

# 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

Pam O'Connor, Chair  
Antonio Villaraigosa, 1<sup>st</sup> Vice Chair  
Don Knabe, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Yvonne B. Burke  
John Fasana  
David Fleming  
Richard Katz  
Bonnie Lowenthal  
Gloria Molina  
Ara J. Najarian  
Bernard Parks  
Zev Yaroslavsky  
Doug Failing, non-voting member

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### 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:

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**

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General Information/Rules of the Board - (213) 922-4600  
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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, NOVEMBER 29, 2007**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	30
6		4	
7		8	
10		12	
11		20	
13		24	
14		25	
15		26	
16		43	
32		46	
35		48	
36		49	
37**		50	
38		51	
39			
40			
41			
44			

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

1. APPROVE **Consent Calendar** Items: 2, 6, 7, 10, 11, 13, 14, 15, 16, 24, 32, 35, 36, 37\*\*, 38, 39, 40, 41, and 44.

\*\* Item 37 requires a 2/3 vote of the Board.

## CONSENT CALENDAR

2. APPROVE **Minutes of Regular Board Meeting** held October 25, 2007.
  
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AS AMENDED BY DIRECTOR BURKE approving additional funding, authorizing the Chief Executive Officer to execute necessary agreements, and **amending the FY 2008 budget** as follows:
  - A. EXPO PHASE I LIGHT RAIL TRANSIT (LRT)
    1. increase the Life-of-Project (LOP) budget for the Expo Phase I LRT Project by \$145 million, increasing the LOP budget from \$663.3 million to \$808.3 million.
  
  - B. ALAMEDA CORRIDOR EAST (ACE)
    1. provide an additional \$112.3 million to ACE to reflect Metro's 17% contribution toward cost increases for a total Metro contribution of \$274.3 million subject to the following conditions:
      - a. ACE must encumber the current funding already committed by Metro;
      - b. ACE must provide 83 percent in matching funds from other sources for each of the contracts in which Metro is to participate using the \$112.3 million in supplemental funds;

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C. METROLINK EASTERN MAINTENANCE FACILITY

1. approve programming for \$14.6 million in Proposition C 10% funds to the Southern California Regional Rail Authority (SCRRA) for the Eastern Maintenance Facility Project, previously referred to as the Rolling Stock Maintenance Facility in San Bernardino;
2. amend the FY 2008 budget to include \$4.4 million for the Eastern Maintenance Facility Project; and

directed staff to provide a monthly update to the Metro Board on projects being built by a Construction Authority.

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

- A. programming an additional \$2,042,000 to the **Phase I, Priority 1, Soundwall Program**; and
- B. authorizing the Chief Executive Officer to execute a Funding Agreement with Caltrans to fund right-of-way and construction capital and support costs for the Post 1989, Phase I, Priority 1, Package 4 Soundwalls on the Interstate 210 Freeway for an amount not to exceed \$22,200,000.

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

- A. directing the Chief Executive Officer to **request that negotiations be reopened with the other four Southern California Regional Rail Authority (SCRRA) member agencies to pursue changes to the operations formula** that would provide a better balance between the cost of service and the benefit to Los Angeles County residents; and
- B. recommending that the SCRRA continue collecting ridership information by county of residence on a regular basis, so that Metrolink may incorporate the information in its cost allocation approach.

**HANDOUT**

11. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
  - A. approving the new **Rider Relief Transportation Program** and its Program Guidelines, and;
  - B. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between Metro and the brokers to implement the Program. **HANDOUT**
  
13. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
  - A. authorizing the Chief Executive Officer to enter into a Memorandum of Understanding with the City of Los Angeles (City) for the exchange of Call for Projects (Call) funding for **Proposition 1B Traffic Signal Synchronization Program** dollars; and
  - B. deobligating \$25 million in Call funding being returned by the City to cover the \$5 million advanced from the 2009 Call as well as for use in future Calls, contingent upon the City receiving its full \$150 million from Proposition 1B.
  
14. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) **declaring a portion of the Metro Red Line Yard (Division 20) site between 4<sup>th</sup> Street and 6<sup>th</sup> Street in the City of Los Angeles as surplus** and authorize the sale of the property for \$596,000 to Chalmers Santa Fe, LLC , less any closing costs paid by Metro.
  
15. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) appointing **Banc of America Securities LLC as senior managing underwriter** with RBC Capital Markets and De La Rosa & Co as co-managing underwriters for the negotiated sale of refunding bonds in one or more series through June 30, 2008.

