



**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**

**September 26, 2002**

Called to order at 9:45 a.m.

Directors Present:

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

Chief Executive Officer – Roger Snoble  
Board Secretary - Michele Jackson  
Ethics Officer - Karen Gorman  
Interim Inspector General – William Waters  
General Counsel - County Counsel

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

1. APPROVED Consent Calendar Items: 2, 8, 10, 12, 13, 14, 17, 18, 19, 20, 30, 31, 35, 36, 37\*\* and 40

\*\* - Requires 2/3 vote of the Board

Items 11 and 33 were pulled from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 6, 7, 16, 22, 24, 25, 26, and 39

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held August 15, 2002.

3. Chief Executive Officer’s Report

- Appropriations Update
- Introduction of Michael Koss, Executive Officer for Risk Management and Safety Services
- Bank of America check cashing fee update
- Blood Drive honoring September 11 victims
- Recognition of Martha Welbourne

4. Chair’s Report

No Report.

6. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the annual report on the MTA **Policy for Programming Cost Changes for STIP and Federal/Local Funded State highway Projects**.
  
7. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the September progress report on the development of the **Short Range Transportation Plan** for FY 04-09.
  
8. APPROVED ON CONSENT CALENDAR:
  - A. receiving and filing the final report of the **HOV Performance Program Evaluation Report**; and
  - B. adopting the HOV Guiding Principles to guide the operation and development of the countywide freeway High Occupancy Vehicle lanes.
  
9. APPROVED:
  - A. negotiation and execution of a Cost-Plus-Fixed-Fee (CPFF) contract with DMJM+Harris for the **Mid-City/Exposition Light Rail Transit (LRT) Project Preliminary Engineering Design Services** for an amount not to exceed \$16,241,078; and
  - B. deferring exercise of any contract options for design of below-ground segments pending separate review and approval by the Board.

**BURKE AMENDMENT:**

That the MTA Board approve the staff recommendation and include the following revisions:

1. As an initial task of the PE study, MTA shall begin with a full evaluation of at-grade segments, at the following locations, and all other intersections in terms of safety in accordance with the PUC process:

- Exposition/Vermont,
- Exposition/Normandie,
- Exposition/Western,
- Exposition/Crenshaw, and
- Exposition/La Brea.

Safety mitigations should be priced, and if determined to be necessary in order to solve a problem at an intersection, then design would be authorized by the MTA Board.

2. In order to address the concerns raised by the community east of Figueroa Street, as part of the PE Scope of Work, MTA shall study alternative alignments for a non-revenue connector between Hill Street and Long Beach Avenue.

HELD OVER UNTIL AFTER NOVEMBER 5<sup>TH</sup>

3. If new sources of funding are specifically identified for an underground segment in the Exposition Park area (e.g., Proposition 51), MTA will immediately seek Board approval to exercise the contract option of conducting PE to define a belowground alternative at University of Southern California/Exposition Park.

**FASANA, O'CONNOR & YAROSLAVSKY AMENDMENT:**

That once the preliminary engineering contract is finalized, an independent peer review panel be immediately convened to review MTA's design standards and make recommendations to bring the design, engineering and construction costs of this project in line with comparable projects. Participants should include high level project managers from other properties with experience in building cost effective light rail systems and should be familiar with urban traffic and community mitigation issues. The recommendations of the peer review panel should be presented to the MTA Board for review and approval.

Further that the MTA shall use this peer review panel to reassess the entire budget for the Exposition Light Rail line and make recommendations to reduce the cost of this project through value engineering, cost containment and by using the budgets and experiences of comparable light rail systems.

Lastly, that the peer review panel should meet at important milestones during the preliminary engineering of this project and their findings should be presented to the MTA Board for review.

10. APPROVED ON CONSENT CALENDAR:

- A. adopting the **Metro Rapid Five-Year Implementation Plan** report findings and accelerated, phased countywide expansion plan;
- B. setting aside \$92.3 million of future regional funds to complete the Metro Rapid Five-Year Implementation Plan;
- C. amending the FY 2003 Special Revenue budget to include \$3.8 million for Phase II station construction, (funds are included in the FY 2002 Regional TIP); and
- D. authorizing the Chief Executive Officer to negotiate and execute agreements with the local jurisdictions in each corridor so as to expedite deployment of the Five-Year Implementation Plan.

