

# 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

Ara J. Najarian, Chair  
Don Knabe, 1<sup>st</sup> Vice Chair  
Antonio Villaraigosa, 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  
Vacant, 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, JANUARY 28, 2010**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	67
6		4	
7		15	
16		17	
18		29	
45		38	
48**		40	
49**		41	
50**		42	
51		66	
52		69	
53		70	
54		71	
55		72	
56		73	
57		74	
58			
59			
60			
61			
62**			
<b>**REQUIRES 2/3 VOTE OF THE BOARD</b>			

1. APPROVE **Consent Calendar** Items: 2, 6, 7, 16, 18, 45, 48\*\*, 49\*\*, 50\*\*, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62\*\*.

## **CONSENT CALENDAR**

2. APPROVE **Minutes of Regular Board Meeting** held December 10, 2009.
  
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
  - A. approving an advance of \$6.645 million in funding from the **Interstate 5 – Orange County Line to Interstate 605 (I-5 South) budget** for design and construction of the I-5 South pre-construction projects; and
  - B. authorizing the Chief Executive Officer to enter in a Memorandum of Understanding with the I-5 South Consortium Cities Joint Powers Authority to administer the I-5 South Pre-Construction Mitigation Projects.
  
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):
  - A. amending the FY 2010 budget to increase the revenues and expenses for project #405533, Commuter Rail, by \$26,100 to **increase the Los Angeles County Metropolitan Transportation Authority (LACMTA) contribution to the Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (LOSSAN)** for a total contribution of \$38,100; and
  - B. authorizing the Chief Executive Officer to commit to a future contribution (FY 2011) of \$221,040, provided funds are available.
  
16. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) approving the following **FY 2011 Business Planning Parameters**:
  - A. Sales tax revenues forecast of \$589.8 million each for Propositions A, C and Measure R;

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- B. TDA revenue forecast of \$294.9 million;
  - C. No State Transit Assistance revenues forecast for the Los Angeles Region;
  - D. Fares forecast at \$332.3 million based on July 1, 2010 fare increase for non-discounted riders and ridership decreases experienced in FY 2010;
  - E. The resulting farebox recovery ratio is 26 percent, and the fare revenue per boarding is 73 cents per boarding;
  - F. Metro Bus Operations funding will include \$107.1 million Measure R 20 percent funds
  - G. No new full-time equivalents will be added to the workforce except for operation of the Exposition Light Rail Line Project Phase 1 (Expo 1) planned for revenue operation in January 2011;
  - H. Rail revenue service hours are planned to increase by 53,470 hours for Expo 1
  - I. Restructure bus service to eliminate unproductive and duplicative bus service by 145,000 revenue service hours from the FY 2010 budget
  - J. No wage or salary increases are forecast.
  - K. The cost of employee medical, dental and related benefits will increase by 10 percent.
18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1) awarding:
- A. a three-year contract to Bank of America N.A. to provide a \$150 million **direct pay letter of credit** for a cost not to exceed \$5.5 million, including legal fees and other related expenses; and

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- B. a two-year contract to the Bank of Nova Scotia (Scotiabank) to provide a \$169 million Standby Bond Purchase Agreement for a cost not to exceed \$3.75 million, including legal fees and other related expenses, or if unable to reach agreement with the best ranked proposer, negotiate with each successively ranked proposer.
45. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:
- A. execute modification No. 5 to Contract No. PS20201055 with Dr. Geoffrey Martin for the **Continuation of Tunnel Advisory Panel services** in the amount of \$875,000, increasing the total contract value from \$326,000 to \$1.201 million;
  - B. award Contracts No. PS85102416 and PS85102493 to Dr. Harvey Parker and Dr. Edward Cording, respectively, each in the amount of \$1.225 million; and
  - C. negotiate and execute contract modifications to Contracts No. PS20201055, PS85102416 and PS85102493 in an amount not-to-exceed \$332,500.
48. OPERATIONS COMMITTEE RECOMMENDED (4-0):
- A. finding that there is only a single source of procurement for concrete grade crossing panels to be used to complete the **Metro Blue Line Grade Crossing Improvements project** and purchase is for the sole purpose of duplicating existing equipment already in use. The Board hereby authorizes purchase of the concrete grade crossing panels pursuant to California Public Utilities Code Section 130237;
  - B. authorizing the Chief Executive Officer to award a firm fixed price contract to Omni Products, Inc. for concrete grade crossing panels for an amount not-to-exceed \$135,000, inclusive of sales tax, pursuant to California Public Utilities Code Section 130237.

