

Minutes/Proceedings

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 9:56 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
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa

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

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

1. APPROVED Consent Calendar Items: 2, 10, 11, 13, 14, 19, 26, and 27.

2. APPROVED ON CONSENT CALENDAR **Minutes of Regular Board Meeting** held February 26, 2004 and **Special Board Meeting** held March 1, 2004.

3. RECEIVED Chair’s Report.
 - Commented on the success of the Rapid Bus pilot program covering a 1-mile segment of Wilshire Blvd. in West L.A.
 - Requested that the Board adjourn in memory of all the victims of the recent bombing in Madrid, and directed staff to prepare an appropriate resolution to be sent to the Counsel General of Spain.

4. RECEIVED Chief Executive Officer’s Report.
 - Transportation Secretary Minetta will be speaking at a town hall event in L.A. next week.
 - Senate and Assembly Transportation Committee hearings will be held in the Board room on 3/26.
 - L.A. Vendor Fair will be held on 4/13 at the L.A. Convention Center.

5. RECEIVED oral presentation on **Metro Connections**.

9. ADOPTED the following positions, as recommended by staff or as amended, on **State Legislation**:
- A. ACA 24 (Dutra) – would apply loan repayment provisions to the Transportation Investment Fund similar to those applicable to the State Highway Account. **SUPPORT**
 - B. AB 2024 (Bermudez) – would require the Secretary of the Business, Transportation and Housing Agency to prepare recommendations to implement incentives for port-related cargo during off-peak hours, disincentives for on-peak hours and mandatory hours of operations of port terminals, railroads, trucks, and distribution centers. ~~NEUTRAL – WORK WITH AUTHOR~~ **WORK WITH AUTHOR**
 - C. AB 2041 (Lowenthal) – would create the Port Congestion Management District and require the district to impose a fee on containers shipped by truck in the Ports of Long Beach and Los Angeles between certain hours and days of the week. ~~NEUTRAL – WORK WITH AUTHOR~~ **WORK WITH AUTHOR**
 - D. AB 2042 (Lowenthal) – would require the Ports of Long Beach and Los Angeles to ensure that all future growth at the port will have a zero net increase in air pollution. ~~NEUTRAL – WORK WITH AUTHOR~~ **SUPPORT IN CONCEPT AND WORK WITH AUTHOR**
 - E. AB 2043 (Lowenthal) – would establish the Maritime Port Strategic Master Plan Task Force. ~~NEUTRAL – WORK WITH AUTHOR~~ **WORK WITH AUTHOR**
 - F. AB 2737 (Dutra) – would clarify current law relating to the liability of a public agency arising from the location of public facilities. **SUPPORT**
 - G. AB 2847 (Oropeza) – would impose an additional fee of \$0.05 on each gallon of gasoline and diesel fuel sold in the state. **SUPPORT**
 - H. SB 1614 (Torlakson) – would impose an additional fee of \$0.10 on each gallon of gasoline and diesel fuel sold in the state. **SUPPORT**

9. I. ADOPTED the following **position on state legislation**:

SR 33 (Murray) – would state that the MTA should abandon its current challenge of the consent decree and orders from the special master with regard to the consent decree, and, would request the MTA to take all necessary actions to implement the terms of the consent decree. -

OPPOSE

FAILED LUDLOW SUBSTITUTE MOTION to adopt the position of SUPPORT.

FAILED LABONGE SUBSTITUTE MOTION to adopt the position of WORK WITH AUTHOR.

10. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:
- A. fund the fourth year of Contract No. PS-2020-1051, with Dr. Dan Eisenstein for **geotechnical and tunneling consulting** as a member of the Tunnel Advisory Panel for an amount not to exceed \$193,965 effective May 1, 2004; and
 - B. fund the fourth year of Contract No. PS-2020-1055, with Dr. Geoffrey Martin for geotechnical and tunneling consulting as a member of the Tunnel Advisory Panel for an amount not to exceed \$39,600 effective May 1, 2004.
11. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute a Memorandum of Understanding (MOU) with the Riverside County Transportation Commission (RCTC) for **rideshare development and support services** for Los Angeles County during FY05 and FY06 for an amount not to exceed \$600,000, and to execute three one-year options for FY07, FY08, and FY09 for an amount not to exceed \$900,000 over the three-year period.

13. APPROVED ON CONSENT CALENDAR amendment of the **Non-Contract Employees' Retirement Income Plan** to:
- A. implement a Deferred Retirement Option Program (DROP);
 - B. eliminate the \$133.33 offset for those employees who retire and elect an annuity option;
 - C. allow eligible employees to purchase up to 5 years additional service credit ("Air Time") at no cost to the MTA/PTSC; and
 - D. approve Employer Pickup Resolution to allow pre-tax payroll deductions for Air Time purchases under Internal Revenue Code Section 414 (h) (2).
14. APPROVED ON CONSENT CALENDAR award of a ten-year, firm fixed-unit-rate Contract No. PS04511012 to ADP National Account Services, ProBusiness Division, to provide **printing and delivery of bi-weekly payroll checks, deposit advices, W-2's and third party checks** for an amount not to exceed \$7,500,000, inclusive of three two-year options, effective January 1, 2005.
19. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to exercise a no-cost increase, one-year option to Contract No. PM022, Project Management Assistance (PMA) with URS Corporation, to provide **support services for various Projects**, from June 1, 2004 to May 31, 2005.
26. APPROVED ON CONSENT CALENDAR award of a thirty (30) month, fixed-unit rate Contract No. PS33421482, to Stein Industries, Inc. for the provision of **farebox repair and maintenance services** for an amount not to exceed \$300,000, inclusive of three six-month options, effective April 1, 2004.

