

Thursday, June 28, 2007 9:30 A.M.

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# MINUTES

**Regular Board Meeting  
Board of Directors**

**One Gateway Plaza  
3<sup>rd</sup> Floor Board Room**

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Called to Order at 9:45 a.m.

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Directors Present:

- Gloria Molina, Chair
- Pam O'Connor, 1<sup>st</sup> Vice Chair
- Antonio Villaraigosa, 2<sup>nd</sup> Vice Chair
- Mike Antonovich
- Yvonne B. Burke
- John Fasana
- David Fleming
- Richard Katz
- Don Knabe
- Ara J. Najarian
- Bernard Parks
- Zev Yaroslavsky
- Doug Failing, non-voting member

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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, 5, 6, 7, 8, 13, 16, 18, 19, 24, 26, 31, 32, 33, 40, 41, 44, 45, 46, 47, 48, 52A and 52C-E.

Items 17, 20, 30, 34, 42 and 52B were removed from Consent Calendar.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held April 30, 2007 and Special Board Meeting held May 24, 2007.

3. RECEIVED **Chair's Report**.

- Announced that a plaque has been placed on Patsaouras Plaza honoring the memory of Jaime Pasillas, who was killed during construction of the Red Line over ten years ago. Chair Molina also had the opportunity to honor Mr. Pasillas during a presentation on Father's Day.
- Metro won first place during the 2007 APTA International Bus Roadeo for the maintenance competition and brought home the Grand Champion award with the highest combined scores of maintenance and operations teams. Metro won first place for the Maintainer's competition and placed third in the combined team competition at the APTA International Rail Roadeo. This is the first time that the first place winner of the Maintainer's competition of the Bus Roadeo and Rail Roadeo have hailed from the same transit agency.
- Presented Resolutions to APTA Bus and Rail Roadeo Winners.

4. RECEIVED **Chief Executive Officer's Report**.

- Commended Chair Molina for her accomplishments during the year. These include but are not limited to: receiving the agency of the year award from APTA, working with staff to convene the agency's first Goods Movement workshop, emphasizing safety issues in the construction of the Gold Line Eastside Extension project, overseeing completion of tunnel excavation on the Eastside Extension, and presiding over a successful fare restructuring public hearing.
- Presented Chair with Memory Book commemorating her achievements.
- Directors expressed appreciation for the Chair's guidance and leadership.

5. APPROVED ON CONSENT CALENDAR:

- A. programming of \$14 million in **Proposition A Incentive Reserve funds to Fiscal Year 2008 Mini Call** for Locally Funded Transit Operator Vehicle Replacement Projects; and
- B. authorizing the Chief Executive Officer to negotiate and execute funding agreements with project sponsors.

6. APPROVED ON CONSENT CALENDAR:

- A. establishing **Proposition A and Proposition C Local Return funded Capital Reserve Accounts** for local jurisdiction projects;
- B. extensions for existing Local Return Capital Reserve Accounts as prescribed in their Memoranda of Understanding for an additional three years for the Cities of Hermosa Beach and Pasadena; and
- C. negotiation and execution by the Chief Executive Officer of all necessary agreements between Metro and the Cities for their Capital Reserve Accounts as approved.

7. APPROVED ON CONSENT CALENDAR:

- A. a \$48,147,200 financial contribution of Proposition C 10% local sales tax funding from the Los Angeles County Metropolitan Transportation Authority (Metro) to the **Southern California Regional Rail Authority (SCRRA) FY 2007-08 Preliminary Budget for Metrolink**, consistent with a Board-approved FY 2007-08 Metro Budget;
- B. the reprogramming of \$4,898,900 in Proposition C 10% local sales tax funding from the FY 2005-06 SCRRA subsidy to Metrolink projects;
- C. a two-year time extension for the Eastern Maintenance Facility project; and
- D. negotiation and execution by the Chief Executive Officer of all necessary agreements between Metro and the SCRRA for funding approved.

8. APPROVED ON CONSENT CALENDAR:
  - A. directing staff to procure a contract for specialized consultant expertise to develop a **Los Angeles County Bus Speed and Street Design Improvement Plan**; and
  - B. amending the FY08 budget in the amount of \$250,000, which will be funded from Proposition A, C, and TDA Administration Funds.
  
