

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Gloria Molina, Chair
Pam O'Connor, 1st Vice Chair
Antonio Villaraigosa, 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

Officers

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



Los Angeles County
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

**SUMMARY OF AGENDA ITEMS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
THURSDAY, OCTOBER 26, 2006**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	33	3	41
6		4	
7		9	
8		18	
10		31	
11		40	
29**			
30**			
32			
37			
38			

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

1. APPROVE **Consent Calendar** Items: 2, 6, 7, 8, 10, 11, 29**, 30**, 32, 37 and 38

NOTE: **Committee Authority** Item No. 33

Items 29 and 30 requires 2/3 vote of the Board.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held September 28, 2006.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. receiving and filing the final report of the **SR-14 Reversible HOV Lane Feasibility Study (Study)** mailed under separate cover via a Board Box dated August 11, 2006;
 - B. approving Study recommendations to:
 - 1) delete the Reversible HOV Lanes in its entirety from the Short Range Improvement Projects of the North County Corridors Plan (NCCP); and
 - 2) add a second non-reversible HOV Lane in each direction from the interchange of I-5/SR-14 to Avenue P to the Long Range Improvement Projects of the NCCP; and
 - C. directing staff to use the Study for future update of the Long Range Transportation Plan and Regional Transportation Plan in order to guide future SR-14 development in North Los Angeles County.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing soundwall funding for continuing phased implementation:
 - A. programming \$5.3 million in Proposition C 25% for the development of the **Supplemental Noise Barrier Scope Summary Report (NBSSR), final design and right-of-way support for the Post 1989, Phase I, Priority I soundwalls**, Design packages 5 through 7; and

- B. authorizing the Chief Executive Officer to enter into a funding Agreement with Caltrans for an amount not to exceed \$5.3 million to fund Caltrans for this work.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) programming \$19 million in Proposition A Incentive Program reserve funds to Los Angeles County operators of specialized and locally funded services and eligible operators as follows:
- A. up to \$14 million for one-time **allocations towards capital and vehicle replacement needs of operators of specialized and locally funded services** through a competitive “Mini Call for Projects”; and
 - B. \$5 million to be maintained on reserve to cover any potential shortfall in funding to eligible operators from Proposition A growth over the Consumer Price Index.
10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to enter into a Joint Development Agreement and Ground Lease with MacArthur Park, LLC covering 2.75 acres of METRO-owned property at the Westlake/MacArthur Park METRO Red Line Station for **development of a mixed use apartment/retail complex** having key terms and conditions.
11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute and enter into the following development documents as follows:
- A. a joint development agreement (JDA) with Remett, LLC, providing for the **development of approximately 1.9 acres of Los Angeles County Metropolitan Transportation Authority owned property** located along Victory Boulevard, west of Balboa Boulevard, near the Metro Orange Line Balboa station for development of a low-rise office building and supporting parking as part of the existing adjacent office park;
 - B. a ground lease covering the Site and providing for the construction and operation of the Development thereon; and

- C. such other agreements as may be necessary to implement the Ground Lease and/or the JDA, and provide for the construction and operation of the Development on the Site as contemplated in the JDA and the Ground lease.

29. OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. finding that there is only a single source of procurement for **motor controls and laser positioning** and the purchase is for the sole purpose of upgrading Metro's Automated Storage & Retrieval System (ASRS) Unitload Storage Retrieval Machines (SRMs); and
- B. authorizing the Chief Executive Officer to award a single source firm fixed-price contract to HK systems, Inc. to upgrade the ASRS Unitload SRMs for an amount not to exceed \$950,000, inclusive of sales tax.

(REQUIRES 2/3 VOTE OF THE BOARD)

30. OPERATIONS COMMITTEE RECOMMENDED (5-0) :

- A. finding that there is only a single source of procurement for the signaling system for the newly constructed crossover track and purchase is for the sole source of **redesigning and testing the signal system** already in use. The Board hereby authorizes purchase of the equipment pursuant to Public Utilities Code 130237; and
- B. authorizing the Chief Executive Officer to award a single-source, firm fixed-price contract to SYSTRA Consulting, Inc. to redesign and install track and safety-related signaling equipment for the Metro Green Line Yard Crossover Track for an amount not to exceed \$329,713.

(REQUIRES 2/3 VOTE OF THE BOARD)

32. OPERATIONS COMMITTEE RECOMMENDED (5-0) approving service **changes to Tier 1 bus lines** scheduled to be implemented in December 2006.

37. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting an OPPOSE position on the **CARB ZERO EMISSION BUS REGULATIONS** - The California Air Resources Board (CARB) will consider regulations that will require large transit agencies to initiate Zero Emission Bus programs that are economically and operationally not feasible to implement and threaten basic bus service for our transit riders.
38. CONSTRUCTION COMMITTEE RECOMMENDED (5-0):
- A. approving an extension of time from the previous Board-directed deadline of November 1, 2006 to February 15, 2007, for the **property exchange between Metro and LAUSD Ramona Opportunity High School**, to allow both parties to fulfill the obligations of the Exchange Agreement with Escrow Instructions, Funding and Reimbursement Agreement and Development Agreement Between LACMTA and Los Angeles Unified School District (the "Agreement"); and
 - B. authorizing the Chief Executive Officer to execute an amendment to the Agreement to allow escrow to close no later than February 15, 2007, subject to both parties fulfilling the conditions to close under the Agreement.

COMMITTEE AUTHORITY

33. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a five-year firm, fixed unit rate contract No. OP334406B4027 to AAA Backflow Device Testing Inc., to provide **backflow device testing and repairs for Metro transit facilities** for an amount not to exceed \$674,925 inclusive of two one-year options, effective November 1, 2006.

NON-CONSENT:

3. Chair's Report
- Presentation of Resolution to James Okazaki, Assistant General Manager, Transportation Planning, Transit Operations & Capital Programs of Los Angeles Department of Transportation

- Adjourn in memory of Abby Spivack, daughter of Gary Spivack, Division 15 Transportation Manager and Acting General Manager of San Fernando Service Sector.

4. Chief Executive Officer's Report

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approval and CONSTRUCTION COMMITTEE RECOMMENDED (4-1) approving **as amended by Fasana** a Life of Project budget for **restoration of the Lankershim Depot Transit Center** and AUTHORIZING related actions as follows:

- A. a change in project sponsor from the Community Redevelopment Agency of the City of Los Angeles (CRA) to Metro for execution of the scope of work in the Memorandum of Understanding dated December 31, 2001, to restore the Lankershim Depot Transit Center, including sponsorship of a grant of \$817,00 in local proposition C 10% funds previously awarded to the CRA for this purpose via a Call for Projects;
- B. the reprogramming of \$2,439,000 in Proposition C 10% Call for Project grant funds awarded to the City of Los Angeles for the Downtown San Pedro Transit Hub Mixed Used Development project of the Lankershim Depot Restoration Project;
- C. the Chief Executive Officer to negotiate and execute an agreement between the CRA and Metro so that Metro may receive up to \$364,803 of City of Los Angeles local matching funds and the \$2,439,000 million of reprogrammed funds in B above, contingent on approvals of the CRA Board of Commissioners and the Los Angeles City Council; and
- D. adopt a Life of Project budget of \$3,600,000 for the Depot, contingent on an executed agreement as specified in C above that includes the local Proposition C 10% funding grant, as well as the City's local match and the reprogrammed Proposition C 10% funds.

FASANA AMENDMENT: that the City of Los Angeles be required to pay their 20% share of the new increased cost, consistent with the policy of the new Supplemental Call for Projects.

18. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED (4-0) **as amended by Najarian** AND EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE (4-0) FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION
- A. receiving and filing the analysis of the June 2006 Board motion to improve Metro's fiscal policies; and
- B. ~~adopting~~ DISCUSS the **Financial Stability Policy**.

AMENDMENT: Any project savings above \$200,000 must return to the Board for approval prior to the reprogramming or transfer of funds to other projects or programs.

31. OPERATIONS COMMITTEE RECOMMENDED (4-0-1) **as amended by Parks/Villaraigosa** authorizing the Chief Executive Officer to:
- A. establish a Life-of-Project budget for the **Division 18 Solar Generation Project** in the amount of \$5,000,000; and
- B. amend the FY07 budget to add in \$1,820,000 of revenues and expenditures to be funded with rebate funds received from the Divisions 8 and 15 Solar Generation Project.

AMENDMENT: That the Board directs the Chief Executive Officer to report back within 60 days on the following:

- A. **A comprehensive three-year plan to install solar panels on every MTA bus and rail facility in cooperation with the Department of Water and Power, The Gas Company, and southern California Edison; and**
- B. **The comprehensive three-year plans should include details on schedule, staffing, costs, expected savings, funding, and available rebates.**
40. APPROVE the following nominee for membership on the **San Gabriel Service Sector Governance Council**:

Roger Chandler – New appointment
Appointed by: Cities of Arcadia and Temple City
Term ending: June '09

41. **CLOSED SESSION:**

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

1. Stramaglio v. LACMTA, Case No. EC 038709
2. Ortiz v. LACMTA, Case No. BC 341448
3. MTA v. La Cienega/Jefferson, LLC Case No. BC 356538
4. Labor/Community Strategy Center, et al v. LACMTA, Case No. CV 94-5936 TJH (MCx)

B. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation

- Inspector General
- Ethics 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