

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Antonio Villaraigosa, Chair
Don Knabe, 1st Vice Chair
Ara J. Najarian, 2nd Vice Chair
Michael Antonovich
Diane DuBois
John Fasana
David Fleming
Richard Katz
Gloria Molina
Pam O'Connor
Bernard Parks
Mark Ridley-Thomas
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:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. 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

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

**REGULAR BOARD MEETING
THURSDAY, JANUARY 22, 2009**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	49
5		4	
6		17	
7		18	
8		39	
10		50	
11		51	
12		52	
13		53	
16			
26			
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**REQUIRES 2/3 VOTE OF THE BOARD			

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 8, 10, 11, 12, 13, 16, 26, 27, 28, 30, 31, 32**, 34, 36, 37, 38, 40, 41, 42, and 48.

**REQUIRES 2/3 VOTE OF THE BOARD

CONSENT CALENDAR:

2. APPROVE **Minutes of Regular Board Meeting held December 4, 2008.**

5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. certifying that the **Canoga Transportation Corridor, Final Environmental Impact Report (FEIR)** is in compliance with the California Environmental Quality Act (CEQA), and reflects our independent judgment and analysis. The FEIR is available upon request;
 - B. adopting the:
 1. Findings and Statement of Overriding Considerations in accordance with CEQA;
 2. Mitigation Monitoring and Reporting Program; and
 - C. authorizing the Chief Executive Officer to File the Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse.

6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1):
 - A. approving the **Westside Extension Transit Corridor Alternatives Analysis Study;**
 - B. approving the alternatives recommended below, in addition to the No Build and Transportation Systems Management alternatives, for further study in the Draft Environmental Impact Statement/Report (Draft EIS/R) and Advanced Conceptual Engineering: (Continued next page)

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1. Alternative #1 - Metro Purple Line Extension via Wilshire Boulevard;
 2. Alternative #11 - Metro Purple Line Extension via Wilshire plus Subway Extension from Metro Red Line via Santa Monica Boulevard; and
- C. authorizing the Chief Executive Officer to:
1. exercise the following:
 - a. an option to Contract No. 4350-2000 with PB Americas Inc. to prepare the Draft EIS/EIR and Advanced Conceptual Engineering in the amount of \$17,245,118, increasing the total contract value from \$3,815,651 to \$21,060,769;
 - b. an option to Contract No. 4350-1995 with The Robert Group to conduct the facilitation of community outreach in the amount of \$1,080,000, increasing the total contract value from \$710,571 to \$1,790,571;
 - c. contract modifications for up to 15% of the above amounts to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
 2. accept an assignment of and assume the responsibilities under the Exposition Metro Line Construction Authority's (Authority) contract with AECOM, dated November 7, 2008 pursuant to the terms of the Exposition Corridor Transit Project/Phase 2 Transportation Modeling Development and Payment Agreement for Federal Transit Administration New Starts Preliminary Engineering Requirements Memorandum of Understanding dated November 4, 2008, between LACMTA and the Authority, if it is determined by the CEO or his designee that such assignment is the most expedient mechanism for upgrading the Transportation Demand Model for federal New Starts purposes.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):

- A. approving the **Regional Connector Transit Corridor Study Alternatives Analysis (AA) Study**;
- B. approving the alternatives recommended below, in addition to the No Build and Transportation Systems Management alternatives, for further study in the AA in the Draft Environmental Impact Statement/Report (DEIS/EIR) including Advanced Conceptual Engineering (ACE):
 - 1. Alternative #3A/B - At-Grade Alternative via Second Street with a Couplet on Main and Los Angeles Streets;
 - 2. Alternative #5 - Underground Alternative via Second Street crossing First Street and Alameda at-grade; and
- C. authorizing the Chief Executive Officer to:
 - 1. exercise the following:
 - a. an option to Contract No. PS 4320-1985 with Camp Dresser & McKee (CDM) to prepare the Draft EIS/EIR including Advanced Conceptual Engineering in the amount of \$9,965,853, increasing the total contract amount from \$2,091,969 to \$12,057,822;
 - b. an option to Contract No. PS 4320-1988 with The Robert Group to conduct the facilitation of community outreach in the amount of \$835,453, increasing the total contract amount from \$192,269 to \$1,027,722; and
 - c. contract modifications for up to 15% of the above amounts to cover the cost of any potentially unforeseen issues that may arise during the above phases.

