

Minutes/Proceedings

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 10:09 A.M.

Directors Present:

Frank Roberts, Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa
Zev Yaroslavsky

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, 7, 9, 10, 16, 17, 18, 19, 20, 28, 29, 34, and 38.

Items 25, 27, and 35 were removed from Consent Calendar.

2. **APPROVED ON CONSENT CALENDAR Minutes** of Regular Board Meeting held June 24, 2004.

3. **RECEIVED Chair’s Report.**

Chair Roberts stated that he was impressed with the efforts of staff and the emcee in organizing and overseeing the groundbreaking of the Gold Line Eastside Extension on July 17.

➤ Presented resolutions to:

- A. the Metro Gold Line Eastside Review Advisory Committee

Director Roberts stated that the RAC, which was established in 1995, meets monthly to review construction mitigation efforts, community relations activities, budgetary and environmental matters and other issues impacting the direction of the Eastside Extension. The RAC consists of 25 representatives from Little Tokyo, Boyle Heights, and other Eastside areas. Director Molina complimented members of the RAC for their efforts in mitigating disruption to communities caused by construction of the Eastside Extension. Director Villaraigosa lauded members of the RAC for weathering years of distrust by the public, and stated that their ideas and leadership have made the Extension a better project.

- B. Rosa Fuquay, Transportation Deputy to Supervisor Michael Antonovich

Mr. Roberts mentioned that Ms. Fuquay started out as a summer intern in 1985 and became a full-time Transportation Deputy in 1987 for Supervisor Michael Antonovich, representing the 5th Supervisorial

District in L.A. County. In addition to serving on key transportation boards, Ms. Fuquay played a pivotal role in helping secure funding for the Alameda Corridor East Project and has advocated various transportation projects in the Antelope and San Gabriel Valleys.

4. RECEIVED Chief Executive Officer's Report.

Mr. Snoble commented on the House Committee appropriations bill, which contains \$60 million for the Eastside Extension. He stated that the House Committee also has a provision to provide the agency with \$660,000 from Red Line close-out funds. The House recently passed an extension of TEA-21 and it will look at possible extension of the deadline for the next reauthorization bill to September 30. In addition, a contract authority amount of \$299 million has been put forth by the House for the next reauthorization bill.

Mr. Snoble mentioned that the state budget has not yet been adopted and that it includes provisions for paying back transportation funds that have been taken out over the last few years. He stated that if legislation is passed in November on the Indian gaming situation, this would negate the agreement between the governor and casinos and would be detrimental to transportation.

He gave a brief overview of the Eastside Extension groundbreaking on July 17 which was attended by 22 dignitaries.

Staff gave a presentation on Outplacement Assistance efforts for those employees impacted by the RIF (Reduction in Force).

Mr. Snoble reviewed the FY05 Metro Strategic Plan, vision, mission, goals, and management directives.

Vision – Metro, leading the nation in safety, mobility and customer satisfaction.

Mission – Continuous improvement of an effective and efficient transportation system for Los Angeles County.

Agency's Strategic Plan:

Mr. Snoble stated that staff is in the process of updating the Strategic Plan and that it works in conjunction with the agency's vision, mission, goals, strategies, and performance. The Strategic Plan's key goals to meet the County's transportation needs are:

- improve transit service
- deliver quality capital projects on time and within budget
- fiscal responsibility
- leadership for the region's mobility agenda
- develop an effective and efficient workforce

Management Directives include:

- No. 10 **Pinch Every Penny.** This directive is especially critical as the agency confronts a structural deficit next year of at least \$20 million and funds \$13.2 million of Consent Decree service.
- No. 09 **Work together.** Improve labor relations throughout the organization.
- No. 08 **Look ahead.** Seek public input to facilitate congestion relief, long range planning and improve air quality.
- No. 07 **Keep an eye out.** Keep our eyes and ears open, and increase security efforts throughout the system.
- No. 06 **Finish what we started.** Streamline the process and finish projects that have been started. Maintain schedules and close out contracts on time.
- No. 05 **Think Orange.** The Orange Line represents a good alternative to rail. Stay on schedule and budget.
- No. 04 **Go East.** Set an example in managing the Gold Line Eastside Extension project.
- No. 03 **Get in sync.** Integrate capital, planning, and operations plans with 10-year financial plan.
- No. 02 **Make them love us.** Meet the needs of the public and increase customer satisfaction.
- No. 01 **Safety.** Reduce accidents and enhance safety environment for our customers and employees.

