

# Agenda

Regular Board Meeting  
Board of Directors

One Gateway Plaza  
3<sup>rd</sup> Floor Board Room

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## Call to Order

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## Directors

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Gloria Molina, Chair  
Pam O'Connor, 1<sup>st</sup> Vice Chair  
Antonio Villaraigosa, 2<sup>nd</sup> 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**

**SUMMARY OF AGENDA ITEMS  
LOS ANGELES COUNTY  
METROPOLITAN TRANSPORTATION AUTHORITY  
REGULAR BOARD MEETING**

**THURSDAY, SEPTEMBER 28, 2006**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON CONSENT ITEMS	CLOSED SESSION
2	25	3	23
6		4	
8		7	
11		9	
17		14	
18		15	
27		32	
28		35	
33		36	
34			

1. APPROVE **Consent Calendar** Items: 2, 6, 8, 11, 17, 18, 27, 28, 33 and 34

NOTE: **Committee Authority** Item No. 25

## CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held August 24, 2006.
  
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
  - A. establishing a **Capital Reserve Account for the City of Calabasas** for up to \$1,500,000 from its Proposition C 20% Local Return funds so as to finance the construction of a transit maintenance facility and related improvements; and
  - B. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all necessary agreements between Metro and the City of Calabasas for its Capital Reserve Account as approved.
  
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to **negotiate and execute a cooperative agreement with the County of Los Angeles** for the following services related to the extension of the existing Wilshire Boulevard bus lanes and related roadway improvements in West Los Angeles:
  - A. preliminary engineering and supplemental environmental clearance, in an estimated amount of \$200,000 for the Unincorporated Los Angeles County segment between Federal Avenue and Veterans Avenue; and
  - B. preliminary engineering, in an estimated amount of \$50,000, for the contiguous City of Los Angeles segment from Barrington Avenue to Federal Avenue.
  
11. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approval of an **amendment to the memorandum of understanding between Metro and the Exposition Metro Line Construction Authority (Expo)**, aka “final funding agreement,” to reflect the procedures and guidelines for reimbursing Expo for the costs of Expo staff working on Metro projects.

17. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute Modification No.2 to Contract No. OP3000772 with Gayland Moffat, Inc. to provide **labor relations consulting services** for an amount not to exceed \$423,925 through February 28, 2008, increasing the total contract value from \$522,580 to \$946,505.
  
18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute Modification No. 2 to Contract No. OP3010-1812 with Agreement Dynamics Inc., for **interest-based problem solving training consulting services** for an amount not to exceed \$196,600 through May 1, 2007, increasing the total contract value from \$198,555 to \$395,155.
  
27. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
  - A. award a five-year firm, fixed unit rate Contract No. OP33441843 to Lerch, Bates & Associates Inc., for **Metro transit facilities elevator and escalator maintenance monitoring and consulting services** for an amount not to exceed \$661,445, inclusive of two one-year options, effective October 1, 2006;
  - B. execute task orders under this agreement to provide as-needed consulting services such as incident investigations, claim support services, expert testimony, equipment modernization and capital improvement support services for an amount not to exceed \$233,325 over a five-year term, inclusive of two one-year options, effective October 1, 2006; and
  - C. amend the FY07 Facilities Operations budget, cost center 3344, to add one manager level full-time equivalent position to oversee the maintenance contract for Metro elevators and escalators and the maintenance monitoring and consulting services contract to be funded within the current year budget.
  
28. OPERATIONS COMMITTEE RECOMMENDED (4-0) **amending the FY07 Revenue Collection Equipment Maintenance budget** for cost center 5430 to add 3 full-time equivalent positions to support the Cashbox Preventive Maintenance Program to be funded within the existing budget, effective immediately and to continue for the life cycle of the Universal Fare System.

33. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting a **position on Proposition 90 (Protect our Homes Coalition)** – Government Acquisition, Regulation of Private Property which will require state and local government agencies to pay property owners substantial economics losses to their property due to new laws or rules and limit authority of the government to take ownership of private property. **OPPOSE.**
34. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of **Antonovich Motion** that the Metro Board of Directors direct the CEO to have staff report to the Operations Committee, the Finance and Budget Committee and the full Board within 90 days on the following:
- A. a review of the current **effectiveness of the Service Sectors** (broken down by Sector) in creating operational efficiencies, savings, increased ridership, improved service and improved customer outreach;
  - B. a formal collection and review of input and recommendations for improving the Service Sector performance solicited from the General Manager and Council Chair of each Service Sector;
  - C. areas of misalignment between the Service Sectors as envisioned by the original Service Sector Task Force Report (2002) and the current operation of the Service Sectors, with the cost/gain to Metro’s operating budget and structural deficit and benefit/deficit to service quality as a result of these misalignments, with a specific review and recommendation as to the provision of Sector staff levels and positions as identified in the 2002 report;
  - D. policy recommendations to improve the overall effectiveness of the Service Sectors in creating further operational efficiencies, savings, increased ridership, improved service and improved customer outreach by realigning parts or all of the Service Sector structure with the structure identified in the Service Sector Task Force Report (2002) or with a superior structure identified by staff;
  - E. projections on how much savings the implementation of staff policy recommendations would realize for Metro over a 1-year, 2-year, 5-year and 10-year window of time; and
  - F. other policy recommendations for the Metro Board of Directors to consider that would be necessary or desired to allow Metro to implement fully and consistently the aforementioned policy recommendations to create further operational efficiencies, improved service, savings, and customer outreach and increased ridership.