16. **FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0)** authorizing the Chief Executive Officer to award five-year, fixed-rate contracts to:

- |    |   |               |
|----|---|---------------|
| A. | LM Capital Group, LLC                     | PS0752102028A |
| B. | Pacific Investment Management Company LLC | PS0752102028B |
| C. | Voyageur Asset Management Inc.            | PS0752102028C |
| D. | Wells Capital Management                  | PS0752102028D |

for **investment management services** in an amount not to exceed \$5,135,000 inclusive of two one-year options effective January 1, 2008.

32. **CONSTRUCTION COMMITTEE RECOMMENDED (3-0)** authorizing the Chief Executive Officer to **negotiate and execute Contract Modification No. 132 with Eastside LRT Constructors to mitigate construction impacts and delays on the Los Angeles River 1st Street Bridge**, in an amount not-to-exceed \$2,501,747, increasing the total contract value from \$623,166,293 to \$625,688,040.

35. **OPERATIONS COMMITTEE RECOMMENDED (3-0)** adopting proposed changes to the **Metro Transit Service Policy**.

36. **OPERATIONS COMMITTEE RECOMMENDED (3-0)** approving the exception of **Metro Rapid Bus Line 770 Garvey/Chavez** from certain service parameters specified in the Consent Decree New Service Plan, effective December 16, 2007.

37. **OPERATIONS COMMITTEE RECOMMENDED (3-0):**

- A. finding that awarding design-build contracts pursuant to Public Utilities Code § 130242 (b) will achieve for Metro certain private sector efficiencies in the integration of the design, project work and components related to the real property renovation, repair and construction work at Metro facilities in Los Angeles County as defined by the projects; and
- B. authorizing the Chief Executive Officer to **solicit and award design-build contracts for renovation, repair and construction at Metro Rail facilities**, pursuant to Public Utilities Code § 130242 (a), (c), (d) and (e).

(REQUIRES A 2/3 VOTE OF THE BOARD)

38. OPERATIONS COMMITTEE RECOMMENDED (3-0):
- A. approving Contract Modification Authority to Contract No. C0805, **Hoist Replacement** at Bus Maintenance Divisions 3, 5, 9, 10, and 18 with Peterson Hydraulics, inc. and Rotary Lift, a joint venture in the amount of \$900,000; and
  - B. authorizing the Chief Executive Officer to execute contract modifications to Contract No. C0805, to **provide replacement hoists at bus maintenance facilities**, for an amount not-to-exceed \$900,000, allowing a potential increase to the Total Contract Value from \$2,998,765 to \$3,898,765
39. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year firm fixed unit-rate Contract No. OP33412060, to United Pumping Service, Inc. for **liquid waste disposal services** in an amount not-to-exceed \$3,708,235 inclusive of two one-year options, effective January 1, 2008.
40. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 08-0002 with Performance Tube Bending, Inc. the lowest responsive and responsible bidder for **225 tubing kits** for a firm fixed price of \$487,125, inclusive of sales tax.
41. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 08-0003 with Controlled Motion Solutions, the lowest responsive and responsible bidder for **225 hydraulic line assembly kits** for a firm fixed price of \$481,479 inclusive of sales tax.
44. OPERATIONS COMMITTEE RECOMMENDED (3-0) receiving the attached ordinance, Metro's **Customer Code of Conduct**, enacting a new Title 6 to Metro's existing Administrative Code, at the November 2007 Board meeting. The proposed ordinance will be presented for final adoption at a subsequent Board meeting after the ordinance has been published for public comment.



## NON-CONSENT:

3. Chair's Report
  - Presentation to Citizen's Advisory Council's Person of the Year to Jacki Bacharach, Executive Director, South Bay Cities Council of Governments
4. Chief Executive Officer's Report
  - Presentation by Mort Downey, Chairman, PB Consult, Inc. and former Deputy Secretary, U.S. Department of Transportation
8. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) as amended by Directors O'Connor, Lowenthal And Katz:**
  - A. approving the **programming of up to \$591.2 million for the 2008 State Transportation Improvement Program (TIP) portion** of the Los Angeles County TIP in two tiers, as follows:
    1. Tier 1, at \$57.4 million, if the California Transportation Commission (CTC) target through FY 2013 is adopted and funded; and
    2. Tier 2, at \$533.8 million, if the CTC maximum target through FY 2016 is adopted and funded through the State TIP process through FY 2013;
  - B. approving the programming of up to \$940 million of Proposition 1B Public Transportation Modernization Improvement, and Service Enhancement Account (Transit Modernization) bond funds; and
  - C. adopting a resolution required by the Southern California Association of Governments that certifies the Metro Board's financial commitment to the 2008 Los Angeles County Transportation Improvement Program.

