

Thursday, June 25, 2009 9:30 A.M.

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
José Huizar
Richard Katz
Gloria Molina
Pam O'Connor
Rita Robinson
Mark Ridley-Thomas
Zev Yaroslavsky
Doug Failing, non-voting member

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

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES

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 Metro Board on non-agenda items within the subject matter jurisdiction of Metro 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 Metro 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 Metro 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 METRO Board meetings are prepared by the Board Secretary and are available prior to the meeting in the METRO Records Management Department and on the Internet.

Every meeting of the Metro 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 Metro 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

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, JUNE 25, 2009**

| CONSENT CALENDAR ITEMS | COMMITTEE AUTHORITY | NON-CONSENT ITEMS | CLOSED SESSION |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|
| 2A & B | 41 | 3 | 73 |
| 8 | 42* | 4 | |
| 9 | 43 | 5 | |
| 10 | 44 | 29C & D | |
| 11 | 45 | 40 | |
| 12 | 46 | 51 | |
| 15 | 47 | 68 | |
| 16 | | 69 | |
| 18 | | 70 | |
| 29A, B & E | | 71 | |
| 30 | | 72 | |
| 31 | | | |
| 35 | | | |
| 36 | | | |
| 49 | | | |
| 50 | | | |
| 52 | | | |
| 53 | | | |
| 58 | | | |
| 62 | | | |
| 63 | | | |
| 64 | | | |
| 65 | | | |
| 66 | | | |
| 67 | | | |

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

1. APPROVE **Consent Calendar** Items: 2A & B, 8, 9, 10, 11, 12, 15, 16, 18, 29A, B & E, 30, 31, 35, 36, 49, 50, 52, 53, 58, 62, 63, 64, 65, 66, and 67.

Note Items approved under **Committee Authority**: 41, 42*, 43, 44, 45, 46 and 47.

* Requires 2/3 vote of the Board.

CONSENT CALENDAR

2. APPROVE **Minutes** of the a) **Regular Board Meeting held May 28, 2009** and b) **Special Board Meeting held June 11, 2009**.

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

- A. approving methodologies and assumptions, including all changes and adjustments, used for Fiscal Year (FY) 2010 Transportation Funding allocations, as determined in accordance with federal, state, and local requirements, as well as our policies and guidelines and prior actions of the Board of Directors;
- B. **approving \$1.29 billion in FY 2010 Transportation Funding allocations for Los Angeles County jurisdictions, transit operators, and Metro operations** as follows:

1. \$501.7 million in State Transportation Development Act (TDA) Article 4, TDA interest, and Proposition A 95% of 40% Discretionary. No State Transit Assistance (STA) is allocated for FY 2010. These allocations have been determined according to the Formula Application Procedure and include \$121,407 in two-year lag funding, \$7,166,171 in funds transferred from Proposition C 40% Discretionary to cover shortfall of Proposition A 95% of 40% Discretionary Growth over the Consumer Price Index, and \$269,540 in funds transferred from Proposition C Interest to mitigate overstatement of FY 2008 STA Revenue;

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

2. \$49.4 million in Proposition C 40% Discretionary fund allocations for the City of Commerce as compensation for having zero passenger revenue, Bus Service Improvement Program, Foothill Mitigation Program, Transit Service Expansion Program, Base Service Restructuring Program, and Municipal Operators Service Improvement Program.
 3. \$26.9 million in local Proposition C 5% Security fund allocations;
 4. \$71.2 million in Measure R 20% Bus Operations fund allocations;
 5. \$54.4 million in Proposition A and Proposition C interest allocations;
 6. \$14.5 million in local Proposition A Incentive Program fund allocations, including \$3 million from Proposition A Incentive Fund reserves, as FY 2010 Proposition A Incentive revenue is short by the same amount;
 7. \$17 million in TDA Article 8 fund allocations;
 8. \$146.5 million in Proposition A Local Return, \$121.5 million in Proposition C Local Return, \$53.4 million in Measure R Local Return, and \$5.8 million in TDA Article 3 fund allocations;
 9. \$227.7 million in Federal Transit Act Section 5307 Urbanized Area Formula capital fund allocations; and
 10. the Summary of Methodologies and Assumptions used for the FY 2010 Transportation Funding allocations.
- C. adopting a resolution designating TDA and STA fund allocation compliance to the terms and conditions of the allocation; and
- D. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements for funding approved.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. [programming \\$54.4 million in federal Regional Surface Transportation Program funds to Access Services, Incorporated](#), for Fiscal Year 2010; and
 - B. authorizing the Chief Executive Officer to negotiate and execute funding agreements as needed to provide funds as programmed.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. [expanding the Pass-Through Grant Sponsor Program](#) for specified federal and state funds available to interested Los Angeles County cities and local agencies; and
 - B. authorizing the Chief Executive Officer to negotiate and execute agreements with interested Los Angeles County cities and local agencies for us to act as a pass-through grant sponsor for specified federal and state funds on their behalf.