9. CARRIED OVER authorizing the Chief Executive Officer to award and execute **as amended without requested FTE's**:
  - A. a cost plus fixed fee Contract No. PS4340-1939 to URS Corporation to provide professional services not to exceed \$22,700,000 to prepare an **EIR/EIS and engineering Project Report for the I-710 Corridor Project** (Project) from SR-60 to the Ports of Long Beach and Los Angeles, subject to execution of Funding Agreements with the funding partners;
  - B. a firm fixed price Contract No. PS4340-1940 to Moore Iacafano Goltsman to provide professional services not to exceed \$1,779,000 for the Facilitation of Community Participation, subject to execution of Funding Agreements with the funding partners;
  - C. contract modifications for up to \$2,521,000 to cover the cost of any potentially unforeseen issues that may arise during the environmental, engineering and community participation phase; and
  - D. amendment to the FY08 Budget in the amount of \$7 million and addition of a total of 1.1 FTE's for Communication, and Construction Departments of which \$1.4 million will cover Metro's share of the cost and \$5.6 million will be reimbursed from the funding partners per the Funding Agreements.

10. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Eastside Phase II Transit Corridor Project**:
  - A. a firm fixed price Contract No. PS-4320-2003 to Camp Dresser & McKee/DMJM Harris Joint Venture (CDM/DMJM Harris) to provide professional services for an amount not to exceed \$2,203,584 for an Alternative Analysis for the Eastside Phase II Transit Corridor Project, with options for environmental clearance;
  - B. a firm fixed price Contract No. PS-4320-2006 to Arellano Associates to provide professional services for an amount not to exceed \$358,428 for facilitation of community participation;
  - C. contract modifications for up to \$240,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
  - D. amending the FY08 Budget in the amount of \$1,733,000 and add a total of 1.25 FTE's for the Communications, Construction and Planning Departments.
  
11. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Westside Extension Transit Corridor**:
  - A. a firm fixed price Contract No. PS 4350-2000 to PB Americas, Inc. to provide professional services in the amount of \$3,654,061 for alternatives analysis, tunnel feasibility assessment and conceptual engineering with options for future preliminary engineering and environmental clearance;
  - B. a firm fixed price Contract No. PS4350-1995 to The Robert Group to provide professional services in the amount of \$650,394 for facilitation of community participation in support of the above contract with options for future phases;
  - C. contract modifications for up to \$600,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
  - D. amending the FY08 Budget by adding \$3.0 million to the STIP-PPM fund to cover the portion of the work to be completed in FY08 plus the addition of a combined total of 1.7 FTEs to Construction, Communications, and Planning Departments.

12. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Regional Light Rail Connector Downtown (Regional Connector)**:
  - A. a firm fixed price Contract No. PS 4320-1985 to Camp Dresser & McKee Inc. (CDM) to provide professional services for an amount not to exceed \$2,091,696 for an Alternatives Analysis for the Regional Connector with options for environmental clearance;
  - B. a firm fixed price Contract No. PS-4320-1988 to Robert Group to provide professional services for an amount not to exceed \$192,269 for facilitation of community participation;
  - C. contract modifications for up to \$240,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
  - D. amending the FY08 Budget by adding \$1,967,000 to the STIP-PPM fund to cover the portion of the work to be completed in FY08; and adding a combined total of 1.45 FTE's for the Communications, Construction and Planning Departments.
  
13. **APPROVED ON CONSENT CALENDAR** authorizing the Chief Executive Officer to execute Amendment No. 1 to Contract No. 4320-1699 with Jones and Stokes for the preparation of the **Project Report for the State Route 2 (Glendale Freeway) Terminus** for a period of one year for the (amount not to exceed/firm fixed price of) \$472,281, increasing the total contract value from \$1,076,018 to \$1,548,299.
  
16. **APPROVED ON CONSENT CALENDAR**:
  - A. receiving and filing report summarizing the proposed **Metro Energy and Sustainability Policy**; and
  - B. adopting the proposed Metro Energy and Sustainability Policy.
  