## APPROVED UNDER COMMITTEE AUTHORITY

25. CONSTRUCTION COMMITTEE APPROVED (4-0) authorizing the Chief Executive Officer to execute:
  - A. Modification No. 1 to Contract Work Order No. 1 to Contract No. MC067 with Carter & Burgess, Inc., for the **continuation of Construction Management Support Services for the Metro Orange Line Project** in the amount of \$562,000, increasing the total contract value from \$21,503,005 to \$22,065,005; and
  - B. contract modifications to Contract MC067, CWO No. 1 for the Metro Orange Line Project for an amount not to exceed \$56,200.

## NON-CONSENT:

3. Chair's Report
  - Presentation of Resolution to James Okazaki
4. Chief Executive Officer's Report
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0), **as amended by Burke and Najarian**, approving the Alternative C – proposed formula (Revised SCRRA – 25% Stations/TVMs) as the new **method for allocating Metrolink's net operating costs** among the member agencies beginning with the FY 2007-08 Metrolink Budget.

**Burke Amendment:** Approve the proposed formula on the condition that MTA and Metrolink members, within the next three years, review and revise the formula based on expansion levels incurred by member agencies.

**Najarian Amendment:** A cost/benefit analysis should be conducted by MTA staff prior to the close of FY 06/07 to determine if MTA's funding would be better served, improving service in Los Angeles County, e.g., the Metrolink Antelope Valley Line, which is entirely in the county, or if we should continue to fund the other counties' expansions.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) as amended by Katz, authorizing the Chief Executive Officer to:
- A. begin environmental clearance and Preliminary Engineering for a **northern extension of the Metro Orange Line along:**
    - 1) Van Nuys Boulevard
    - 2) the Metro-owned Canoga rail right-of-way to the Chatsworth Metrolink Station; and
  - B. continuing to work with the City of Los Angeles, Department of Transportation to refine and environmentally clear alternative bus speed improvement projects along the corridors identified in the eastern portion of the San Fernando Valley North/South Transit Corridor.

14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) approval of **Villaraigosa Motion**: that the MTA Board direct the CEO to meet with the service sectors and municipal operators within the next 30 days to finalize a **reduced fare program** to increase ridership, by offering discount fares of 25-50 cents on the following 13 routes: Lines 102, 127, 154, 168, 177, 202, 209, 214, 258, 265, 275, 305 and 577X and report back to the Board in October 2006 with a recommendation on how to proceed.

15. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0), as amended by Villaraigosa, approval of 13% as the **Federal Transit Administration Disadvantaged Business Enterprise Overall Goal** for Federal Fiscal Year 2007.

**Amendment:** That the MTA Board direct the CEO to:

- A. Report back quarterly on the number of new DBE firms certified during fiscal year 2006-2007.
- B. Work with the Transportation Business Advisory Council (TBAC), Minority Business Opportunity Committee, the Minority Business Development Agency, and similar agencies to increase contract opportunities for DBEs by February 2007.



32. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED TO THE FULL BOARD as amended by O'Connor update on **progress to revise the Formula Allocation Procedure**.

**Amendment:** That the MTA Board of Directors direct staff to report back to the Board in 30 days on the impact of the allocation of the available additional State Transit Assistance Act funds in the California FY2007 budget to the Los Angeles County Municipal Operators in this fiscal year, according to the Formula Allocation Procedure. Staff should, further, consider if the funding disbursed by the State during the first and second quarter of this fiscal year could be made available to formula allocation at the mid-year point of this fiscal year.

35. Appoint UBS Securities LLC as senior managing underwriter with Morgan Stanley and Siebert Branford Shank & Co., LLC as co-managing underwriters for the **negotiated sale of forward delivery bonds**.

(CARRIED OVER FROM AUGUST BOARD MEETING)

36. Consider:
- A. holding a public hearing on the proposed resolution of voluntary abandonment; and
  - B. adopting the **Resolution of Voluntary Abandonment** authorizing and directing the abandonment of any and all proceedings to acquire fee simple title to Parcel WE-616, including but not limited to, an eminent domain lawsuit filed by LACMTA to acquire said Parcel.

23. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9 (a):
  - 1. Feigin v. LACMTA, Case No. SC086746
  - 2. MTA v. RAD Jefferson, LLC Case No. BC351804
- B. Conference with Labor Negotiator – G.C. 54957.6:

Agency Negotiator: John Catoe  
Employee Organization: Teamsters

C. Conference Regarding Potential Threats to Public Services or Facilities – G.C. 54957(a):

While there may be no immediate threat, this is to provide the Board with a confidential report by:

1. Commander Finkelstein, Chief of Security and Law Enforcement and Ruthie Holden, Managing Director, Management Audit Services, on security-related matters, specifically the results of audits completed on security at the Gateway Building, Regional Rebuild Center and Divisions; and
2. American Public Transit Association Security Consultant Greg Hull, Director, Operations, Safety and Security Programs on related security matters.

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