27. APPROVED ON CONSENT CALENDAR:

- A. life of project budget in the amount of \$16 million for the implementation of the **Regional Transit Access Pass (TAP) Clearinghouse and Service Center**; and
- B. authorizing the Chief Executive Officer to execute a contract modification with Booz-Allen Hamilton, Contract PS-4610-1026, Amendment 3 for an amount not to exceed \$2,996,458 to provide technical design, program development, and implementation oversight of the Regional Universal Fare System Program, increasing the total contract value from \$4,705,185 to \$7,701,643.

28. APPROVED BY A 2/3 VOTE OF THE BOARD AS AMENDED BY YAROSLAVSKY:

- A. holding a public hearing on the proposed resolution of necessity for the **acquisition of assessor Parcel Nos. 5147-035-004, 005, 006, 007, and 008 for the Division 1 land acquisition and expansion project**; and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject real property.

AMENDMENT: That Staff negotiate with appropriate property owners for the development of adequate, mutually agreeable parking.

29. APPROVED BY A 2/3 VOTE OF THE BOARD:

- A. holding a public hearing on the proposed resolution of necessity for the **acquisition of Parcel ES-590 for the Gold Line Eastside Extension project**; and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject property.

30. APPROVED BY A 2/3 VOTE OF THE BOARD:
- A. holding a public hearing on the resolution of necessity for the **acquisition of Parcel ES-652 for the Gold Line Eastside Extension project**; and
 - B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Parcel No. ES-652.
31. APPROVED:
- A. conceptual site plans by Legacy Partners/Gatehouse Capital (Legacy/Gatehouse) for **joint development at the Hollywood and Vine Metro Rail Station**;
 - B. a modification of the previously approved land swap to allow the MTA to swap airspace and subterranean space in return for additional in-fee ownership of parcels along Vine Street; and
 - C. Findings and Statement of Overriding Considerations, in accordance with the California Environmental Quality Act (CEQA).
32. APPROVED AS AMENDED BY YAROSLAVSKY to include a resolution urging use of GARVEE bond financing:
- A. adoption of an **alternative to the 2004 Los Angeles County Transportation Improvement Program (TIP)** that does not rely on Grant Anticipation Revenue Vehicle (GARVEE) bonds;
 - B. receiving and filing of programming changes due to GARVEE bond debt service interest rate recalculations; and

- C. receiving and filing of technical amendments to the 2004 Los Angeles County TIP requested by Caltrans.

AMENDMENT:

- The MTA strongly urges the CTC to approve the GARVEE bond alternative for the 2004 Los Angeles County TIP instead of the Non-GARVEE bond alternative, which is submitted under protest;
- The MTA agrees to repay interest on GARVEE bonds from its County Share of the State TIP, provided that the State of California manages the bond proceeds in an efficient manner; and
- The MTA remains committed to GARVEE bond financing to expedite the I-5/Carmenita, Route 14, Route 5/14 projects, Route 5 Soundwalls from Route 118 to Route 14, and other regionally significant projects.

33. APPROVED ANTONOVICH, ROBERTS, AND VILLARAIGOSA MOTION that the Board:

- A. support the **High Speed Rail Antelope Valley Alignment and the Palmdale Station**; and
- B. forward a copy of the motion to the High Speed Rail Authority.

34. CLOSED SESSION:

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

1. Flores v. MTA SACV 03-820 JVS

APPROVED settlement which will be made public when filed with the Court for approval.

2. Labor Community Strategy Center v. MTA CV 94-5935 TJH

NO REPORT.

APPROVED resolution which will be submitted to the Court for approval.

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

Initiation of Litigation (One Case)

AUTHORIZED action against the State as necessary to protect against disclosure of open case files.

C. Conference regarding Potential Threats to Public Services or Facilities - - G.C. Section 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Captain Finkelstein, Chief of Security and Law Enforcement, on security related matters.

NO REPORT.

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

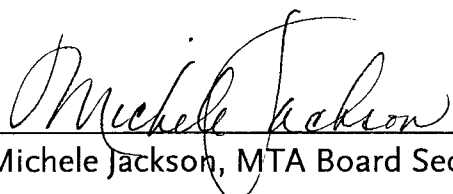
Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, and Teamsters.

NO REPORT.

RECEIVED public comment.

ADJOURNED at 1:48 P.M. in memory of the victims of the tragic bombing in Madrid, Spain.

