



MINUTES/PROCEEDINGS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING
BOARD OF DIRECTORS
MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza, Los Angeles

Thursday, August 28, 2003

Called to order at 9:55 a.m.

Directors Present:

Zev Yaroslavsky, Chair
Frank Roberts, 1st Vice Chair
Michael Antonovich
Yvonne Brathwaite Burke
John Fasana
Don Knabe
Tom LaBonge
Gloria Molina
Pam O'Connor
Antonio Villaraigosa

Chief Executive Officer – Roger Snoble
Board Secretary - Michele Jackson
Ethics Officer - Karen Gorman
Inspector General – William Waters
General Counsel - County Counsel

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

1. APPROVED Consent Calendar Items: 2, 10, 16 and 17.

Items 11 and 13 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEM: 6

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held July 24, 2003.

3. RECEIVED Chief Executive Officer’s Report

- “Clean Up L.A.” campaign

4. Chair’s Report

No Report.

6. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE AUTHORITY report on the annual **New Starts Rating Report** to be filed with the Federal Transit Administration for the Exposition Light Rail Transit (LRT) Project and two associated studies that have recently been completed for the project:

- Peer Review Panel Report, June 2003
- Value Engineering Study Report, June 2003

7. ADOPTED AS AMENDED BY PROO the 2003 **Short Range Transportation Plan** for Los Angeles County with revisions.

PROO AMENDMENT: Revise the fifth bullet for page 23 to read, "Examine in consultation with freight industry representatives, including shippers, ports, and affected local jurisdictions, freight movement strategies to reduce congestion on key freeways, such as the I-710 during peak commute periods. Develop recommendations which address local, state, or federal regulatory changes that would be necessary for implementation."

10. APPROVED ON CONSENT CALENDAR a consolidated and enhanced policy for the **naming of all MTA properties** that will supersede several existing policies, and ensure that MTA properties are named in a timely, cost-effective manner for the maximum benefit and convenience of our customers.
11. APPROVED 7% as the Federal Highway Administration (FHWA) Disadvantaged Business Enterprise (DBE) **annual goal for Federal Fiscal Year 2004** (FFY04).
12. APPROVED AS CORRECTED authorizing the Chief Executive Officer to **renew policies for the Non-Contract and AFSCME Group Insurance Plans, including medical, dental, life, accidental death and dismemberment, and long-term disability coverages** for a one-year period beginning January 1, 2004.
13. ADOPTED revised position on SB314 (Murray) – would authorize the MTA to impose an additional 0.5% transaction and use tax for 6 years or less. **WORK WITH AUTHOR**

14. CLOSED SESSION:

- A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C. 54956.8)

Negotiator: Velma Marshall

Eastside Light Rail Transit Project

Parcel No.	Owner	Property Interest
ES-598	M-C Investments	Fee Simple
		Improvements pertaining to Realty

APPROVED Just Compensation in the amount of \$720,705.

- B. Conference with Labor Negotiator – G.C. 54956.9 (a):

1. Hernandez v. MTA SC071505

APPROVED settlement in the amount of \$325,000.

2. Ryan v. MTA YC045080

APPROVED settlement in the amount of \$425,000.

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

(One Case)

NO REPORT.

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

Agency Negotiators:	Roger Snoble and Brenda Diederichs
Employee Organizations:	Amalgamated Transit Union, Transportation Communications Union, United Transportation Union, and Engineers and Architects Association

NO REPORT.

16. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to appoint Bear Stearns & Co. and Lehman Brothers, Inc. as co-senior managing underwriters and remarketing agents for one or more series of auction rate securities to be issued to refund portions of the **Proposition C 1993-B and 1995-A bonds** in a negotiated sale.

17. APPROVED ON CONSENT CALENDAR execution of Amendment No. 4 to Contract No. PS-5110-0970 with Optisource Technologies, to increase the contract amount by \$55,000, for the **continued provision of data imaging and archiving services** through December 31, 2003, increasing the contract amount from \$193,185 to \$248,185.

21. RECEIVED oral update on the **Universal Fare System** Implementation.

22. CARRIED OVER TO NEXT MONTH:

- A. authorizing the Chief Executive Officer to enter into an agreement between the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority (MTA) for the **permanent transfer of 24 strands of excess fiber optic cable assets**, for a one time payment of \$1,000,000 within 90 days of commencement of agreement; and
- B. approving a 20-year infeasible right of use agreement under which MTA would be granted use of conduit and fiber-optic infrastructure owned by the City of Los Angeles for the purpose of connecting MTA's existing fiber optic to the newly purchased strands for a one time payment of \$250,000 upon commencement of agreement.


APPROVED ANTONOVICH SUBSTITUTE MOTION directing staff to explore revenue owed to MTA from the City of Los Angeles and report back on options available to lease to others.