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED
(4-0-1):

- A. approving the **Metro Eastside Transit Corridor Phase 2 Alternatives Analysis Study**;
- B. approving the alternatives recommended below, in addition to the No Build and Transportation Systems Management alternatives, for further study in the Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR) including Advanced Conceptual Engineering (ACE):
 - 1. Alternative #1: (Metro Gold Line Eastside Extension via State Route 60);
 - 2. Alternative #2: (Metro Gold Line Eastside Extension via Beverly Boulevard);
 - 3. Alternative #3: (Metro Gold Line Eastside Extension via Beverly Boulevard/Whittier Boulevard);
 - 4. Alternative #4: (Metro Gold Line Eastside Extension via Washington Boulevard); and
- C. authorizing the Chief Executive Officer to:
 - 1. exercise the following:
 - a. an option to Contract No. PS 4320-2003 with Camp Dresser & McKee/AECOM (CDM/AECOM) to prepare the Draft EIS/EIR including Advanced Conceptual Engineering in the amount of \$11,418,071, increasing the total contract amount from \$2,203,584 to \$13,621,655;
 - b. an option to Contract No. PS 4320-2006 with Arellano and Associates to provide professional services in the amount of \$1,167,000, increasing the total contract amount from \$358,428 to \$1,525,428 to conduct the facilitation of community outreach; and
 - c. contract modifications for up to 15% of the above amounts to cover the cost of any potentially unforeseen issues that may arise during the above phases.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) initiating the **2009 Call for Projects process**.

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
 - A. exempting new consulting contracts freeze for **Congestion Mitigation Fee Study – Step 2** due to the statutory requirements of the Congestion Management Program, which mandates compliance with the implementation of a countywide Deficiency Plan to measurably improve congestion in Los Angeles County; and

 - B. authorizing the Chief Executive Officer to execute a firm fixed price contract to Cambridge Systematics, Inc. to conduct Step 2 of the Congestion Mitigation Fee Work Plan consisting of project identification, estimating project costs, and confirming growth forecasts, for a period of six months for an amount not to exceed \$932,718.

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0-1):
 - A. approving programming of up to \$26 million that is available to us from **fiscal year (FY) 2009 federal Department of Homeland Security – Transit Security Grant Program and state Proposition 1B Transit Security Grant Program (Prop 1B Transit Security) funds** for our eligible transit projects;

 - B. adopting the required FY 2009 resolution authorizing the Chief Executive Officer to execute any actions necessary for the purpose of obtaining federal and state financial assistance that the federal Department of Homeland Security and the Governor’s Office of Homeland Security may provide; and

 - C. amending the FY 2009 budget to include up to \$2.0 million of state Prop 1B Transit Security funds to start implementing some of the recommended projects.

13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to:
 - A. exercise LACMTA's first right to purchase **El Monte Station Parking Property** from Caltrans and its re-sale to the El Monte Community Redevelopment Agency under specified conditions; and
 - B. enter into an exclusive negotiating agreement with the El Monte Community Redevelopment Agency for development of LACMTA commuter and employee parking.

16. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) approving the following documents necessary for the State Board of Equalization (SBOE) to **administer, collect and remit Measure R proceeds to us**:
 - A. Resolution authorizing the Chief Executive Officer to execute the agreements below with the SBOE;
 - B. agreement for preparation to administer and operate Measure R; and
 - C. agreement for the administration of Measure R.

26. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to issue a Request for Proposal for **federal legislative advocacy services** using the Scope of Work.

27. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0):
 - A. adopting the **Investment Policy**;
 - B. approving the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials; and
 - C. delegating to the Treasurer or his/her designees, the authority to invest funds for a one-year period, pursuant to California Government Code Section 53607.

28. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute a new three year Right of Entry Permit/Hold Harmless Agreement (New Agreement) with Los Angeles World Airports (LAWA), which New Agreement will allow LAWA to use portions of Patsaouras Transit Plaza, the Union Station Gateway parking garage and Terminal 31 to support LAWA's operation of its **FlyAway-branded bus service between Union Station and Los Angeles International Airport.**

30. CONSTRUCTION COMMITTEE RECOMMENDED(5-0):
 - A. establishing a **life-of-project budget for the Metro Orange Line Extension Project No. 800119** in the amount of \$215.6 million; and
 - B. amending the FY09 budget to add \$3.5 million of Proposition 1B funds to Project No. 800119.

