

Agenda

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Frank Roberts, Chair
James Hahn, 1st Vice Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Bonnie Lowenthal
Pam O'Connor
Ed P. Reyes
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



Metropolitan Transportation Authority

Metro[™]

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

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.

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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

1. APPROVE Consent Calendar Items: 2, 8, 9, 10, 16, 17, 18, 19, 20, 25, 29, 30, 31, and 32,

NOTE **Committee Authority** Items 40, 41, 42, and 43.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board meeting held April 28, 2005.

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0)
approval of:
 - A. a \$46,558,460 financial contribution of **Proposition C 10% local sales tax funding from the Los Angeles County Metropolitan Transportation Authority (LACMTA)** to the Southern California Regional Rail Authority (SCRRA) FY 2005-06 Preliminary Budget for Metrolink, consistent with a Board-approved FY 2005-06 LACMTA budget;
 - B. the reprogramming of \$2,474,560 in Proposition C 10% local sales tax funding from the FY 2003-04 SCRRA subsidy to Metrolink projects; and
 - C. repayment of \$3,239,000 in funds advanced by the Orange County Transportation Authority for the Keller Yard Storage Facility and the Los Angeles Union Station Mail Dock/Platform Conversion projects over five years with the first \$647,800 payment scheduled in FY2005-06, and using reprogrammed prior year SCRRA subsidy from action B.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED(4-0)
approval of revised recommendation to:
 - A. ~~negotiation and~~ Award an eighteen-month, firm fixed-price professional services Contract No. PS 4310-1268-01-14-1 to Wilbur Smith Associates, for the **Multi-County Goods Movement Action Plan for an amount not to exceed ~~\$1,064,250~~ \$975,000**; and
 - B. exercise Contract Option 1 for an amount not to exceed \$200,000; and
 - C. exercise Contract Option 2 for an amount not to exceed \$500,000 for a total contract value of ~~\$1,764,250~~ **\$1,675,000** contingent upon securing additional funds through State grants or other non-Metro sources.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the revised Metro **Joint Development Policies and Procedures**.

16. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approval of the **revised Drug and Alcohol Free Work Environment Policy** (#HR 4-2).

17. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting:
 - A. the revised **Position Authorization and Compensation Policy; and**
 - B. the **non-contract salary schedule** revised to reflect inflationary increases.

18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following **position on State Legislation**:
 - A. AB 1702 (Frommer) - would appropriate \$500 million from the General Fund, using Economic Recovery Bonds, to the Traffic Congestion Relief Fund to repay transportation projects and programs. –**SUPPORT**

19. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
 - A. execute Memorandum of Understanding (MOU) Modification No. 5 to MOU No. TCP2610LASD **to provide funding for FY06 transit community policing services** for an amount not to exceed \$54,916,716 \$54,230.626 for the period July 1, 2005 through June 30, 2006; and
 - B. add ~~\$4.0~~ \$4.7 million to the MOU to provide contract authority for the expansion of community policing services for the Orange Line if revenues can be identified for the period July 1, 2005 to June 30, 2006; revising the total contract value from \$104,735,575 to \$163,652,291 for the period July 1, 2005 through June 30, 2006.

20. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) approving:
- A) the **reclassification upgrade of the non-represented position of Senior Secretary in the Office of the Inspector General** (Grade E) to Administrative Aide (Grade F).
 - B) the **reclassification upgrade of the non-represented position of Senior Secretary in the Board Office** (Grade E) to Administrative Aide (Grade F).
25. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) establishing a life of project budget for the **Telecommunication Transmission Replacement Project** in the amount of \$9,541,200.
29. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) execution of Contract Modification No. 10 to Contract No. C0803, with Eastside LRT Constructors, a joint venture consisting of Washington Group International Obayashi Corporation, & Shimmick Construction Corporation for **Urban Design Enhancements for the Metro Gold Line Eastside Extension Enhancement Project** (800288) in the amount of \$4,334,269 increasing the total contract value from \$600,606,700 to \$604,940,969.
30. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) execution of:
- A. Change Order No. 13 to Contract No. PS-4310-0964, with Eastside LRT Partners, a Joint Venture, consisting of Parsons Brinkckerhoff, Jenkins/Gales & Martinez, and Barrio Planners, Inc., **for continuation of Design Services During Construction** in the amount of \$3,627,763 increasing the total contract value from \$34,599,040 to \$38,226,803; and
 - B. contract modifications to Contract No. PS-4310-0964, for the Metro Gold Line Eastside Extension for an amount not to exceed \$362,776.

31. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) execution of:
- A. Change Order No. 1 to Contract No. MC067 with Carter & Burgess, Inc. Contract Work Order No. 4, **for continuation of Construction Management Support Services for the Metro Gold Line Eastside Extension Project** in the amount of \$6,146,503, increasing the total contract value from \$7,828,773 to \$13,975,276; and
 - B. contract modifications to Contract No. MC067, Contract Work Order No. 4 for the Metro Gold Line Eastside Extension for an amount not to exceed \$614,650.
32. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. negotiation and execution of Change Order No. 11 to Contract No. PS-4350-0972 with STV, Inc. for **continuation of Engineering Services to support completion of the Orange Line**, for an amount not to exceed \$352,077 increasing the total contract value from \$7,853,869 to \$8,205,946; and
 - B. execution of future contract modifications to Contract No. PS-4350-0972 for an amount not to exceed \$35,200 increasing the total contract value from \$8,205,946 to \$8,241,146.

