

MINUTES

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:50 a.m.

Directors Present:

Gloria Molina, Chair
Pam O'Connor, 1st Vice Chair
Antonio Villaraigosa, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Don Knabe
Bonnie Lowenthal
Ara J. Najarian
Bernard Parks
Zev Yaroslavsky
Doug Failing, 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



Metro

Los Angeles County
Metropolitan Transportation Authority

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

1. APPROVED **Consent Calendar** Items: 2, 6, 7, 8, 10, 11, 29**, 30**, 32, 37 and 38

NOTED: **Committee Authority** Item No. 33

Items 29 and 30 required 2/3 vote of the Board.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held September 28, 2006.

3. RECEIVED Chair's Report

- Chair Molina reported on Metro's celebration at Division 1 of the Outstanding Public Transportation System Achievement Award
- Announced Special Master U.S. District Court Judge Terry Hatter's decision to allow the Consent Decree to expire as scheduled on October 29, 2006
- Attended "Night of the Stars" award banquet to honor best Transit Operations employees with Deputy CEO John Catoe, who served as master of ceremonies
- Presented a 5-year Metro service pin to CEO Roger Snoble
- Announced the one-year anniversary of the Metro Orange Line
- Presented Resolution to James Okazaki, Assistant General Manager, Transportation Planning, Transit Operations & Capital Programs of Los Angeles Department of Transportation
- Adjourned in memory of Abby Spivack, daughter of Gary Spivack, Division 15 Transportation Manager and Acting General Manager of San Fernando Valley Service Sector

4. RECEIVED Chief Executive Officer's Report

- Teamsters contract negotiations
- Announced 2006 Mobility 21 Summit, scheduled for Monday, October 30, 2006 from 8:00 a.m. to 2:00 p.m. at the Sheraton Universal Hotel in Universal City, with Senator Barbara Boxer as the keynote speaker.

6. APPROVED ON CONSENT CALENDAR:
- A. receipt and filing of the final report of the **SR-14 Reversible HOV Lane Feasibility Study (Study)** mailed under separate cover via a Board Box dated August 11, 2006;
 - B. Study recommendations to:
 - 1) delete the Reversible HOV Lanes in its entirety from the Short Range Improvement Projects of the North County Corridors Plan (NCCP); and
 - 2) add a second non-reversible HOV Lane in each direction from the interchange of I-5/SR-14 to Avenue P to the Long Range Improvement Projects of the NCCP; and
 - C. use of the Study for future update of the Long Range Transportation Plan and Regional Transportation Plan in order to guide future SR-14 development in North Los Angeles County.
7. APPROVED ON CONSENT CALENDAR authorizing soundwall funding for continuing phased implementation:
- A. programming \$5.3 million in Proposition C 25% for the development of the **Supplemental Noise Barrier Scope Summary Report (NBSSR), final design and right-of-way support for the Post 1989, Phase I, Priority I soundwalls**, Design packages 5 through 7; and
 - B. authorizing the Chief Executive Officer to enter into a funding Agreement with Caltrans for an amount not to exceed \$5.3 million to fund Caltrans for this work.
8. APPROVED ON CONSENT CALENDAR programming \$19 million in Proposition A Incentive Program reserve funds to Los Angeles County operators of specialized and locally funded services and eligible operators as follows:
- A. up to \$14 million for one-time **allocations towards capital and vehicle replacement needs of operators of specialized and locally funded services** through a competitive "Mini Call for Projects"; and
 - B. \$5 million to be maintained on reserve to cover any potential shortfall in funding to eligible operators from Proposition A growth over the Consumer Price Index.

9. APPROVED **as amended by Fasana** staff recommendation as **corrected that the total City of Los Angeles share of the increased project cost is 30.87%**; a Life of Project budget for **restoration of the Lankershim Depot Transit Center** and AUTHORIZING related actions as follows:
- A. a change in project sponsor from the Community Redevelopment Agency of the City of Los Angeles (CRA) to Metro for execution of the scope of work in the Memorandum of Understanding dated December 31, 2001, to restore the Lankershim Depot Transit Center, including sponsorship of a grant of \$817,00 in local proposition C 10% funds previously awarded to the CRA for this purpose via a Call for Projects;
 - B. the reprogramming of \$2,439,000 in Proposition C 10% Call for Project grant funds awarded to the City of Los Angeles for the Downtown San Pedro Transit Hub Mixed Used Development project of the Lankershim Depot Restoration Project;
 - C. the Chief Executive Officer to negotiate and execute an agreement between the CRA and Metro so that Metro may receive up to \$364,803 of City of Los Angeles local matching funds and the \$2,439,000 million of reprogrammed funds in B above, contingent on approvals of the CRA Board of Commissioners and the Los Angeles City Council; and
 - D. a Life of Project budget of \$3,600,000 for the Depot, contingent on an executed agreement as specified in C above that includes the local Proposition C 10% funding grant, as well as the City's local match and the reprogrammed Proposition C 10% funds.