23. WITHDRAWN BY STAFF holding a public hearing on the resolution of necessity for the acquisition of project **Parcel No. ES-654 for the Eastside Light Rail Project – West Portal** project enhancements, between Gless Street and U.S. Highway 101 and adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject parcel.

24. ADOPTED the **MTA Administrative Code**.

RECEIVED public comment.

Prepared by: Jennifer A. Schwager
Recording Secretary


Michele Jackson
Board Secretary



RECAP OF PROCEEDINGS
LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, AUGUST 28, 2003

DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	ATTENDANCE												
			O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	VAROSLAVSKY	BURKE	FASANA	KNABE	FRIO	VILLARIGOSA	LABONGE
1	APPROVE CONSENT CALENDAR ITEMS: 2, 10, 16 AND 17 NOTE COMMITTEE AUTHORITY ITEM: 6 ITEMS 11 AND 13 WERE REMOVED FROM THE CONSENT CALENDAR	APPROVED	Y	A	Y	A	A	Y	Y	Y	Y	Y	Y	Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD JULY 24, 2003	APPROVED ON CONSENT CALENDAR													
3	CHIEF EXECUTIVE OFFICER'S REPORT	PRESENTED: * "CLEAN UP LA" CAMPAIGN	P	A	P	A	A	P	P	P	P	P	P	P	
4	CHAIR'S REPORT	NO REPORT													

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



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		DIRECTORS VOTING														
		ATTENDANCE														
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	VAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING
6	RECEIVE AND FILE REPORT OF THE ANNUAL NEW STARTS RATING REPORT TO BE FILED WITH THE FEDERAL TRANSIT ADMINISTRATION FOR THE EXPOSITION LIGHT RAIL TRANSIT (LRT) PROJECT AND TWO ASSOCIATED STUDIES THAT HAVE RECENTLY BEEN COMPLETED FOR THE PROJECT: * PEER REVIEW PANEL REPORT, JUNE 2003 * VALUE ENGINEERING STUDY REPORT, JUNE 2003	APPROVED ON CONSENT CALENDAR														
7	ADOPT AS AMENDED BY PROO THE 2003 SHORT RANGE TRANSPORTATION PLAN FOR LOS ANGELES COUNTY WITH REVISIONS.	ADOPTED	Y	A	Y	Y	A	Y	Y	Y	Y	Y	A	Y	Y	

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



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		P	A	P	A	P	A	P	A	P	A	P	A	P	A
		ATTENDANCE													
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
7	<p>PROO AMENDMENT: REVISE THE FIFTH BULLET FOR PAGE 23 TO READ, "EXAMINE IN CONSULTATION WITH FREIGHT INDUSTRY REPRESENTATIVES, INCLUDING SHIPPERS, PORTS, AND AFFECTED LOCAL JURISDICTIONS, FREIGHT MOVEMENT STRATEGIES TO REDUCE CONGESTION ON KEY FREEWAYS, SUCH AS THE I-710 DURING PEAK COMMUTE PERIODS. DEVELOP RECOMMENDATIONS WHICH ADDRESS LOCAL, STATE, OR FEDERAL REGULATORY CHANGES THAT WOULD BE NECESSARY FOR IMPLEMENTATION."</p>	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	VAROSLAVSKY	BURKE	PASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING

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



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		P	A	P	A	P	A	P	A	P	A	P	A	P	A													
ATTENDANCE		P	A	P	A	P	A	P	A	P	A	P	A	P	A													
ITEM NO.	SUBJECT ITEM	ACTION TAKEN																										
12	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO RENEW POLICIES FOR THE NON-CONTRACT AND AFSCME GROUP INSURANCE PLANS, INCLUDING MEDICAL, DENTAL, LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT, AND LONG-TERM DISABILITY COVERAGES FOR A ONE-YEAR PERIOD BEGINNING JANUARY 1, 2004.	O'CONNOR		LUDLOW		MOLINA		ANTONOVICH		HAHN		ROBERTS		VAROSLAWSKY		BURKE		FASANA		KNABE		PROO		VILLARAIGOSA		LABONGE		FAILING
		Y	A	Y	Y	Y	A	Y	Y	A	Y	Y	Y	Y	Y	C	Y	Y	Y	Y	Y	A	A	C	Y	Y		
13	ADOPT REVISED POSITION ON SB314 (MURRAY) - WOULD AUTHORIZE THE MTA TO IMPOSE AN ADDITIONAL 0.5% TRANSACTION AND USE TAX FOR 6 YEARS OR LESS. SUPPORT WORK WITH AUTHOR	Y	A	Y	Y	Y	A	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y		

