RECAP

REGULAR BOARD MEETING
APRIL 25, 2002

Item 1  Consent Calendar  Approved

APPROVE Consent Calendar Items: 2, 9, 19, 20, 21, 22, 29, 30, 37, 38, 39

ITEMS 10**, 11, 14, 17**, 28, AND 40 PULLED FROM CONSENT CALENDAR.

** - Requires 2/3 vote of the Board

NOTED COMMITTEE AUTHORITY ITEMS: 8, 15 & 16

Present        HUDSON                YES
Present        PROO                  YES
Absent         O’CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                  YES
Present        FASANA                 YES
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON               YES
Present        BURKE                  YES
Present        YOH                    YES
Present        ROBERTS                YES
Present        SASSAMAN

Item 2  Consent Calendar  Approved

APPROVE Minutes of Regular Board Meeting held March 28, 2002.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O’CONNOR
Absent        MOLINA
Absent        ANTONOVICH
Present        KNABE                 YES
Present        FASANA                 YES
Absent        HAHN
Absent        YAROSLAVSKY
Present        BERNSON                 YES
Present        BURKE                 YES
Present        YOH                 YES
Present        ROBERTS                 YES
Present        SASSAMAN

Item 3  No report.

Chief Executive Officer's Report

Item 4  Received

Chair's Report

• Presented resolution to Ed Kichi, Senior Contract Administrator, for coming to the aid of a coworker.

• Presented resolution to Metro Art Tour Docents.

Present        HUDSON
Present        PROO
Present        O’CONNOR
Absent        MOLINA
Absent        ANTONOVICH
Present        KNABE
Present        FASANA
Absent        HAHN
Absent        YAROSLAVSKY
Present        BERNSON
Present        BURKE
Present        YOH
Present        ROBERTS
Present        SASSAMAN
Item 5  Received

RECEIVE report from the Independent Citizens' Advisory and Oversight Committee regarding the Propositions A & C Audit for FY 2001 Public Hearing.

Present        HUDSON
Present        PROO
Present        O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE
Present        FASANA
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON
Present        BURKE
Present        YOH
Present        ROBERTS
Present        SASSAMAN

Item  8   Noted

APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) award of a firm fixed-price contract to Reynolds Buick/GMC Truck, West Covina, the lowest responsive, responsible bidder under Bid No. 01-0230 for the purchase of 15 mini passenger vans and 21 large cargo vans for $709,368, inclusive of sales tax.

Item  9   Consent Calendar   Approved

OPERATIONS COMMITTEE RECOMMENDED (4-0) award of a 24-month, fixed-price requirements contract to Cummins Cal Pacific, the lowest responsive, responsible bidder under Bid No. 02-0206A for procurement of Cummins L10 engine parts for the Neoplan CNG bus fleet for an amount not to exceed $9,316,267, inclusive of sales tax.
Item 10  Approved by a 2/3 vote of the Board

OPERATIONS COMMITTEE RECOMMENDED (4-0) finding that awarding a design/build contract pursuant to Public Utilities Code Section 130242(a) will achieve private sector efficiencies in the integration of the design and construction of the Metro Red Line Intrusion Detection System Enhancements.

(Requires 2/3 vote of the Board)
Item 11 Approved SUBJECT TO RESOLUTION OF PRE-QUALIFICATION ISSUES AND XEROX AGREEMENT TO AMEND CONTRACT TERMS TO MITIGATE RISK TO THE MTA.

OPERATIONS COMMITTEE RECOMMENDED (4-0):

A. execution of a five-year contract No. PS016420025R with Xerox Corporation, the lowest responsive, responsible bidder for the lease and maintenance of high-speed copier equipment for the Copy Center for an amount not to exceed $2,760,000, effective June 1, 2002; and

B. negotiation and execution of an amendment with Xerox Corporation for a five-year lease of Fusion Punches for the high-speed copier equipment for an amount not to exceed $150,000, for a total contract amount not to exceed of $2,910,000.
Item 14 Approved

CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1), AS CORRECTED, execution of Change Order No. 3 to Contract No. PS-4310-0964, with Eastside LRT Partners, a joint venture consisting of Parsons Brinckerhoff, Jenkins/Gales & Martinez, and Barrio Planners, Inc., for continuing preliminary engineering design services for an amount not to exceed $4,777,432.