## HANDOUT

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**O'Connor/Lowenthal/Katz Amendment that the Metro Board direct the Chief Executive Officer:**

1. to work with the Municipal Operators and State Officials to ascertain if a funding allocation resolution that would honor the statutory Formula Allocation Program (PUC Section 99285) in Los Angeles County could be forthcoming for the current year allocation of these funds; if no remedy to the situation is possible for this year; then
  2. in the implementation of state-established procedures for the allocation of Proposition 1B Transit Modernization Program funds for the first year of the program, to allocate funding derived from either Proposition C 40% or Proposition A 40% Discretionary Growth over CPI Account (or any combination) to Municipal Operators noted as eligible in Proposition 1B language (and in subsequent trailer legislation pertaining to this issue) at the current Formula Allocation Program (FAP) levels for purposes specified by this program. This funding would provide a bridge between the identified state funding according to the STA formula and Los Angeles County FAP;
  3. to allocate funding for purposes specified by this program to Los Angeles Department of Transportation and Santa Clarita Transit at funding levels equivalent to the FAP allocation for these properties; and
  4. to initiate urgency legislation, in collaboration with the Municipal Operators, which will establish that, for the remaining years of available funding, the above noted bond funds will be allocated in Los Angeles County according to the approved Formula Allocation Program.
12. PLANNING AND PROGRAMMING FORWARDED WITHOUT RECOMMENDATION, due to absences and conflicts, authorizing the Chief Executive Officer to:
- A. award and execute a firm fixed price Contract No. PS 4370-2064 to LTK Engineering Services to provide professional services in the amount of \$484,682 to conduct a **feasibility analysis of Diesel Multiple Unit (a self-propelled rail car) operations** on Metro-owned rail rights of way;

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- B. execute contract modifications up to \$48,470 to cover the cost of any potentially unforeseen issues that may arise during the above study; and
- C. amend the FY 2008 Budget by adding \$296,200 using Propositions A and C Administration funds.

20. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) AND AD-HOC CONGESTION PRICING COMMITTEE RECOMMENDED (2-0) as amended by Director Fasana:**

- A. adopting a resolution authorizing the Chief Executive Officer (CEO) to enter into funding agreements with Caltrans and/or the Southern California Association of Governments (SCAG) that will allow Metro to **receive state-administered planning funds for the following three planning studies:**
  - 1. “Congestion-Pricing Feasibility Study,” for \$800,000, which will be funded by Caltrans, and for potential additional funds to be negotiated with SCAG;
  - 2. “Imperial/Wilmington/Rosa Parks Metro Rail Station Master Plan,” for \$250,000, which will be funded by Caltrans; and
  - 3. “Developing Transit-Oriented Development Typology for the City of Los Angeles,” for \$208,000, which will be funded by Caltrans.
- B. authorizing the CEO to execute a funding agreement with Reconnecting America, who will develop the typology as a sub-applicant of Project 3 in Action A of this recommendation.

**Fasana Amendment:** that the Metro Board direct the CEO to request that SCAG contribute funding towards the cost for developing Metro’s Congestion Pricing Operating Plan.

**HANDOUT**

24. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) as amended by Molina and O'Connor adopting the **Proposed 2008 Federal and State Legislative Programs**.

**Molina/O'Connor Amendment** that the Chief Executive Officer direct staff to bundle projects from multiple corridors when applying for Federal Transportation Administration funds and to develop an annual Metro Legislative Lobbying Day at the State Capitol.

25. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. authorizing the Chief Executive Officer to award Contract No. PS08213002, an 18-month firm fixed price contract in the amount of \$729,290, to BBC Research and Consulting for the **Southern California Regional Disparity Study**; and
- B. amending the FY 2008 budget to add \$275,000 of expenses funded from the Southern California Regional Disparity Study Consortium.

26. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving:

- A. 6% as the Federal Transit Administration **Disadvantaged Business Enterprise (DBE) Overall Goal** for Federal Fiscal Year (FFY) 2008.
- B. 3% as the Federal Highway Administration Annual Anticipated DBE Participation Level for FFY 2008.
- C. 15% as the Small Business Enterprise Program Goal.

43. OPERATIONS COMMITTEE RECOMMENDED receiving and filing the final draft of Booz Allen Hamilton **Gating Feasibility Study** as **amended by Burke and Fasana**.

**Burke/Fasana Amendment** that the Chief Executive Officer directs staff to:

- immediately proceed with a plan to implement Option 2 described in the Rail Gating analysis and work with the current TAP equipment contractor to negotiate a contract modification to install fare gates as outlined in the analysis; and
- work with current TAP consultant to negotiate a contract modification to provide technical oversight for design review, testing and implementation oversight for an amount not to exceed \$1 million; and
- return to this board in 60 to 90 days for approval of both contracts.