11. APPROVED AS AMENDED BY MOLINA:

- A. receiving and filing the **Capacity Enhancement/System Preservation Needs Assessment Report**;
- B. continuing to focus MTA's highway and arterial expenditures on Capacity Enhancement projects due to the large unmet funding need for these types of projects;

- C. in recognition of the significant need for system preservation (reconstruction, rehabilitation and resurfacing):
  - 1. continuing to allow a system preservation component for capacity enhancing arterial projects funded through the Call for Projects;
  - 2. reducing the Call for Projects Regional Surface Transportation Improvement modal category local match requirement from 35% to 20% making it consistent with the other Call for Projects modal categories;
  - 3. advocating increased federal and state funding for system preservation;
  - 4. providing increased training and assistance to local jurisdictions in accessing funds eligible for both capacity enhancement and system preservation;
  - 5. continuing to work with local jurisdictions to determine ways to assist cities with using Surface Transportation Program-Local funds including potentially developing a brokering program;
  - 6. adding \$5 million in previously reserved Call for Projects funding to the Regional Surface Transportation Improvement modal category in the 2003 Call for Projects; and
  - 7. continuing to work with local jurisdictions to gain a better understanding of the relationship of the effects of deferred system preservation on backlog cost;
- D. amending MTA's Proposition C 10%, 20% and 25% Administrative Guidelines to include the same Maintenance of Effort requirement in the State of California Highway Code, Section 2182.1; and
- E. working with the Study's Steering Committee to identify the feasibility and cost of developing a standardized Los Angeles County Pavement Management System to provide a regional Pavement Condition Index which will allow the region to strongly advocate for additional federal and state funds to address the system preservation funding shortfall.

**MOLINA AMENDMENT** – Should additional federal Surface Transportation Program funding become available through TEA-21 Reauthorization, MTA will specify a percentage for funding system preservation (rehabilitation, resurfacing, reconstruction – 3R) work along with other potential uses for these funds and create an incentive program to encourage the cities to participate and report back to the Board.

12. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute a **Memorandum of Understanding** with the Southern California Regional Rail Authority to design and construct, on behalf of the MTA, 140 replacement parking spaces for the Chatsworth Intermodal Transportation Center Park-and-Ride Expansion Project.
13. APPROVED ON CONSENT CALENDAR **establishing Capital Reserve Accounts** for the Cities of Pomona and San Gabriel for Proposition C Local Return funds, so that funding may be used to finance listed projects.
14. APPROVED ON CONSENT CALENDAR finding the **City of Industry in nonconformance with the Congestion Management Program** for Los Angeles County.
16. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the ten-year forecast of MTA **revenues and expenditures** for fiscal years ending 2003 through 2012.
17. APPROVED ON CONSENT CALENDAR declaring that certain real property located on the southerly side of Humboldt Street between Avenue 18 and Avenue 19 in the City of Los Angeles as **surplus property** and authorized its sale to the City of Los Angeles for \$228,300, subject to the results of an environmental investigation.

18. APPROVED ON CONSENT CALENDAR execution of a **lease agreement** with Arden Realty, Inc., for lease of approximately 9,835 square feet of ground floor office and storage space in a building located at 680 Knox Street, Los Angeles, for a five-year term, with a cancellation option after three (3) years, effective on or before December 1, 2002, for a total base rental amount of \$807,631 plus a pro-rata share of any increases in operating expenses and taxes above the base year.
  
19. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to work with the California Transit Finance Corporation's (CTFC) financing team to **develop the structure and documentation for the refunding of the CTFC 1992-B Certificates of Participation**, including payments to the CTFC financing team members in accordance with their contractual pricing arrangements.
  
20. APPROVED ON CONSENT CALENDAR, SUBJECT TO RESOLUTION OF PROTEST, award of a three-year, firm fixed-price Contract No. PS92101127 to SBC Pacific Bell to **furnish or modify Private Branch Exchange telephone systems** for an amount not to exceed \$2,846,340, inclusive of options for seven additional MTA locations.
  
22. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY an oral monthly report on the **Gold Line**.
  
24. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY **audit activities** report from the Office of the Inspector General.



25. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY monthly report of **Management Audit Services**.

26. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY Management Audit's report on **Consent Decree costs**.