7. APPROVED ON CONSENT CALENDAR adoption of the **2004 Congestion Management Program (CMP)** for Los Angeles County.

8. AUTHORIZED AS AMENDED BY DIRECTORS BURKE AND KNABE:

- A. adoption of the **final report of the North County Combined Highway Corridors Study (copies available on request from MTA Records Management Center)**; and
- B. use of the Study for future updates to the Short Range Transportation Plan (SRTP), Long Range Transportation Plan (LRTP) and Regional Transportation Plan (RTP) in order to guide future highway operation, transit development and multi-modal implementation in North Los Angeles County, involving I-5, SR-14 and SR-138.

BURKE/KNABE AMENDMENT that the Coastal Corridor effort be presented at the September '04 meeting of the Planning and Programming Committee, and that staff be directed to work with the South Bay Cities Council of Governments toward using the Coastal Corridor program for future updates of the Short Range Transportation Plan, Long Range Transportation Plan and Regional Transportation Plan.

9. APPROVED ON CONSENT CALENDAR:

- A. recertifying \$61.6 million in existing **FY 2004-05 commitments from previous Countywide Call for Projects**; authorizing the expenditure of funds to meet these commitments; receiving and filing \$74.3 million worth of time extensions for Los Angeles County projects;
- B. deobligating \$4.3 million of previously approved Call for Projects and Regional Transit Alternatives Analysis (RTAA) Program funding;
- C. authorizing the Chief Executive Officer to deobligate prior Call for Projects funding commitments during the annual Recertification and Deobligation cycle, if projects are not proceeding according to the MTA's existing lapsing policy;
- D. revising the MTA lapsing policy effective July 1, 2004, for all locally funded MTA Call for Projects agreements;
- E. acceleration of a total of \$42.4 million in Regional Surface Transportation Program (RSTP) funds, of which \$32.4 million in RSTP and \$4.2 million in Proposition C 25% matching funds is for the Route 14 Carpool Lane from Pearblossom to P-8, and \$10.0 million in RSTP is for the Interstate 405 Carpool Lane from Route 90 to Interstate 10 pursuant to the State of California's offer;

- F. a change in project priority status from deferred to “ready-to-proceed” for the Wilshire Western Transit Center and Westlake McArthur Community Based Intercept Facility to allow these joint development related projects to move forward; and
- G. amending the FY 2004-05 MTA Budget, as necessary, to include the 2004 Call for Projects Recertification and Deobligation projects in the FY 2005 Regional Programs budget and to include grant-funded MTA projects in the appropriate cost center budgets.

10. APPROVED ON CONSENT CALENDAR:

- A. methodologies and assumptions, including all changes and adjustments, used for the **Fiscal Year (FY) 2005 Transit Fund Allocations**, as determined by staff in accordance with federal, state and local requirements, as well as MTA policies and guidelines and prior Board actions; and
- B. **\$1.1 billion in FY 2005 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators, and Metro Operations. These allocations include the following:**
 - 1. \$496.3 million in Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA Interest and Proposition A 40% Discretionary fund allocations;
 - 2. \$28.9 million in Proposition C 40% Discretionary fund allocations for the Bus Service Improvement Program (BSIP), Foothill Mitigation Program, the Transit Service Expansion (TSE) Program and the Base Restructuring Program;
 - 3. \$12.6 million in Proposition A and Proposition C Interest fund allocations;
 - 4. \$16.4 million in Proposition C 40% Discretionary fund allocations for the Municipal Operator Service Improvement Program (MOSIP);
 - 5. \$15.9 million in TDA Article 8 fund allocations;

6. \$264.5 million in Proposition A and Proposition C Local Return and TDA Article 3 fund allocations;
7. \$11.3 million in Proposition A Incentive Program fund allocations;
8. \$26.3 million in Proposition C 5% Security fund allocations; and
9. \$194.4 million in Federal Transit Act Section 5307 Urban Formula capital fund allocations.

16. APPROVED ON CONSENT CALENDAR:

- A. the updated MTA Debt Policy; and
- B. the updated MTA Interest Rate Swap Policy.

17. APPROVED ON CONSENT CALENDAR adopting 4% as the **Federal Highway Administration (FHWA) DBE Annual Goal** for Federal Fiscal Year 2005 (FFY05).

18. APPROVED ON CONSENT CALENDAR adopting 9% as the **Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Annual Overall Goal** for Federal Fiscal Year 2005 (FFY05).

19. APPROVED ON CONSENT CALENDAR:

- A. the **reclassification upgrade of the non-represented position** of Emergency Services Coordinator from Grade I to Grade K; and
- B. the reclassification upgrade of the non-represented position of Supervising Engineer (Grade P) to the existing classification of Deputy Executive Officer, Project Management (Grade T).

20. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute Memorandum of Understanding (MOU) Modification No. 4 to MOU No. TCP2610LASD with the Los Angeles County Sheriff's Department (LASD) for an anti-terrorism trainer for an amount not to exceed \$116,813 for the period July 1, 2004 through June 30, 2005, revising the total contract value of the MOU from \$104,636,762 to \$104,753,575.

