

# 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  
Ara J. Najarian  
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, 5, 7, 20\*\*, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, AND 40.

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

## CONSENT CALENDAR

2. APPROVE **Minutes** of [Regular Board Meeting held May 3, 2006](#) and [Special Board Meeting held May 8, 2006](#).
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the resolution approving the Los Angeles County Metropolitan Transportation Authority (Metro) as the Designated Recipient to receive and dispense formula funding from **Federal Transit Administration Sections 5316/Job Access and Reverse Commute and 5317/New Freedom Programs**.
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
  - A. receiving status report on the **Congestion Mitigation Fee study**; and
  - B. approving the establishment of a Policy Advisory Committee to assist Metro in the development of recommendations regarding a Countywide Congestion Mitigation Program for Los Angeles County.
20. OPERATIONS COMMITTEE RECOMMENDED (3-0):
  - A. finding that there is only a single source of procurement for **lumbar back supports** and purchase is for the sole purpose of duplicating the lumbar back supports already in use;
  - B. authorizing purchase of the lumbar back supports pursuant to Public Utilities Code section 130237; and
  - C. authorizing the Chief Executive Officer to award an indefinite quantity, indefinite delivery contract to Integral Orthopedics, Inc. for an estimated quantity of 3,500 lumbar supports for an amount not to exceed \$380,000 inclusive of sales tax.

(REQUIRES 2/3 VOTE OF THE BOARD)

22. OPERATIONS COMMITTEE RECOMMENDED (3-0) awarding a twenty-four month fixed-unit rate contract under Bid Number 06-0013 with North American Bus Industries, the lowest responsive, responsible bidder for **Bus Differentials** for an amount not to exceed \$3,784,050, inclusive of sales tax.
23. OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing the Life of Project budget for the **Metro Blue Line Grade Crossing Improvements project** by \$6,478,000 increasing the life-of-project from \$4,122,000 to \$10,600,000.
24. OPERATIONS COMMITTEE RECOMMENDED (3-0) establishing a Life of Project budget of \$7,681,230 for the **Transit Operator Activity Scheduling and Tracking project**.
25. OPERATIONS COMMITTEE RECOMMENDED (3-0) establishing a Life of Project budget of \$17,058,404 for the **FY07 Bus Mid-Life Rebuild Program**.
26. OPERATIONS COMMITTEE RECOMMENDED (3-0) establishing a Life of Project budget of \$15,400,000 for the **Division 20 Carwash and Cleaning Platform project**.
27. OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing the Life of Project for the **Union Division/Terminal 31 project** (formerly Division 10 expansion project) by \$3,946,512, increasing the Life of Project budget from \$1,000,000 to \$4,946,512.
28. OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing the Life of Project for the **Gold Line Warehouse – Equipment and Storage project** by \$143,000, increasing the Life of Project budget from \$1,767,000 to \$1,910,000.
30. OPERATIONS COMMITTEE RECOMMENDED (3-0) establishing a Life of Project budget of \$18,332,093 for the **Divisions 5, 10 and 18 Improvements project**.

31. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving **REVISED FASANA MOTION** that: the Metro Board of Directors reaffirms that
- 1) the Service Sector Governance Councils shall have the authority to review and authorize all Metro Bus service changes emanating from the Metro Connections program and all other service change programs related to Metro Bus service consistent with Board adopted policies; and
  - 2) proposed service changes that require Governance Council approval and that operate a significant level of service into an adjacent Service Sector, shall be reviewed by the impacted Service Sector prior to Governance Council approval.
32. OPERATIONS COMMITTEE RECOMMENDED (3-0) awarding a twenty-four month firm fixed-price requirements contract under Bid No. 06-0014 with Performance Plus Distributing, the lowest responsive, responsible bidder for **bus batteries** for a firm fixed price of \$922,290, inclusive of sales tax.
33. OPERATIONS COMMITTEE RECOMMENDED (3-0) awarding a three-year firm fixed-price Contract No. PS0692401822 to LMI Data Center Cleaning for **data center cleaning services** in the amount of \$211,340, inclusive of two, one-year options, effective July 1, 2006.
34. OPERATIONS COMMITTEE RECOMMENDED (3-0) awarding a twenty-four month firm fixed-price requirements contract under Bid Number 06-0002 to Railroad Friction Products, Corp., the lowest responsive, responsible bidder for **Green/Gold Rail Line Brake Pads**, for an amount not to exceed \$216,000.
35. OPERATIONS COMMITTEE RECOMMENDED (3-0) awarding a firm fixed-price Contract No. OP39601813 with B&C Transit Consultants Inc. to **replace the J-Relays at the Metro Red Line (MacArthur Park Pocket Track)** for an amount not to exceed \$291,221 inclusive of a 10% contingency.
40. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving **service changes to Tier 1 bus lines** scheduled to be implemented in June 2006.