(REQUIRES 2/3 VOTE OF THE BOARD)

49. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that there is only a single source of procurement for Interlocking Full Depth Rubber Grade Crossing Pads required to join safely to and duplicate existing HiRail Corporation supplied **Americans with Disabilities Act compliant pedestrian entranceways**. Purchase is for the sole purpose of duplicating existing equipment already in use. The Board hereby authorizes purchase of the interlocking full depth rubber grade crossing pads, pursuant to California Public Utilities Code section 130237; and
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to HiRail Corporation for Interlocking Full Depth Rubber Grade Crossing Pads for an amount not to exceed \$150,000, inclusive of sales tax, pursuant to Public Utilities Code Section 130237.

(REQUIRES A 2/3 VOTE OF THE BOARD)

50. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that there is only a **single source of procurement for radiator assemblies** and purchase is for the sole purpose of duplicating our existing equipment already in use. The Board hereby authorizes the purchase of radiator assemblies pursuant to California Public Utilities Code Section 130237; and
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to Diesel Radiator Company, for the procurement of 110 radiator assemblies for an amount not-to-exceed \$321,249, inclusive of sales tax.

(REQUIRES A 2/3 VOTE OF THE BOARD)

51. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year firm fixed labor rate Contract, No. OP33432352, to Fuel Solutions, Inc. for **CNG consulting services** in an amount not-to exceed \$387,160, inclusive of a ten percent contingency.

52. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, firm-fixed price contract under Bid No. 10-0012 to Kelsan Technologies Corporation, the lowest responsive and responsible bidder for **Rail Vehicle Lubricating Sticks** for an amount to exceed \$793,368, inclusive of a one-year option.
53. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm-fixed price unit rate contract under Bid No. 10-0004 to Swiger Coil Systems, LLC, the lowest responsive and responsible bidder, for the overhaul of **218 Siemens P2000 light rail vehicle traction motors** for an amount not-to-exceed \$982,525.
54. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm, fixed price contract under Bid No. 10-0010 to Prevost Car (US), Inc., the lowest responsive, responsible bidder for **Boot and Spring Assemblies** for an amount not-to-exceed \$1,734,098, inclusive of sales tax and two one-year options.
55. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price, contract under Bid Number 10-0002 to the lowest responsive, responsible bidders for **bike racks** for an amount not-to-exceed \$1,278,755, inclusive of sales tax and two one-year options for the following:
- A. Sportworks Northwest for line items 1 (Bike Rack DL@ Assembled), 2 (Bike Rack DL@ Fully Assembled), 4 (Bracket "C" Pivot) and 5 (Plate Asm-Pivot) for a total contract value of \$1,256,195, inclusive of sales tax; and
  - B. Midwest Bus Corporation for line item 3 (Bike Rack DL3 Trilogy) for a total contract value of \$22,560, inclusive of sales tax.



56. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to modify the scope of work under Contract No. CO935 with Reyes & Sons Electric, Inc. and execute a deductive **contract modification for the deletion of an emergency generator unit** previously planned for the Metro Support Services Center. The contract modification authority amount shall not exceed \$150,000, allowing a potential decrease to the Total Contract Value from \$597,205 to \$447,205.
57. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit rate Contract, No. OP33442421 to Woods Maintenance Services, Inc., the lowest responsive, responsible bidder, to provide **graffiti abatement service** for MTA Transit Facilities, in an amount not to exceed \$3,866,148, inclusive of two, one-year options, effective February 1, 2010.
58. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the award of a contract option to S.J. Amoroso Construction Co, Inc. for the **Bauchet Street Parking Structure** in the amount of \$3,367,000.
59. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to **execute Modification No. 17 to Contract No. P2550 with AnsaldoBreda S.p.A.**, which settles outstanding contractual issues and reduces the Total Contract Value by \$12,305,978 from \$146,774,872 to \$134,468,894.
60. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. **execute twenty-one Metro Freeway Service Patrol (FSP) contracts** in an amount not to exceed \$30,454,832, inclusive of a 7 percent contingency to the following contractors, **subject to resolution of any protests:**

