

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
Bonnie Lowenthal
Martin Ludlow
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

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.

HELPPFUL 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

1. APPROVE Consent Calendar Items: 2, 8, 9, 10, 14, 15, 28**, 29, 30, 31, and 32.

**REQUIRES 2/3 VOTE OF THE BOARD

NOTE **Committee Authority** Items: 34, 35, 36, and 37.

CONSENT CALENDAR

2. APPROVE **Minutes** of Special Board Meetings held [May 9](#) and [May 25, 2005](#), and Regular Board Meeting held [May 26, 2005](#).
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) establishing a **Capital Reserve Account for the City of South Gate** from \$1,500,000 of their Proposition C 20% Local Return funds, so that allocated funding may be used to finance the Otis Street Pavement Rehabilitation project for an extra three years.
9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) adopting:
 - A. findings and recommendations for using **FY 2005-06 Transportation Development Act (TDA) Article 8 fund estimates** totaling \$16,744,953 as follows:
 1. In the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet. Therefore, TDA Article 8 funds will be used to meet these unmet transit needs. The allocations are \$108,098 and \$5,092,946 for Avalon and Santa Clarita, respectively.
 2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County unincorporated areas of Antelope Valley, Santa Clarita Valley and Catalina Island, transit needs are met using other funding sources, such as Propositions A and C Local Return. Therefore, there are no unmet transit needs that are reasonable to meet, because other funding sources will be used to address these needs. Thus, TDA Article 8 funds may be used for street and road purposes. The allocations for the Antelope Valley are \$3,990,350 and \$4,055,208 (Lancaster and Palmdale, respectively). The allocation for Los Angeles County Unincorporated is \$3,498,351.

- B. a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Los Angeles County Metropolitan Transportation Authority (Metro) service area.

10. PLANNING AND PROGRAMMING COMMITTEE (5-0) AND FINANCE AND BUDGET COMMITTEE (3-0) RECOMMENDED approving:

- A. methodologies and assumptions, including all changes and adjustments, used for the **Fiscal Year (FY) 2006 Transit Fund Allocations**, as determined by staff in accordance with federal, state and local requirements, as well as our policies and guidelines and prior Board actions; and
- B. \$1.1 billion in FY 2006 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators, and Metro Operations. These allocations include the following:
 - 1. \$525.2 million in Transportation Development Act (TDA) Article 4, TDA interest, State Transportation Assistance (STA), STA Interest and Proposition A 40% Discretionary fund allocations;
 - 2. \$28.9 million in Proposition C 40% Discretionary fund allocations for the Bus Service Improvement Program, Foothill Mitigation Program, the Transit Service Expansion Program and the Base Service Restructuring Program;
 - 3. \$16.9 million in Proposition C 40% Discretionary fund allocations for the Municipal Operator Service Improvement Program;
 - 4. \$16.7 million in TDA Article 8 fund allocations;
 - 5. \$275.3 million in Proposition A and Proposition C Local Return and TDA Article 3 fund allocations;
 - 6. \$11.8 million in Proposition A Incentive Program fund allocations;
 - 7. \$27.5 million in Proposition C 5% Security fund allocations; and
 - 8. \$201.1 million in Federal Transit Act Section 5307 Urban Formula capital fund allocations.

14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the following position on **State Legislation**:

SUPPORT AB 267 (Daucher) – Would expand the process by which local agencies may be reimbursed by the California Transportation Commission for advancement of local funds for state funded projects.

15. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0):

- A. adopting the updates to the **Debt Policy**;
- B. adopting the updates to the **Rate Swap Policy**; and
- C. receiving and filing the Annual Report on Interest Rate Swaps.

28. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that there is only a single source of procurement for Advanced Transportation Management System (ATMS) equipment suites and purchase is for the sole purpose of duplicating equipment already in use. The Board hereby authorizes purchase of ATMS equipment pursuant to Public Utilities Code section 130237; and
- B. authorizing the Chief Executive Officer to negotiate and execute a one year, firm fixed price Contract OP31501711 with Motorola, Inc. for the purchase of 102 **ATMS equipment suites** for Contracted Bus Services, including installation, and ATMS equipment suites for 2 non-revenue vehicles including installation, for an amount not to exceed \$2,000,000, effective July 1, 2005.

(REQUIRES 2/3 VOTE OF THE BOARD)

29. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute **twenty contract amendments for a total amount not to exceed \$3,526,122, inclusive of a 7% contingency, for the Metro Freeway Service Patrol (FSP) program:**