FASANA AMENDMENT that the City of Los Angeles be required to pay their fair share of the new increased cost, consistent with the policy of the new Supplemental Call for Projects.

10. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to enter into a Joint Development Agreement and Ground Lease with MacArthur Park, LLC covering 2.75 acres of METRO-owned property at the Westlake/MacArthur Park METRO Red Line Station for **development of a mixed use apartment/retail complex** having key terms and conditions.

11. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute and enter into the following development documents as follows:
- A. a joint development agreement (JDA) with Remett, LLC, providing for the **development of approximately 1.9 acres of Los Angeles County Metropolitan Transportation Authority owned property** located along Victory Boulevard, west of Balboa Boulevard, near the Metro Orange Line Balboa station for development of a low-rise office building and supporting parking as part of the existing adjacent office park;
 - B. a ground lease covering the Site and providing for the construction and operation of the Development thereon; and
 - C. such other agreements as may be necessary to implement the Ground Lease and/or the JDA, and provide for the construction and operation of the Development on the Site as contemplated in the JDA and the Ground lease.

18. APPROVED:

- A. receipt and filing of the analysis of the June 2006 Board motion to improve Metro's fiscal policies; and
- B. DISCUSSED the **Financial Stability Policy** as amended by Najarian.

NAJARIAN AMENDMENT: Any project savings above \$200,000 must return to the Board for approval prior to the reprogramming or transfer of funds to other projects or programs.

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

- A. finding that there is only a single source of procurement for **motor controls and laser positioning** and the purchase is for the sole purpose of upgrading Metro's Automated Storage & Retrieval System (ASRS) Unitload Storage Retrieval Machines (SRMs); and
- B. authorizing the Chief Executive Officer to award a single source firm fixed-price contract to HK systems, Inc. to upgrade the ASRS Unitload SRMs for an amount not to exceed \$950,000, inclusive of sales tax.

30. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that there is only a single source of procurement for the signaling system for the newly constructed crossover track and purchase is for the sole source of **redesigning and testing the signal system** already in use. The Board hereby authorizes purchase of the equipment pursuant to Public Utilities Code 130237; and
 - B. authorizing the Chief Executive Officer to award a single-source, firm fixed-price contract to SYSTRA Consulting, Inc. to redesign and install track and safety-related signaling equipment for the Metro Green Line Yard Crossover Track for an amount not to exceed \$329,713.

31. APPROVED AS **amended by Parks/Villaraigosa/ Najarian/Lowenthal** authorizing the Chief Executive Officer to:
- A. establish a Life-of-Project budget for the **Division 18 Solar Generation Project** in the amount of \$5,000,000; and
 - B. amend the FY07 budget to add in \$1,820,000 of revenues and expenditures to be funded with rebate funds received from the Divisions 8 and 15 Solar Generation Project.

PARKS/VILLARAIGOSA AMENDMENT: That the Board directs the Chief Executive Officer to report back within 60 days on the following:

- A. **A comprehensive three-year plan to install solar panels on every MTA bus and rail facility in cooperation with the Department of Water and Power, The Gas Company, and southern California Edison; and**
- B. **The comprehensive three-year plans should include details on schedule, staffing, costs, expected savings, funding, and available rebates.**

NAJARIAN/LOWENTHAL AMENDMENT: That staff develop an energy policy to be added to the comprehensive 3-year plan (31A and B) as Amendment C.

32. APPROVED ON CONSENT CALENDAR service **changes to Tier 1 bus lines** scheduled to be implemented in December 2006.

33. APPROVED UNDER COMMITTEE AUTHORITY award of a five-year firm, fixed unit rate contract No. OP334406B4027 to AAA Backflow Device Testing Inc., to provide **backflow device testing and repairs for Metro transit facilities** for an amount not to exceed \$674,925 inclusive of two one-year options, effective November 1, 2006.
37. APPROVED ON CONSENT CALENDAR adopting an OPPOSE position on the **CARB ZERO EMISSION BUS REGULATIONS** - The California Air Resources Board (CARB) will consider regulations that will require large transit agencies to initiate Zero Emission Bus programs that are economically and operationally not feasible to implement and threaten basic bus service for our transit riders.
38. AUTHORIZED ON CONSENT CALENDAR:
- A. an extension of time from the previous Board-directed deadline of November 1, 2006 to February 15, 2007, for the **property exchange between Metro and LAUSD Ramona Opportunity High School**, to allow both parties to fulfill the obligations of the Exchange Agreement with Escrow Instructions, Funding and Reimbursement Agreement and Development Agreement Between LACMTA and Los Angeles Unified School District (the "Agreement"); and
 - B. the Chief Executive Officer to execute an amendment to the Agreement to allow escrow to close no later than February 15, 2007, subject to both parties fulfilling the conditions to close under the Agreement.
40. APPROVED the following nominee for membership on the **San Gabriel Service Sector Governance Council**:
- Roger Chandler – New appointment
Appointed by: Cities of Arcadia and Temple City
Term ending: June '09

