

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Pam O'Connor, Chair
Antonio Villaraigosa, 1st Vice Chair
Don Knabe, 2nd Vice Chair
Michael Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Bonnie Lowenthal
Gloria Molina
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
Karen Gorman, Acting 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.

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General Information/Rules of the Board - (213) 922-4600
Internet Access to Agendas - www.metro.net
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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, FEBRUARY 28, 2008**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	39
5		4	
11		9	
25		10	
26		21	
27		22	
28		30	
34		35	
		36	
		37	
		38	

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

1. APPROVE **Consent Calendar** Items: 2, 5, 11, 25, 26, 27, 28 and 34.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held January 24, 2008.
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) finding that all 89 jurisdictions are in **conformance with the Congestion Management Program** for Los Angeles County.
11. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
 - A. award a ten-year unit price contract, Contract No. PS05312102-A, to Stratacare for **Workers' compensation medical bill review and outsourced mail imaging and indexing services** in an amount not to exceed \$3,500,000 inclusive of three (3) two-year options, effective July 1, 2008;
 - B. award a ten-year unit price contract, Contract No. PS05312102-B, to CID for Workers' compensation utilization review, peer review, physician consulting and expedited review services in an amount not to exceed \$2,800,000 inclusive of three (3) two-year options, effective July 1, 2008;
 - C. award a ten-year unit price contract, Contract No. PS05312102-C, to GSB for Workers' compensation telephonic nurse case management and field nurse case management services in an amount not to exceed \$550,000 inclusive of three (3) two-year options, effective July 1, 2008; and
 - D. award a ten-year unit price contract, Contract No. PS05312102-D, to Corvel for a Workers' compensation Preferred Provider Organization and Medical Provider Network services in an amount not to exceed \$13,600,000 inclusive of three (3) two-year options, effective July 1, 2008.

25. OPERATIONS COMMITTEE RECOMMENDED (4-0) establishing the **life-of-project (LOP) budgets for the proposed new FY 2009 capital projects** that exceed \$5 million so they may be included in the FY 2009 budget submittal as follows:
- A. Purchase 260 45-foot composite buses – LOP \$179,129,959
 - B. Purchase 53 buses for contracted service providers – LOP \$18,600,000
 - C. Mid-life overhaul 188 buses in the FY 2009 mid-life program – LOP \$24,294,186
 - D. Purchase and install 110 engines for the FY 2009 CMS Engine replacement program – LOP \$7,145,732
 - E. Construct a new CNG fueling facility at Division 10 – LOP \$11,673,000
 - F. Construct a new CNG fueling facility at Division 18 – LOP \$11,100,000
 - G. Complete the Division 3 Master Plan improvements Phases II-IV – LOP \$13,200,000
 - H. Modernize the elevators and escalators at the Civic Center Station – LOP \$12,000,000.
 - I. Replace the Blue Line power sub-stations – LOP \$82,000,000
 - J. Replace the Blue Line overhead catenary systems – LOP \$13,000,000
26. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Contract Modification No. 3 to Contract OP33441620 with Diversified Landscape Company, to provide **landscape maintenance services** for additional Metro transit facilities and as-needed services for a period of 25 months in an amount not-to-exceed \$200,000, increasing the total contract value from \$3,796,496 to \$3,996,496.
27. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. OP34342116 with Carson Toyota, the lowest responsive and responsible bidder for **142 hybrid sedans** for a firm fixed price of \$3,751,440 inclusive of sales tax.
28. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid 07-0011 with Bombardier Transportation (Holdings) USA, the single bidder for **210 Power Briks** for an amount not-to-exceed \$689,850.

34. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) amending the **FY 2009 Business Plan Parameters sales tax revenue assumption** from 3 percent growth over the FY 2008 budget to 1.1 percent growth over the estimated FY 2008 actuals; and lowering the Consumer Price Index forecast from 2.45 percent to 1.84 percent.

NON-CONSENT:

3. Chair's Report

- Present resolution to Steve Cunningham, Outgoing Transportation Director, Culver CityBus

4. Chief Executive Officer's Report

9. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0):

- A. adopting a resolution that authorizes the execution of one or more **interest rate swaps**, for a notional amount not-to-exceed \$205 million, in connection with the issuance of bonds that will refund portions of the outstanding Prop C 1998-A bonds; and
- B. approving documents on file with the Board Secretary.

(REQUIRES SEPARATE, SIMPLE MAJORITY VOTE OF THE BOARD)

10. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0):

- A. adopting a resolution that authorizes execution of one or more forward-starting **interest rate swaps** for a notional amount not-to-exceed \$270 million;
- B. adopting a resolution that commits Metro to issue bonds that will refund portions of the outstanding Proposition A 1999-A and Proposition A 1999-C bonds; and
- C. approving documents related to the interest rate swap that are on file with the Board Secretary.

