

Agenda

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Frank Roberts, Chair
James Hahn, 1st Vice Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Pam O'Connor
Beatrice Proo
Antonio Villaraigosa
Zev Yaroslavsky
Ron Wong, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
William Waters, Inspector General
County Counsel, General Counsel



Metropolitan Transportation Authority

1. APPROVE **Consent Calendar** Items: 2, 7, 9, 10, 16, 17, 18, 19, 20, 25, 27, 28, 29, 34, 35 and 38.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held June 24, 2004.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the **2004 Congestion Management Program (CMP)** for Los Angeles County.

9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. recertifying \$61.6 million in existing **FY 2004-05 commitments from previous Countywide Call for Projects**; authorizing the expenditure of funds to meet these commitments; receiving and filing \$74.3 million worth of time extensions for Los Angeles County projects;
 - B. deobligating \$4.3 million of previously approved Call for Projects and Regional Transit Alternatives Analysis (RTAA) Program funding;
 - C. authorizing ~~staff~~ **the Chief Executive Officer** to deobligate prior Call for Projects funding commitments during the annual Recertification and Deobligation cycle, if projects are not proceeding according to the MTA's existing lapsing policy;
 - D. revising the MTA lapsing policy effective July 1, 2004, for all locally funded MTA Call for Projects agreements;
 - E. authorizing acceleration of a total of ~~\$42.2~~ **4** million in Regional Surface Transportation Program (RSTP) funds, of which \$32.4 million in RSTP and \$4.2 million in Proposition C 25% matching funds is for the Route 14 Carpool Lane from Pearblossom to P-8, and \$10.0 million in RSTP is for the Interstate 405 Carpool Lane from Route 90 to Interstate 10 pursuant to the State of California's offer;

- F. approving a change in project priority status from deferred to “ready-to-proceed” for the Wilshire Western Transit Center and Westlake McArthur Community Based Intercept Facility to allow these joint development related projects to move forward; and
- G. amending the FY 2004-05 MTA Budget, as necessary, to include the 2004 Call for Projects Recertification and Deobligation projects in the FY 2005 Regional Programs budget and to include grant-funded MTA projects in the appropriate cost center budgets.

10. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AND FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving:

- A. methodologies and assumptions, including all changes and adjustments, used for the **Fiscal Year (FY) 2005 Transit Fund Allocations**, as determined by staff in accordance with federal, state and local requirements, as well as MTA policies and guidelines and prior Board actions; and
- B. \$1.1 billion in FY 2005 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators, and Metro Operations. These allocations include the following:
 - 1. \$496.3 million in Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA Interest and Proposition A 40% Discretionary fund allocations;
 - 2. \$28.9 million in Proposition C 40% Discretionary fund allocations for the Bus Service Improvement Program (BSIP), Foothill Mitigation Program, the Transit Service Expansion (TSE) Program and the Base Restructuring Program;
 - 3. \$12.6 million in Proposition A and Proposition C Interest fund allocations;
 - 4. \$16.4 million in Proposition C 40% Discretionary fund allocations for the Municipal Operator Service Improvement Program (MOSIP);
 - 5. \$15.9 million in TDA Article 8 fund allocations;
 - 6. \$264.5 million in Proposition A and Proposition C Local Return and TDA Article 3 fund allocations;

7. \$11.3 million in Proposition A Incentive Program fund allocations;
 8. \$26.3 million in Proposition C 5% Security fund allocations; and
 9. \$194.4 million in Federal Transit Act Section 5307 Urban Formula capital fund allocations.
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16. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) AND FINANCE AND BUDGET RECOMMENDED (4-0) adopting:
 - A. the **updated MTA Debt Policy**; and
 - B. the **updated MTA Interest Rate Swap Policy**.

 17. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting 4% as the **Federal Highway Administration (FHWA) DBE Annual Goal** for Federal Fiscal Year 2005 (FFY05).

 18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving 9% as the **Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Annual Overall Goal** for Federal Fiscal Year 2005 (FFY05).

 19. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approving:
 - A. the **reclassification upgrade of the non-represented position** of Emergency Services Coordinator from Grade I to Grade K;
 - B. the reclassification upgrade of the non-represented position of Supervising Engineer (Grade P) to the existing classification of Deputy Executive Officer, Project Management (Grade T); and

~~C. the creation of a new non-represented classification titled Operations-Process Improvement Manager (Grade P).~~

20. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Memorandum of Understanding (MOU) Modification No. 4 to MOU No. TCP2610LASD with the Los Angeles County Sheriff's Department (LASD) **for an anti-terrorism trainer** for an amount not to exceed \$116,813 for the period July 1, 2004 through June 30, 2005, revising the total contract value of the MOU from \$104,636,762 to \$104,753,575.

25. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1) awarding a fixed price contract to Shared Technologies to provide **telephone system maintenance and service** for a period of seven years, inclusive of two two-year options, in the amount of \$1,534,489, effective August 1, 2004.

27. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
 - A. increasing the **life of project budget by \$2,537,860 for the Bikeway portion of the Orange Line Project** from a baseline value of \$8,100,000 to \$10,637,860;
 - B. increasing the Chief Executive Officer's delegated contract modification authority for Contract C0675 by \$2,232,500 from \$15,109,502 to \$17,342,002; and
 - C. amending the Fiscal Year 2005 capital budget to appropriate ~~\$1,979,530~~ **\$1,199,421** Federal Highway funds and ~~\$558,330~~ **\$1,338,439** City of Los Angeles matching funds for Project 800114.

28. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Contract Modification No. 26 to Contract No. C0675 Design/Build with Shimmick Construction Co., Inc./Obayashi Corp., J.V. (SOJV) for the **design and construction to replace all temporary landscape irrigation systems with permanent irrigation systems, and to upgrade all permanent irrigation systems to allow future use of recycled water for the Metro Orange Line Project** in the amount of \$1,030,239, increasing the total contract value from \$156,577,600 to \$157,607,839.

29. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) **AS CORRECTED** authorizing the Chief Executive Officer to issue Change Orders to Contract No. C0675 with Shimmick Construction Co., Inc./Obayashi Corporation, J.V. (SOJV) for the **design and construction to upgrade the busway pavement structural section for the Metro Orange Line Project** for an amount not to exceed \$2,000,000, increasing the total contract value from ~~\$156,577,600~~ \$157,607,839 to ~~\$158,577,600~~ \$159,607,839.

34. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:

A. award five-year, unit rate multiple award agreements to provide **Workers' Compensation Investigations**, inclusive of two one-year options, effective August 1, 2004 for a total cumulative amount not to exceed \$5,000,000 with the following firms:

Aztec Investigations	PS-5310-1457-A
Baechler Investigations	PS-5310-1457-B
Benn & Associates	PS-5310-1457-C
Budeselich & Associates	PS-5310-1457-D
Facticon, Inc.	PS-5310-1457-E
Frasco Investigative Services	PS-5310-1457-F
Fu-Gen, Inc.	PS-5310-1457-G
Jerlow & Associates	PS-5310-1457-H
Miles Investigations	PS-5310-1457-I
MJM Investigations	PS-5310-1457-J
Page Investigations	PS-5310-1457-K
Phillip J. Burrueel & Associates	PS-5310-1457-L
RJN Investigations	PS-5310-1457-M
Secure Investigations	PS-5310-1457-N
West Shield Investigations	PS-5310-1457-O

B. execute Task Orders under these contracts for the investigative firms' services for a total amount not to exceed \$5,000,000.

35. OPERATIONS COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to:
- A. exercise Contract Option No. 1 to Contract No. OP33200634 with North American Bus Industries **to purchase 75 additional forty-foot CNG buses** for an amount not to exceed \$30,000,000, increasing the total contract value from \$125,936,581 to \$155,936,581, inclusive of sales tax;
 - B. execute modifications for this procurement up to the amount not to exceed \$1,000,000, for a total contract value not to exceed \$156,936,581; and
 - C. amend the FY05 capital budget to appropriate \$15.9 million of General Fund sales/leaseback proceeds and \$14.1 million of right-of-way lease revenues to purchase 75 forty-foot CNG buses.
38. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) the **addition of 2 non-represented Benefits Technicians (Grade G) positions** within the Benefits Department to support the administration of the ATU Health Benefit Fund.

NON-CONSENT

3. Chair's Report
- Present resolutions to:
 - A. the Metro Gold Line Eastside Review Advisory Committee and
 - B. Rosa Fuquay, Transportation Deputy to Supervisor Michael Antonovich
4. Chief Executive Officer's Report
- Status update on Outplacement Assistance
 - FY05 Strategic Plan

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) **AS AMENDED** BY DIRECTORS ANTONOVICH AND ROBERTS:
- A. ~~receiving and filing~~ **APPROVAL AND ADOPTION** of the **final report of the North County Combined Highway Corridors Study** (copies available on request from MTA Records Management Center); and
 - B. directing staff to use the Study for future updates to the Short Range Transportation Plan (SRTP), Long Range Transportation Plan (LRTP) and Regional Transportation Plan (RTP) in order to guide future highway operation, transit development and multi-modal implementation in North Los Angeles County, involving I-5, SR-14 and SR-138.

37. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) **AS AMENDED** BY DIRECTOR BURKE the **addition of 8 non-represented positions** within the Risk Management Department as follows:

- 1 Workers' Compensation Supervisor (Grade K)
- 1 Senior Workers' Compensation Analyst (Grade I)
- 4 Workers' Compensation Analysts (Grade H)
- 2 Administrative Aides (Claims) (Grade F)

BURKE AMENDMENT: Make every effort to fill these positions from within the Department/agency or with displaced employees.

39. RECEIVE annual report from the Service Sector Governance Councils to the MTA Board of Directors.

21. **CLOSED SESSION**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9 (a):
 - 1. Durst v. MTA BC 279841
 - 2. Century Life of America v. MTA BC 171223
 - 3. Labor/Community Strategy Center CV 94-5936

B. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9 (c):

Initiation of Litigation (one case)

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

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU and TCU

D. Conference regarding Potential Threats to Public Services or Facilities – G.C. 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Captain Finkelstein, Chief of Security and Law Enforcement, on security related matters.

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