17. **CARRIED OVER** ratifying the Chief Executive Officer's purchase of **All Risk Property insurance policies and a Boiler and Machinery insurance policy for all Metro property** for a combined cost not to exceed \$3.2 million for the 12-month period effective May 10, 2007 through May 9, 2008.

18. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year, fixed rate Contract No. PS 0740161979 to Los Angeles Federal Armored Services, Inc., for the **sale of currency** for an amount not to exceed \$7,800,000, inclusive of four one-year options, effective July 1, 2007.
  
19. APPROVED ON CONSENT CALENDAR appointing the following firms to participate in **Metro's Municipal Finance Counsel Pool** for a period of five years:
  1. Fulbright & Jaworski LLP
  2. Hawkins, Delafield & Wood LLP
  3. Kutak Rock LLP
  4. Law Offices of Samuel Norber
  5. Nixon Peabody LLP
  6. Nossaman, Guthner, Knox & Elliott LLP
  7. Orrick, Herrington & Sutcliffe LLP
  8. Quateman LLP
  9. Robinson and Pearman LLP
  10. Squire, Sanders and Dempsey LLP
  
20. APPROVED AS AMENDED:
  - A. **adopting the proposed Fiscal Year 2008 (FY08) budget** as presented in the proposed budget document and modified by the actions in Attachment A of the Board report;
  - B. the life-of-project budgets for all new capital projects in the proposed budget with a life-of-project budget greater than \$5 million;
  - C. the total budgeted salaries and benefits for each union/non-contract group as required by the Position Authorization and Compensation policy;
  - D. the non-represented employee salary schedule adjusted for the annual inflationary increase as required by the Position Authorization and Compensation policy;
  - E. the safety and security budget as required by the Financial Stability policy adopted by the Board in January 2007; and
  - F. amending the proposed budget to add 8 FTE's and \$1 million for implementation of TAP operations to be funded with General Fund reserves.  
(SEE NEXT PAGE FOR AMENDMENTS)

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**Fasana, Antonovich, Katz and Fleming Amendment** that the Metro Board direct the CEO, within the framework of the FY07-FY08 budget to:

1. work with Caltrans and other agencies as appropriate to develop a detailed operating plan with at least three options for implementing congestion pricing in Los Angeles County by 2010. The plan should provide revenue projections, environmental effects, mobility impacts, legislative requirements, and technical feasibility; and
2. return to the Board every quarter with status updates and any policy issues requiring additional direction.

**Molina and Fasana Amendment** that the Board:

1. amend the FY08 budget to include \$975,000 to fund the implementation of "incident based recording technology" on all buses agency wide, including contract services;
2. direct staff to establish key performance indicators for the program and report back to the Board within 120 days of implementation and on regular intervals as to the efficacy of the program; and
3. direct staff to report back to the Board in 60 days on steps necessary to establish a specialized bus accident investigation unit to be responsible for investigating and preparing reports of incidents involving Metro buses. This unit shall be staffed by certified accident investigators. The report should include qualifications and number of employees needed and the structure of the department with associated costs.

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APPROVED UNDER RECONSIDERATION **Burke Motion** that the MTA Board of Directors instruct the Chief Executive Officer:

1. to fund a one-time continuation of the Line 442 for the period of one year at FY07 service levels;
2. through the allocation of \$332,000 in funding from the general fund balance described in the sub-category labeled "general" on page 34, line 37 in the proposed FY08 budget "yellow book"; and
3. that the line be marketed in an effort to increase ridership and that staff report back to the Board on a quarterly basis to provide ridership reports and updates on marketing efforts.

Further move that future funding consideration beyond FY08 will be contingent upon increasing the average ridership on Line 442 to the level of 60% capacity.

24. APPROVED ON CONSENT CALENDAR adopting the following **position on Federal Legislation**:

H.R. 1475 (McGovern) - A bill that amends the Internal Revenue Code to create parity between the parking and transit portions of the transportation tax benefit.  
**SUPPORT.**

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

- A. exercise the second of two option years related to Memorandum of Understanding (MOU) No. TCP2610LASD; and
- B. execute Modification No. 11 to MOU TCP2610LASD to **provide funding for FY08 transit community policing services** for an amount not to exceed \$62,524,538.52 for the period July 1, 2007 through June 30, 2008, revising the total contract value from \$223,892,411 to \$286,416,950.

