



AGENDA
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

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

Thursday, December 4, 2003 – 9:30 a.m.

Call to order:

Directors:

Zev Yaroslavsky, Chair
Frank Roberts, 1st Vice Chair
James Hahn, 2nd Vice Chair
Mike Antonovich
Yvonne Brathwaite Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Gloria Molina
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa
Doug Failing, Ex Officio

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

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.

Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and

Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.mta.net

TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA



SUMMARY OF AGENDA ITEMS

LOS ANGELES COUNTY

METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, DECEMBER 4, 2003

CONSENT ITEMS	NON CONSENT ITEMS	CLOSED SESSION
2	3	38
6	4	
7	28	
8	29	
9	30	
10	31	
11	32	
12	33	
13	34	
14	35	
15	36	
16	37	
17**		
18**		
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**Requires 2/3 vote of Board		

Because the October and November Committee meetings and the October Regular Board Meeting were not held, most items have been placed on the Consent Calendar. These items will be approved by one motion unless a Board member or member of the public requests that an item be pulled for discussion.

1. APPROVE Consent Calendar: Items 2, 6 through 16, 17**, 18**, 19 through 27.

** Requires 2/3 vote of the Board

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held September 25, 2003 and Special Board Meeting held October 15, 2003.
6. CONSIDER:
 - A. execution of Change Order No. 11 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 continuation of Design Services During Construction (DSCD)** for an amount not to exceed \$3,596,210 increasing the total contract value from \$31,002,830 to \$34,599,040; and
 - B. execution of modifications to Contract No. PS-4310-0964 for the Metro Gold Line Eastside Extension in an aggregate amount not to exceed ten percent of Change Order No. 11 total value.

7. APPROVE:

- A. negotiation and execution of Contract Work Order (CWO) No. 4 to Contract No. MC067 with Carter & Burgess, Inc. to provide **Construction Management Support Services** (CMSS) for the Metro Gold Line Eastside Extension Project for an amount not to exceed \$3,726,283 increasing the total contract value from \$4,229,125 to \$7,955,408; and
- B. execution of modifications to Contract No. MC067, CWO No. 4 for the Metro Gold Line Eastside Extension in an aggregate amount not to exceed ten percent of CWO. No. 4 total value.

8. CONSIDER:

- A. executing Amendment No. 6 to Contract Number 07H001 with CH2M Hill to **complete construction support service for the Route 10 HOV lanes from Baldwin Avenue to Route 605** for an amount not to exceed \$203,714, increasing the total contract value from \$7,741,679 to \$7,945,393; and
- B. authorizing a \$29,000 contingency budget for unanticipated construction support services which would allow future contract amendments up to the original programmed amount for the project design and construction support services.

9. AWARD a firm fixed-price contract under Bid No. 03-0021, to Burch Ford, the lowest responsive and responsible bidder for **12 full size passenger vans** for a firm, fixed price of \$262,671 inclusive of sales tax.

10. AWARD a five-year, firm fixed-price, unit rate Contract No. PS64301429, to Bielski Window & Masonry Cleaning **for window cleaning services** for the Union Station Gateway Headquarters building for an amount not to exceed \$252,129, inclusive of two, one-year option(s), effective December 1, 2003.
11. APPROVE execution of Change Order No. 1.00 to Contract No. OP33410654, with N/S Corporation, for the deletion of **High Velocity Air Blowers** on the Bus Interior Bellows Upgrade contract in the credit amount of \$303,390, reducing the total contract value from \$1,499,500 to \$1,196,110.
12. AWARD a firm fixed-price contract under Bid No. 03-0028 with West Covina Motors, Inc. the lowest responsive and responsible bidder for **six stake bed trucks** in the amount of \$201,345 inclusive of sales tax.
13. APPROVE execution of Amendment No. 1 to Contract No. PS016430107 with Yamas Controls Group, Inc. (formerly Invensys Building Systems) to provide **upgrades to the Gateway Building Management System** for a period through the remaining term of March 2007, for an amount not to exceed \$313,000 increasing the total contract value from \$391,961 to \$704,961.
14. AWARD a firm fixed-price contract under Bid No. 03-0035 with Taylor-Dunn Manufacturing, the lowest responsive and responsible bidder for **seven tow tractors** in the amount of \$261,824 inclusive of sales tax.
15. AWARD a 24-month firm fixed-price contract under Bid 03-0030 to Siemens Transportation Systems, the lowest responsive, responsible bidder for **eight P2000 rail car auxiliary inverters** in the amount of \$1,091,852 inclusive of sales tax and one option for five auxiliary inverters.