Prepared by: Michele Chau
Recording Secretary


Michele Jackson, MTA Board Secretary

RECAP OF PROCEEDINGS
LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING
THURSDAY, MARCH 25, 2004

DIRECTORS VOTING

ATTENDANCE			P	P	A	P	P	P	P	P	P	P	P	P	A	
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, 10, 11, 13, 14, 19, 26, AND 27.	APPROVED	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD FEBRUARY 26, 2004 AND SPECIAL BOARD MEETING HELD MARCH 1, 2004.	APPROVED ON CONSENT CALENDAR														
3	CHAIR'S REPORT	RECEIVED														
4	CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED														
5	RECEIVE ORAL PRESENTATION ON METRO CONNECTIONS	RECEIVED														

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

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ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
9	ADOPT THE FOLLOWING POSITIONS ON STATE LEGISLATION: A. ACA 24 (DUTRA) - WOULD APPLY LOAN REPAYMENT PROVISIONS TO THE TRANSPORTATION INVESTMENT FUND SIMILAR TO THOSE APPLICABLE TO THE STATE HIGHWAY ACCOUNT. SUPPORT	APPROVED	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	
9	B. AB 2024 (BERMUDEZ) - WOULD REQUIRE THE SECRETARY OF THE BUSINESS, TRANSPORTATION AND HOUSING AGENCY TO PREPARE RECOMMENDATIONS TO IMPLEMENT INCENTIVES FOR PORT-RELATED CARGO DURING OFF-PEAK HOURS, DISINCENTIVES FOR ON-PEAK HOURS AND MANDATORY HOURS OF OPERATIONS OF PORT TERMINALS, RAILROADS, TRUCKS, AND DISTRIBUTION CENTERS. NEUTRAL - WORK WITH AUTHOR	APPROVED AS AMENDED TO ADOPT THE POSITION OF WORK WITH AUTHOR	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	

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

RECAP OF PROCEEDINGS
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ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
9	C. AB 2041 (LOWENTHAL) - WOULD CREATE THE PORT CONGESTION MANAGEMENT DISTRICT AND REQUIRE THE DISTRICT TO IMPOSE A FEE ON CONTAINERS SHIPPED BY TRUCK IN THE PORTS OF LONG BEACH AND LOS ANGELES BETWEEN CERTAIN HOURS AND DAYS OF THE WEEK. NEUTRAL - WORK WITH AUTHOR	APPROVED AS AMENDED TO ADOPT THE POSITION OF WORK WITH AUTHOR	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	
9	D. AB 2042 (LOWENTHAL) - WOULD REQUIRE THE PORTS OF LONG BEACH AND LOS ANGELES TO ENSURE THAT ALL FUTURE GROWTH AT THE PORT WILL HAVE A ZERO NET INCREASE IN AIR POLLUTION. NEUTRAL- WORK WITH AUTHOR	APPROVED AS AMENDED TO ADOPT THE POSITION OF SUPPORT IN CONCEPT AND WORK WITH AUTHOR	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	
9	E. AB 2043 (LOWENTHAL) - WOULD ESTABLISH THE MARITIME PORT STRATEGIC MASTER PLAN TASK FORCE. NEUTRAL - WORK WITH AUTHOR	APPROVED AS AMENDED TO ADOPT THE POSITION OF WORK WITH AUTHOR	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	

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
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ATTENDANCE			P	P	A	P	P	P	P	P	P	P	P	P	P	P	A
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG	
9	F. AB 2737 (DUTRA) - WOULD CLARIFY CURRENT LAW RELATING TO THE LIABILITY OF A PUBLIC AGENCY ARISING FROM THE LOCATION OF PUBLIC FACILITIES. SUPPORT	APPROVED	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y		
9	G. AB 2847 (OROPEZA) - WOULD IMPOSE AN ADDITIONAL FEE OF \$0.05 ON EACH GALLON OF GASOLINE AND DIESEL FUEL SOLD IN THE STATE - SUPPORT	APPROVED	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y		
9	H. SB 1614 (TORLAKSON) - WOULD IMPOSE AN ADDITIONAL FEE OF \$0.10 ON EACH GALLON OF GASOLINE AND DIESEL FUEL SOLD IN THE STATE. SUPPORT	APPROVED	Y	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y		

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

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LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, MARCH 25, 2004

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ATTENDANCE		P	P	A	P	P	P	P	P	P	P	P	P	P	P	A
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG	
9	I. ADOPT THE FOLLOWING POSITION ON STATE LEGISLATION: SR 33 (MURRAY) - WOULD STATE THAT THE MTA SHOULD ABANDON ITS CURRENT CHALLENGE OF THE CONSENT DECREE AND ORDERS FROM THE SPECIAL MASTER WITH REGARD TO THE CONSENT DECREE, AND, WOULD REQUEST THE MTA TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE TERMS OF THE CONSENT DECREE. OPOSE															
9	LUDLOW SUBSTITUTE MOTION TO ADOPT THE POSITION OF SUPPORT	N	Y	A	N	Y	N	N	N	N	A	N	Y	Y		
9	LABONGE SUBSTITUTE MOTION TO ADOPT THE POSITION OF WORK WITH AUTHOR	N	Y	A	N	Y	N	N	N	N	A	N	Y	Y		

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