31. CONSTRUCTION COMMITTEE RECOMMENDED(3-0-1) authorizing the Chief Executive Officer to:
 - A. negotiate and execute Contract Modification to Contract PS-4370-1952 with Iteris, Inc. for the **design development (phase 3) and engineering support services during construction (phase 4) for the Metro Orange Line (MOL) Extension Project**, for an amount not to exceed \$3,500,000, increasing the total contract value from \$5,974,246 to \$9,474,246;
 - B. negotiate and execute Contract Modification to Contract PS-4370-1952 with Iteris, Inc. to perform final design services which are not included in the original scope of services but are required to support acceleration of the MOL Extension Project, for an amount not to exceed \$1,000,000, increasing the total contract value from \$9,474,246 to \$10,474,246; and
 - C. approve Contract Modification Authority to provide funding for future modifications that are within the Board-delegated authority in the amount of \$450,000.

32. CONSTRUCTION COMMITTEE RECOMMENDED(4-0):

- A. finding that awarding a design-build contract pursuant to Public Utilities Code Section 130242(b) will achieve certain private sector efficiencies in the integration of the design, project work and construction of the Metro Orange Line (MOL) Extension Project;
- B. authorizing the Chief Executive Officer to solicit a **design-build contract for the construction of the MOL Extension Project** pursuant to Public Utilities Code Section 130242(a), (c), (d) and (e); and
- C. delegating to the Chief Executive Officer authority to:
 - 1. award a design-build contract for the construction of the MOL Extension Project pursuant to Public Utilities Code Sections 130051.9 (c) and 130242 (a), (c), (d) and (e);
 - 2. approve Contract Modification Authority for the design-build contract for an amount not to exceed 10% of the contract price; and
 - 3. execute individual contract modifications for the design-build contract not to exceed \$1,000,000.

(REQUIRES 2/3 VOTE OF THE BOARD)

34. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0004 to the following lowest responsive and responsible bidders for **bus starters** for an amount not to exceed \$1,003,197, inclusive of sales tax and two one-year options:

- A. H & H Auto Parts Wholesale, for line items #1 and #2 for a total contract value of \$726,774 inclusive of sales tax;
- B. Tec of California, for line item #3 for a total contract value of \$157,583 inclusive of sales tax; and
- C. Muncie Transit Supply, for line item #4 for a total contract value of \$118,840 inclusive of sales tax.

36. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Modification No. 1 to Contract No. OP334406B4038 with Ace Fence Company to provide **as-needed fence installation and repair services on Metro transit properties** for an amount not to exceed \$859,000, increasing the total contract value from \$1,035,905 to \$1,894,905.
37. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under IFB No. OP34342264 with Reynolds Buick/Pontiac/GMC Trucks, the lowest responsive and responsible bidder, for 23 **mid-size utility vehicles** for an amount not to exceed \$703,150, inclusive of sales tax.
38. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:
- A. award a firm fixed price contract under Bid No. OP34342296 with Featherlite, Inc., the lowest technically acceptable and responsible bidder, for a **Mobile Theatre Marketing Vehicle** in the amount of \$833,011 exclusive of sales tax; and
 - B. execute contract modifications to Contract No. OP34342296 for an amount not to exceed \$300,000, allowing a potential increase to the total contract value from \$833,011 to \$1,133,011.
40. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price Contract No. OP26102253 with JM Fiber Optics to provide a **tunnel intrusion system to be deployed on the Metro Red Line** for an amount not to exceed \$1,076,628, inclusive of a 10% contingency.
41. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0005 to the following lowest responsive, responsible bidders for **turbochargers for an amount not to exceed \$5,750,565**, inclusive of sales tax and two one-year options:
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- A. LC Turbo, Inc. for line item #1 for a total contract value of \$3,470,376 inclusive of sales tax;
 - B. Valley Power Systems Inc., for line item #2 for a total contract value of \$1,472,057 inclusive of sales tax; and
 - C. Custom Turbo Rebuilding, Inc., for line item #3 for a total contract value of \$706,986 inclusive of sales tax.
42. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to amend the FY09 budget to add \$198,000 of revenues and expenses to the **Transit Security Budget to be funded by state Homeland Security grant funds.**
48. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving REVISED VILLARAIGOSA, ANTONOVICH, KNABE, NAJARIAN AND KATZ MOTION that the Metro Board:
- 1. approve the use of **FY 07-08 surplus funds previously approved and allocated to Metrolink by the Metro Board** (no impact on Metro FY 08-09 or FY 09-10 budgets), ~~consistent with Los Angeles County's share of Metrolink's budget,~~ **to pay for our share and advance other counties' shares (with appropriate reimbursement agreements)** for LED signal upgrades, signal relocations, and other short-term safety enhancements approved by the Metrolink Board on January 9, 2009 (Item #9); and
 - 2. direct the CEO to take all steps necessary to expedite related funding approvals and/or transfers.

