



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, October 24, 2002

Called to order at 9:45 a.m.

Directors present:

Hal Bernson, Chair
Zev Yaroslavsky, 1st Vice Chair
Frank Roberts, 2nd Vice Chair
Michael Antonovich
Yvonne Brathwaite Burke
John Fasana
Paul Hudson
Don Knabe
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, 7, 8, 11, 12, 17, 18, 23, and 25**

** - Requires 2/3 vote of the Board

Item 24 removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 22, 27, 28, 30 and 31

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting and Special Board meeting held September 26, 2002.
3. RECEIVED Chair's Report
 - Presented of Plaques of Appreciation to MTA and Metrolink Station Cities.
4. RECEIVED Chief Executive Officer's Report
 - "Mobility 21, Los Angeles County Moving Together"
7. ADOPTED ON CONSENT CALENDAR a resolution recommending to the Governor of the State of California that the Southern California Association of Governments (SCAG) be identified as the designated recipient to receive and dispense federal **Urbanized Area (UZA) Formula Funds** for the new Lancaster/Palmdale UZA with population over 200,000, according to Federal Transit Administration requirements.

8. APPROVED ON CONSENT CALENDAR:
 - A. award of five (5) firm fixed-price contracts under Bench Solicitation PS-4230-1155, to Cambridge Systematics, Inc., Fennessy Associates, Manuel Padron & Associates, Inc., Parsons Transportation Group, Inc., and PB Consult Inc, for **Professional Services Bench** for a cumulative total amount not to exceed \$750,000. The period of performance will be five years, inclusive of two one-year options;
 - B. execution of task orders under these contracts for **Transportation Demand Modeling** for a total amount not to exceed \$750,000 for a five-year period of performance.

11. APPROVED ON CONSENT CALENDAR execution of Change Order No. 42.00 to Contract No. C0390, Ancillary Construction and Maintenance on **Segment 3, North Hollywood Extension**, with Steiny and Company, Inc., in the credit amount of \$836,134, decreasing the total contract value from \$17,857,211 to \$17,021,077.

12. REAFFIRMED ON CONSENT CALENDAR the Chief Executive Officer's delegation to execute a contract with the technically acceptable lowest priced, responsive, responsible bidder for **design and construction of the San Fernando Valley East-West Corridor Bus Rapid Transit Project**.

14. APPROVED AS AMENDED BY YAROSLAVSKY award of a five-year firm fixed price Contract No. PS-0532-1235, to Aon Risk Services, Incorporated for:
 - A. Phase 1 of the **Construction Insurance Brokerage services** administering marketing services in the amount of \$65,255 effective November 1, 2002; and
 - B. ~~contingent on the successful completion of Phase 1, authorize the Chief Executive Officer to exercise the option for Construction Insurance Implementation and Program Administration (Phase 2) in an amount not to exceed \$1,014,594, for a total contract value not to exceed \$1,079,819.~~

16. ADOPTED a resolution authorizing the **issuance of the California Transit Financing Corporation 2002 refunding certificates** and approved documents for the negotiated sale of the certificates by UBS Paine Webber.

17. APPROVED ON CONSENT CALENDAR strategies for locking in the potential savings from refunding up to \$537 million of outstanding **Proposition A 1993-A bonds** by authorizing the Chief Executive Officer to:
 - A. appoint UBS Paine Webber as the book-running co-senior managing underwriter and Salomon Smith Barney as co-senior managing underwriter, along with underwriting syndicate member firms, to price and deliver the Proposition A 2003-A refunding bonds using a forward delivery agreement in a negotiated bond sale and establish a minority participation goal of 20%; and
 - B. direct the MTA's financial advisor to prepare bid specifications, documentation, and competitively select a firm to provide a hedge against changes in interest rates.

18. APPROVED ON CONSENT CALENDAR:
- A. negotiation and execution of a **defeased lease transaction** for up to 800 NABI buses and up to 362 New Flyer buses with Philip Morris Capital Corporation as the equity investor;
 - B. payment of fees and transaction expenses not to exceed .66% of the appraised value of the vehicles; and
 - C. a resolution authorizing the lease to service contract defeased lease transaction for up to 1,162 buses.
22. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY **Contractor Debarment and Suspension Ordinance** for formal adoption of the same at the next Board meeting.
23. ADOPTED ON CONSENT CALENDAR the updated **MTA Debt Policy**.
24. AUTHORIZED the Chief Executive Officer to award a six-year contract No. MC066, to Ed Wundram, dba The Design Build Consulting Group, to be the Design/Build manager for the **Eastside Light Rail Transit Project** for an amount not to exceed \$1,059,840 for Design/Build Advisory Panel services.
25. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that purchase of the multi-media mobile theater vehicle in compliance with Public Utilities Code Sections 130232 and 130233 does not constitute a method of procurement adequate for acquisition of the unique, prototype equipment needed to provide a new and enhanced safety outreach program through the use of a mobile unit to the population along the Metro Blue and Gold Lines. The Board hereby authorizes the procurement of the **Multi-Media Mobile Theater and Tractor** pursuant to PUC Section 130236, to be used to provide the safety outreach and to conduct such