27. FAILED:

- A. establishing a life-of-project budget for the **UFS/TAP barrier gate analysis** in the amount of \$999,663 and include the project in the FY08 capital program budget;
- B. amending the FY08 budget to add in \$999,663 of expenditures and \$999,663 of Prop A 35% revenues for the gating project;
- C. authorizing the Chief Executive Officer to execute Contract Modification No. 9 to Booz Allen Hamilton, Contract PS-4610-1026, to complete the Metro Gating Study for an amount not to exceed \$400,000, increasing the total contract value from \$9,025,250 to \$9,425,250; and
- D. monitoring progress of pending Proposition 1B funding.

28. CARRIED OVER authorizing the Chief Executive Officer to award Contract No. PS0771401971, a five-year firm fixed price revenue contract inclusive of three one-year options effective January 1, 2008, to CBS Outdoor Group Incorporated for a license **to sell and display the following on the Metro Rail system:**

- A. Standard Exterior Rail Car Advertising, for a firm fixed revenue price of \$2,494,000 inclusive of three one-year options;
- B. Wrapped Exterior Rail Car Advertising, for a firm fixed revenue price of \$2,668,000 inclusive of three one-year options;
- C. Subway Station Prominence Displays, for a firm fixed revenue price of \$3,712,000 inclusive of three one-year options; and
- D. Rail Station Back-lit Cases and Interior Rail Car Frame Advertising, for a firm fixed revenue price of \$2,726,000 inclusive of three one-year options;

For a total revenue amount to Metro of \$11,600,000.

29. CARRIED OVER authorizing the Chief Executive Officer to award Contract No. PS0771401970, a five-year firm fixed price revenue contract inclusive of three one-year options effective January 1, 2008, to CBS Outdoor Group Incorporated for a **license to sell and display the following on the Metro bus fleet:**
- A. Standard Exterior Advertising, for a firm fixed revenue price of \$106,049,000 inclusive of three one-year options;
  - B. Standard Interior Advertising, for a firm fixed revenue price of \$1,226,000 inclusive of three one-year options;
  - C. Enhanced Tail Advertising, for a firm fixed revenue price of \$3,065,000 inclusive of three one-year options; and
  - D. Exterior Wrapped Advertising, for a firm fixed revenue price of \$12,260,000 inclusive of three one-year options;

For a total revenue amount to Metro of \$122,600,000.

30. AUTHORIZED the Chief Executive Officer to approve:
- A. **MOU with the Gateway Cities Council of Government** for an amount not to exceed \$377,775 plus any percentage in annual salary increases that the Board approves for Metro non-represented employees, for five years; and
  - B. **MOU with South Bay Council of Government** for an amount not to exceed \$377,775 plus any percentage in annual salary increases that the Board approves for Metro non-represented employees, for five years, and

APPROVED **Molina Amendment** that the Board direct the CEO to work with the four city selection Board members to develop a standardized MOU and report back within 120 days on the results of his efforts.

31. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award an eight-year unit rate Contract No. PS625011 to Medtox Laboratories, Inc. for **drug testing laboratory analysis services** for an amount not to exceed \$670,000 inclusive of five one-year options, effective August 1, 2007.

32. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year firm fixed price Contract No. PS25141978 to LexisNexis for **database information subscription services** for an amount not to exceed \$467,400, effective July 1, 2007.

33. APPROVED ON CONSENT CALENDAR:

- A. the **scope for the audit of ASI**, which will be included in the Request For Proposal to obtain a contractor to perform the audit; and
- B. revising the date that the OIG reports the results of the audit back to the Board from October 18 to November 15, 2007. The report date is revised because the award of the contract will be delayed 1 month due to the cancellation of the regular May Committee and Board meetings.

34. CARRIED OVER:

KNABE/LOWENTHAL/O'CONNOR MOTION that the following change be made to the Formula Allocation Procedure (FAP).

**FAP Funding Stability:**

In the application of this FAP formula adjustment, all Operators' FAP dollar funding levels shall be held to a minimum of their FY 2007 dollar funding levels. Where necessary, funding to implement this provision shall come from the Proposition A 40% Discretionary Growth Over CPI Account.