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) delegating authority to the Chief Executive Officer for Fiscal Year 2009 and future years to certify that all [Federal Section 5310 Projects](#) selected for funding comply with Federal program requirements and annually transmit the scoring recommendations to Caltrans.

12. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. amending the authorization previously granted to the Chief Executive Officer (CEO) at the Board's April 2009 meeting to execute an option for an easement in favor of the City of Culver City and the Culver City Redevelopment Agency to provide authority to [execute a Memorandum of Understanding and an option for both the previously granted subterranean easement as well as a surface easement for construction of commuter parking for the Exposition Line light rail project](#) and the construction of a transportation oriented development over and adjacent to portions of the existing Metro right-of-way; and

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

- B. authorizing the CEO to execute, acknowledge and deliver such documents or agreements, subject to all necessary and appropriate environmental clearances and approvals, and take such actions as maybe necessary to carry out and comply with the option.
15. FINANCE COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:
- A. award a sole source, seven-year, fixed unit rate Contract, No. PS9240-2354, to Time Warner Cable, Inc., for the provision of **dedicated fiber optic cable services** in an amount not to exceed \$2,020,200, effective July 1, 2009; and
 - B. negotiate and execute change orders for this procurement up to ten percent of the original approved contract value, in an amount not to exceed \$202,020, for a total contract value not to exceed \$2,222,220.
16. FINANCE COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five year, firm fixed price Contract, No. PS-52112310, to Mercer for **employee benefits consulting and actuarial services**, in an amount not to exceed \$1,516,171 inclusive of two one-year options, effective July 1, 2009.
18. FINANCE COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute a Memorandum of Understanding with the Riverside County Transportation Commission for **rideshare enhancement and support services for Los Angeles County** in an amount not to exceed \$1.5 million for a five-year period, inclusive of three one-year options.
29. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (A 3-0-1) (B, E 4-0) adopting the following positions on **State Legislation**:
- A. **SB 545 (Cedillo)** – which would require a subsurface route for the Interstate 710 Gap Closure project. **WORK WITH AUTHOR**

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

- 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**

 - E. **AB 1243 – (B. Lowenthal)** – which would create the South East Los Angeles Commercial Vehicle Network Development and Advisory Committee to address truck safety in that area. **SUPPORT**
30. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a six-year firm fixed unit rate Contract, No. PS62502297, to ComPsych Corporation for **Employee Assistance Program services** in an amount not to exceed \$986,400 inclusive of three one-year options, effective October 1, 2009.
31. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the **Fiscal Year 2010 Proposed Audit Plan**.
35. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to negotiate and execute work order agreements with the Los Angeles Department of Water and Power for **the design and relocation of utilities required as part of Metro Orange Line Extension Project** in an aggregate amount not to exceed \$3 million.
- Directed staff to apply the same advance planning standards for utility design and relocation to all upcoming Measure R projects.**
36. CONSTRUCTION COMMITTEE RECOMMENDED (4-0):
- A. **establishing a life-of-project budget for the State Route 210 Freeway Soundwall Construction Project** in the amount of \$17,760,000;

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

- B. authorizing the Chief Executive Officer to:
 - 1. approve Contract Modification Authority (CMA) under Contract CO942 to provide funding for modifications in the amount of \$1,370,000; and
 - 2. execute Contract Modifications up to \$500,000 each within the Board Approved CMA Authority.