operational testing and evaluation as is necessary to assess the performance for the intended purpose; and

- B. authorizing the Chief Executive Officer to award a firm fixed price contract to Provision Entertainment, Incorporated for a used Multi-Media Mobile Theater and Tractor for a total price not to exceed \$400,340, exclusive of sales tax.

- 27. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY report on maintenance of **El Monte Station**.
- 28. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY report for the **procurement of vehicles and facilities pest control services**, as immediate remedial measures.
- 30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an amendment to Contract No. OP33440807 with XLNT Tint, **to increase frequency of replacing etched glass panel graffiti guard film**, for an amount not to exceed \$250,000 over the remaining 20 months of the term of the contract, increasing the total contract value from \$236,665 to \$486,665.
- 31. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an amendment to Contract No. OP33440808 with Acme Glass & Mirror, **to replace damaged glass panels at Metro transit stations** for an amount not to exceed \$330,000 over the remaining 20 months of the term of the contract, increasing the total contract value from \$298,489 to \$628,489.
- 32. CARRIED OVER: ASSUMPTION AND AUTHORIZATION of payment of **Union Station Gateway's financial obligations** related to the remediation of the Gibson Environmental, Inc. Site in Bakersfield.

33. APPROVED new capital budget in the amount of \$3,355,090 for project 800115, **Universal City Station** site enhancements to cover construction and related administrative costs as shown below (excluding element c – project contingency of \$167,910):

ELEMENT	LINE ITEM	BUDGET	COMMENTS
T - Construction	1 - Guideway / Structures	\$2,621,190	Bid price with options (*) plus 10% contingency
	3 - Hazardous Material Handling	\$10,000	Allowance only
	7 - Systemwide Equipment	\$0	None
	9 - Testing and Operations	\$0	None
	10 - OCIP Administration	\$0	Contractor provides own insurance
S - Professional Services	11 - General Engineering	\$20,000	Support during construction and as-built drawing review
	12 - Construction Management	\$200,000	Office Engr., Surveyors, Secretary
	13 - Specialty Services	\$50,000	Environmental monitoring & verification testing
	19 - Project Administration	\$253,900	MTA Agency cost for duration of contract and closeout
F - Utility/Force Accounts	23 - Utility / Force Accounts	\$200,000	City of Los Angeles scope of work
C - Project Contingency	24 - Project Contingency	\$167,910	-5% of total cost
	TOTAL	\$3,523,000	
		\$ 3, 355,090	

34. REFERRED TO THE SERVICE SECTOR AD HOC COMMITTEE: the San Gabriel Valley Coalition of Governments' recommendation to:

- A. Nominate the following to serve on the **San Gabriel Valley Service Sector Council**:

San Gabriel: Harry Baldwin
Pasadena: Sid Tyler
South Pasadena: David Rose
San Marino: Emile Bayle
Sierra Madre: Bart Doyle
Montebello: Kathy Salazar
Monterey Park: Sharon Martinez

B. increase the allowed membership on the San Gabriel Service Sector Council from 9 to 14.

35. RECEIVED AND FILED report outlining the MTA's participation in the California Child Safety **AMBER Network** for the safe and rapid recovery of abducted children.

36. CLOSED SESSION:

A. Public Employee Performance Evaluation – G.C. 54957

Board Secretary

APPROVED reclassification of the Board Secretary position from Grade N to Grade O.

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

1. Briot v. MTA, BC260158

APPROVED settlement in the amount of \$3 million.

2. Forgia v. MTA, BC260246

APPROVED settlement in the amount of \$600,000.

3. Labor/Community Strategy Center v. MTA CV94-5936 TJH

NO REPORT.

C. Conference with Legal Counsel – Anticipated Litigation

1. Significant exposure to litigation - G.C. 54956.9(b)

Two Cases

First Case - NO REPORT.

Second Case - APPROVED partial settlement and mutual waiver of damage claims with Siemens related to the P2000 cars.