Present        HUDSON                YES
Present        PROO                  YES
Present        O’CONNOR              YES
Absent         MOLINA
Present        ANTONOVICH            CON
Present        KNABE                 CON
Present        FASANA                YES
Absent         HAHN                  CON
Present        YAROSLAVSKY           YES
Absent         BERNSON               CON
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS               YES
Present        SASSAMAN

Item 15 Noted

APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of Change Order No. 18 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to delete the requirement for the vehicle between car warning devices, in the credit amount of $337,800, decreasing the total contract value from $214,344,337 to $214,006,537.
Item 16  Noted

APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0):

A. Change Order No. 8.00 to Contract No. E0350, Professional Services Administration/Management in Support of Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with LTK Engineering Services to extend the contract for an additional 17 months through September 30, 2003, to provide continuing administration, design review and testing services for the P2000 vehicles, in the amount of $1,033,129, increasing the total contract value from $14,136,766 to $15,169,895; and

B. an increase in the Authorization for Expenditure to Contract No. E0350, in the amount of $1,033,129 increasing the AFE from $14,136,766 to $15,169,895.

Item 17  Approved by a 2/3 vote of the Board

CONSTRUCTION COMMITTEE RECOMMENDED (4-0) finding that awarding a Design-Build contract pursuant to Public Utilities Code Section 130242(a) will achieve for the MTA, among other things, certain private sector efficiencies in the integration of the design, project work, and components, including the construction of the double-walled piping, sumps, and monitoring system upgrade for Underground Storage Tanks and removal of unneeded tanks at four Metro Bus Divisions.

(Requires 2/3 vote of the Board)

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Item 19  Consent Calendar  Approved

FINANCE & BUDGET COMMITTEE RECOMMENDED (5-0) award of a five-year, fixed rate contract No. PS-5440-1118 to Los Angeles Federal Armored Services, Inc., for the sale of currency effective July 1, 2002 for an amount not to exceed $1,475,250, inclusive of four one-year options.

Item 20  Consent Calendar  Approved

FINANCE & BUDGET COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to select one or more investment providers and enter into forward delivery contracts for terms of up to 10 years, and authorize payment of related legal fees, advisory fees and other ancillary expenses necessary to implement the agreements.
Item 21   Consent Calendar   Approved

FINANCE & BUDGET COMMITTEE RECOMMENDED (5-0) execution of a lease amendment with Camille's, Inc., dba Denny's Restaurant, to extend the term of the lease for an additional five years commencing February 1, 2004 and ending January 31, 2009, and increasing the monthly rental amount to $10,500 per month effective February 1, 2003.
FINANCE & BUDGET COMMITTEE RECOMMENDED (5-0) declaring certain real property located on the south side of Mealy Street between Tamarind Avenue and Mona Boulevard in the City of Compton as surplus property and authorizing the sale of said property to Owens Corning, a Delaware Corporation, for $361,000.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                  YES
Present        FASANA                 YES
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON                YES
Present        BURKE                  YES
Present        YOH                    YES
Present        ROBERTS                YES
Present        SASSAMAN

EXECUTIVE MANAGEMENT & AUDIT COMMITTEE RECOMMENDED (3-0), AS CORRECTED, adopting the following positions on state legislation:

A. SCA 11 (Murray) - Would require that loans from the State Highway Account and Public Transportation Account be repaid with interest when those accounts lend funds to other state accounts. SUPPORT

B. AB 2788 (Longville) - Would enact the Passenger Rail Improvement, Safety and Modernization Bond Act of 2002 to provide for general obligation bonds in the amount of $500 million and require a 50% match by local agencies based on passenger miles, annual trips and track miles. SUPPORT
C. SB 1853 (Murray) - Would enact the Transportation Noise Reduction, Safety Enhancement and Congestion Relief Bond of 2002 to authorize general obligation bonds in the amount of $1 billion for financing soundwall construction. SUPPORT

D. AB 2751 (Pavley) - To evaluate the feasibility of using rice straw for soundwall construction. SUPPORT

E. SB 1927 (Soto) - Would require transit fueling stations to assess the long-term environmental and public health impact of stations located by residential communities. NEUTRAL

F. SB 1858 (Burton) - Would create a TEA fund in the State Treasury and authorize Caltrans to administer the TEA program. WORK WITH AUTHOR

G. AB 2582 (Chu) - Would allow paratransit vehicles to utilize the HOV lanes with less than required occupancy. NEUTRAL, SEEK AMENDMENTS

H. SB 1740 (Murray) - Develop record retention program for the SAFE program throughout the state. SUPPORT/SPONSOR

Present           HUDSON       YES
Present           PROO         YES
Present           O'CONNOR    YES
Absent            MOLINA
Present           ANTONOVICH  YES
Absent            KNABE
Present           FASANA       YES
Absent            HAHN
Present           YAROSLAVSKY YES
Absent            BERNSON
Present           BURKE        YES
Present           YOH          YES
Present           ROBERTS      YES
Present           SASSAMAN
Item 29  Consent Calendar  Approved

