

MINUTES/PROCEEDINGS

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 9:50 a.m.

Directors present:

Zev Yaroslavsky, Chair
Frank Roberts, 1st Vice Chair
James Hahn, 2nd Vice Chair
Mike Antonovich
Yvonne Brathwaite Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Gloria Molina
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa
Ron Wong, non-voting member

Officers

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



Metropolitan Transportation Authority

Metro

1. APPROVED **Consent Calendar** Items: 2, 11, 18, 30, 31, 39, and 40.

ITEMS 7, 32 and 36 were removed from the Consent Calendar.

NOTED Committee Authority items 20, 21, 33, 34, 35, and 37

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held January 22, 2004.

3. Chair's Report - None

4. RECEIVED Chief Executive Officer's Report

Submitting to the FTA a new budget package for the Eastside Extension that remains within the original bid amount with a \$60 million contingency. Should now be able to get the FFGA. The house is now considering a 2-year Transportation Reauthorization Bill instead of a 6 year. Going back to Washington the 2nd week of March for APTA.

Directors Yaroslavsky, Roberts and Villaraigosa and Rick Thorpe had a good trip to Washington last month. Met with congressional delegation and our new team of advocates.

6. APPROVED AS AMENDED BY YAROSLAVSKY:

- A. adopting the resolution certifying to the Southern California Association of Governments (SCAG) that the **Los Angeles County Transportation Improvement Program (TIP) is the "highest priority" for transportation funding** by the MTA and other agencies in Los Angeles County;

- B. approving a \$1.79 billion amendment to schedule project funding and add projects (recommendations B-3 and B-4) to the 2004 County Transportation Improvement Program (TIP), as follows:

1. Programming actions totaling \$786.3 million that implement the 2003 Short Range Transportation Plan (SRTP) for Los Angeles County;

2. The 2004 State Transportation Improvement Program (STIP) for Los Angeles County totaling \$728.3 million, including the designation of \$110.1 million in replacement project funding for the Route 10 Carpool Lane project from Route 605 to Puente Avenue;
 3. Grant Anticipation Revenue Vehicle (GARVEE) bond financing totaling \$199.5 million for the Interstate 5/Carmenita Road Interchange (right-of-way and construction) and the Route 14 Carpool Lane project from Pearblossom to Avenue P-8 (construction); and
 4. Programming of \$74.2 million in regional funds potentially made available by prior GARVEE bonds to the Route 5/Route 14 Connector project.
- C. reprogramming \$81.9 million of 2002 STIP projects to receive Proposition C 10% and Proposition C 25% funds (cash or bonds) instead;
- D. approving up to \$73.6 million of regional Proposition C 10% and Proposition C 25% funds (cash or bonds) in FY 2005 for AB 3090 replacement project financing that will be used for the ready-to-go 2004 STIP projects; and
- E. approving programming of AB 3090 replacement project funding received from Recommendation D, to the \$195.6 million in non-Caltrans Call for Projects deferrals.

AMENDMENT: In all appropriate documents related to Item #6, staff substitute the Exposition LRT project for the Mid-City Wilshire transit corridor (BRT) project to reflect the Exposition project as our next highest transit priority after the Eastside. This switch will preserve both projects but will ensure that the Exposition project remains on schedule as the Agency's next highest transit priority.

FORWARDED TO MARCH PLANNING AND PROGRAMMING COMMITTEE
FASANA, ANTONOVICH AND ROBERTS MOTION that the MTA establish the Exposition and the Gold Line Foothill Extension to Montclair as the MTA's next highest Light Rail Transit priorities after construction of the Eastside Gold Line Extension.

7. ADOPTED AS AMENDED BY VILLARAIGOSA the **Conceptual Joint Development Guidelines for the MTA's Metro Gold Line** First/Boyle, First/Soto/, First/Lorena, and Cesar Chaves/Soto joint development sites.

