

# Agenda

Regular Board Meeting  
Board of Directors

One Gateway Plaza  
3rd Floor Boardroom

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## Call to Order

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## Directors

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Antonio Villaraigosa, Chair  
Gloria Molina, 1st Vice Chair  
Pam O'Connor, 2nd Vice Chair  
Mike Antonovich  
Yvonne B. Burke  
John Fasana  
David Fleming  
Richard Katz  
Don Knabe  
Bonnie Lowenthal  
Bernard Parks  
Zev Yaroslavsky  
Doug Failing, non-voting member

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## Officers

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



**Metro**

Los Angeles County  
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.

### 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](http://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, 6, 7, 8, 9, 12, 13, 14, 20, 21, 22\*\*, 23, 24, 35, and 36

\*\*REQUIRES 2/3 VOTE OF THE BOARD

NOTE Committee Authority Items 29 through 34

## **CONSENT CALENDAR**

2. APPROVE **Minutes of Regular Board Meeting held March 23, 2006.**
  
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approving the following **changes to the Call for Projects** to allow:
  - A. on a one-time basis, regional programmed funds to be used for cost increase for previously approved non-Caltrans sponsored Call for Projects by:
    1. allowing sponsors to down-scope Call projects while keeping the full Metro grant amount;
    2. allowing sponsors to move funds among their previously approved Call projects by canceling or down-scoping projects in order to fully fund others;
    3. allowing sponsors to keep audited project savings from one Call project to cover cost increases for another Call project; and
    4. implementing a special process where sponsors could compete for a specified total amount of additional Metro funding to cover cost increases for projects programmed for funding in FY 07 or earlier.
  - B. project sponsors to use locally funded project development (environmental analysis, preliminary engineering and final design) expenditures as a match for future Metro Board-approved Call projects, if such expenditures are documented and have been incurred within three years of the Call process. Local sponsors will not be guaranteed Metro funding through the Call for Projects.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
- A. waiving the requirement for an Exclusive Right to Negotiate with Cesar Chavez and Soto, LLC (Developer) for the development of the Cesar Chavez and Soto sites;
  - B. authorizing the Chief Executive Officer to enter into a Joint Development Agreement (“JDA”) with Cesar Chavez and Soto, LLC, covering approximately 3.5 acres of Los Angeles County Metropolitan Transportation Authority owned properties located near the intersection of Cesar Chavez Avenue and Soto Avenue for **development of a mixed-use, entertainment, apartment/commercial complex**; and
  - C. authorizing the Chief Executive Officer to enter into a Ground Lease and other agreements as may be necessary to implement the Ground Lease subject to Developer meeting the contingencies and requirements of the JDA.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to enter into a Funding Agreement with the State of California Department of Transportation (Caltrans) to **reimburse Caltrans for the construction and construction support of the Phase I, Priority 1, Package 2, and 3 Soundwalls in the Metro Post 1989 Retrofit Soundwall program** for an amount not to exceed \$24,000,000. Package 2 is on Interstate 210 from Citrus Avenue to Glendora Avenue, and Package 3 is on Interstate 210 from Rosemead Boulevard to Baldwin Avenue.
9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
- A. approving the **local scores for the Federal Transit Administration Section 5310 projects**; and
  - B. authorizing the Chief Executive Officer to:
    - 1. include the applications recommended for funding in the FY 2007 Regional Transportation Improvement Program (RTIP); and
    - 2. execute and transmit the resolution and scoring recommendations to Caltrans.

12. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to purchase **All Risk Property insurance policies and a Boiler and Machinery insurance policy** for all Metro property for combined cost a not to exceed of \$4.1 million for the 12-month period effective May 10, 2006 through May 9, 2007.
  
13. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving the **Chief Planning Officer salary and special benefits.**
  
14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the proposed **FY07 Annual Audit Plan.**
  
20. CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:
  - A. execute modification No. 15 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 Phase III Design Services During Construction** for an amount not to exceed \$2,973,383, increasing the total contract value from \$38,426,803 to \$41,400,186; and
  - B. negotiate and execute contract modifications to Contract No. PS-4310-0964, for the Metro Gold Line Eastside Extension for an amount not to exceed \$297,000.
  
21. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute:
  - A. modification No. 2 to Contract No. MC067, with Carter & Burgess, Inc., Contract Word Order No. 4, for **continuation of Construction Management Support Services** for the Metro Gold Line Eastside Extension Project in the amount of \$7,527,729, increasing the total contract value from \$13,975,276 to \$21,503,005; and
  - B. contract modifications to Contract No. MC067, CWO No. 4, for the Metro Gold Line Eastside Extension for an amount not to exceed \$752,773.

22. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that the bid received for forty hybrid sedans under Public utilities Code section 130232 has been rejected and the hybrid sedans may be purchased at a lower price on the open market;
- B. the Board hereby authorizes **purchase of the hybrid sedans** on the open market pursuant to Public utilities Code section 130233; and
- C. authorizing the Chief Executive Officer to award firm fixed-price contract(s) to firm or firms that can offer the best combination of price and delivery schedule for forty hybrid sedans for a firm fixed-price amount not to exceed \$1,080,000 inclusive of sales tax.

(REQUIRES 2/3 VOTE OF THE BOARD)

23. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:

- A. execute Amendment No. 3 to Contract No. SP035 with Affiliated Computer Services to **provide maintenance and citation processing services on the Metro Blue and Orange Lines** for a period of five years, inclusive of two one-year options, for an amount not to exceed \$6,072,000: and
- B. increase the total contract value from \$3,497,960 to \$9,569,960.