- 41. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under IFB No. OP34342282A with SWNG, Inc., the lowest, responsive, and responsible bidder, for **two high rail cranes with 180-degree rotation** for an amount not-to-exceed \$874,795, inclusive of sales tax.

- 42. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0):
 - A. finding that there is only a **single source of procurement for Hi Rail Tow Vehicles for train cars** and purchase is for the sole source of replacing an existing Hi Rail Tow Vehicle already in use. The Board hereby authorizes the purchase of one Hi Rail Tow Vehicle for train cars pursuant to Public Utilities Code Section 130237;
 - B. authorizing the Chief Executive Officer to award a firm fixed price contract under RFP No. OP34342339 with Brandt Road Rail Corporation, for **one Hi-Rail Tow Vehicle for train cars** in an amount not-to-exceed \$866,957, inclusive of sales tax, pursuant to Public Utilities Code 130237.

- (REQUIRES A 2/3 VOTE FROM THE BOARD)

- 43. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under RFP No. OP34342212 to Knox Kershaw, Inc. for **one Ballast Regulator** in an amount not-to-exceed \$373,565, inclusive of sales tax.

44. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 09-0016 to the following lowest responsive and responsible bidders for **bus PMP filters** for an amount not to exceed \$280,209 inclusive of sales tax and one-year option;
- A. H & H Wholesale Parts for line item 2-Oil Filter, line item 4-Coolant Filter, line item 5-Engine Filter, and line item 6-Air Filter for a total contract value of \$139,436 inclusive of sales tax;
 - B. M. L. Filter for line item 3-AC Filter and line item 7-Air Evaporator Filter, for a total contract value of \$140,773 inclusive of sales tax.
45. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to execute an agreement with the California Highway Patrol to provide **field officer and dispatch support to the Los Angeles County Metro Freeway Service Patrol and Big Rig Service Patrol programs** during Fiscal Year 2010 in an amount not to exceed \$998,016.
46. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a 5-year, firm-fixed-price Contract, No. PS0964302436, to Value Facility Services Inc., for **data center cleaning services** in the amount of \$273,600, inclusive of two, one-year options, effective July 1, 2009.
47. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0023 to the following lowest responsive and responsible bidders for **janitorial paper products** for an amount not to exceed \$1,624,606 inclusive of sales tax and two one- year options:
- A. Empire Cleaning Supply for line item 1 for a total contract value of \$13,682, inclusive of sales tax;
 - B. Central Sanitary Supply for line item 2 for a total contract value of \$1,951, inclusive of sales tax and;
 - C. Gale Supply Company for line items 3 through 7 for a total contract value of \$1,608,973, inclusive of sales tax.

49. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to execute Modification No. 4 to Contract No. FSP05-BR1647 with US Tow to continue to provide **big rig tow services on Interstate 710** for an additional 11 months through May 2010, in an amount not to exceed \$820,000, increasing the total contract value from \$2,937,454 to \$3,757,454.
50. OPERATIONS COMMITTEE RECOMMENDED (4-0):
- 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 million with capital funds made available through the American Recovery and Reinvestment Act of 2009;
 - B. authorizing the Chief Executive Officer to negotiate and execute contract agreements with the City of Los Angeles Department of Water and Power for electrical utility upgrades at Divisions 1, 2, 5, 8, 10 and 15 in an amount not to exceed \$1.2 million;
 - 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 a 10 percent 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.
52. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0017 to the following lowest responsive and responsible bidders for **Air Conditioning (AC) and Air Compressors** in an amount not to exceed \$2,394,262 inclusive of sales tax and two one-year options.