27. APPROVED:

A. the \$3.854 million of **Proposition C 40% funds** be programmed to the Universal Fare System (UFS) project for implementation of the Regional UFS program for participating local and municipal operators; and

B. establishing a taskforce including representation from Municipal Operators to re-evaluate a more efficient and equitable system for all regional funding.

(Clarification: Funds will be allotted to any operator in the county who wishes to participate, in the order of participation).

28. APPROVED an **Oppose** position on **state legislation Bill AB 1677** (Koretz) which would require a mandatory 30-minute meal period after five hours of work; mandatory ten minutes of rest for each four hours of work; and, compensation for that time at premium pay and a penalty if the meal and rest periods are not provided within the time frames.

29. ADOPTED AS AMENDED BY BURKE:

- A. revised list of Los Angeles County projects for Reauthorization of Transportation Equity Act for the 21<sup>st</sup> Century (**TEA-21**); and
- B. revisions to the Los Angeles County Principles for Reauthorization General Principles.

**BURKE AMENDMENT** – that the MTA Board include in its list of T-21/ISTEA Reauthorization under the category of “**Other Supported Projects**” the request for funding to revive the Metro Red Line western extension engineering, geological investigation and environmental clearances and seek removal of federal and local prohibitions. (Action does not interfere with the Exposition Line funding).

30. APPROVED ON CONSENT CALENDAR:

- A. revisions to the **MTA Records Management Policy and Records Retention Schedule**; and
- B. the Chief Executive Officer administering the Records Management Policy, including the records retention schedule, for the purpose of adding and defining new document categories and extending the terms of retention for categories and documents.

31. APPROVED ON CONSENT CALENDAR award of a two-year firm fixed unit-rate Contract No. PS026240154, to Employee Support Systems Company for **Employee Assistance Program services** for MTA employees and their immediate families, for an amount not to exceed \$416,107.

33. ADOPTED the **revised Bike on Rail Policy**.
34. RECEIVED AND FILED, with staff to report back in November:
- Option 2 – Continuation of **Access Services** as the countywide, centralized administrative broker of services that are competitively contracted in services areas; **OR**
- Option 3 – Contracting the management of the brokerage function to one firm, which in turn would subcontract for the operation of services. This alternative would replace the public employees at Access Services with those of a private management firm and give that firm the ability to select service operators.
35. APPROVED ON CONSENT CALENDAR modifications to existing **Interagency Agreement** No. C-9-9167 between MTA and Orange County Transportation Authority to include acceptance of each agency's monthly passes effective November 1, 2002 on ten Orange County Transportation Authority lines into Los Angeles and six MTA lines into Orange County.
36. APPROVED ON CONSENT CALENDAR:
- A. approving and certifying the **Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 3 Expansion and Modification of the Compressed Natural Gas (CNG) Fueling Facility Project**;
  - B. approving the Bus Division 3 CNG Expansion and Modification Project;
  - C. adopting the recommended Mitigation Monitoring and Reporting Program (MMRP) for the IS/MND; and
  - D. filing a Notice of Determination of the IS/MND with the Los Angeles County Clerk.

37. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that awarding design/build contracts pursuant to Public Utilities Code Section 130242(a) will achieve for the MTA certain private sector efficiencies in the integration of the design, project work and components related to the real property renovation, repair and construction work at MTA facilities in Los Angeles County; and
  - B. authorizing the Chief Executive Officer to **solicit and award design/build contracts for renovation, repair and construction at MTA facilities**, pursuant to Public Utilities Code Section 130051.9(c).
39. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a fixed unit-rate contract to Analysts Inc., the lowest responsive, responsible bidder, to provide **fluid analysis for bus engine motors, transmissions and rail gear box oils** for a period up to 36 months, for a total contract value of \$243,780, effective October 1, 2002.
40. APPROVED ON CONSENT CALENDAR execution of Amendment No. 1 to Contract OP3630-5318R with Waste Management, Inc. to provide increased **portable toilet services** for ten current layover sites, the Pasadena Gold Line opening ceremonies, and other unanticipated special events and emergency requests for an amount not to exceed \$150,185 through October 2003, increasing the total contract value from \$139,152 to \$289,337.
42. APPROVED AS AMENDED BY MOLINA/HAHN proposed **policy creating the Service Sector Governance Councils**.

43. APPROVED AS AMENDED BY MOLINA/HAHN the proposed **bylaws** that are to be used uniformly by all Service Sector Councils.