21. CLOSED SESSION

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

1. Durst v. MTA BC 279841

AUTHORIZED settlement in the amount of \$575,000.

2. Century Life of America v. MTA BC 171223

NO REPORT.

3. Labor/Community Strategy Center CV 94-5936

NO REPORT.

ADDED SUBSEQUENT TO POSTING BY A 2/3 VOTE OF THE BOARD:

4. Citizens Organized for Smart Transit (C.O.S.T.) v. MTA
B164434

AUTHORIZED Counsel to seek motion for rehearing on petition for hearing in Supreme Court.

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

Initiation of Litigation (one case)

NO REPORT.

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

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

AUTHORIZED action to confirm ATU healthcare arbitration award.

D. Conference regarding Potential Threats to Public Services or Facilities – G.C. 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.

25. **APPROVED AS AMENDED BY DIRECTOR BURKE** award of a fixed price contract to Shared Technologies to provide **telephone system maintenance and service** for a period of seven years, inclusive of two two-year options, in the amount of \$1,534,489, effective August 1, 2004.

BURKE AMENDMENT that staff report back on the cash flow and financial status of Shared Technologies before exercising options.

27. **APPROVED:**

- A. increasing the life of project budget by **\$2,537,860** for the **Bikeway portion of the Orange Line Project** from a baseline value of \$8,100,000 to \$10,637,860;
- B. increasing the Chief Executive Officer's delegated contract modification authority for Contract C0675 by \$2,232,500 from \$15,109,502 to \$17,342,002; and
- C. amending the Fiscal Year 2005 capital budget to appropriate \$1,199,421 Federal Highway funds and \$1,338,439 City of Los Angeles matching funds for Project 800114.

28. **APPROVED ON CONSENT CALENDAR** authorizing the Chief Executive Officer to execute Contract Modification No. 26 to Contract No. C0675 Design/Build with Shimmick Construction Co., Inc./Obayashi Corp., J.V. (SOJV) for the **design and construction to replace all temporary landscape irrigation systems with permanent irrigation systems, and to upgrade all permanent irrigation systems to allow future use of recycled water for the Metro Orange Line Project** in the amount of \$1,030,239, increasing the total contract value from \$156,577,600 to \$157,607,839.

29. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to issue Change Orders to Contract No. C0675 with Shimmick Construction Co., Inc./Obayashi Corporation, J.V. (SOJV) for the **design and construction to upgrade the busway pavement structural section for the Metro Orange Line Project** for an amount not to exceed \$2,000,000, increasing the total contract value from \$157,607,839 to \$159,607,839.

34. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:

A. award five-year, unit rate multiple award agreements to provide **Workers' Compensation Investigations**, inclusive of two one-year options, effective August 1, 2004 for a total cumulative amount not to exceed \$5,000,000 with the following firms:

Aztec Investigations	PS-5310-1457-A
Baechler Investigations	PS-5310-1457-B
Benn & Associates	PS-5310-1457-C
Budeselich & Associates	PS-5310-1457-D
Facticon, Inc.	PS-5310-1457-E
Frasco Investigative Services	PS-5310-1457-F
Fu-Gen, Inc.	PS-5310-1457-G
Jerlow & Associates	PS-5310-1457-H
Miles Investigations	PS-5310-1457-I
MJM Investigations	PS-5310-1457-J
Page Investigations	PS-5310-1457-K
Phillip J. Burrueal & Associates	PS-5310-1457-L
RJN Investigations	PS-5310-1457-M
Secure Investigations	PS-5310-1457-N
West Shield Investigations	PS-5310-1457-O

B. execute Task Orders under these contracts for the investigative firms' services for a total amount not to exceed \$5,000,000.

35. AUTHORIZED the Chief Executive Officer to:
- A. exercise Contract Option No. 1 to Contract No. OP33200634 with North American Bus Industries to purchase 75 additional forty-foot CNG buses for an amount not to exceed \$30,000,000, increasing the total contract value from \$125,936,581 to \$155,936,581, inclusive of sales tax;
 - B. execute modifications for this procurement up to the amount not to exceed \$1,000,000, for a total contract value not to exceed \$156,936,581; and
 - C. amend the FY05 capital budget to appropriate \$15.9 million of General Fund sales/leaseback proceeds and \$14.1 million of right-of-way lease revenues to purchase 75 forty-foot CNG buses.

37. APPROVED AS AMENDED BY DIRECTOR BURKE the addition of 8 non-represented positions within the Risk Management Department as follows:

- 1 Workers' Compensation Supervisor (Grade K)
- 1 Senior Workers' Compensation Analyst (Grade I)
- 4 Workers' Compensation Analysts (Grade H)
- 2 Administrative Aides (Claims) (Grade F)

BURKE AMENDMENT: Make every effort to fill these positions from within the Department/agency or with displaced employees.

