

# 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

Antonio Villaraigosa, Chair  
Don Knabe, 1<sup>st</sup> Vice Chair  
Ara J. Najarian, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Diane DuBois  
John Fasana  
José Huizar  
Richard Katz  
Gloria Molina  
Pam O'Connor  
Rita Robinson  
Mark Ridley-Thomas  
Zev Yaroslavsky  
Doug Failing, non-voting member

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## Officers

Arthur T. Leahy, 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.

### 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.metro.net](http://www.metro.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, MAY 28, 2009**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	42
5		4	
9.2		6	
10		8	
16		9	
17		9.1	
18		9.3	
19		9.4	
21		24	
26		29	
27		30	
31		33	
		34	
		37	
		38	
		39	
		40	
		41	

1. APPROVE **Consent Calendar** Items: 2, 5, 9.2, 10, 16, 17, 18, 19, 21, 26, 27 and 31.

## CONSENT CALENDAR

2. APPROVE a) **Minutes of Regular Board Meeting held April 23, 2009** and b) **Minutes of Special Board Meeting held May 14, 2009.**
  
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute **Memoranda of Understanding with the following service providers** for five years beginning in Fiscal Year 2010, subject to availability of funds approved through the budget process:
  - A. FAME Assistance Corporation (FAC) and the International Institute of Los Angeles for the Immediate Needs Transportation Program;
  - B. Shelter Partnership, Incorporated for the Support for Homeless Re-Entry Program; and
  - C. Human Services Association, and FAC for the Rider Relief Transportation Program.
  
- 9.2. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving **ANTONOVICH – DUBOIS – NAJARIAN MOTION** that the **FY10 Budget be amended to include the following instructions:**
  - Direct the CEO to return to the Board in six months with a detailed analysis of and recommendations for “flattening” the organization; with emphasis on realigning the agency with statutory core functions thereby reducing administrative costs and realigning support functions.
  - Reforecast sales tax revenue and expenditure targets based on FY09 Actuals to date (9 months) and estimates for year’s end and present revenue estimates to the May 20<sup>th</sup> , Finance and Budget Committee Meeting.
  - Direct the CEO to establish a centralized Enterprise Fund manager/management with the authority to approve and manage Enterprise Fund revenues and expenditures charged to that fund.
  - Direct the CEO to develop a consistent cost/revenue allocation plan for bus/rail operations using actual hourly rates beginning with the new fiscal year.
  - Direct the CEO to review the utilization of all current as-needed positions and return within six months with an analysis and recommendations to eliminate, replace with contract services or where applicable, with interns.(Continued on next page)

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- Direct the CEO to roll back travel/conferences/seminars/periodicals and memberships to FY07-08 budget levels effective July 1, 2009.
- Present a table with the allocation of Prop. A & C administrative costs by the May 20<sup>th</sup>, Finance and Budget Committee Meeting.
- Eliminate the hiring freeze.

10. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) adopting the **FY10 Metro Sustainability Projects and Budget in the amount of \$1,600,000.**

16. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the following **position on Federal Legislation:**

**H.R. 1329 (Blumenauer) Clean, Low-Emission, Affordable, New Transportation Efficiency Act (CLEAN-TEA Act) –** Would set aside 10% of funds generated from a future cap and trade system and direct those funds to the transportation sector.  
**SUPPORT**

17. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving an **exemption to the hiring freeze to fill one vacant Transportation Planning Manager V position** in the Local Programming section (cost center 4430) of Programming and Policy Analysis.

18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving an **exemption to the hiring freeze to fill five vacant Accountant positions.**

19. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving an **exemption to the hiring freeze to temporarily fill the vacant Deputy Executive Officer General Services position.**

21. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to negotiate and execute work order agreements with the Southern California Regional Rail Authority for the **design and construction of** the railroad modification work and the at-grade rail crossing safety enhancements at Lassen Street relating to the **Lassen/Railroad Overcrossing as part of Metro Orange Line Extension Project** for an aggregate amount not to exceed \$5,000,000.