**NON-CONSENT:**

3. Chair's Report (**HANDOUT**)
4. Chief Executive Officer's Report
6. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:
  - A. approving a \$47,703,791 total financial contribution of Proposition C 10% local sales tax funding to the **Southern California Regional Rail Authority (SCRRA) for its FY2006-07 Preliminary Budget for Metrolink**, as follows:
    - 1) \$32,922,900 for operations, including \$31,408,000 of funding consistent with the 2001 Long Range Transportation Plan (LRTP), \$580,500 in surplus FY 2003-04 subsidy, and \$934,000 in surplus FY2004-05 subsidy;
    - 2) \$14,000,000 for rehabilitation and renovation, including \$9,500,000 of funding consistent with the 2001 LRTP and \$4,500,000 in expansion funding consistent with the 2001 LRTP;
    - 3) the 4% increase from FY 2005-06 to FY 2006-07 that is included in the annual allocations of basic funding for operations and for rehabilitation and renovation; and
    - 4) \$780,891 for Capital projects, including \$457,560 for the Keller Yard and Union Station Platform projects and \$323,331 for the settlement fee to the Burlington Northern Santa Fe Railroad, as approved by the Board of Directors in March 2006
  - B. approving \$790,136 in funding for FY 2007-08 rolling stock leases or supplemental operations funding to the SCRRA, consisting of \$420,242 reprogrammed from Call for Projects funded SCRRA project and \$369,894 in surplus FY 2004-05 subsidy; and
  - C. authorizing the Chief Executive Officer or his designee to negotiate and execute all necessary agreements between Metro and the SCRRA for funding approved.

10. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION **AS AMENDED** adoption of:

- A. the **proposed Fiscal Year 2007 budget;**
- B. the budgeted number of positions and salary range midpoint plus 10% sorted by summary classifications and strategic business unit; and
- C. the estimated salary and benefits by labor group.

**LOWENTHAL AMENDMENT** that:

- 1. The CEO be directed to return in June 2006 with a recommendation to amend the FY07 budget to add an additional \$6 million of Prop C 40% to be distributed to the Munis during FY07 to offset the additional cost of fuel on a one-time, non-precedent setting basis;
- 2. The Munis be directed to decide on an equitable basis for the distribution of the \$6 million among themselves based on an existing formula such as service miles and inform the CEO of the distribution methodology within 90 days; and
- 3. The Munis and Metro collectively pursue every opportunity to jointly and cooperatively purchase fuel using the region's buying power to achieve the lowest possible price.

**(HANDOUT 1)**

**(HANDOUT 2)**

11. ADOPT the following **positions on State Legislation:**

- A. AB 343 (Huff) – Requires the repayment of loans from the Public Transportation Account. **SUPPORT**
- B. AB 3047 (Canciamilla) – Authorizes Caltrans to enter into 10 franchise agreements for the development of privately financed transportation projects. **SUPPORT IF AMENDED**
- C. SB 1726 (Lowenthal) – Authorizes the use of alternate colored headsigns on transit vehicles. **SUPPORT**

D. SB 1749 (Midgen) – Authorizes the creation of Transit Adjudication Bureaus for the enforcement of penal code violations on transit properties. **SUPPORT**

21. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICT AND ABSENCES awarding a twenty-four month contract under Bid 06-0009 for **Ultra-Low Sulfur Diesel Fuel** to Southern Counties Oil Co., dba SC Fuels, the lowest responsive, responsible bidder for an amount not to exceed \$10,184,383, inclusive of sales tax.

29. OPERATIONS COMMITTEE RECOMMENDED (3-0) increasing the Life of Project for the **Division 7 Facility Improvements project** by \$1,539,000, increasing the Life of Project budget from \$3,561,000 to \$5,100,000.

Director Parks requested more detailed explanation of required mitigations and budget sufficiency prior to approval.

36. ADOPT the following **positions and resolution on State Legislation**:

A. SB 1384 (Kuehl) Exposition Light Rail Construction Authority - **SUPPORT.**

Resolution stating that Metro will not seek reimbursement from implementation of this measure.

B. SB 1611 (Simitian) - Authorizes Congestion Management Agencies to impose increased vehicle fees for congestion relief projects. **SUPPORT IF AMENDED**

42. APPROVE the following nominee for membership on the **San Fernando Valley Service Sector Governance Council**:

Marsha Ramos – New appointment, replacing Todd Campbell.

Appointed by: Burbank City Council. Term ending: May '09



43. APPROVE the following nominees for membership on the **Gateway Cities Service Sector Governance Council**:

Owen Newcomer – Re-appointment.

Appointed by: Gateway Cities Council of Governments.

Term ending: June '09

Sam Peña – Re-appointment.

Appointed by: Gateway Cities Council of Governments.

Term ending: June '09

15. **CLOSED SESSION:**

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

1. Xiang Sheng Gu, et al. v. MTA Case No. BC 335631
2. Clear Channel Outdoor, Inc. v. MTA Case No. BC286040
3. MTA v. RAD Jefferson, LLC Case No. BC351804

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

Agency Negotiator: John Catoe and Brenda Diederichs

Employee Organizations: ATU, UTU, TCU

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**