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

- A. TK Services, Inc. for line item #1 AC Compressor, for a total contract value of \$895,336, inclusive of sales tax;
 - B. Tec of California for line item #2 Air Compressor for a total contract value of \$51,734, inclusive of sales tax;
 - C. Carrier Transicold for line items #3 and #4 AC Compressors, for a total contract value of \$461,563, inclusive of sales tax; and
 - D. Cummins Cal Pacific, LLC for line item #5 Air Compressor, for a total contract value of \$985,629, inclusive of sales tax.
53. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0029 to the following lowest responsive and responsible bidders for **bus manifolds** for an amount not to exceed \$4,188,959, inclusive of sales tax and two one-year options.
- A. North American Bus Industries (NABI) for line item 1 for a total contract value of \$439,643 inclusive of sales tax; and
 - B. Valley Power Systems, Inc. for line item 2 for a total contract value of \$3,749,316 inclusive of sales tax.
58. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the following nominee for membership on the **San Gabriel Valley Service Sector Governance Council**:
- Bruce Heard – Reappointment - Transit User Seat
Appointed by: San Gabriel Valley Service Sector Council
Term ending: June 30, 2012
62. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) the **2009 Countywide Call for Projects preliminary transportation modal category funding marks**, and a preliminary fund estimate of \$330 million.

63. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following position on [Federal Legislation](#):
- H.R. 2521 (DeLauro)** – National Infrastructure Development Bank Act of 2009 – To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank. **SUPPORT**
64. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the following position on [State Legislation](#):
- SB 409 (Ducheny)** – Which would create a Department of Railroads in the Business, Transportation and Housing Agency. **WORK WITH AUTHOR**
65. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting a Motion by Mayor Antonio R. Villaraigosa to direct the Chief Executive Officer to:
- A. Work with the Los Angeles Regional Interoperable Communications System (LA-RICS) joint powers authority (JPA) in [developing a plan to replace the separate communications systems used by MTA and its major public safety service providers](#) - the Los Angeles County Sheriff's Department, the Los Angeles Police Department, and the Los Angeles Fire Department - with a single system that is part of the Los Angeles Regional Interoperable Communications System
 - B. Report back during the September 2009 Board cycle and with quarterly updates/progress reports thereafter
 - C. Include in the September 2009 report an estimate of the potential cost savings and operational efficiencies of replacing MTA's current three systems with one interoperable system
66. OPERATIONS COMMITTEE RECOMMENDED (4-0) increasing the life-of-project budget (LOP) for the [Bauchet Street Storage and Facilities Maintenance Structure](#) by \$4,430,000, increasing the LOP from \$12,295,000 to \$17,355,000.

67. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the following **nominees for membership on the Gateway Cities Service Sector Governance Council:**

Anne M. Bayer – Reappointment – Elected Official Seat
Appointed by: Gateway Cities Council of Governments
Term ending: June 30, 2012

Lillie Dobson – New Appointment – Elected Official Seat
Appointed by: Gateway Cities Council of Governments
Term ending: June 30, 2012

Jo Ann Eros Delgado – Reappointment – Community Member Seat
Appointed by: Gateway Cities Service Sector Governance Council
Term ending: June 30, 2012

Harley Rubenstein – Reappointment – Community Member Seat
Appointed by: Gateway Cities Service Sector Governance Council
Term ending: June 30, 2012

NON-CONSENT:

3. Chair’s Report

4. Chief Executive Officer’s Report

5. RECEIVE AND FILE update on **preliminary toll rates for the Interstate 10/Interstate 110 ExpressLanes.**

- 29C. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting **as amended** the following positions on **State Legislation:**

SB 716 (Wolk) – which would allow farm worker vanpools to be an eligible program for Transportation Development Act (TDA) funding. ~~OPPOSE~~–
~~UNLESS AMENDED~~ **NEUTRAL**

29D. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION the following positions on [State Legislation](#):

AB 1403 (Eng) – which would eliminate the \$1 million cap on TDA funds for the Southern California Association of Governments. **SUPPORT**

40. OPERATIONS COMMITTEE FORWARDED DUE TO CONFLICTS AND ABSENCES authorizing the Chief Executive Officer to award a firm fixed price Contract OP39602116 to Motorola, Inc. to implement a [Disaster Recovery Voice Backup System for the Advanced Transportation Management System](#) in the amount of \$1,222,829.

51. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD DUE TO CONFLICTS AND ABSENCES:

- A. finding that there is only a [single source of procurement for compressed natural gas \(CNG\) fuel within a 2 mile radius of Division 6](#) and purchase is for the sole purpose of replacing the CNG fuel already in use. The Board hereby authorizes the purchase of CNG fuel pursuant to Public Utilities Code section 130237; and
- B. authorizing the Chief Executive Officer to:
 - 1. award a 60-month, firm fixed price contract to Clean Energy Fuels Corp., for the procurement of CNG fuel for an amount not to exceed \$8,640,000; and
 - 2. execute future contract modifications in an amount not to exceed \$1,360,000 to offset anticipated increases in natural gas prices.

(REQUIRES A 2/3 VOTE OF THE BOARD)

68. ANTONOVICH MOLINA RIDLEY-THOMAS DUBOIS KNABE MOTION that the MTA Board of Directors instructs the Chief Executive Officer to do the following within 60 days:
- A. Introduce in the upcoming labor negotiations a discussion about **distinct penalties associated with mistreatment of and/or poor service for the disabled community on the MTA system**, as well as a discussion about proper training and physical condition necessary to meet the needs of disabled patrons, with a report back to the Board that specifically highlights these elements.
 - B. Report back to the Board with a new recommendation as to the flow of information that arises when claims and complaints are made by any patrons of our system – especially disabled patrons – who are injured by or unsatisfied with their use of the MTA system. This information flow should include County Counsel, the appropriate Division to which the claim or complaint is referred, as well as the Board of Directors at times deemed appropriate by the CEO.
 - C. Instruct MTA’s Operations Tiger Team to assess accessibility for disabled patrons at our rail stations, parking lots and other transit structures and report back to the Board with recommendations on how such accessibility can be improved.
 - D. Instruct MTA’s Operations staff (or other appropriate staff) to devise a system for disabled patrons to identify easily MTA contact information to register claims, complaints and concerns regarding the use of the MTA system, with a report back to the Board on actions taken and/or recommendations for consideration.
 - E. An evaluation of the newly-instituted “tether” system with a report back to the Board on this evaluation and proposed recommendations to improve the system for disabled patrons.
 - F. A review of MTA’s current feedback system to gain input from the disabled community and major organizations—including the FTA—on a consistent basis, with a report back to the Board on this review. This review shall also provide recommendations for the MTA Board to consider that will ensure that MTA staff is engaged in a continuous discussion with the disabled community about safety and service improvements.

(CONTINUED ON NEXT PAGE)

(CONTINUED FROM PREVIOUS PAGE)

- G. Complete a review of all future MTA procurements for transit vehicles with a report back to the Board. This review shall investigate the most current needs of the disabled community and provide recommendations on how best to incorporate these new or projected needs, if possible, into the specifications for future transit vehicles procured by MTA.
 - H. Engage current MTA Service Sector Councilmembers – specifically those that are disabled patrons – to provide input and feedback on MTA’s current and proposed policies involving disabled patrons.
69. CONSIDER exercising **light rail vehicle options under Contract No. P2550.**
70. ANTONOVICH DUBOIS MOTION that the MTA Board of Directors instructs the Chief Executive Officer to:
- A. Immediately **release the draft Request for Proposals (RFP) for industry review**; and
 - B. Report back to the Board at the July Operations Committee and at the July Board meeting with an update on the RFP status, including a presentation of what MTA’s needs would be under this procurement – as well as additions or options included in the procurement that would provide the greatest business case value for MTA’s needs, and how the RFP would address those needs.
71. APPROVE the following **nominees for membership on the San Gabriel Valley Service Sector Governance Council**:
- Roger Chandler – Reappointment – Elected Official
Appointed by: Arcadia/Temple City/El Monte City Cluster
Term ending: June 30, 2012
 - Kathy Salazar– New Appointment – Elected Official
Appointed by: Montebello/Monterey Park City Cluster
Term ending: June 30, 2012
72. ELECT **Board Officers** for Fiscal Year 2009-2010

73. CLOSED SESSION:

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

1. Hiltgen v. LACMTA, Case No. BC 371539
2. Aguayo v. LACMTA, Case No. TC 021693
3. Tom Ting v. LACMTA, Case No. BC 393553
4. Paul Fogle v. LACMTA, Case No. BC 388998
5. Terry Hall v. LACMTA, Case No. BC 379056

B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(b)

1. One case

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