**MOLINA/HAHN AMENDMENT** – that the Board amend the policy creating the Service Sector Governance Councils and the Council Bylaws to require that at least fifty percent of Council members be consumers of transit services and that they live or work in the area.

Additional amendments approved:

1. Bylaws Article VII, Authority, 2<sup>nd</sup> sentence – The Council’s authority ~~shall~~ **will** include ~~but not be limited to...~~
2. Bylaws Article V, Meetings, Item B – “...Council meetings ~~are limited to no more than two meetings a month and shall be conducted pursuant to Roberts’ Rules of Order~~”.
3. Bylaws Article VI, Amendments, last sentence – “Any amendments to the Bylaws are subject to ~~Sector General Manager and~~ MTA Board approval”.
4. Bylaws Article II, Item A Composition, 3<sup>rd</sup> sentence – “retaining structures already in place and may request **‘from the MTA Board’** a change...”.
5. Bylaws Article II, Item A Composition, last sentence – “MTA Board Members **and employees** are...”.
6. Bylaws Article V, Meetings, move Item D, Code of Conduct to Article II: Membership.
7. Bylaws Article V, Meetings, Item H Stipend (will become Item G when action in No. 6 is completed) – “...will be paid a stipend, **for a maximum of two meetings per month**, in an amount determined by the MTA Board”.

(Amendments apply to Service Sector Policy and Bylaws.)

44. AUTHORIZED the Chief Executive Officer to execute a successor **Collective Bargaining Agreement** with the American Federation of State, County and Municipal Employees (AFSCME), Local 3634 and Local 3150 effective April 1, 2001.

45. ADOPTED an **Oppose position on Proposition 51** for the November ballot.

46. CLOSED SESSION:

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

1. Lawson v. MTA, Case No. SC 064970

APPROVED settlement in the amount of \$650,000.

2. Flores v. MTA, Case No. 00-12188 CBM

No Report.

B. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9(b):

(One Case)

No Report.

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

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

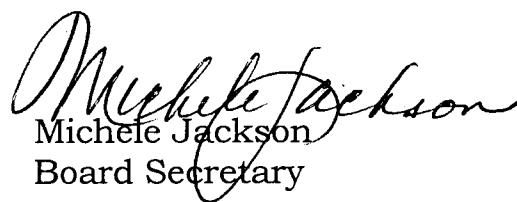
No Report.

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

Board Secretary

No Report.

PREPARED BY: Rhodona Enright  
Recording Secretary

  
Michele Jackson  
Board Secretary



**RECAP OF PROCEEDINGS**  
**LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY**  
**REGULAR BOARD MEETING**  
**Thursday, September 26, 2002**

DIRECTORS VOTING

		ATTENDANCE													
		P	P	P	P	P	P	P	P	P	P	P	P		
		O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
1	APPROVE Consent Calendar Items: 2, 8, 10, 12, 13, 14, 17, 18, 19, 20, 30, 31, 35, 36, 37** and 40 ITEMS 11 AND 33 WERE PULLED FROM CONSENT CALENDAR ** - Requires 2/3 vote of the Board	Y	Y	A	A	Y	A	Y	Y	Y	Y	A	Y	Y	
	NOTE COMMITTEE AUTHORITY ITEMS: 6, 7, 16, 22, 24, 25, 26, and 39														
2	APPROVE Minutes of Regular Board Meeting held August 15, 2002														

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, September 26, 2002**

DIRECTORS VOTING

		ATTENDANCE													
		P	P	P	P	P	P	P	P	P	P	P	P		
		O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FALLING
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
3	Chief Executive Officer's Report	<ul style="list-style-type: none"> <li>· APPROPRIATIONS UPDATE</li> <li>· INTRODUCTION OF MICHAEL KOSS, EXECUTIVE OFFICER FOR RISK MANAGEMENT AND SAFETY SERVICES</li> <li>· BANK OF AMERICA CHECK CASHING FEE UPDATE</li> <li>· BLOOD DRIVE HONORING SEPTEMBER 11 VICTIMS</li> <li>· RECOGNITION OF MARTHA WELBOURNE</li> </ul>													
4	Chair's Report	NO REPORT													
6	PLANNING & PROGRAMMING COMMITTEE RECEIVED AND FILED the annual report on the MTA Policy for Programming Cost Changes for STIP and Federal/Local Funded State highway Projects.	NOTED													

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