26. OPERATIONS COMMITTEE RECOMMENDED (5-0) approving the following nominee for membership on the **Westside/Central Service Sector Governance Council**:

Glenn Rosten – Reappointment  
Appointed by: Los Angeles County Supervisor Zev Yaroslavsky  
Term ending: June 30, 2012

27. OPERATIONS COMMITTEE RECOMMENDED (5-0) approving the following nominee for membership on the **San Gabriel Valley Service Sector Governance Council**:

David Spence – Reappointment  
Appointed by: San Gabriel Valley Council of Governments  
Term ending: June 30, 2012

31. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):

- A. approving the Southern California Regional Rail Authority (SCRRA) fiscal year (FY) 2009-10 Preliminary Budget for Metrolink and the Los Angeles County Metropolitan Transportation Authority (LACMTA)'s contribution totaling \$71,862,722, and consisting of \$38,030,122 for operations; \$16,200,000 for rehabilitation and renovation; and \$17,632,600 for capital; and [approving the programming of funding to the SCRRA](#) as follows:

1. \$57,752,516 in Proposition C 10% local sales tax funding;
2. \$10,675,000 in Measure R 3% local sales tax funding to the Positive Train Control Project;
3. \$1,358,784 in Proposition C 10% local sales tax funding from the FY 2007-08 SCRRA operating subsidy to Metrolink to offset the cost of FY 2009-10 operations;
4. \$1,716,422 in Proposition C 10% local sales tax funding from the FY 2008-09 SCRRA operating subsidy to Metrolink to offset the cost of FY 2009-10 operations; and
5. \$360,000 in funds reimbursed to the LACMTA by the San Bernardino Associated Governments;

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- B. approving a cost increase of \$400,000 on the Vincent 2<sup>nd</sup> Platform project for a new total project cost of \$3,900,000;
- C. approving the programming of \$2,032,042 in Proposition C 10% funding for Right-of-Way security services to be provided under the SCRRA security contract with the Los Angeles County Sheriff's Department (LASD) as an SCRRA off-budget, re-collectible service (not included in SCRRA member agency subsidy calculations or Action A above); and
- D. authorizing the Chief Executive Officer or his designee to negotiate and execute all necessary agreements between LACMTA and the SCRRA for funding approved.

**NON-CONSENT:**

- 3. Chair's Report
- 4. Chief Executive Officer's Report
- 6. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION **REVISED FASANA MOTION** that:
  - A. the Metro Board confirm its intent to acquire a maintenance facility ~~in Irwindale~~, subject to CEQA approvals, and reimburse Metro Gold Line Foothill Extension Construction Authority (MGLFECA) for their acquisition costs;
  - B. Metro provide support as necessary to the MGLFECA for activities including, but not limited to, outreach to neighborhoods and schools ~~in Irwindale and Duarte~~ that are adjacent to the potential site; ~~and~~
  - C. Metro's CEO report back to the Construction Committee in May 2009 on the MGLFECA timetable for extending the Gold Line to Azusa by December 2013, and report back to the Construction Committee if that date is not feasible; and strategic opportunities to partner in the construction effort that maximize the capabilities of both Metro and MGLFECA; **and**
  - D. **Metro serve as the lead agency in conducting the environmental assessment.**

8. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) adopting a resolution authorizing the **issuance of refunding bonds in multiple transactions** to refund the Prop A 1999-A, 1999-B and 1999-C bonds and commercial paper and Prop C 1999-A bonds and Prop C commercial paper.

(REQUIRES SEPARATE, SIMPLE MAJORITY BOARD VOTE)

