

Minutes/Proceedings

2

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 9:55 A.M.

Directors Present:

Frank Roberts, 1st Vice Chair
James Hahn, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Gloria Molina
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, 8, 16, 20, 26, 33, 39, and 40.

Items 11, 19, 25, and 42 were removed from Consent Calendar.

NOTED the following items being forwarded to the June 7, 2004 Special Board Meeting:

- 28. Fiscal Year FY05 Budget
- 29. Consent Decree Service
- 32. Design Build Contracts for Eastside Project

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

3. RECEIVED Chair’s Report.

- 1st Vice Chair Roberts stated that he was pleased to hear that the FTA’s protest to providing full funding for the Gold Line Eastside Extension is being rescinded and that he is optimistic that the agency may be able to secure long-awaited funding for the project.
- Requested that the Board adjourn in memory of Nicholas Falicki, son of James Falicki, Director of Operations Support. Nicholas passed away on April 28, 2004 and is survived by his mother Janis, three brothers, three sisters, and eleven nieces and nephews.

4. RECEIVED Chief Executive Officer’s Report.

- Mr. Snoble stated that Chairman Ishtook is withdrawing his objections to the Full Funding Grant Agreement for the Eastside Extension. The review period ends on June 1, and the MTA is hopeful that the FTA will sign the agreement before that time.

- Rep. Ernest Ishtook will be in town on May 28 and agency officials will give him a tour of the Metro transit system.
- Mr. Snoble commented on the success of Bike To Work Day on May 20. The agency offered free rides on the Metro system to the 2,121 cyclists who participated. He stated that Bike to Work Day encourages commuters to consider alternative forms of transportation.

8. APPROVED ON CONSENT CALENDAR the programming of \$1,092,000 in FTA **Section 5311 funds** for Los Angeles County for a six-year period and AUTHORIZED the Chief Executive Officer or his designee to identify projects annually.

11. APPROVED:

- A. the revised and updated **Exposition Project** schedule; and
- B. amendment of the FY05 budget to add \$5.8 million to the Exposition Project for a total approved project budget through Preliminary Engineering of \$17.8 million.

16. APPROVED ON CONSENT CALENDAR receiving and filing the **ordinance regulating the MTA's contractor pre-qualification program** at the May Board meeting and adopting it at the next meeting.

19. ADOPTED the following **positions on Federal Legislation**:
- A. S.2276 (Boxer) – A bill to allow the Secretary of Homeland Security to make grants to Amtrak, other rail carriers, and providers of mass transportation for improvements to the security of our Nation’s rail and mass transportation system. **SUPPORT**
 - B. S.2273 (McCain) – A bill to provide \$1.2 billion in funding to meet immediate security needs for intercity and freight rail transportation providers. **WORK WITH AUTHOR**
 - C. S.2289 (Sessions) – A bill to ensure that railroad carriers and mass transportation providers receive the same protection under federal criminal law. **SUPPORT**
20. APPROVED ON CONSENT CALENDAR adoption of the following **positions on State Legislation**:
- A. AB 2456 (Spitzer) – Would establish a base amount of funding through the STIP for planning, programming, and monitoring activities and would authorize the allocation of the base amounts even in years when no new STIP funds are made available. **SUPPORT**
 - B. SB 138 (Knight) – Would allow Caltrans to enter into agreements with private entities to construct a toll road in the SR 138 corridor running through the Antelope and Apple Valleys. **SUPPORT**
 - C. SCA 20 (Torlakson) – Would increase the vote threshold to suspend Proposition 42 and require that suspended funds be repaid under specified conditions. **SUPPORT**

21. APPROVED AS AMENDED BY FASANA to delete Item #3, bylaw Article V, meetings, which would remain unchanged; and implement cost savings as identified by staff:
- A. receiving and filing the report on costs associated with the Sector Governance Councils; and
 - B. modifying the **Service Sector Governance Council Bylaws and Policy** to help streamline costs as follows:
 - 1. Bylaw Article II, Membership, Paragraph E Code of Conduct – add language to clarify that Sector Governance Council Members have no individual authority over MTA Operations and must act only through the Governance Council of which they are a member.
 - 2. Bylaw Article II, Membership, Paragraph I Removal/Replacement – add language to allow the MTA Board to remove or replace a Service Sector Council member by a majority vote. This will become effective immediately.
 - 3. Bylaw Article V, Meetings, Paragraph B, Regular Meetings –~~add language to reflect that Sector Governance Councils shall meet four~~ **six** times a year inclusive of public hearings ~~or be required to stay within the annual budget allotment for six meetings,~~ except for emergency situations in which a meeting is necessitated. This will become effective May 31, 2004.
 - 4. Bylaw Article VI, Amendments – clarify language that allows the MTA Board to amend the bylaws by simple majority vote. This will become effective immediately.
 - 5. Policy Section 2, Travel – replace existing language **and specify an annual travel allowance cap of \$3,500 \$7,500** per year per Sector ~~for all five Governance Councils on travel allowance provisions for Council members.~~ The policy will include language requiring Service Sector Council members to adhere to the provisions of MTA Travel Policy, FIN#14.