However, no additional funding will be allocated to an operator to mitigate against a reduction in funding from the fiscal year 2007 level, if this reduction is caused by a reduction in service level provided by that operator.

**Application of FAP Formula:**

- A. a new rule be added to the current FAP effective immediately for application to the FY 2009 Allocation Year (whose allocations are based on FY 2007 TPM data).

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*If an operator increases its base fare* anytime from July 1, 2006 forward, their **fare units** will be frozen at that Operator's fare unit level during the last full fiscal year of the old lower fare. It will remain at this level, until the new fare unit calculation based on the new higher fare becomes greater than the frozen level. After that point, their fare units will be calculated normally.

**Example:** If an Operator implements a fare increase on July 1, 2006, or anytime during FY 2007, their fare units will be frozen at the FY 2006 level until fare unit growth occurs. Thus the fare units utilized to calculate the FAP will be the higher of the fare units calculated using current TPM data or the fare units from the FAP calculation from the fiscal year prior to the fare increase.

*If an Operator lowers their base fare* anytime from July 1, 2006 forward, their fare units will be frozen at that Operator's fare unit level during the last full fiscal year of the old higher fare. Thus, an Operator could not trigger an increase in their fare units by lowering their base fare and would have no incentive to do so. Operators would be required to increase their base fare to an amount equal to or greater than the base fare established using FY 2006 TPM data to again calculate their fare units utilizing current TPM data.

- B. Los Angeles Department of Transportation's annual fare units calculation for the purpose of determining its annual FAP subsidy funded from the County's Proposition A Discretionary Growth Over CPI account be adjusted as described below.

Effective with the FY 2008 allocation year, the calculation of fare units for LADOT will be conducted utilizing a \$0.90 base fare for its eligible express services and a \$0.50 base fare for its eligible local services.

LADOT's annual FAP subsidy allocation will continue to be funded from the County's Proposition A Discretionary Growth Over CPI account, which is the primary source of FAP funding designated by Metro for all Eligible Operators in the County. LADOT will also be subject to the proposed new FAP formula/distribution rules discussed above for all Included and Eligible Operators. This includes holding all of the other Eligible Operators to a minimum of their FY 2007 dollar funding levels.

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**Continuation of Current Transit Operating Funds:**

- C. The LACMTA shall continue to allocate funds to the Included and Eligible Operators from the following sources for both the FAP and non-FAP programs:

- \*Transportation Development Act, Article 4 (includes interest)
- \*State Transit Assistance (includes interest)
- \*Proposition A 40% Discretionary
- \*Proposition A 40% Discretionary Interest
- \*Proposition A 40% Discretionary Growth Over CPI
- \*Proposition C 5% Security
- \*Proposition C 40% Discretionary Municipal Operator Service Improvement Program (MOSIP)
- \*Proposition C 40% Discretionary Transit Service Expansion (TSE)
- \*Proposition C 40% Discretionary Bus System Improvement Plan (BSIP)/Overcrowding Relief
- \*Proposition C 40% Discretionary Base Restructuring
- \*Proposition C 40% Discretionary Foothill Transit Mitigation
- \*Proposition C 40% Discretionary Interest

36. **CLOSED SESSION:**

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

1. Gary Spiegel v. LACMTA, Case No.: SC089123  
APPROVED settlement in the amount of \$230,000.
2. Rutilio Rubalcava v. LACMTA, Case No.: TC019872  
APPROVED settlement in the amount of \$1,000,000.
3. Kamira Barron V. LACMTA, Case No.: SC084448  
APPROVED settlement in the amount of \$500,000.
4. LACMTA v. RAD Jefferson, Case No.: BC351804  
NO REPORT.

5. Tutor-Saliba-Perini v. LACMTA, Case No.: BC123559

NO REPORT.

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

1. Initiation of Litigation (One case)

NO REPORT.

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

Agency Negotiator: Carolyn Flowers

Employee Organization: AFSCME

NO REPORT.

D. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation

- Chief Executive Officer

NO REPORT.

40. APPROVED ON CONSENT CALENDAR the staff recommendation to except, effective June 24, 2007, the following Metro Rapid bus lines from certain service parameters specified in the **Consent Decree New Service Plan**:

Line 703 – Lincoln (operated by Santa Monica)

Line 704 – Santa Monica Blvd.