9. FINANCE AND BUDGET COMMITTEE RECOMMENDED APPROVAL (4-0) AS AMENDED TO ADD ITEMS 9.3 AND 9.4:

- A. adopting the **proposed Fiscal Year 2010 (FY10) budget** as presented in the budget document (provided as a separate transmittal) which includes an \$18.6 million Measure R reserve for new Metro Bus service and projects;
- B. approving the total budgeted salaries and benefits for each union/non-contract group and 48 new FTE's as required by the Position Authorization and Compensation policy;
- C. approving the safety and security budget as required by the Financial Stability Policy adopted by the Board in January 2008;
- D. approving the Measure R budget by project, expense and FTE;
- E. approving the life-of-project budgets for all new capital projects as presented in the proposed budget document including three new projects with a life-of-project budget over \$5.0 million;
- F. amending the proposed budget to add one FTE to the Office of the CEO, Deputy Chief Executive Officer – Grade DD to assist the CEO in executing the overall mission of Metro with primary responsibility to oversee implementation of Measure R programs and projects, and authorizing the CEO to fill the position within the Board approved salary range. This position will be funded 50% with Measure R Administrative funds and 50% with Prop A & C Administrative funds;
- G. amending the proposed budget to add back 29,570 Revenue Service Hours to Rail Operations by revising plans to adjust train consist size. The \$1.6 million increase to rail operating expenses will be funded by deferral of rail capital expenditures;
- H. amending the proposed budget to reduce the Expo 1 project budget by \$16.2 million and reducing the Expo 2 project budget by \$67.6 million to match the budget approved by the Expo Board in April 2009; (Continued on next page)



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- I. amending the proposed budget to add \$0.35 million of revenue and expense to Gold Line Eastside Extension (Project #300055) for operations of the grade crossing photo enforcement equipment to be funded with Enterprise Fund rail operating funds;
- J. amending the proposed budget to increase the Enterprise Fund expenses and revenues by \$1.6 million for sustainability projects to be funded with Metro FY10 Prop A FAP funds and Prop A 35% rail funds, and decrease Special Revenue Fund expenditures;
- K. amending the proposed budget to add \$13.4 million for electrification of CNG fueling stations (CP #202302) to be funded with Federal 5307 American Recovery and Reinvestment Act funding (conditional upon Board approval of the project); ~~and~~
- L. amending the proposed budget to add \$1.1 million for Division 21 Rockfall Mitigation (CP #204112) to be funded with Prop A 35% rail funds (conditional upon Board approval of the project); and
- M. amending the proposed budget to add \$200,000 of Measure R 35% Transit Capital Revenues for Project #460200 Gold Line Foothill LRT Extension in cost center 0411 for environmental clearance of a rail maintenance facility.**

9.1 PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION approval of **KNABE – RIDLEY-THOMAS – O’CONNOR MOTION** that the Metro Board adopt the following revised FY10 Budget Instruction:

Anticipating the adoption of the Alternatives Analysis later this year, and in order to prepare the Harbor Subdivision/Metro Green Line Extension to the South Bay Corridor for Measure R, federal, state, and/or private funding, the Metro Board directs the Chief Executive Officer to set aside ~~an amount, currently estimated at \$5 million dollars,~~ from **Measure R Transit Capital New Rail funds** ~~the Proposition C “Discretionary” Carryover funds or other appropriate funding sources~~ to continue the multi-year environmental clearance process begun in the Alternatives Analysis, including the preparation of the draft Environmental Impact Statement/Report, Advanced Conceptual Engineering, Final EIR/EIS, and Preliminary Engineering.  
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The CEO is further instructed to amend into the FY10 Budget, from this funding, an amount to be determined in November/December 2009 to seamlessly continue the state and federal ~~initiate the next phase of environmental clearance of the Harbor Subdivision Corridor process for the remainder of FY10.~~

- 9.3. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-1) approving **NAJARIAN MOTION** that a portion of the \$49 million growth over inflation (not to exceed \$18 million), which is scheduled to be transferred to the FY10 Prop C 40% budget be set aside should the eligible operator status be approved in the upcoming fiscal year\*. Further move that the CEO direct Metro staff to convene a task force with the municipal and local transit service operators to review the request and the eligibility requirements for eligible operator status and return to the Finance and Budget Committee in September 2009.

\*It should be duly noted that the municipal and eligible operators' funding will remain whole, and the FAP will be unaffected by the inclusion of the new operator.

- 9.4. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving **ANTONOVICH MOTION** to direct the CEO to allocate \$10 million from \$27 million in unallocated FY10 Measure R rail funds to the Metro Gold Line Foothill Extension.
24. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS:
- A. establishing a life-of-project budget for the **Electrification of Compressed Natural Gas (CNG) Fueling Facilities**, including project contingency, in the amount of \$28,000,000 with capital funds made available through the American Recovery and Reinvestment Act of 2009 (ARRA);
  - B. authorizing the Chief Executive Officer to:
    - 1. negotiate and execute contract agreements with City of Los Angeles Department of Water and Power for electrical utility upgrades at Divisions 1, 2, 5, 8, 10 and 15 for an amount not to exceed \$1,200,000;
    - 2. negotiate and execute contract agreements with Southern California Edison for electrical utility upgrades at Divisions 7, 9 and 18 for an amount not to exceed \$600,000; and (Continued on next page)