24. OPERATIONS COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute **three Metro Freeway Service Patrol contracts** for a total amount not to exceed \$4,176,751 to the following contractors:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
2	So. Coast, East Los Angeles	\$1,496,545	08/01/06 – 07/31/09
36	Lara's Towing, Vernon	\$1,393,006	08/01/06 – 07/31/09
42	Ion's Towing San Fernando	\$1,287,200	08/01/06 – 07/31/09
	Total Amount not to exceed	\$4,176,751	

35. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the **Metro North Hollywood Conceptual Development Guidelines**.
36. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving **Roberts Motion** that the MTA CEO take no action on the North County Transportation Board Deputy position unless specifically instructed by the incoming League Board Director.

### **COMMITTEE AUTHORITY**

29. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a firm fixed-unit rate, Contract No. OP34101802, to FRS Environmental Inc. of Corona, CA for **parts washer services at Regional Rebuild Center** for an amount not to exceed \$1,418,820 for a 10-year period, inclusive of one 5-year option, effective May 15, 2006.
30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a three-year firm fixed-price contract under Bid 06-0005 to Empire Cleaning Supply, the lowest responsive, responsible bidder for **Paper Products for line items 1, 3 and 4** for an amount not to exceed \$1,648,189 inclusive of sales tax and two one year options.
31. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a twenty-four month firm fixed-price requirements contract under Bid No. 06-0008 with Custom Turbo Rebuilding Inc. the lowest responsive, responsible bidder **for turbochargers** for a firm fixed-price of \$1,976,905 inclusive of sales tax.
32. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to execute Modification No. 2 to Contract No. OP33440662 with Nationwide Environmental Services to **provide power sweeping services for Metro Orange Line facilities** for a period of 27 months, for an amount not to exceed \$551,500 increasing the existing not to exceed contract amount from \$2,585,391 to \$3,136,891.

33. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) authorizing the Chief Executive Officer to execute Modification No. 2 to Contract No. C0774 with Metro Video Systems, Inc. to **provide Closed Circuit Television System** at Divisions 2,3, 8, 10, 18 and Regional Rebuild Center for an amount not to exceed \$390,000 increasing the total contract value from \$297,785 to \$687,785.
34. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. OP33201516 with First Transit, Inc. to **provide Bus Inspection Services** for a period of one-year, for an amount not to exceed \$130,000 increasing the total contract value from \$273,445 to \$403,445.

**NON-CONSENT:**

3. Chair’s Report:
  - Presentation of resolution to departing Director Frank Roberts.
4. Chief Executive Officer’s Report
40. APPROVE the following nominee for membership on the **Gateway Cities Service Sector Governance Council:**  
  
George Bass, transit consumer from the City of Bell replacing Ms. Jackie Rynerson.
41. **O’CONNOR MOTION** – In order to allow for better coordination of responsibilities, I therefore move that each position on the Westside/Central Governance Council be granted a one-time, six-month extension so that each three-year term will expire at the end of the fiscal year in June.

Appointed by the City Of Los Angeles:

Peter Capone-Newton	Term extended to June 2009
Gregory Fischer	Term extended to June 2007
Jerard Wright	Term extended to June 2009
Vacancy	Term extended to June 2009



Appointed by the Westside Cities Council of Governments

Carol Gross	Term extended to June 2007
Brad Robinson	Term extended to June 2007
Anny Semonco	Term extended to June 2007

Appointed by Los Angeles County Supervisor Yvonne Brathwaite Burke:

Joyce Perkins	Term extended to June 2007
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Appointed by Los Angeles County Supervisor Zev Yaroslavsky:

Glenn Rosten	Term extended to June 2009
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42. ADOPT the following position on **State Legislation:**

SB 1507 (Margett) – Metro Board Composition which would restructure the Metro Board of Directors membership. **OPPOSE.**

43. CONSIDER:

- A. approving the following funding increase to re-build **Ramona Opportunity High School** (ROHS) (Option 1A) contingent on the Los Angeles Unified School District (LAUSD) sharing the cost as follows: Metro provides its original commitment of \$20 million, LAUSD provides \$4 million in joint use or other LAUSD funds; Metro provides 20% (not-to-exceed \$1 million) to match LAUSD's joint use funds; and any costs above \$25 million would be shared equally between Metro and LAUSD for a total cost cap of no more than \$40 million; and
- B. negotiating a Property Exchange Agreement with LAUSD which describes the terms and conditions of a land exchange which would allow Metro to acquire the property from LAUSD necessary for the future site of the Metro Gold Line Eastside Extension Indiana Street Light Rail Transit Station and to rebuild Ramona Opportunity High School consistent with the cost sharing identified in Recommendation A above, no later than July 30, 2006.

- 44. RELOCATE the **Indiana Street Station to 3<sup>rd</sup> Street in the event that LAUSD and Metro do not agree** to acceptable terms and conditions for Ramona Opportunity High School.
  
- 45. RECEIVE AND FILE report on the performance analysis for the **2006 Long Range Transportation Plan Update**. (handout)
  
- 46. RECEIVE oral report on **Long Beach Transit Southeast L.A. County Transit Guide**.

18. 

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**CLOSED SESSION:**

- A. 

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Conference with Labor Negotiator – G.C. 54957.6:

Agency Negotiator: John Catoe and Brenda Diederichs  
Employee Organizations: ATU, UTU, TCU

- B. 

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

- 1. Jim Bae and Kil Joe Bae v. MTA, Case No. BC 319969
- 2. Concise Industrial v. LACMTA, Case No. SC 074559

- C. 

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

One Case

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

Negotiator: Velma Marshall

APPROVE **Just Compensation** for the following parcels required for the Metro Gold Line Eastside Extension Project.

Parcel No.	Address
ES-665	216-218 S. Alma Ave., Los Angeles
ES-666	220-222 S. Alma Ave., Los Angeles
ES-667	226-226 ½ S. Alma Ave., Los Angeles

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