Line 705 – La Cienega/Vernon

Line 714 – Beverly

41. APPROVED ON CONSENT CALENDAR establishing a life-of-project budget for the **mid-life refurbishment of the Metro Red Line heavy rail subway vehicles**, CP# 206034, in the amount of \$202,000,000.

42. ESTABLISHED a life-of-project budget for 50 **Expo and Metro Blue Line Light Rail Vehicles procurement** Option No. 1 to Contract No. P2550 Light Rail Vehicles, CP# 206035, in the amount of \$174,500,000.

44. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 07-0006 to National Petroleum, Inc., the lowest responsive and responsible bidder for **Synthetic Transmission Fluid**, for an amount not to exceed \$6,434,169, inclusive of sales tax and two one-year options.
45. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award five-year, unit price, multiple award agreements with A&R Brokers, Kirk Papers, Unisource, and Xpedx for the provision of **non-inventory paper supplies** for an amount not to exceed \$2,700,000, inclusive of two one-year options, effective July 1, 2007.
46. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute contract modification No. 5 to Contract No. PS-6810-1346 with Enternet Business Systems to provide **consulting services for the on-going implementation and support of the integrated Transitsafe™ and Vehicle Accident Monitoring System** for a period of 24 months for an amount not to exceed \$330,000, increasing the total contract value from \$577,999 to \$907,999.
47. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year, unit rate Contract No. PS07642013 to Danka Office Imaging Company for **Copy Services** for an amount not to exceed \$1,369,000, including supplies and applicable sales/use taxes, effective upon installation of all equipment.
48. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. OP39221990 to North American Video, Inc. for **pan/tilt/zoom dome cameras and equipment** for an amount not to exceed \$200,293 inclusive of sales tax.
49. RECEIVED AND FILED **staff report on bus operations, Sector outreach and customer awareness** and APPROVED proposed transfer of 3 FTE's from Communications to Operations.



51. CARRIED OVER:

FASANA MOTION that:

A new simplified and equitable **Formula Application Procedure (FAP)** be developed that would replace the existing FAP, Municipal Operator Service Improvement Program (MOSIP), and other bus funding pools and incorporate these features:

FAP Formula: A participant's funding share will be the ratio of their total vehicle service hours (VSH) to all participants' total VSH.

Single Funding Pool: All current and future funding that LACMTA elects to allocate to any and all participants for transit operations must be allocated by this formula, including but not limited to TDA, STA, interest, Proposition A and C.

Transition: During the first three years after implementation of the New FAP, all participants will be guaranteed a minimum allocation equal to the total Fiscal Year 2006-2007 Transit Fund Allocation approved by the Metro Board at the July 27, 2006 meeting (participants with shortfalls below their FY 2006-2007 allocations would receive funds from participants with surpluses above their FY 2006-2007 allocations on a pro rata basis).

52. APPROVED ON CONSENT CALENDAR adopting the following **positions on State Legislation:**

- A. SB 9 (LOWENTHAL) – Would establish conditions for allocating goods movement project funds from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act (November 2006). **SUPPORT IF AMENDED**
- C. SB 716 (PERATA) – Would establish an allocation process for public transit funding made available from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act (November 2006). **OPPOSE**
- D. SB 803 (LOWENTHAL) - Would require that projects utilizing a community conservation corps be given priority in the allocation of transportation enhancement funds. **SUPPORT**

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- E. SB 964 (ROMERO) – Would prohibit a majority of the members of a legislative body from using a series of communications, directly or through intermediaries, to conduct deliberations, including, but not limited to any communications that advance or clarify a member’s understanding of an issue. **WORK WITH AUTHOR.**

**APPROVED AS AMENDED** adopting the following **positions on State Legislation:**

- B. SB 375 (STEINBERG) – Would require Regional Transportation Plans to address the reduction of greenhouse gases and require transportation funding to be allocated according to those plans. Would authorize modified environmental review procedures for projects conforming to the new plans. ~~OPPOSE UNLESS AMENDED~~ WORK WITH AUTHOR
- F. SB 974 (LOWENTHAL) – Requires the Ports of Los Angeles, Long Beach and Oakland to impose container fees. ~~SUPPORT IF AMENDED~~ SUPPORT IF AMENDED TO HAVE LOCAL CONTROL