EXECUTIVE MANAGEMENT & AUDIT COMMITTEE RECOMMENDED (4-0) approving the Use of MTA Property for Commercial Activities Policy as guidance in the use of MTA transit facilities for commercial activities.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                YES
Present        FASANA                YES
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON                YES
Present        BURKE                YES
Present        YOH                YES
Present        ROBERTS                YES
Present        SASSAMAN

Item 30  Consent Calendar  Approved

EXECUTIVE MANAGEMENT & AUDIT COMMITTEE RECOMMENDED (4-0) revising the MTA Procurement Policies and Procedures Manual to require contractors to certify requests for payment.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                YES
Present        FASANA                YES
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON                YES
Present        BURKE                YES
Present        YOH                YES
Present        ROBERTS                YES
Present        SASSAMAN
Item 36 Carried over for inclusion of Board recommended changes.

PLANNING & PROGRAMMING COMMITTEE FORWARDED, SUBJECT TO INCLUSION OF COMMITTEE'S RECOMMENDED CHANGES, (5-0) adoption of the Joint Development Policies and Procedures to replace the previously adopted joint development policy.

Present        HUDSON                YES
Present        PROO                  YES
Present        O'CONNOR              YES
Absent         MOLINA
Present        ANTONOVICH            YES
Present        KNABE                 YES
Present        FASANA                YES
Absent         HAHN
Present        YAROSLAVSKY           YES
Present        BERNSON               YES
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS               YES
Present        SASSAMAN

Item 37 Consent Calendar Approved

PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (5-0) execution of Amendment No. 10 to Contract No. 07H004, Project ID No. 350B with Washington Infrastructure (MK Centennial) to expedite additional design work for the Route 10 HOV lane between Route 57 and the San Bernardino County Line for an amount not to exceed $325,000, increasing the total contract value from $9,989,335 to $10,314,335.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                 YES
Present        FASANA                YES
Absent         HAHN                  CON
Absent         YAROSLAVSKY
Present        BERNSON               YES
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS               YES
Present        SASSAMAN

Item 38   Consent Calendar   Approved

PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving:

A. the local scores for the Federal Transit Administration Section 5310 projects including the applications recommended for funding in the 2002-2003 Regional Transportation Improvement Program; and

B. execution and transmission of a Resolution and scoring recommendations to Caltrans.

Present        HUDSON               YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                 YES
Present        FASANA                YES
Absent         HAHN                  CON
Absent         YAROSLAVSKY
Present        BERNSON               YES
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS               YES
Present        SASSAMAN

Item 39   Consent Calendar   Approved

PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (4-0):

A. MTA participation in a multi-agency Regional Pass Program; and
B. allocation of $2 million in fiscal year 2003 from the current Propositions A & C/TDA administrative funds to implement this program.

Present        HUDSON                YES
Present        PROO                  YES
Absent         O'CONNOR
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                YES
Present        FASANA                YES
Absent         HAHN
Absent         YAROSLAVSKY
Present        BERNSON              YES
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS              YES
Present        SASSAMAN

Item 40 Approved

OPERATIONS COMMITTEE RECOMMENDED (3-0-1):

A. awarding a five-year firm, fixed-price and unit rate contract to First Transit, Inc. to provide local transit services for Package A (Lines 177 & 256) for an amount not to exceed $9,198,467 effective June 3, 2002, inclusive of two one-year options;

B. awarding a five-year firm, fixed-price and unit rate contract to Transportation Concepts, Inc. to provide local transit services for Package B (Lines 218, 603 & 605) for an amount not to exceed $22,353,743 effective June 3, 2002, inclusive of two one-year options;

C. awarding a five-year firm, fixed-price and unit rate contract to Transportation Concepts, Inc. to provide shuttle services for Package C (Lines 625, 626, 631 & 646) for an amount not to exceed $7,637,646 effective June 30, 2002, inclusive of two one-year options; and
(the cumulative total for Packages A, B & C is not to exceed $39,189,856)

D. canceling the solicitation for Package D (Lines 530 & 577) for business reasons.

Present        HUDSON                YES
Present        PROO                  YES
Present        O’CONNOR              YES
Absent         MOLINA
Absent         ANTONOVICH
Present        KNABE                 CON
Present        FASANA                YES
Absent         HAHN                  CON
Absent         YAROSLAVSKY
Present        BERNSON               CON
Present        BURKE                 YES
Present        YOH                   YES
Present        ROBERTS               YES
Present        SASSAMAN