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- C. approving Contract Modification Authority for Contract OP33900626 with Trillium USA, LLC:
    - 1. for increased fuel compression and modifications to CNG fueling facilities at Divisions 1, 5 and 7 for \$1,850,000, increasing the total contract value from \$34,983,440 to \$36,833,440; and
    - 2. to perform a Change Order to electrify CNG fueling facilities at Divisions 1, 5 and 7 for the firm fixed price of \$6,977,968, including 10% contingency, contingent upon funding becoming available, as approved in February 2009 by Board action Item 44, American Recovery and Reinvestment Act programming action, bringing the total contract value from \$36,833,440 to \$43,811,408.
29. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES:
- A. finding that it is in the best interest of Metro to:
    - 1. discontinue pursuit of the previously Board-approved mixed-use market rate apartment and retail development with Cesar Chavez and Soto LLC on approximately 3.5 acres of **Metro property lying between Soto Street and Fickett Street just southwest of Cesar E. Chavez Avenue** (the “3.5-Acre Site”);
    - 2. proceed with two separate but compatible developments on the 3.5-Acre Site, as follows:
      - a. development of that 1.96-acre portion of the 3.5-Acre Site lying westerly of Mathews Street (the “West Development Site”) with Cesar Chavez and Soto LLC (or another development entity created by JSM Construction and Polis Builders that is reasonably approved by the Chief Executive Officer);
      - b. development of a mixed-use housing and retail project with McCormack Baron Salazar, Inc. (or a development entity controlled and managed by McCormack Baron Salazar, Inc. that is reasonably approved by the Chief Executive Officer) (“MBS”) on that 1.56-acre portion of the 3.5-Acre Site lying easterly of Mathews Street (the “East Development Site”) containing approximately 72 affordable apartments, a property manager’s apartment and approximately 3,250 square feet of retail space (the “Project”), all in substantial accordance with key terms and conditions set forth; (Cont’d)

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- B. authorizing the Chief Executive Officer to perform the following actions, each in substantial accordance with key terms and conditions set forth:
  - 1. enter into a Joint Development Agreement (“JDA”) with MBS covering the development of the Project on the East Development Site;
  - 2. extend the term of the JDA, if necessary or desirable, upon the expiration of the JDA term;
  - 3. enter into and execute a ground lease and other related documents and agreements with MBS relating to the Project and the East Development Site; and
  - 4. execute dedications and other grants of real property rights over portions of the East Development Site for public utility, street widening and other purposes related to the development of the Project; and
- C. authorizing the Chief Executive Officer to file a Notice of Exemption for the Project as the Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(9) of the California Public Resources Code and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines.

30. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES:

- A. finding that it is in the best interest of Metro to:
  - 1. discontinue pursuit of a previously Board-approved mixed-use development with a team led by JSM Construction (“JSM”) as it relates to an approximately 1.5-acre portion of 2.9 acres of **Metro property located at First Street and Boyle Avenue**; and
  - 2. proceed with development of a mixed-use housing and retail project containing approximately 98 affordable apartments, two property managers’ apartments and approximately 6,800 square feet of retail space (the “Project”) on the 1.5-acre portion of property noted above, which is located south of First Street and west of Boyle Avenue (the “Development Site”), with a development team now led by McCormack Baron Salazar, Inc. (or a development entity controlled and managed by McCormack Baron Salazar, Inc. that is reasonably approved by the Chief Executive Officer) (“MBS”), all in substantial accordance with key terms and conditions set forth; (Continued)

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- B. authorizing the Chief Executive Officer to perform the following actions, each in substantial accordance with key terms and conditions set forth:
  - 1. enter into a Joint Development Agreement (“JDA”) with MBS covering the development of the Project on the Development Site;
  - 2. extend the term of the JDA, if necessary or desirable, upon the expiration of the JDA term;
  - 3. enter into and execute a ground lease and other related documents and agreements with MBS relating to the Project and the Development Site; and
  - 4. execute dedications and other grants of real property rights over portions of the Development Site for public utility, street widening and other purposes related to the development of the Project; and
- C. authorizing the Chief Executive Officer to file a Notice of Exemption for the Project as the Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(9) of the California Public Resources Code and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines.

33. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION adopting the following **positions on State Legislation:**

- A. **SB 545 (Cedillo)** – Which would require a subsurface route for the I-710 Gap Closure project. **WORK WITH AUTHOR**
- B. **SB 632 (Lowenthal)** – Which would require the Ports of Los Angeles, Long Beach and Oakland, by July 1, 2010, to assess their infrastructure and air quality improvement needs, including assessing the total cost for these projects and identifying potential sources of funding for them. **WORK WITH AUTHOR**
- C. **SB 652 (Huff)** – Which would establish that the Alameda Corridor-East Construction Authority and the San Gabriel Valley Council of Governments shall be considered political subdivisions of the State, and that these entities may be applicants for state or federal funds for projects within their jurisdiction. **OPPOSE – UNLESS AMENDED**

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- D. **SB 716 (Wolk)** – Which would allow farm-worker vanpools to be an eligible program for Transportation Development Act (TDA) funding. **OPPOSE – UNLESS AMENDED**
  - E. **AB 1403 (Eng)** – Which would eliminate the \$1 million cap on TDA funds for the Southern California Association of Governments (SCAG). **SUPPORT**
  - F. **AB 1243 (B. Lowenthal)** – Which would create the South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee to address trucks in that area. **SUPPORT**
34. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) APPROVAL OF THREE-YEAR MOU AND OPERATIONS COMMITTEE RECOMMENDED(5-0) AS AMENDED authorizing the Chief Executive Officer to:
- A. execute Modification No. 15 with Memorandum of Understanding (MOU) TCP2610LASD to provide **funding for the remaining FY09 transit community policing services** for an amount not to exceed \$5,310,162 for the period June 1, 2009 through June 30, 2009, revising the total contract value from \$344,828,728 to \$350,138,890;
  - B. execute a **five** ~~three~~-year MOU with Los Angeles Sheriff's Department, inclusive of ~~one~~ **two** one-year options and subject to approval of the MOU by the County of Los Angeles Board of Supervisors, for transit community policing services, including the Gold Line Eastside Extension, in the amount of \$65,921,937 for the period July 1, 2009 through June 30, 2010; and
  - C. amend the proposed FY10 budget to add \$4,700,000 in revenues and expenses to the Transit Security budget for policing coverage of the Metro Gold Line Eastside Extension.

37. **FASANA MOTION** that the CEO report back at the June 25, 2009 meeting of the Board and provide information on the following:
- Are there any railcars currently being stored on Metro-controlled right of way and if so, where is the storage located and how many railcars are being stored.
  - Determine locations and numbers of railcars being stored on non-Metro-controlled rights of way.
  - Determine what measures can be taken to immediately cover up (paint over) the graffiti.
38. CONSIDER extending the expiration of the option, exercising the option, or allowing expiration of **Contract No. P2550 with AnsaldoBreda S.p.A. for 100 additional light rail vehicles.**
39. CONSIDER directing the Chief Executive Officer to conduct **an independent external review of the Transit Access Pass (TAP) program.**
40. CONSIDER directing the Chief Executive Officer to develop a **strategy for participating in the development and implementation of high speed rail in Los Angeles County** by the California High Speed Rail Authority.
41. ESTABLISH an Ad Hoc Committee of the Board to evaluate the proposers and/or proposals for the **selection of a Federal Legislative Advocacy Firm.**
42. **CLOSED SESSION:**
- A. Conference with Legal Counsel - Pending Litigation - G.C. 54956.9(a):  
Morales v. LACMTA, Case No. BC 339557
- B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(b):  
Significant exposure to litigation (one case)
- (Continued on next page)

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

1. Agency Designated Representative: Carolyn Flowers  
Employee Organization: Amalgamated Transit Union, Local 1277
2. Agency Designated Representative: Carolyn Flowers  
Employee Organization: United Transportation Union
3. Agency Designated Representative: James Falicki  
Employee Organization: Transportation Communication Union,  
Local 1315

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