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Beat	Contract	Contractor	Amount	Contract Period
1	FSP10-1	Tow Masters	\$ 2,083,584	6/1/10 – 11/30/13
2	FSP10-2	Neighborhood Tow 4U, Inc.	\$ 2,019,329	6/1/10 – 11/30/13
5	FSP10-5	Tip Top Tow	\$ 879,512	6/1/10 – 11/30/11
6	FSP10-6	L.A.'s Bestway	\$ 638,547	6/1/10 – 11/30/11
9	FSP10-9	L.A.'s Bestway	\$ 798,862	6/1/10 – 11/30/11
11	FSP10-11	J&M Towing, LLC	\$ 665,861	6/1/10 – 11/30/11
13	FSP10-13	Hadley Towing	\$ 2,376,350	6/1/10 – 11/30/13
19	FSP10-19	Kenny's Auto Service	\$ 1,881,862	6/1/10 – 11/30/12
21	FSP10-21	California Coach Auto Body, Inc.	\$ 1,573,109	6/1/10 – 11/30/12
27	FSP10-27	South Coast Towing	\$ 1,037,801	6/1/10 – 11/30/11
28	FSP10-28	Top Notch Towing	\$ 1,567,383	6/1/10 – 11/30/12
29	FSP10-29	Classic Club Services, Inc.	\$ 1,040,660	6/1/10 – 11/30/11
30	FSP10-30	City Wide Towing	\$ 1,515,358	6/1/10 – 11/30/12
31	FSP10-31	South Coast Towing	\$ 975,441	6/1/10 – 11/30/11
33	FSP10-33	Platinum Tow & Transport, Inc.	\$ 2,129,468	6/1/10 – 11/30/13
34	FSP10-34	Sebo Towing, Inc.	\$ 1,862,046	6/1/10 – 11/30/13
36	FSP10-36	Lara's Tow Service	\$ 1,663,719	6/1/10 – 11/30/13
37	FSP10-37	Hadley Towing	\$ 1,485,645	6/1/10 – 11/30/12
38	FSP10-38	California Coach Auto Body, Inc.	\$ 1,659,851	6/1/10 – 11/30/12
42	FSP10-42	EZ Towing, Inc.	\$ 1,702,085	6/1/10 – 11/30/13
43	FSP10-43	Frank Scotto Towing	\$ 898,359	6/1/10 – 11/30/11
<b>Total</b>			<b>\$30,454,832</b>	

B. negotiate and execute Metro FSP contract modifications for a total amount not to exceed \$5,727,757;

61. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the **exception of Culver City Bus Rapid 6** (Sepulveda Boulevard), effective January 4, 2010, from New Service Plan requirements.

62. OPERATIONS COMMITTEE RECOMMENDED (4-0):

A. finding that because the elements and scope of the purchase of light rail vehicles are of a highly specialized and unique nature, the procurement qualifies under Public Utilities Code Section 130238 for procurement by competitive negotiation;

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- B. authorizing the Chief Executive Officer to **solicit light rail vehicles as a competitive negotiation pursuant to Public Utilities Code 130238** and Metro's Procurement Policies.

(REQUIRES A 2/3 VOTE OF THE BOARD)

### **NON-CONSENT**

- 3. Chair's Report.
  - Presentation of Metro Gold Line Eastside Extension Resolutions
  
- 4. Chief Executive Officer's Report
  - Presentation of Award from the Federal Transit Administration and Virginia Tech University for completion of Environmental Management Systems Training
  - Presentation from Los Angeles Department of Water and Power in recognition of Public Power Week and LACMTA's Sustainability, Energy Conservation and Efficiency Efforts
  
- 15. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) **as amended:**
  - A. authorizing the Chief Executive Officer (CEO) to negotiate terms and conditions and **execute a ten-year lease with the Southern California Regional Rail Authority (SCRRA) for the rental of approximately 32,851 square feet of office space within the Gateway Headquarters Building** at an initial monthly rental rate of \$2.40 per square foot (\$28.80 annually per square foot) or \$946,109 annually, with 3.5 percent annual increases over the term of the lease;
  
  - B. authorizing the CEO to negotiate and execute a contract modification for Contract No. PS07643032, with T. W. McAllister & Associates to increase the contract not-to-exceed amount from \$1 million to \$1.8 million; and

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- C. amending the Fiscal Year (FY) 2010 budget to add \$210,000 of revenues and expenses to Capital Project No. 210150 SCRRA Relocation, and fund with Proposition C 10 percent Commuter Rail funds, **capping restacking costs at \$2.5 million.**

- 17. FINANCE AND BUDGET COMMITTEE FORWARDED to the Full Board approving, **as amended, just compensation and an administrative settlement** in the amount of \$3.265 million and AUTHORIZE the Chief Executive Officer to acquire the fee simple interest in Parcel MC-519, and pay escrow fees and title insurance costs associated with the acquisition.

**Ridley-Thomas Amendment:** Direct staff to return to the Board with recommendations for alternative uses for the parcel.

- 29. CONSIDER:

- A. approving the **use of Measure R 35 percent funds for a Proposition 1B Letter of No Prejudice arrangement** to be considered for approval by the California Transportation Commission on January 13, 2010; and,
- B. authorizing the Chief Executive Officer to amend the FY 2010 Budget to include the funds necessary to award the San Fernando Valley North-South Rapidway (Canoga Corridor) project.

- 38. APPROVE a **thirty-day extension on the due date to respond to the motion approved at the December 10, 2009 Board Meeting** regarding the Disadvantaged Business Enterprise Program and the Small Business Enterprise Goal Development and Participation Process.

