE 27, 2002

### DIRECTORS VOTING

		P	P	P	P	P	P	P	P	P	P	P	P	P	P
ATTENDANCE															
ITEM NO.	SUBJECT ITEM	HUDSON	PROO	O'CONNOR	MOLINA	ANTONOVICH	KNABE	FASANA	HAHN	VAROSLAVSKY	BERNSON	BURKE	YOH	ROBERTS	
	ACTION TAKEN														
10	<p>CONSIDER ADOPTING THE FOLLOWING: THE BOARD FINDS THAT THE AUTOMATED GUIDED VEHICLES (AGVs) CONSIST OF HIGHLY SPECIALIZED HARDWARE EQUIPMENT, COMMUNICATION TECHNOLOGY, AND SOFTWARE, SUCH THAT THE PROCUREMENT QUALIFIES UNDER PUBLIC UTILITIES CODE SECTION 130238 FOR PROCUREMENT BY COMPETITIVE NEGOTIATION. USING THIS METHODOLOGY STAFF WILL SOLICIT A PACKAGE OF SYSTEM HARDWARE AND SOFTWARE TO BE INSTALLED ON SITE.</p> <p>APPROVED ON CONSENT CALENDAR BY A TWO-THIRDS VOTE OF THE BOARD</p>	Y	Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	Y	

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