APPROVED UNDER COMMITTEE AUTHORITY

40. AWARDED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) a 57-month firm, fixed-unit rate Contract No. OP33441655 to Woods Maintenance Services, Inc. for the **provision of regular trash and debris removal services** for Metro rail rights-of-way and facilities for an amount not to exceed \$1,822,860 inclusive of two one-year options effective June 1, 2005.
41. AWARDED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) a 24-month firm, fixed-price Contract No. OP39201619 with Alstom Signaling, Inc. to **upgrade the existing Roll Back Protection System for all Metro Red Line Vehicles** for an amount not to exceed \$1,985,815.

42. AWARDED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) a five-year firm, fixed-unit rate Contract No. OP33440659R to Gandy Glass Company, Inc. for the **provision of glazier services for Metro bus and rail transit stations and facilities** for an amount not to exceed \$858,675 inclusive of two one-year options effective June 1, 2005.

43. AWARDED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) a firm fixed, price contract, Contract No. PS9240-1667 to Giro, Inc. for the implementation of the **HASTUS (Horaires et Assignations pour Systeme de transport Urbain et Semi-urbain) system**, Version 2005, in the amount of \$352,190 effective June 1, 2005.

NON-CONSENT:

3. Chair's Report.
 - Swearing in of new Board Member, Bonnie Lowenthal
 - Adjourn in memory of Miguel Contreras and Tom Whittle

4. Chief Executive Officer's Report.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED APPROVING (4-0) AND FINANCE AND BUDGET COMMITTEE (4-0) FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:
 - A. programming \$26,559,000 of **Congestion Mitigation and Air Quality Improvement (CMAQ) funds** in Fiscal Year 2005, as an advance for \$26,559,000 of CMAQ funds previously programmed in FY 2007 for acquisition of seventy-five, forty-foot compressed natural gas buses; and

 - B. amending the FY2005 Budget to reflect the recommended programming for the bus acquisition.

24. FINANCE AND BUDGET COMMITTEE UNDER RECONSIDERATION
FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION (3-0)
ADOPTING/APPROVING:

- A. the **Fiscal Year 2006 Budget;**
- B. the Reimbursement Resolution to authorize the expenditure of funds for capital construction and acquisition activities prior to issuance of debt for specific activities;
- C. the budgeted number of positions and salary range midpoint plus 10% sorted by summary classifications and strategic business unit;
- D. the estimated salary and benefits by labor group;
- E. ~~a fuel reserve of \$4.7 million to be established for use at the Chief Executive Officer's discretion and funded with Proposition A 40% discretionary funds programmed from the FY04 growth over inflation;~~ an additional \$4 million of expenditures for added security for the Orange Line be added to the budget and funded with CMAQ funds as programmed through the Short Range Transportation Plan (SRTP) and
- F. ~~an additional \$4 million of expenditures for added security for the Orange Line, to be added to the budget and funded with Proposition A 40% discretionary funds programmed from the FY04 growth over inflation~~ a programming change to add \$11.4 million of federal 5307 formula funds to the FY06 budget for preventive maintenance expenditures.

26. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) adopting the authorizing resolution and approving the Notice Inviting Bids and Notice of Intention to Sell Bonds, and other bond documents on file with the Board Secretary, authorizing the Chief Executive Officer to **price and deliver up to \$550 million of fixed rate bonds, the Proposition A 2005 Sales Tax Revenue Bond**, in one or more series.

(Requires separate, simple majority vote of the Board)

44. CONSIDER authorizing the Chief Executive Officer to:
- A. award a five-year fixed-unit rate **Contract No. OP31501625, to First Transit, Inc. for contracted bus services** for a firm fixed amount of \$66,547,817 and provide for reimbursement of fuel costs for the five-year period for an amount not to exceed \$10,381,844 for a total contract amount not to exceed \$76,929,661, effective July 3, 2005; and
 - B. establish a contingency for unanticipated fuel costs or the potential need for additional Revenue Service Hours for an amount not to exceed \$6,654,781.

(CARRIED OVER FROM APRIL BOARD MEETING)

45. APPROVE the following nominees for membership on the **San Gabriel Valley Sector Governance Council**:
- Harry Baldwin: Rosemead and San Gabriel Council of Governments (re-appointment).
 - Rosie Vasquez: reappointment
 - Steve Harderlein: City of Pasadena replacing Sid Tyler

21. **CLOSED SESSION:**

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

- 1. MTA v. Argonaut Insurance BC 156601
- 2. Labor Community Strategy Center v. MTA CV 94-5936

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

Significant exposure to litigation (One case)

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

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, UTU

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 Committee or 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 Committee subsequent to the posting of the agenda.

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

ADJOURNMENT