No.	Beat	Contract	Contractor	Affected Contract Period	Total Cost w/ 7% Contingency
1	11	FSP02A-11	Hadley Towing	07/01/05-09/30/05	\$11,128
2	11	FSP05A-11	Hadley Towing	10/01/05-09/30/08	\$136,207
3	15	FSP04-15	Kenny's Auto	07/01/05-09/30/07	\$93,422
4	21	FSP02-21	California Coach	07/01/05-09/30/05	\$27,304
5	21	FSP05A-21	California Coach	10/01/05-09/30/08	\$406,254
6	24	FSP05-24	Jon's Towing	07/01/05-12/31/07	\$273,101
7	26	FSP04-26	ABA Towing	07/01/05-10/31/07	\$238,043
8	28	FSP02-28	California Coach	07/01/05-09/30/05	\$27,341
9	28	FSP05A-28	Navarro's Towing	10/01/05-09/30/08	\$363,051
10	30	FSP05A-30	Frank Scotto Towing	07/01/05-06/30/08	\$127,874
11	33	FSP02-33	TG Towing	07/01/05-07/31/05	\$8,291
12	33	FSP05A-33	TG Towing	08/01/05-07/31/08	\$314,400
13	34	FSP02-34	TG Towing	07/01/05-07/31/05	\$8,104
14	34	FSP05A-34	TG Towing	08/01/05-07/31/08	\$300,713
15	35	FSP03A-35	Girard & Peterson	07/01/05-06/30/07	\$166,903
16	37	FSP02-37	Navarro's Towing	07/01/05-07/31/05	\$3,189
17	37	FSP05A-37	Hadley Towing	08/01/05-07/31/08	\$133,536
18	38	FSP04-38	Bob & Dave's	07/01/05-10/31/07	\$270,248
19	41	FSP04-41	Hollywood Car Carrier	07/01/05-10/31/07	\$448,919
20	44	FSP04-44	Bob & Dave's	07/01/05-08/31/06	\$168,095
Total Cost with Contingency:					\$3,526,122

30. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year, indefinite delivery, indefinite quantity contract beginning September 1, 2005 under IFB No. PS05642018, with Ricoh Business Systems, the lowest responsive and responsible bidder for the **lease and maintenance of multi-function devices** for an amount not to exceed \$2,035,810.79.

31. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute an amendment to Contract No. OP-02-4610-10 with Cubic Transportation Systems, Inc. to provide **Universal Fare System equipment for the use on the Metro Gold Line Eastside Extension Project** for an amount not to exceed \$3,808,722 increasing the total contract value from \$98,206,431 to \$102,015,153.

32. OPERATIONS COMMITTEE RECOMMENDED (4-0):
 - A. increasing the Automated Guideway Vehicles life-of-project budget, CP 202000, by \$184,706 increasing the life-of-project budget from \$1,600,000 to \$1,784,706; and
 - B. authorizing the Chief Executive Officer to award a firm fixed price contract under RFP No. OP33431614 with HK Systems, Inc. for **Automated Guideway Vehicles and Programmable Logic Control Upgrade** for a firm fixed price not to exceed \$1,713,567, inclusive of sales tax.

APPROVED UNDER COMMITTEE AUTHORITY

34. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to execute an agreement with the **California Highway Patrol to provide field officer and dispatch support to the Los Angeles County Metro Freeway Service Patrol** during FY06 for an amount not to exceed \$800,000.

35. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a five-year fixed unit rate and time and materials Contract No. OP33441661 to Southern California Overhead Door Company, to **provide roll-up doors maintenance and installation services** for Metro bus and rail transit facilities for an amount not to exceed \$1,210,300, inclusive of two one-year options effective July 1, 2005.

36. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to execute contract modification to Contract No. C0718 with Pinner Construction Company to **replace hoists at bus maintenance facilities** for an amount not to exceed \$450,000, increasing the total contract value from \$5,710,000 to \$6,160,000.

37. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a four-month, non-competitive firm fixed price Contract No. OP33201598, to GE Infrastructure Security for the removal of obsolete Digital Video Recorders-1 and the **installation of Digital Video Recorders-3 on 130-Neoplan Buses at Division 18** for an amount not to exceed \$667,162 inclusive of a \$50,000 contingency for replacement of malfunctioning equipment as needed, effective July 1, 2005.

NON-CONSENT

3. Chair's Report.
- Presentation of resolution to outgoing Director Hahn.
 - Presentation of resolution to retiring Assistant Board Secretary, Sharon Sterling.
4. Chief Executive Officer's Report.
- Presentation to outgoing Chair Roberts.
21. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES authorizing the Chief Executive Officer to negotiate and award **Excess Liability insurance policies**, excluding terrorism and major construction risks, at a cost not to exceed \$5,650,000 for a 12-month period effective August 1, 2005 through July 31, 2006.
22. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) adopting a resolution and approving documents on file with the Board Secretary authorizing the Chief Executive Officer to **price by negotiated sale, and deliver up to \$300 million of bonds** in one or more series in a combined issuance of variable rate and fixed rate bonds.
- (Requires separate, simple majority Board vote)
23. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES appointing Goldman Sachs & Co., Morgan Stanley, Merrill Lynch, and De La Rosa & Co. as **co-senior managing underwriters and remarketing agents** for one or more series of auction rate securities.

38. APPROVE the following nominees for membership on the San Gabriel Valley Sector Governance Council:
- **Henry Lopez:** City of San Gabriel (reappointment)
 - **David Spence:** San Gabriel Valley Council of Governments (reappointment)

39. ELECTION of 2nd Vice Chair.

16. **CLOSED SESSION:**

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

1. Medina v. MTA BC315080
2. Kajima/Ray Wilson v. MTA B170003
3. Labor/Community Strategy Center v. MTA CV 94-5936
4. Clear Channel Outdoor, Inc. v. MTA BC 286040

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

One case.

C. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation – Chief Executive Officer

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