- 40. CONSIDER:

- A. **adopting the Investment Policy;**

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- B. approving the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials; and
  - C. delegating to the Treasurer, or his/her designee, the authority to invest funds for a one-year period, pursuant to California Government Code Section 53607.
41. ADOPT the **revised Metro Acquisition Policy** dated January 21, 2010.
42. APPROVE the **salary for the Acting Chief Operations Officer**.
66. AUTHORIZE the Chief Executive Officer to negotiate and award a five-year revenue-generating contract (inclusive of three one-year options) to Allvision LLC for the right to **manage billboards located on Metro properties**.
69. CONSIDER status of, and options for, **Federal Advocacy Lobbyist Team Procurement**.

**Najarian Antonovich Motion**

In July 2009, the MTA procurement staff prepared a draft Board report to recommend an award for the **Federal Advocacy** contract. For a variety of reasons, this Board Report was never submitted to the Board for its review and consideration. In the alternative, a “Rube Goldberg-esque” Board evaluation process was subsequently retrofitted into the process that led to a failure of the Board to arrive at a Federal Advocacy team selection.

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Consequently, in the most recent federal actions on New Starts and Small Starts, it has become painfully apparent that the MTA is suffering from a lack of a full complement of lobbyists. Given that an array of other major funding decisions and opportunities appear to be on the near and intermediate term funding horizon in Washington, DC, it is ever more imperative that we act quickly rather than leisurely to make a decision regarding this contract.

WE THEREFORE MOVE, that this issue be forwarded to the full Board for discussion and action to either:

1. Reprocure the Federal Advocacy contract through a new RFP process or
2. Review and consider the original staff recommendation to award the contract to the originally highest ranked lobbyist group.

WE FURTHER MOVE, that the CEO provide the Board of Directors by 12 Noon on or before January 25th with the original draft Board Report containing the proposer rankings and recommendation made by the original evaluation panel previously submitted to the CEO in preparation for the Board meeting next week.

70. APPROVE the following position on **State Legislation**:

Governor's State Budget Proposal – **OPPOSE**

71. AD-HOC SUSTAINABILITY COMMITTEE RECOMMENDED (3-0), **as amended**, that the Metro Board:

- A. change the committee name to **Ad Hoc Sustainability and California Senate Bill (SB) 375 Implementation Committee**;

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- B. expand membership of the committee to include the SB 375 planning director from the Southern California Association of Governments (SCAG); the planning directors from Los Angeles County and the City of Los Angeles, the executive directors from the subregions, and **the Air Quality Management District**;
- C. adopt a position of support for the Chief Executive Officer's recommendation to develop written agreements with SCAG, Los Angeles County, the City of Los Angeles, and the sub-regional agencies outlining roles, responsibilities, and expectations related to SB 375 implementation and the adoption of a Sustainable Communities Strategy; and
- D. direct staff to create a countywide forum on SB 375 to address issues being confronted by SCAG and the sub-regions related to the development of a Sustainable Communities Strategy, including the modeling approach and emission reduction strategies, among others.

72. CONSIDER:

- A. holding a public hearing on the proposed resolutions of necessity; and
- B. adopting the Resolutions of Necessity authorizing the commencement of an **eminent domain action to acquire Project Parcels No. FFP-143, FFP-144 and FFP-145** for construction and operation of the Mid-City Exposition Light Rail Transit Project.

73. CONSIDER:

- A. authorizing the Chief Executive Officer (CEO) to:
  - 1. execute task orders 3A and 4A of Contract No. PS4370-2316 to InfraConsult LLC in the not-to-exceed amount of \$11.5 million to conduct strategic assessments and develop business cases for the six initial projects of the 14 identified high potential **Public-Private Partnership (PPP) candidates**; and
  - 2. approve contract modifications for up to 10 percent to cover the cost of any potentially unforeseen issues that may arise during consultant performance of Tasks 3A and 4A.
- B. amending the FY 2010 Budget to increase the revenues and expenditures by \$6 million to advance PPP delivery for the six initial projects.

(CARRIED OVER FROM DECEMBER 10 BOARD MEETING)

74. RECEIVE AND FILE report on the **Transit Access Pass (TAP) and Rail Fare Gate Status.**

67. **CLOSED SESSION:**

- A. Conference with Legal Counsel - Pending Litigation - G.C. 54956.9(a):
  - 1. Spyrts and Spyrts v. LACMTA, Case No. BC393417
  - 2. Hakobyan and Aghabekyan v. LACMTA, Case No. SC104170
  - 3. Tutor-Saliba-Perini v. LACMTA, Case No. BC123559
  - 4. LACMTA v. Kiewit/Washington, et al., Case No. BC385585

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

Significant Exposure to Litigation (One case)

- C. Conference regarding Potential Threats to Public Services and Facilities – G.C. 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Ruthe Holden, Chief Auditor, and Paul Taylor, Deputy Chief Executive Officer, on security related matters.

- D. Public Employee Performance Evaluation - G.C. 54957

Title: Deputy Executive Office, Labor Relations

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