16. AWARD a 24-month firm fixed-price contract under Bid 03-0029 to Siemens Transportation Systems, the lowest responsive, responsible bidder for **P2000 rail car split brake discs** in the amount of \$1,406,038 inclusive of sales tax.
17. CONSIDER:
- A. finding that there is only a single source of procurement for the **remanufacture of the MTA owned rail grinder machine**. The Board hereby authorizes the procurement pursuant to Public Utilities Code Section 130237; and
 - B. authorizing the Chief Executive Officer to award a one-year firm fixed-price contract No. 04-04343412, to Harsco Track Technologies for the remanufacture of an MTA owned rail grinder for an amount not to exceed \$1,300,000.

(REQUIRES 2/3 VOTE OF THE BOARD)

18. CONSIDER:
- A. finding that there is only a single source for **procurement of Thyristors** and that the purchase is for the sole purpose of replenishing the MTA's existing supply. The Board hereby authorizes the procurement pursuant to Public Utilities Code 130237; and
 - B. awarding a single source, firm fixed-price contract to Bombardier Transportation to purchase 125 Thyristors to support the Metro Blue Line fleet for an amount not to exceed \$355,872 including sales tax.

(REQUIRES 2/3 VOTE OF BOARD)

19. AUTHORIZE the Chief Executive Officer to amend the existing **"As Needed Printing Services"** contract, an indefinite quantity/delivery, multiple award agreement with Chromatic Lithographers, Dual Graphics, Graphic Press, Pacific Graphics, and Peaks & Associates for printing services for a period of three years effective April 24, 2003, increasing the cumulative total amount by \$2,500,000.
20. APPROVE execution of Amendment No. 3 to Contract No. GS006420060 with Canon U. S. A. Corporation to provide **lease of convenience copiers**, for the remaining 19 months of the contract term, for an amount not to exceed \$234,803, increasing the total contract value from \$1,953,866 to \$2,188,669.
21. REJECT all bids submitted under IFB No. PS64601394 for the provision of **Non-Inventory Paper Supplies** in accordance with Public Utility Code 130232.
22. AWARD contract to Booz Allen Hamilton Inc. to conduct the Fiscal Year (FY) 2001 to FY 2003 **Triennial Performance Audit** of the Los Angeles County Metropolitan Transportation Authority as the Regional Transportation Planning Entity (RTPE) and to conduct the FY 2001 to FY 2003 Triennial Performamnce Audit of the Los Angeles County transit Operators, including MTA Operations, for a firm fixed-price of \$595,000.
23. APPROVE:
 - A. life of project budget in the amount of \$8.7 million for installation of four Gold Line Traction Power Substations; and
 - B. execution of a Betterment Agreement No. PCO 194 between the Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA) and the Los Angeles County Metropolitan Transportation Authority (MTA) for the procurement and delivery **of four traction power substations** in the amount of \$4,733,190.

24. CONSIDER:

- A. increasing funding in the amount of \$4,185,000 to the CPA Audit Pool for **audit services** through April 2005; and

	CONTRACTOR	CONTRACT NUMBER
1.	Lu, Chuan & Company, LLP	PS01-2511-15-01
2.	BDO Seidman, LLP	PS01-2511-15-02
3.	Conrad & Assocaites, LLP	PS01-2511-15-03
4.	Jones, Henle & Schunck, Acct. Corp.	PS01-2511-15-04
5.	Macias, Gini, & Company	PS01-2511-15-05
6.	Nunez & Associates	PS01-2511-15-06
7.	Qiu Accountancy Corp.	PS01-2511-15-07
8.	Quezada & Company	PS01-2511-15-08
9.	Ramirez International	PS01-2511-15-09
10.	Simpson & Simpson	PS01-2511-15-10
11.	Thompson, Cobb, Bazilio & Ass.	PS01-2511-15-11
12.	Vargas, Lopez & Company	PS01-2511-15-12
13.	Vasquez & Company	PS01-2511-15-13
14.	Wang Professional Corp.	PS01-2511-15-14
15.	Williams & Tucker	PS01-2511-15-15

- B. authorizing the Chief Executive Officer to execute task orders under these contracts for audit services in total not to exceed the amount of \$4,185,000.