38. APPROVED ON CONSENT CALENDAR the addition of 2 non-represented Benefits Technicians (Grade G) positions within the Benefits Department to support the administration of the ATU Health Benefit Fund.

39. RECEIVED annual report from the Service Sector Governance Councils to the MTA Board of Directors.

Spokesperson Coby King, Chair of the San Fernando Valley Governance Council, introduced chairs from the other Sectors who were present at the meeting. Mr. King explained ways in which the Sectors contribute to the overall function of the agency, including providing a mechanism for local input and improving the local bus system.

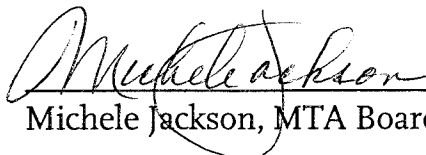
He offered suggestions on how the Board can help the Sectors do a better job. These include maintaining a decentralized system and making improvements in the areas of communication and finances. In addition, he stated that the agency would benefit by allowing the Sectors to serve as laboratories of transit excellence. He mentioned that the Board should consider allowing Sectors to try different ideas, which if successful, can be exported to the rest of the system.

The Sectors would like to work with Executive Management to improve communication. Establishing web pages and email addresses for each Sector would provide a mechanism for Sectors to share ideas. Mr. King stated that the MTA can help the Sectors by providing even more transparent and detailed financial information for Sector operations, giving the Sectors more tools to measure and affect financial performance, and allowing Sectors to retain in-sector savings to improve service. In order to reach these goals, the Sectors seek a cooperative and collaborative relationship with the MTA Board and Gateway staff.

RECEIVED public comment.

ADJOURNED in memory of Kim Kimball, former MTA Executive Officer and Mace Bethel, former MTA Transportation Manager.

Prepared by: Michele Chau
Recording Secretary


Michele Jackson, MTA Board Secretary

RECAP OF PROCEEDINGS
LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, JULY 22, 2004

DIRECTORS VOTING

ATTENDANCE	DIRECTORS VOTING												
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	P	P	P	P	A	P	P	P	P	P	A
1	APPROVE CONSENT CALENDAR ITEMS: 2, 7, 9, 10, 16, 17, 18, 19, 20, 28, 29, 34, AND 38. ITEMS 25, 27, AND 35 WERE REMOVED FROM CONSENT CALENDAR	APPROVED	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD JUNE 24, 2004.	APPROVED ON CONSENT CALENDAR											
3	CHAIR'S REPORT: PRESENT RESOLUTIONS TO A. THE METRO GOLD LINE EASTSIDE REVIEW ADVISORY COMMITTEE AND B. ROSA FUQUAY, TRANSPORTATION DEPUTY TO SUPERVISOR MICHAEL ANTONOVICH	RECEIVED REPORT AND PRESENTED RESOLUTIONS	A	P	P	P	A	P	P	P	P	P	P
4	CHIEF EXECUTIVE OFFICER'S REPORT: -STATUS UPDATE ON OUTPLACEMENT ASSISTANCE -FY05 STRATEGIC PLAN	RECEIVED	P	P	P	P	A	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, JULY 22, 2004

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING													
ITEM NO.	SUBJECT ITEM	P	P	P	P	P	A	P	P	P	P	P	A		
	<u>ACTION TAKEN</u>														
7	ADOPT THE 2004 CONGESTION MANAGEMENT PROGRAM (CMP) FOR LOS ANGELES COUNTY.														
8	<p>CONSIDER:</p> <p>A. RECEIVING AND FILING APPROVAL AND ADOPTION OF THE FINAL REPORT OF THE NORTH COUNTY COMBINED HIGHWAY CORRIDORS STUDY (COPIES AVAILABLE ON REQUEST FROM MTA RECORDS MANAGEMENT CENTER); AND</p>	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y			
	APPROVED AS AMENDED BY DIRECTORS KNABE AND BURKE THAT THE COASTAL CORRIDOR EFFORT BE PRESENTED AT THE SEPTEMBER '04 MEETING OF THE PLANNING AND PROGRAMMING COMMITTEE, AND THAT STAFF BE DIRECTED TO WORK WITH THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS TOWARD USING THE COASTAL CORRIDOR PROGRAM FOR FUTURE UPDATES OF THE SHORT RANGE TRANSPORTATION PLAN, LONG RANGE TRANSPORTATION PLAN AND REGIONAL TRANSPORTATION PLAN.														
		O'CONNOR	LUDLOW	FASANA	BURKE	MOLINA	HAHN	ROBERTS	ANTONOVICH	VAROSLAVSKY	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG

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