41. **CLOSED SESSION:**

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

1. Stramaglio v. LACMTA, Case No. EC 038709
APPROVED settlement in the amount of \$750,000.
2. Ortiz v. LACMTA, Case No. BC 341448
APPROVED settlement in the amount of \$1,500,000.
5. MTA v. La Cienega/Jefferson, LLC Case No. BC 356538
ADOPTED resolution of voluntary abandonment of condemnation action.
6. Labor/Community Strategy Center, et al v. LACMTA, Case No. CV 94-5936 TJH (MCx)
RECEIVED status update.

B. Personnel Matters – G.C. 54957:

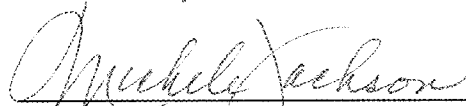
Public Employee Performance Evaluation

- Inspector General
NO REPORT.
- Ethics Officer.
NO REPORT.

RECEIVED public comment.

Meeting adjourned in memory of Abby Spivack, daughter of Gary Spivack, Division 15 Transportation Manager and Acting General Manager of San Fernando Service Sector.

Prepared by: Christina Lumba-Gamboa
Recording Secretary



Michele Jackson, MTA Board Secretary



Metro

RECAP OF PROCEEDINGS
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, OCTOBER 26, 2006

DIRECTORS VOTING

ATTENDANCE	DIRECTORS VOTING																
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	P	P	P	P	P	P	P	P	P	P	P	P	P		
			ANTONOVICH	LOWENTHAL	FASANA	FLEMING	BURKE	VILLARIGOSA	MOLINA (CHAIR)	O'CONNOR	YAROSLAVSKY	KATZ	KNABE	PARKS	NAJARIAN	P	
3	<p>CHAIR'S REPORT</p> <p>* PRESENTATION OF RESOLUTION TO JAMES OKAZAKI, ASSISTANT GENERAL MANAGER, TRANSPORTATION PLANNING, TRANSIT OPERATIONS & CAPITAL PROGRAMS OF LOS ANGELES DEPARTMENT OF TRANSPORTATION</p> <p>* ADJOURN IN MEMORY OF ABBY SPIVACK, DAUGHTER OF GARY SPIVACK, DIVISION 15 TRANSPORTATION MANAGER AND ACTING GENERAL MANAGER OF SAN FERNANDO SERVICE SECTOR.</p>	<p>ACTION TAKEN</p> <p>PRESENTED RESOLUTION TO JAMES OKAZAKI, ASSISTANT GENERAL MANAGER, TRANSPORTATION PLANNING, TRANSIT OPERATIONS & CAPITAL PROGRAMS OF LADOT AND ADJOURNED IN MEMORY OF ABBY SPIVACK, DAUGHTER OF GARY SPIVACK</p>	A	P	P	P	P	A	P	P	P	P	P	P	P		
4	CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED	A	P	P	P	P	A	P	P	P	P	P	P	P	P	



Metro

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, OCTOBER 26, 2006

DIRECTORS VOTING

ATTENDANCE		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ANTONOVICH	LOWENTHAL	FASANA	FLEMING	BURKE	VILLARIGOSA	MOLINA (CHAIR)	O'CONNOR	YAROSLAVSKY	KATZ	KNABE	PARKS	NAJARIAN	FAILING			
	<u>ACTION TAKEN</u>																	
6	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):</p> <p>A. RECEIVING AND FILING THE FINAL REPORT OF THE SR-14 REVERSIBLE HOV LANE FEASIBILITY STUDY (STUDY) MAILED UNDER SEPARATE COVER VIA A BOARD BOX DATED AUGUST 11, 2006;</p> <p>B. APPROVING STUDY RECOMMENDATIONS TO:</p> <p>1) DELETE THE REVERSIBLE HOV LANES IN ITS ENTIRETY FROM THE SHORT RANGE IMPROVEMENT PROJECTS OF THE NORTH COUNTY CORRIDORS PLAN (NCCP); AND</p> <p>APPROVED ON CONSENT CALENDAR</p>																	
6	<p>B. APPROVING STUDY RECOMMENDATIONS TO:</p> <p>1) DELETE THE REVERSIBLE HOV LANES IN ITS ENTIRETY FROM THE SHORT RANGE IMPROVEMENT PROJECTS OF THE NORTH COUNTY CORRIDORS PLAN (NCCP); AND</p>																	