Item 42-A  Approved on a roll call vote

PLANNING & PROGRAMMING COMMITTEE FORWARDED TO THE BOARD WITHOUT RECOMMENDATION (4-0):

A. an inflationary increase for the FY 03 funding allocation to Access Services, Inc., in the amount of $5,086,349, for a total MTA funding commitment of $58,601,051; and

Present        HUDSON                YES
Present        PROO                  YES
Present        O’CONNOR              YES
Absent         MOLINA
Present        ANTONOVICH              YES
Present        KNABE                 NO
Present        FASANA                YES
Absent         HAHN
Present        YAROSLAVSKY           YES
Present        BERNSON               YES
Present        BURKE                 YES
Present YOH YES
Present ROBERTS YES
Present SASSAMAN

Item 42-B Approved AS AMENDED BY BURKE TO REPORT BACK ON POSSIBLE ADDITIONAL SERVICES OUTSIDE OF ADA REQUIREMENTS AND FUNDING OPTIONS.

B. notifying Access Services, Inc. that the MTA expects improved interaction with the community to provide quality, reliable services that comply with the requirements of the Americans with Disabilities Act within the above resources.

Present HUDSON YES
Present PROO YES
Present O’CONNOR YES
Absent MOLINA
Present ANTONOVICH YES
Present KNABE YES
Present FASANA YES
Absent HAHN
Absent YAROSLAVSKY
Present BERNSON YES
Present BURKE YES
Present YOH YES
Present ROBERTS YES
Present SASSAMAN

Item 43 Received

RECEIVE report on Workers' Compensation issues.

Present HUDSON
Present PROO
Present O’CONNOR
Absent MOLINA
Present ANTONOVICH
Present KNABE
Present FASANA
Present SASSAMAN
Absent HAHN
Present YAROSLAVSKY
Item 44 Approved

CONSIDER:

A. adoption of the MTA Financial Standards Policy, FIN 25; and

B. approval of the MTA FY 2002-03 Financial Standards.

(Carried Over from February Board Meeting)

Item 45 Approved

ADVANCED TRANSIT VEHICLE CONSORTIUM RECOMMENDED (4-0) that the:

A. MTA initiate a performance-based, negotiated procurement of economic quantities of 60-foot articulated buses;
B. first procurement must be for CNG-electric or CNG-hybrid, followed by procurement of conventional CNG buses (if necessary); and

C. MTA follow the recommended procurement schedule:

RFP Issuance: June 15, 2002;
RFP Response: August 1, 2002;
Downselect: October 15, 2002;
Board Approval: October 24, 2002;
Contract Award: November 15, 2002;
First Article Delivery: May 1, 2004;
First Production Lot (30+ buses) Delivery: December 31, 2004

Present        HUDSON            YES
Present        PROO              YES
Present        O'CONNOR         YES
Absent         MOLINA
Present        ANTONOVICH       YES
Absent         KNABE
Present        FASANA            YES
Present        HAHN              YES
Present        YAROSLAVSKY      YES
Present        BERNSON          YES
Present        BURKE             YES
Present        YOH               YES
Present        ROBERTS          YES
Present        SASSAMAN

Item 46-A Approved

AD HOC SERVICE SECTOR COMMITTEE RECOMMENDED (5-0) that:

A. the Board support the establishment of Service Sectors with governance councils;

Present        HUDSON            YES
Present        PROO              YES
Present        O'CONNOR         YES
Absent         MOLINA
Present        ANTONOVICH       YES
Item 46-B  Approved on a roll call vote AS AMENDED THAT EACH SECTOR CAN COME BACK WITH RECOMMENDED CHANGES IN THE NUMBER OF MEMBERS.

B. Service Sector Councils have up to nine (9) members; and that sectors have the option of retaining governance structures already in place, e.g. the San Fernando Valley;

Item 46 - C & D  Approved as amended

C. Councils MAY be comprised of elected officials and/or private citizens; and

D. a stipend MAY be paid for up to two meetings per month; the amount of the stipend to be determined FOR REVIEW BY THE BOARD.
Item 47

CLOSED SESSION:

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

1. Bill Schnee Studios, Inc. v. MTA, Case No. BC241283

   APPROVED settlement in the amount of $500,000.
B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9 (b):

One Case - Caltrans

APPROVED settlement with Caltrans as final payment for construction of the Green Line, including all claims in the amount of $2,244,258.

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C. Personnel Matters - G.C. 54957:

1. Public Employee Release

   NO REPORT.

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

   Agency Negotiators: Roger Snoble and Brenda Diederichs

   Employee Organizations: AFSCME, ATU and Engineers and Architects Association

   NO REPORT.