25. APPROVE execution of nine three-year **Metro Freeway Service Patrol (FSP) contracts** for a total amount not to exceed \$11,572,088 to the following contractors:

Beat	Contractor	Amount	Contract Period
3	Hollywood Independent Towing, Los Angeles	\$1,429,201	01/01/04-12/31/06
4	Tow Masters, Los Angeles	\$1,725,545	01/01/04-12/31/06
6	LA's Bestway, Los Angeles	\$1,087,238	02/01/04-01/31/07
8	Al's Towing, Alhambra	\$1,171,035	02/01/04-01/31/07
10	Mid Valley Towing, North Hollywood	\$1,390,351	02/01/04-01/31/07
22	Girard & Peterson, Burbank	\$1,159,897	02/01/04-01/31/07
35	Girard & Peterson, Burbank	\$913,863	03/01/04-02/28/07
39	LA's Bestway, Los Angeles	\$1,166,792	03/01/04-02/28/07
40	J&M Towing, Alhambra	\$1,528,166	03/01/04-02/28/07
	Total	\$11,572,088	

26. ADOPT the updated **MTA Debt Policy**.
27. ADOPT the **Conceptual Joint Development Guidelines** for the MTA's Metro Gold Line First/Boyle, First/Soto, First/Lorena, and Cesar Chavez/Lorena joint development sites.

NON CONSENT

3. Chief Executive Officer's Report
- RECEIVE oral update on the **2004 Fare Restructuring**.
4. Chair's Report

28. Receive oral report on strike-related expenditures.
29. RECEIVE AND FILE report on financing proposal for deferred Los Angeles County State Transportation Improvement Program Projects and take such related action as the Board deems appropriate.
30. Consider various options (or alternatives) regarding funding for the Metro Gold Line Eastside Extension.
31. ADOPT OPPOSE position on **AB 712** (Liu) – which would rename the Metro Blue Line Construction Authority the Foothills Gold Line Construction Authority and change the membership of the Board from the current 5 members to 15 members and would make other specified changes.
32. APPROVE execution of one or more refinancing agreements of **CNG fueling facilities** lease agreements for a total amount not to exceed \$18 million at interest rates not to exceed 5%.

(Requires Separate, Simple Majority Board Vote)
33. APPROVE:
 - A) the **MTA Grade Crossing Policy for Light Rail Transit**; and
 - B) Evaluation of Exposition Light Rail Transit Project (Vermont Avenue to Venice Boulevard Segment) with the Proposed MTA Grade Crossing Policy.

34. CONSIDER the following nominees to serve on the **Westside/Central Service Sector Council**:

Carol Gross, Culver City
Brad Robinson, Beverly Hills
Ann Semonco, West Hollywood
Stephanie Negriff, Los Angeles County
Joyce Perkins, Los Angeles County
Pressley Burroughs, City of Los Angeles
Ruby Sylvestre, City of Los Angeles
Helen Johnson, City of Los Angeles
Peter Capone-Newton, City of Los Angeles

35. YAROSLAVSKY MOTION that the Chief Executive Officer (CEO) work with Human Resources and County Counsel to prepare a **salary structure** that provides equity among positions, to develop a policy that would require budget authorization for positions and Board approval for the creation of new positions; and

Further, that the Chief Executive Officer develop comprehensive job descriptions for all non-represented positions in the agency, salary scales commensurate with those positions, and a policy governing other benefits such as housing and car allowances. The CEO should report back to the Board with this information within 60 days.

36. YAROSLAVSKY MOTION: That in light of MTA's budget situation, the Sector Governance Council Bylaws be amended **to remove the travel allowance provision for Sector Councilmembers**; and

Further, that MTA staff return in 60 days with a report on the costs associated with the sectors and sector governance

37. HAHN MOTION that the Board direct MTA staff to report back in 60 days on the feasibility of the inclusion of sustainable building practices into the **design of Division 6**, and for subsequent MTA developments of this magnitude, including, but not limited to such measures as:

- A. LEED certification for the design of the main building structure at the site;
- B. The installation of photovoltaic (solar) panels for future energy savings.
 - 1. Consider their use as mechanisms to provide shade for parked buses and/or employee vehicles.
 - 2. Determine how much DWP rebates would be able to offset the installation costs; and
- C. The implementation of Stormwater Best Management Practices (BMPs) in order to reduce the amount of, and improve the quality of, runoff into the City storm drain system, which drains into Ballona Creek, and subsequently to the Santa Monica Bay.
 - 1. Consider options for on-site water retention and reuse.

38. CLOSED SESSION:

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

Negotiator: Velma Marshall

1. Metro Green Line Light Rail Transit Project

Parcel No.	Owner	Property Interest
AS-502	SAMS VENTURE, LLC (Space and Missile Systems)	Fee Simple Interest to Real Property

2. MTA & Catellus Development Corporation

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

1. Sweigart v. MTA BC284418
2. Duron v. MTA EC035573
3. Panhasian v. MTA LC061371
4. Dorfman&Maizes v. MTA SC074386
5. MTA v. Neoplan 01CC01998

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

Initiation of Litigation (One Case)

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

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST
WITHIN BOARD'S SUBJECT MATTER JURISDICTION

ADJOURNMENT