53. **APPROVED UNDER RECONSIDERATION** (See amendments to Item 20):

**BURKE MOTION** that the MTA Board of Directors instruct the Chief Executive Officer:

1. to fund a **one-time continuation of the Line 442** for the period of one year at FY07 service levels;
2. through the allocation of \$332,000 in funding from the general fund balance described in the sub-category labeled "general" on page 34, line 37 in the proposed FY08 budget "yellow book"; and
3. that the line be marketed in an effort to increase ridership and that staff report back to the Board on a quarterly basis to provide ridership reports and updates on marketing efforts.

Further move that future funding consideration beyond FY08 will be contingent upon increasing the average ridership on Line 442 to the level of 60% capacity.

54. APPROVED REVISED ANTONOVICH MOTION that the Metro Board of Directors instruct the CEO to do the following:
1. return to the Operations Committee and the Full Board within 60 days with an **evaluation of Metro operating procedure for the use of freeways by all revenue and non-revenue Metro buses**; and
  2. send a letter on behalf of the Metro Board to Governor Arnold Schwarzenegger; Secretary of Business, Transportation and Housing Dale Bonner; and California Highway Patrol Commissioner Mike L. Brown that requests within 90 days an **assessment on how current laws prohibiting trucks and other large vehicles from use of lanes other than the outermost lanes** can A) be enforced to the greatest extent possible and B) be expanded in future legislation to accommodate new provisions and threats to the safety of highway users from increasing traffic attributed to freight trucks and other vehicles of similar size.

55. APPROVED VILLARAIGOSA MOTION that the MTA Board direct the CEO to:
1. report back within 60 days on the transition and implementation timetable and required actions for each of the **transit security models** currently under consideration; and
  2. recommend to the Board no later than September 2007 with a recommended transit security model and actions required to implement beginning in FY 2008-2009.

57. APPROVED the following nominee for membership on the **Gateway Cities Service Sector Governance Council**:

Harley Rubenstein – New appointment to fill unexpired term of Cynde Soto

Appointed by: Gateway Cities Council of Governments

Term ending: June 2009

58. APPROVED the following nominee for membership on the **San Gabriel Valley Service Sector Governance Council**:

David Spence – New appointment to fill unexpired term of Bart Doyle

Appointed by: Supervisor Michael Antonovich

Term ending: June 2009

59. AUTHORIZED the Chief Executive Officer to award a ten year, unit rate Contract No. PS0752101933 to Bank of America **for general and specific banking services** for an amount not to exceed \$1,675,260, inclusive of five one-year options, effective July 1, 2007.
60. ESTABLISHED a life-of-project budget for **FY08 Bus System Support Replacement Non-Revenue Vehicles**, CP #208007, in the amount of \$10,846,844.
61. ESTABLISHED a life-of-project budget for the **Bauchet Street Storage and Facilities Maintenance Structure Project**, CP#202246, in the amount of \$12,925,000.
62. ESTABLISHED a life-of-project budget for the **Divisions 1, 3, 8, 9, and 15 Improvements Project**, CP# 202239, in the amount of \$13,720,000.
63. ESTABLISHED a life-of-project budget for the **Advanced Transportation Management System Upgrade**, CP# 202232, in the amount of \$12,107,000 and include the project in the FY08 capital program budget.
65. ELECTED **Board Officer: Director Don Knabe as 2<sup>nd</sup> Vice Chair.**
66. APPROVED the following nominees for membership on the **Westside/Central Service Sector Governance Council**:
  - Art Ida – New appointment to fill seat vacated by Carol Gross.  
Appointed by: Westside Cities Council of Governments  
Term ending: June 2010
  - Terri Slimmer – New appointment to fill seat vacated by Anny Semonco  
Appointed by: Westside Cities Council of Governments  
Term ending: June 2010

RECEIVED public comment.

ADJOURNED at 1:45 p.m.

Prepared by: Michele Chau  
Board Specialist

  
\_\_\_\_\_  
Michele Jackson, Metro Board Secretary