25. CARRIED OVER TO JUNE REGULAR BOARD MEETING:
- A. appointing Goldman Sachs & Co. and Morgan Stanley as **co-senior managing underwriters and remarketing agents for one or more series of auction rate securities**; and
 - B. appointing Goldman Sachs & Co. and Morgan Stanley as co-senior managing underwriters, with Goldman Sachs & Co. to serve as the bookrunning underwriter, and the following firms to serve as co-managing underwriters in the event one or more fixed rate bond series are issued: E.J. De La Rosa & Co., Jackson Securities, Inc., Loop Capital Markets, and LLC, Backstrom McCarley Berry & Co., LLC to transact a refunding of the General Revenue Bonds, Series 1996-A in a negotiated sale.
26. APPROVED ON CONSENT CALENDAR adopting a resolution extending the expiration of the **tax-exempt commercial paper (TECP) program** by an additional six years until January 31, 2012.
33. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute **Change Order No. 61 to Contract No. H1100, Automatic Train Control**, with Union Switch and Signal, Inc. on the Metro Green Line for a credit in the amount of not less than \$395,000 for the deletion of Driverless Demonstration Test, decreasing the total contract value from \$62,785,743 to \$62,390,743.
38. AUTHORIZED the Chief Executive Officer to execute **twelve Metro Freeway Service Patrol (FSP) contracts** for a total amount not to exceed \$15,157,283 to the following contractors:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
44*	Bob & Dave's Towing, Whittier	\$ 562,495	09/01/04 – 08/31/06
19	J&M Towing, Alhambra	\$ 1,735,272	09/01/04 - 08/31/07
20	Navarro's Towing, Monterey Park	\$ 1,237,860	09/01/04 – 08/31/07
23	City Terrace Service, Los Angeles	\$ 1,273,715	09/01/04 – 08/31/07
12	Al's Towing, Alhambra	\$ 1,214,449	10/01/04 – 09/30/07
14	Kenny's Auto Service, Bellflower	\$ 1,455,915	10/01/04 – 09/30/07
15	Kenny's Auto Service, Bellflower	\$ 1,138,669	10/01/04 – 09/30/07
16	Pepe's Towing, Los Angeles	\$ 1,526,004	10/01/04 – 09/30/07
18	Bob's Towing, Rowland Heights	\$ 1,647,996	11/01/04 – 10/31/07
26	ABA Towing, Los Angeles	\$ 896,974	11/01/04 – 10/31/07
38	Bob & Dave's Towing, Whittier	\$ 959,909	11/01/04 – 10/31/07
41	Hollywood Car Carrier, Los Angeles	\$ 1,508,025	11/01/04 – 10/31/07
	Total Amount Not-to-Exceed	\$15,157,283	
*	2-Year Contract		

39. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute contract modification No. 3 to Contract No. PS-6810-1346 with Enternet Business Systems to provide **consulting services to Metro for the on-going implementation of the integrated Transitsafe™ and Vehicle Accident Monitoring System (VAMS)**, extending the contract period three years to June 30, 2007 for an amount not to exceed \$255,000, inclusive of a one-year option, increasing the total contract value from \$147,999 to \$402,999.
40. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute contract modification No. 3 to Contract No. PS-6810-1282 with Transportation Resource Associates (TRA) for **maintenance, upgrades and enhancements to the proprietary software program, Transitsafe™**, in support of our incident and claims management activities, for an amount not to exceed \$376,000, increasing the total contract value from \$238,645 to \$614,645 and extending the period of performance from July 1, 2004 to July 1, 2009.
42. APPROVED REVISED RECOMMENDATION AS AMENDED BY BURKE **that the passage of this item does not prejudice any other options for funding the immediate needs program:**
- A. execute Memorandum of Understanding (MOU) Modification No. 3 to MOU No. TCP2610LASD to provide funding for FY05 transit community policing services for an amount not to exceed \$49,794,668, \$49,054,950 for the period July 1, 2004 through June 30, 2005; and increasing the total contract value from \$55,081,812 to \$104,876,480 for the period July 1, 2004 through June 30, 2005.
- B. add the amount of \$500,000 to MOU TCP2610LASD for contingency funding to cover emergency services required for heightened security resulting from activities similar to the recent Madrid train bombing, revising the total contract value from \$55,081,812 to \$104,636,762.

43. WITHDRAWN BY STAFF the following **Service Sector Council Nomination:**

- A. Mr. A. Dennis Lytton, a Hollywood resident, law student at the Southwestern University School of Law, and an avid user of the Metro Transit System, for the final vacant seat on the Westside/Central Governance Council; and

APPROVED the following **Service Sector Council Nomination:**

- B. Dr. Richard O. Arvizu, a resident of West Hills, the Associate Vice President of Administrative Services at Los Angeles Mission College, and a regular patron of the Metro Transit System. He has been nominated by Los Angeles City Council President Alex Padilla to replace Mr. Bart Reed on the San Fernando Valley Governance Council.