NON-CONSENT:

- 3. Chair's Report.
- 4. Chief Executive Officer's Report.

17. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) **amending the FY09 budget** as follows:
- A. decrease the State Transit Assistance (STA) revenue budget by \$136.3 million;
 - B. add \$89.7 million of Prop C 40% to the Enterprise Fund and \$18.5 million of Prop C 40% for Municipal Operators' subsidies to replace STA funds that were eliminated in the State budget adopted in September 2008;
 - C. transfer in \$29.9 million of prior year STA Population share monies from the Special Revenue Fund to the Enterprise Fund for rail operations;
 - D. approve the reprogramming of \$6.2 million of FY08 capital funds from completed capital projects;
 - E. add \$1 million of expense and revenue to the Financial Services budget to pay legal and other expenses for ongoing sales-leaseback contract negotiations; and
 - F. transfer \$23 million of Prop A, Prop C and General Fund balances to pay interest on outstanding debt as a result of the continuing volatility in the financial markets.
18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) approving the following **FY10 Business Planning Parameters** AS AMENDED:
- A. sales tax revenues forecast of \$649.0 million each for Prop A and C, a decrease of \$51.3 million each from the FY09 budget and \$380.3 million for Measure R based on partial year receipts due to State Board of Equalization remittance procedures;
 - B. TDA revenue forecast of \$323.5 million, a decrease of \$28.5 million from the FY09 budget;
 - C. no State Transit Assistance (STA) revenues forecast for the Los Angeles region, a decrease of \$227.1 million from the FY09 budget;
 - D. fares forecast at \$342.0 million based on 5.5% ridership growth over the FY09 budget, including Eastside Extension ridership;
 - E. the resulting farebox recovery ratio is forecast at 26.4%. The fare revenue per boarding is forecast at \$.66 per boarding; (Continued next page)

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- F. CNG fuel credits were extended through December 2009 providing \$10.2 million for FY10, an increase of \$5.1 million over the Ten-Year forecast;
- G. the DWP settlement provided \$8.2 million of one-time revenues for operations;
- H. the DWP settlement made \$8.9 million available for capital projects designed to lower energy demand or consumption, of which \$1.7 million is planned to pay the annual capital lease on the new MSSC solar energy project;
- I. no new FTE's will be added to the work force with the following exceptions: Eastside Extension rail operations; and for Measure R, Prop 1B, Interstate 405, and Congestion Reduction Demonstration Pricing projects and programs;
- J. rail revenue service hours (RSH) are planned to increase by 62,371 hours for the Eastside Extension;
- K. restructure bus service to eliminate unproductive and duplicative bus services by 100,000 RSH in June and 60,000 RSH in December; and
- L. no wage increases are forecast except for AFSCME and Teamster employees who will receive increases in accordance with their respective collective bargaining agreements.

Fasana Amendment to include revenues from an exit strategy from the provision of call boxes.

- 39. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD DUE TO CONFLICTS authorizing the Chief Executive Officer to award a firm fixed price Contract OP39602151 to Motorola, Inc. to **integrate two additional 508 MHz radio frequency data channels** for the Advanced Transportation Management System (ATMS) in the amount of \$1,195,826.
- 50. ADOPT the **Public Outreach and Communications Plan** for the Congestion Reduction Demonstration Project.

(CARRIED OVER FROM DECEMBER BOARD MEETING)

51. APPROVE FASANA MOTION that the Metro Board of Directors advance Caltrans \$17,300,000 to complete the **LA I-10 Busway Rehab Project**, contingent upon a written commitment from Caltrans to promptly reimburse Metro.

52. APPROVE ANTONOVICH MOTION that the Metro Board of Directors directs the CEO to work with the American Heart Association (AHA) and staff to **illuminate the Metro Gateway building with a heart on all four sides of the building** on the evening of February 5th, in support of the AHA's Go Red for Women campaign.

53. APPROVE ANTONOVICH MOTION that the CEO instruct staff to evaluate the **Transportation Foundation of Los Angeles (TFLA) proposal**, to seek feedback as necessary from the TFLA, and to provide a report on their evaluation and recommendation for action on this proposal at the February 2009 meeting.

49. CLOSED SESSION:

Personnel Matters – G.C. 54957:

Public Employee Appointment

- Consider appointment of Chief Executive 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