AMENDMENT: to include housing in the development guidelines as acceptable land uses for the First/Lorena and First/Soto station area properties.

10. APPROVED position of WORK WITH AUTHORS on **state legislation** ACA 21 (Bogh & Spitzer) which would increase the vote threshold to suspend Proposition 42 from two-thirds (2/3) to four-fifths 4/5 of the Legislature.

11. APPROVED ON CONSENT CALENDAR position of SUPPORT – WORK WITH AUTHOR on **federal legislation** H.R. 3550, TEA-LU which would reauthorize the federal highway, public transportation, highway safety, and motor carrier safety program for six (6) years, from fiscal years 2004 through 2009.

12. **CLOSED SESSION:**

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

1. Brian C. v. MTA BC 277347

APPROVED settlement in the amount of \$1,850,000

2. MTA v. Allianz Insurance Co. Arbitration No. 1220029817

APPROVED settlement of the remaining issues with payment to MTA in the amount of \$8.95 million.

3. Terry Industries v. MTA BC290857

APPROVED settlement in the amount of \$650,000

B. Conference with Labor Negotiator-G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, UTU, Teamsters, and Engineers and Architects Association.

NO REPORT.

C. Personnel Matters - G.C. 54957

Public employee employment (Chief Capital Management Officer)

NO REPORT

18. APPROVED ON CONSENT CALENDAR award of a five-year, indefinite quantity requirement – unit rate contract No. PS0451101481, to OPTISOURCE Technologies, Inc. **for imaging and archiving accounting documents**, for an amount not to exceed \$255,610, inclusive of two one-year options, effective March 1, 2004.

20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Modification No. 3 to Contract No. EN070 with Ultrasystems Environmental, to provide **Environmental Compliance Services** through fiscal year 2005 for an amount not to exceed \$281,000, increasing the total contract value from \$1,620,000 to \$1,901,000.

21. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Amendment No. 11 to Contract No. EN068, with MACTEC Engineering and Consulting Inc. (formerly, Harding Lawson ESE), to provide **Environmental Engineering Services** through fiscal year 2005 for an amount not to exceed \$1,705,507, increasing the total contract value from \$5,637,493 to \$7,343,000.

30. APPROVED ON CONSENT CALENDAR accepting a **grant from the United States Department of Homeland Security** in the amount of \$4,577,000 and AMENDING the FY04 budget to reflect this increase in revenues and expenditures.

31. APPROVED ON CONSENT CALENDAR award of a 24-month firm fixed-price requirements contract under Bid 04-0002 to Century Wheel and Rim, the lowest responsive and responsible bidder, for 6,700 **aluminum bus wheels** for an amount not to exceed \$2,140,825 inclusive of sales tax.
32. ADOPTED specified funding levels for FY02, FY03, FY04 and FY05 as required by a Memorandum of Understanding (MOU) between the Southern California Regional Rail Authority (SCRRA) and the MTA, for the contract of specified **law enforcement services on rights of way (ROWS) within Los Angeles County** on which Metrolink operates.

Memorandum of Understanding (MOU)
Funding Level

FY02	\$1,336,816
FY03	\$1,390,289
FY04	\$1,445,901
FY05 *estimated	\$1,503,737*

33. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of Modification No. 1 to Contract No. OP33445326 with Accent Landscape, Inc. to provide **landscape and irrigation maintenance services** for the Metro Pasadena Gold Line stations, facilities and seven additional Metro transit locations, for a period of one year for an amount not to exceed \$232,688 increasing the total contract value from \$3,073,158 to \$3,305,846.
34. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a three-year contract at fixed-unit rates under Bid 04-0001 with Unisource Worldwide, the lowest responsive, responsible bidder for **copier paper** for an amount not to exceed \$851,857 inclusive of sales tax and two one-year options.

35. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of Contract Modification No. 1 to Contract No. OP33440662 with Nationwide Environmental Services, to provide **power-sweeping services for Pasadena Gold Line station parking lots and yards** for a period of 47 months, for an amount not to exceed \$243,456, increasing the total contract value from \$2,341,935 to \$2,585,391.

36. AWARDED UNDER RECONSIDERATION a six-year, firm fixed-unit-rate-price Contract No. OP-3630-4017, to Trojan Portable Services, for **portable toilet services** for an amount not to exceed \$504,519 inclusive of two one-year options effective March 1, 2004.

37. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five-year, firm fixed-unit-rate contract No. OP33441448 to Pestmaster Services Inc., to provide **herbicide application services for Metro transit rights-of-way and facilities**, for an amount not to exceed \$847,179 inclusive of two one-year options, effective March 1, 2004.

38. AUTHORIZED the Chief Executive Officer to execute the following documents and agreements:
 - A. a purchase and sale agreement (the "Purchase & Sale Agreement") with the Los Angeles Unified School District ("LAUSD"), which will provide for the **sale to LAUSD of a 2.59-acre portion of the 5.83-acre, MTA-owned block at the Wilshire/Vermont Metro Red Line Station** (such portion, the "School Site"), for the construction and development of a public school thereon, and will contain the key terms and conditions;
 - B. a grant deed ("Grant Deed") and related documents necessary to convey the School Site to LAUSD and effectuate the intent of the Purchase & Sale Agreement;
 - C. an amendment to the existing MTA/Wilshire Vermont Housing Partners LLC ground lease (the "Ground Lease Amendment") covering that 3.24-acre portion of the 5.83-acre block not comprising the School Site, which (a) will allow Wilshire Vermont Housing Partners LLC ("WVHP") to offset up to \$479,954 in rent thereunder to cover a portion of the cost to

construct a new MTA bus layover facility on the 1.02-acre MTA-owned parcel on the northeast corner of Wilshire and Shatto (the “Wilshire/Shatto Parcel”), and (b) will require WVHP to refund such abated rent to MTA in the event the sale of the School Site to LAUSD fails to close;

- D. an option to ground lease (“Option to Ground Lease”) with a development affiliate of Urban Partners LLC (the “UP Affiliate”), which Option to Ground Lease will contain the business terms under which MTA would ground lease the School Site to the UP Affiliate, if the sale of the School Site to LAUSD does not occur, and, in particular, will contain the key terms and conditions set forth; and
- E. a ground lease of the School Site with the UP Affiliate (the “Back-Up Ground Lease”) pursuant to the terms and conditions set forth in the Option to Ground Lease, if the UP Affiliate exercises its option to lease under the Option to Ground Lease.

39. **APPROVED ON CONSENT CALENDAR adoption of proposed policy for position authorization and compensation** including Board approval of the following:

- 1. On an annual basis, the budgeted number of positions and estimated salary and benefit costs for each classification, by department;
- 2. Any increases to the number of positions occurring during the fiscal year that exceed budgeted authority;
- 3. On an annual basis, the non-represented employee salary schedule
- 4. All new non-represented classifications created during any fiscal year;
- 5. All non-represented position re-classification upgrades not included in the approved fiscal year budget; and
- 6. Any special benefit arrangements for hires that deviate from existing policy.

40. APPROVED ON CONSENT CALENDAR:

- A. an increase to Contract No. EN069 with CH2M Hill Constructors, Inc. (CCI), for an amount not to exceed \$2,480,000 to issue additional contract work orders for **known or suspected hazardous and contaminated environmental waste handling services** through Fiscal Year 2004, increasing the total contract value from \$7,850,000 to \$10,330,000; and
- B. delegating to the Chief Executive Officer an additional \$1,800,000 to issue contract work orders to Contract No. EN069 with CCI for future unknown environmental waste handling services that may impact the Metro Orange Line Project, increasing the future total contract value from \$10,330,000 to \$12,130,000.