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



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		P	A	P	A	P	A	P	A	P	A	P	A	
ATTENDANCE														
ITEM NO.	SUBJECT ITEM	ACTION TAKEN												
14	<p><u>CLOSED SESSION:</u></p> <p>A. <u>CONFERENCE WITH REAL PROPERTY NEGOTIATORS CONCERNING PRICE AND/OR TERMS OF PAYMENT [G.C. 54956.8]</u></p> <p>NEGOTIATOR: VELMA MARSHALL</p> <p>EASTSIDE LIGHT RAIL TRANSIT PROJECT PARCEL NO. ES-598 OWNER M-C INVESTMENTS PROPERTY INTEREST - FEE SIMPLE IMPROVEMENTS PERTAINING TO REALTY</p> <p>B. <u>CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - G.C. 54956.9(a):</u></p> <p>1. HERNANDEZ V. MTA SC071505</p>	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	APPROVED JUST COMPENSATION IN THE AMOUNT OF \$720,705													
	APPROVED SETTLEMENT IN THE AMOUNT OF \$325,000													

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



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		P	A	P	A	P	A	P	A	P	A	P	A	P	A
		ATTENDANCE													
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	VAROSLAVSKY	BURKE	PASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING
14	<u>D. CONFERENCE WITH LABOR NEGOTIATOR - G.C. 54957.6:</u> AGENCY NEGOTIATORS: ROGER SNOBLE AND BRENDA DIEDERICHS EMPLOYEE ORGANIZATIONS: AMALGAMATED TRANSIT UNION, TRANSPORTATION COMMUNICATION UNION, UNITED TRANSPORTATION UNION, AND ENGINEERS AND ARCHITECTS ASSOCIATION	P	A	A	P	A	P	P	P	P	P	A	C	A	
	<u>ACTION TAKEN</u>														
16	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO APPOINT BEAR STEARNS & CO. AND LEHMAN BROTHERS, INC. AS CO-SENIOR MANAGING UNDERWRITERS AND REMARKETING AGENTS FOR ONE OR MORE SERIES OF AUCTION RATE SECURITIES TO BE ISSUED TO REFUND PORTIONS OF THE PROPOSITION C 1993-B AND 1995-A BONDS IN A NEGOTIATED SALE.												C		
	<u>ACTION TAKEN</u>														
	APPROVED ON CONSENT CALENDAR														

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



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		O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
17	APPROVE EXECUTION OF AMENDMENT NO. 4 TO CONTRACT NO. PS-5110-0970 WITH OPTISOURCE TECHNOLOGIES, TO INCREASE THE CONTRACT AMOUNT BY \$55,000, FOR THE CONTINUED PROVISION OF DATA IMAGING AND ARCHIVING SERVICES THROUGH DECEMBER 31, 2003, INCREASING THE CONTRACT AMOUNT FROM \$193,185 TO \$248,185.														
21	RECEIVE ORAL UPDATE ON THE UNIVERSAL FARE SYSTEM IMPLEMENTATION.	P	A	P	P	A	P	P	P	P	P	A	P	P	
	APPROVED ON CONSENT CALENDAR														
	RECEIVED														

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



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		P	A	P	A	P	A	P	A	P	A	P	A		
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKI	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING
	<u>ACTION TAKEN</u>														
22	<p>CONSIDER:</p> <p>A. AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF LOS ANGELES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA) FOR THE PERMANENT TRANSFER OF 24 STRANDS OF EXCESS FIBER OPTIC CABLE ASSETS, FOR A ONE TIME PAYMENT OF \$1,000,000 WITHIN 90 DAYS OF COMMENCEMENT OF AGREEMENT; AND</p>	Y	A	Y	Y	A	Y	Y	Y	Y	Y	A	Y	Y	
	<p>APPROVED ANTONOVICH SUBSTITUTE MOTION TO CARRY OVER TO NEXT MONTH AND DIRECTED STAFF TO EXPLORE REVENUE OWED TO MTA FROM THE CITY OF LOS ANGELES AND REPORT BACK ON OPTIONS AVAILABLE TO LEASE TO OTHERS.</p>														

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



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		P	A	P	A	P	A	P	A	P	A	P	A	P	A
		ATTENDANCE													
ITEM NO.	SUBJECT ITEM	ACTION TAKEN													
22	B. APPROVING A 20-YEAR INDEFEASIBLE RIGHT OF USE AGREEMENT UNDER WHICH MTA WOULD BE GRANTED USE OF CONDUIT AND FIBER-OPTIC INFRASTRUCTURE OWNED BY THE CITY OF LOS ANGELES FOR THE PURPOSE OF CONNECTING MTA'S EXISTING FIBER OPTIC TO THE NEWLY PURCHASED STRANDS FOR A ONE-TIME PAYMENT OF \$250,000 UPON COMMENCEMENT OF AGREEMENT.	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	VAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	FAILING

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