(REQUIRES SEPARATE, SIMPLE MAJORITY VOTE OF THE BOARD)

21. CONSIDER:

- A. finding that awarding a design-build contract pursuant to Public Utilities Code § 130242(a) will achieve for the Los Angeles County Metropolitan Transportation Authority (LACMTA) certain private sector efficiencies in the integration of the design, project work and components related to the real property renovation, repair and construction work for the proposed **LACMTA parking structure facility in Los Angeles County**; and
- B. authorizing the Chief Executive Officer to solicit a design-build contract for the construction of the LACMTA facility.

Staff will seek approval for an increase to the Life-of-Project Budget after the receipt of bids and acceptance of the lowest responsible bidder.

(REQUIRES 2/3 VOTE OF THE BOARD)

22. AUTHORIZE an increase in an amount not-to-exceed \$2,000,000 to contract no. EN073 with TRC Solutions, Inc., to issue additional contract work orders for **environmental engineering services** through Fiscal Year 2009, increasing the total contract value from \$3,600,000 to \$5,600,000.

30. OPERATIONS COMMITTEE RECOMMENDED (4-0) BURKE MOTION that staff return to the Operations Committee in March with a report that details the following information:

- **Total service hour cuts made in 2007**
- Total proposed cuts for 2008 and 2009
- Proposed cuts in local service included in the existing Rapid Bus Implementation Plan
- Total hours (other than service cuts) that are planned to be added to the Rapid Bus to ensure that it is an expansion of the program in compliance with the existing court order; and
- What economies and service reductions are being contemplated and/or applied to the Metro Rail corridors and operations?

FASANA AMENDMENT that staff include geographic information about service cuts by sector and jurisdiction.

35. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the following **positions on State legislation**:

- A. **AB 1815 (Feuer)** – Would create the California Transportation Infrastructure Funding Task Force. - **SUPPORT**
- C. **ACA 10 (Feuer)** – Would lower the vote threshold for the approval of bonds (and any tax increase associated with these bonds) for local transportation projects. - **SUPPORT**
- D. **AB TBD (Feuer)** - Would amend provisions authorizing Metro to pursue a half cent sales tax for six and a half years to fund specific transportation projects and programs. - **SUPPORT**
- E. **AB TBD (Feuer)** - Would authorize Metro to implement a greenhouse gas mitigation fee and would require that the revenue be used for public transit and congestion management projects and programs. - **SUPPORT**

AND FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION adopting the following position on State legislation:

- B. **AB 1836 (Feuer)** – Would eliminate the voter approval requirement for establishing Infrastructure Financing Districts - **SUPPORT**

36. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) AND OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. authorizing the Chief Executive Officer to:
 - 1. execute a **Lease Agreement with Cubic Transportation Systems, Inc.** for an amount not to exceed \$46,467,840 (\$387,232 per month for 120 months, includes Metro Gold Line Eastside Extension Mariachi, Soto and Atlantic stations);
 - 2. execute Amendment No. 1 to Contract No. OP-02-4610-Maintenance with Cubic Transportation Systems, Inc. for an amount not to exceed \$12,240,000 (\$102,000 per month for 120 months), increasing the total maintenance contract value from \$12,359,257 to \$24,599,257; and

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3. execute Amendment No. 50 to Contract No. OP-02-4610-10 with Cubic Transportation Systems, Inc. for an amount not to exceed \$10 million to design and build station modifications for relocation of existing stand alone validators and perform associated civil engineering work for **gating Metro Rail stations**, increasing the total capital cost and contract value from \$96,035,101 to \$106,351,101;
- B. authorizing the Chief Executive Officer to execute Amendment No. 10 to Contract No. PS-4210-1026 with Booz Allen Hamilton for a period of twenty-four months for an amount not to exceed \$1 million, increasing the total contract value from \$9,425,250 to \$10,425,250;
- C. authorizing the Chief Executive Officer to increase the life of project budget of CP# 210094, Metro Rail Gating, from \$999,663 to \$21 million for Metro Rail station modifications; and
- D. amending the FY 2008 budget to add \$5 million of expenditures and revenues for the gating project.

(CARRIED OVER FROM JANUARY BOARD MEETING)

37. APPROVE Metro's sponsorship of the **I-5 truck lanes project**, for the purpose of pursuing a Proposition 1B Trade Corridor Improvement Fund (TCIF) grant of \$55 million consistent with the commitment from the Golden State Gateway Coalition to provide the required \$55 million match and to provide all additional funding necessary if the project experiences a cost increase.

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

Anne Marie Bayer – New Appointment to fill seat vacated by Samuel Pena.
Appointed by: South Bay Cities Council of Governments
Term Ending: January 2009

39. CLOSED SESSION

A. Conference with Legal Counsel -Pending Litigation -G.C. 54956.9(a)

1. Rhoda Bailey Wolf, Jr. v. LACMTA, Case No.:SC090385
2. Nicolas Alfara v. LACMTA, Case No.: NC042112

B. Conference with Labor Negotiator - G.C. 54957.6

Agency Negotiator - Carolyn Flowers
Employee Organization – AFSCME

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 update by Mr. Jack Eckles, DEO, System Safety & Security.

D. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(b)
Significant exposure to litigation (two cases)

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