41. APPROVED:

- A. certifying the Addendum/Modified Initial Study to the Final Environmental Impact Report (EIR) for the San Fernando Valley East-West Transit Corridor (now known as Metro Orange Line) to construct the proposed **Warner Center Park-and-Ride facility** and possible minor modifications, subject to the clarifications;
- B. authorizing the Chief Executive Officer to file a Notice of Determination of the Addendum/Modified Initial Study with the Los Angeles County Clerk;
- C. the development of a surface park-and-ride at the Boeing property located along the MTA right-of-way, extension of the Metro Orange Line concept to serve the park-and-ride, and the acquisition of the Boeing site subject to Board approval of final terms; and
- D. authorizing the Chief Executive Officer to solicit and award a design/build contract for the preferred park-and-ride option.

42. APPROVED FASANA MOTION AS AMENDED BY YAROSLAVSKY to delete item B:
- A. staff to return to the Board within 30 days with their completed analysis on the cost and administrative structure to implement, operate and maintain a **Regional UFS Clearinghouse**;
 - B. ~~the Board allocate necessary regional funding for the purchase and acquisition of equipment;~~
 - C. staff return to the Operations Committee on a monthly basis to report on the status of the procurement, cost and schedule to complete this final segment of the UFS regional program until it is fully operational.
43. CARRIED OVER:
- A. holding a public hearing on the proposed Resolution of Necessity; and
 - B. adopting a Resolution of Necessity authorizing the commencement of an eminent domain action **to acquire Assessor Parcel Nos. 5147-035-004, 005, 006, 007 and 008** for the Division I land acquisition and expansion project.
- (Requires 2/3 vote of the Board)
44. APPROVED BY A 2/3 VOTE OF THE BOARD:
- A. holding a public hearing on the proposed Resolution of Necessity; and
 - B. adopting a Resolution of Necessity authorizing the commencement of an eminent domain action **to acquire Assessor Parcel No. ES-562 for the Eastside Gold Line Extension Project.**

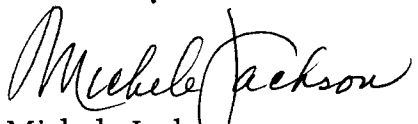
45. APPROVED:

- A. the **reclassification of the non-represented position** of Executive Officer, Rail Construction (grade BB) to the non-represented classification of Chief Capital Management Officer (Grade DD); and
- B. the creation of a new non-represented classification titled Director, Federal Advocacy (Grade Q).

RECEIVED public comment.

ADJOURNED at 12:55 p.m.

Prepared by: Christina Lumba-Gamboa
Recording Secretary


Michele Jackson
Board Secretary

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, FEBRUARY 26, 2004

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING														
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
1	APPROVE CONSENT CALENDAR ITEMS: 2, 7, 11, 18, 30, 31, 32, 36, 39, AND 40. ITEMS 7, 32 AND 36 WERE REMOVED FROM CONSENT CALENDAR	APPROVED	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	A	A	
	NOTE COMMITTEE AUTHORITY ITEMS 20, 21, 33, 34, 35, AND 37	NOTED														
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD JANUARY 22, 2004.	APPROVED ON CONSENT CALENDAR														
3	CHAIR'S REPORT	NONE														
4	CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED														

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, FEBRUARY 26, 2004

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING													
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
6	<p>CONSIDER AS AMENDED BY YAROSLAVSKY: A. ADOPTING THE RESOLUTION CERTIFYING TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) THAT THE LOS ANGELES COUNTY TRANSPORTATION IMPROVEMENT PROGRAM (TIP) IS THE "HIGHEST PRIORITY" FOR TRANSPORTATION FUNDING BY THE MTA AND OTHER AGENCIES IN LOS ANGELES COUNTY;</p>														
	<u>ACTION TAKEN</u>														
	APPROVED.	Y	A	Y	Y	Y	Y	Y	Y	AB	A	Y	Y	A	

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