2. Initiation of litigation – G.C. 54956.9(c)

One Case

NO REPORT.

D. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

1. APPROVED **Just compensation** for the following parcels and authorized the Chief Executive Officer to make an offer to the owner(s) of record to acquire the parcels for the Eastside Light Rail Transit Project and to pay relocation benefits pursuant to federal and state regulations.

Parcel No.	Owner	Address
ES-549	Jose Morales, Jr.	2316 – 2318 East First Street, Los Angeles
ES-550	Beatrice Lopez	2322-2324 East First Street, Los Angeles
ES-551	Angel M. Becerra, et al.	111-112 ½ S. Soto Street, Los Angeles
ES-553	Philip George, Marilyn Kiralla, & Cheryl Dickinson	2400 – 2412 East First Street, Los Angeles
ES-554	Gabriel & Cecilia Lopez and Gabriela Lopez	119 S. Soto Street, Los Angeles
ES-555	Saturnino & Amelia Astorga	121-123 S. Soto Street, Los Angeles

ALSO, instructed property negotiators regarding fair compensation for properties related to the Eastside Light Rail Transit Project.

2. APPROVED **Just compensation** for the following parcels and authorized the Chief Executive Officer to make an offer to the owner(s) of record to acquire the parcels for the San Fernando Valley Bus Rapid Transit Project and to pay relocation benefits pursuant to federal and state regulations.

Parcel No.	Owner	Address
102	Victory Associates	21045 -21059 Victory Boulevard, Canoga Park
1801	Peter Banduraga, et.al	6050 Van Nuys Boulevard, Los Angeles
1813	Errol & Marilyn D. Segal Living Trust	14300 Bessemer Street, Los Angeles
2202	Julia Haviland	5546 - 5552 Fulton Avenue, Sherman Oaks

ALSO, instructed property negotiators regarding fair compensation for properties related to the San Fernando Valley Bus Rapid Transit Project.


E. 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.

RECEIVED public comment.

PREPARED BY: Christina Lumba-Gamboa
Recording Secretary


Michele Jackson
Board Secretary



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
 REGULAR BOARD MEETING

THURSDAY, OCTOBER 24, 2002

DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	DIRECTORS VOTING													FALLING		
			O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKI	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON			
1	APPROVE CONSENT CALENDAR ITEMS: 2, 7, 8, 11, 12, 17, 18, 23 AND 25**** - REQUIRES 2/3 VOTE OF THE BOARD ITEM PULLED: 24	APPROVED	Y	Y	A	A	Y	A	Y	A	Y	Y	Y	Y	Y	Y	Y	Y
2	NOTE COMMITTEE AUTHORITY ITEMS: 22, 27, 28, 30, and 31	NOTED	Y	Y	A	A	Y	A	Y	A	Y	Y	Y	Y	Y	Y	Y	Y
3	APPROVE MINUTES OF REGULAR BOARD MEETING AND SPECIAL BOARD MEETING HELD SEPTEMBER 26, 2002. CHAIR'S REPORT PRESENTATION OF PLAQUES OF APPRECIATION TO MTA AND METROLINK STATION CITIES.	APPROVED ON CONSENT CALENDAR	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P
4	CHIEF EXECUTIVE OFFICERS REPORT	RECEIVED REPORT ON MOBILITY 21	P	P	A	A	P	P	P	P	P	P	P	P	P	P	P	P

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



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REGULAR BOARD MEETING
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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	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING		
7	PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (5-0): ADOPTING A RESOLUTION RECOMMENDING TO THE GOVERNOR OF THE STATE OF CALIFORNIA THAT THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) BE IDENTIFIED AS THE DESIGNATED RECIPIENT TO RECEIVE AND DISPENSE FEDERAL URBANIZED AREA (UZA) FORMULA FUNDS FOR THE NEW LANCASTER/PALMDALE UZA WITH POPULATION OVER 200,000, ACCORDING TO FEDERAL TRANSIT ADMINISTRATION REQUIREMENTS.	APPROVED ON CONSENT CALENDAR																