44. APPROVED:

- A. adopting position on Assembly Budget Subcommittee #5 Item #2660-001-650, which would **remove the cap on overruns associated with the San Francisco Bay Area Toll Bridges** as proposed by the Department of Finance. **OPPOSE;** and
- B. recommending that the MTA Board of Directors communicate to the legislature that overruns on the Bay Area Bridges be funded out of Bay Area sources.

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

- A. holding a public hearing on the proposed Resolution of Necessity; and
- B. adopting the Resolution of Necessity authorizing the commencement of an **eminent domain action to acquire Parcel ES-588** for the Eastside Light Rail Transit Project – Indiana Street Station.

23. CLOSED SESSION:

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

Benitez v. MTA BC 295729

APPROVED settlement in the amount of \$900,000.

B. Conference with Real Property Negotiators Concerning Price and/or Terms of Payment – G.C. 54956.8:

Negotiator: Velma Marshall

Metro Orange Line Warner Center Park and Ride Facility

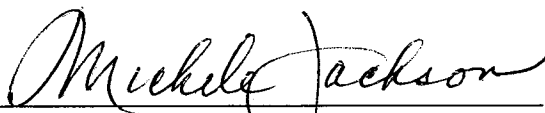
Owner	Address
Boeing North America, Inc.	6620 Canoga Avenue, Canoga Park

INSTRUCTED real property negotiator as to an offer to be made on the Park and Ride facility.

RECEIVED public comment.

ADJOURNED in memory of Nicholas Falicki.

Prepared by: Michele Chau
Recording Secretary


Michele Jackson, MTA Board Secretary

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, MAY 27, 2004

DIRECTORS VOTING

ITEM NO.	ATTENDANCE	SUBJECT ITEM	ACTION TAKEN	DIRECTORS VOTING														
				P	P	P	P	A	P	P	P	P	P	P	A			
1			<u>ACTION TAKEN</u>	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG	
		APPROVE CONSENT CALENDAR ITEMS: 2, 8, 16, 20, 26, 33, 39, AND 40. ITEMS 11, 19, 25, AND 42 WERE REMOVED FROM CONSENT CALENDAR	APPROVED	Y	A	Y	A	Y	Y	A	Y	Y	Y	Y	A	Y	Y	
2		APPROVE MINUTES OF REGULAR BOARD MEETING HELD APRIL 22, 2004.	APPROVED ON CONSENT CALENDAR															
3		CHAIR'S REPORT	RECEIVED	P	P	P	A	P	P	A	P	P	P	P	P	P	P	
4		CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED	P	P	P	A	P	P	A	P	P	P	P	P	P	P	

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, MAY 27, 2004

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING													
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	PASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
	<u>ACTION TAKEN</u>														
8	APPROVE THE PROGRAMMING OF \$1,092,000 IN FTA SECTION 5311 FUNDS FOR LOS ANGELES COUNTY FOR A SIX-YEAR PERIOD AND AUTHORIZE THE CHIEF EXECUTIVE OFFICER OR HIS DESIGNEE TO IDENTIFY PROJECTS ANNUALLY.														
	<u>APPROVED ON CONSENT CALENDAR</u>														
11	CONSIDER: A. APPROVING THE REVISED AND UPDATED EXPOSITION PROJECT SCHEDULE; AND B. AMENDING THE FY05 BUDGET TO ADD \$5.8 MILLION TO THE EXPOSITION PROJECT FOR A TOTAL APPROVED PROJECT BUDGET THROUGH PRELIMINARY ENGINEERING OF \$17.8 MILLION.	Y	Y	Y	A	Y	Y	A	Y	Y	Y	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
THURSDAY, MAY 27, 2004

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING												
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	P	P	P	P	A	P	P	P	P	P	P	A
16	RECEIVE AND FILE THE ORDINANCE REGULATING THE MTA'S CONTRACTOR PRE-QUALIFICATION PROGRAM AT THE MAY BOARD MEETING AND ADOPT IT AT THE NEXT MEETING.	APPROVED ON CONSENT CALENDAR												
19	ADOPT THE FOLLOWING POSITIONS ON FEDERAL LEGISLATION: A. S.2276 (BOXER) - A BILL TO ALLOW THE SECRETARY OF HOMELAND SECURITY TO MAKE GRANTS TO AMTRAK, OTHER RAIL CARRIERS, AND PROVIDERS OF MASS TRANSPORTATION FOR IMPROVEMENTS TO THE SECURITY OF OUR NATION'S RAIL AND MASS TRANSPORTATION SYSTEM. SUPPORT	APPROVED	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

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