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



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ATTENDANCE	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
8	PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (5-0):A. AWARD OF FIVE (5) FIRM FIXED-PRICE CONTRACTS UNDER BENCH SOLICITATION PS-4230-1155, TO CAMBRIDGE SYSTEMATICS, INC., FENNESSY ASSOCIATES, MANUEL PADRON & ASSOCIATES, INC., PARSONS TRANSPORTATION GROUP, INC., AND PB CONSULT INC, FOR PROFESSIONAL SERVICES BENCH FOR A CUMULATIVE TOTAL AMOUNT NOT TO EXCEED \$750,000. THE PERIOD OF PERFORMANCE WILL BE FIVE YEARS, INCLUSIVE OF TWO ONE-YEAR OPTIONS;B. EXECUTION OF TASK ORDERS UNDER THESE CONTRACTS FOR TRANSPORTATION DEMAND MODELING FOR A TOTAL AMOUNT NOT TO EXCEED \$750,000 FOR A FIVE-YEAR PERIOD OF PERFORMANCE.	APPROVED ON CONSENT CALENDAR														

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



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DIRECTORS VOTING

		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
		DIRECTORS VOTING																	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FALLING			
11	CONSTRUCTION COMMITTEE RECOMMENDED (3-0) EXECUTION OF CHANGE ORDER NO. 42.00 TO CONTRACT NO. C0390, ANCILLARY CONSTRUCTION AND MAINTENANCE ON SEGMENT 3, NORTH HOLLYWOOD EXTENSION, WITH STEINY AND COMPANY, INC., IN THE CREDIT AMOUNT OF \$836,134, DECREASING THE TOTAL CONTRACT VALUE FROM \$17,857,211 TO \$17,021,077	APPROVED ON CONSENT CALENDAR																	
12	CONSTRUCTION COMMITTEE RECOMMENDED (3-0) REAFFIRMING THE CHIEF EXECUTIVE OFFICER'S DELEGATION TO EXECUTE A CONTRACT WITH THE TECHNICALLY ACCEPTABLE LOWEST PRICED, RESPONSIVE, RESPONSIBLE BIDDER FOR DESIGN AND CONSTRUCTION OF THE SAN FERNANDO VALLEY EAST-WEST CORRIDOR BUS RAPID TRANSIT PROJECT.	APPROVED ON CONSENT CALENDAR																	

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



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			P	P	P	P	P	P	A	P	P	P	P	P	P	
		ATTENDANCE														
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
14	<p>CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AWARD OF A FIRM FIXED PRICE CONTRACT NO. PS-0532-1235, TO AON RISK SERVICES, INCORPORATED FOR: A. PHASE 1 OF THE CONSTRUCTION INSURANCE BROKERAGE SERVICES ADMINISTERING MARKETING SERVICES IN AN AMOUNT OF \$65,255 EFFECTIVE NOVEMBER 1, 2002.</p> <p>B. CONTINGENT ON THE SUCCESSFUL COMPLETION OF PHASE 1, AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXERCISE THE OPTION FOR CONSTRUCTION INSURANCE IMPLEMENTATION AND PROGRAM ADMINISTRATION (PHASE 2) IN AN AMOUNT NOT TO EXCEED \$1,014,594. FOR A TOTAL CONTRACT VALUE NOT TO EXCEED \$1,079,819.</p>	APPROVED AS AMENDED	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

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



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		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
		ATTENDANCE														
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
16	FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) ADOPTING A RESOLUTION AUTHORIZING THE ISSUANCE OF THE CALIFORNIA TRANSIT FINANCING CORPORATION 2002 REFUNDING CERTIFICATES AND APPROVE DOCUMENTS FOR THE NEGOTIATED SALE OF THE CERTIFICATES BY UBS PAINE WEBBER. (REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)	APPROVED	Y	Y	A	Y	Y	Y	Y	A	Y	A	Y	Y	Y	

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



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		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
		ATTENDANCE															
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FALLING	
17	FINANCE & BUDGET COMMITTEE RECOMMENDED (3-0) APPROVAL OF REVISED RECOMMENDATION TO APPROVE STRATEGIES FOR LOCKING IN THE POTENTIAL SAVINGS FROM REFUNDING UP TO \$537 MILLION OF OUTSTANDING PROPOSITION A 1993-A BONDS BY AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO: A. APPOINT UBS PAINE WEBBER TO SERVE AS SENIOR AS THE BOOK-RUNNING CO-SENIOR MANAGING UNDERWRITER AND SALOMON SMITH BARNEY AS CO-SENIOR MANAGING UNDERWRITER, ALONG WITH UNDERWRITING SYNDICATE MEMBER FIRMS, TO PRICE AND DELIVER THE PROPOSITION A 2003-A REFUNDING BONDS USING A FORWARD DELIVERY AGREEMENT IN A NEGOTIATED BOND SALE AND ESTABLISH A MINORITY PARTICIPATION GOAL OF 20%; AND	APPROVED ON CONSENT CALENDAR												C	C		

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