**HANDOUT 1**      **HANDOUT 2**

46. PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION ANTONOVICH MOTION that the Metro Board of Directors instructs the CEO to return to the full Board in January 2008 with a report that contains the following:
- A. an analysis of the effectiveness and deficiencies in the **Long Range Transportation Plan (LRTP)** document and planning process in attracting and incorporating private sector funding and other non-traditional funding opportunities into the prioritization of projects.
  - B. Policy recommendations for the Metro Board to consider on how to update the LRTP document and planning process to better reflect the reality of public-private partnerships, private sector capital, toll lanes, and other innovative 21st century financing techniques as viable funding sources for projects to be placed in a Metro-approved priority list of projects that would have similar commitment level as projects placed in the constrained portion of the LRTP.

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- C. Recommendations for legislation to pursue at the state and federal level to assist Metro in implementing desirable LRTP reforms currently not allowed under state and federal regulations.
  - D. A strategic plan by the CEO presented for Board discussion and approval that would:
    - 1. identify potential private sector funding collaborators;
    - 2. reach out to these potential collaborators for insight and advice regarding current policy and other barriers that prevent public-private partnerships and private sector funding opportunities from occurring;
    - 3. collect this information into a report for Board discussion, and;
    - 4. present these findings to the Board with recommendations for further policy action.
48. AD-HOC CONGESTION PRICING COMMITTEE directed staff to report back at the November Board meeting to adopt a **congestion reduction demonstration initiative proposal** in order to meet the new deadline established by the United States Department of Transportation.
49. KNABE/LOWENTHAL/O'CONNOR MOTION that the following change be made to the **Formula Allocation Procedure (FAP)**.

FAP Funding Stability:

In the application of this FAP formula adjustment, all Operators' FAP dollar funding levels shall be held to a minimum of their FY 2007 dollar funding levels. Where necessary, funding to implement this provision shall come from the Proposition A 40% Discretionary Growth Over CPI Account.

However, no additional funding will be allocated to an operator to mitigate against a reduction in funding from the fiscal year 2007 level, if this reduction is caused by a reduction in service level provided by that operator.

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Application of FAP Formula:

- A. a new rule be added to the current FAP effective immediately for application to the FY 2009 Allocation Year (whose allocations are based on FY 2007 TPM data).

If an operator increases its base fare anytime from July 1, 2006 forward, their fare units will be frozen at that Operator's fare unit level during the last full fiscal year of the old lower fare. It will remain at this level, until the new fare unit calculation based on the new higher fare becomes greater than the frozen level. After that point, their fare units will be calculated normally.

Example: If an Operator implements a fare increase on July 1, 2006, or anytime during FY 2007, their fare units will be frozen at the FY 2006 level until fare unit growth occurs. Thus the fare units utilized to calculate the FAP will be the higher of the fare units calculated using current TPM data or the fare units from the FAP calculation from the fiscal year prior to the fare increase.

If an Operator lowers their base fare anytime from July 1, 2006 forward, their fare units will be frozen at that Operator's fare unit level during the last full fiscal year of the old higher fare. Thus, an Operator could not trigger an increase in their fare units by lowering their base fare and would have no incentive to do so. Operators would be required to increase their base fare to an amount equal to or greater than the base fare established using FY 2006 TPM data to again calculate their fare units utilizing current TPM data.

- B. Los Angeles Department of Transportation's annual fare units calculation for the purpose of determining its annual FAP subsidy funded from the County's Proposition A Discretionary Growth Over CPI account be adjusted as described below.

Effective with the FY 2008 allocation year, the calculation of fare units for LADOT will be conducted utilizing a \$0.90 base fare for its eligible express services and a \$0.50 base fare for its eligible local services. LADOT's annual FAP subsidy allocation will continue to be funded from the County's Proposition A Discretionary Growth Over CPI account,

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which is the primary source of FAP funding designated by Metro for all Eligible Operators in the County. LADOT will also be subject to the proposed new FAP formula/distribution rules discussed above for all Included and Eligible Operators. This includes holding all of the other Eligible Operators to a minimum of their FY 2007 dollar funding levels.

Continuation of Current Transit Operating Funds:

C. The LACMTA shall continue to allocate funds to the Included and Eligible Operators from the following sources for both the FAP and non-FAP programs:

- \*Transportation Development Act, Article 4 (includes interest)
- \*State Transit Assistance (includes interest)
- \*Proposition A 40% Discretionary
- \*Proposition A 40% Discretionary Interest
- \*Proposition A 40% Discretionary Growth Over CPI
- \*Proposition C 5% Security
- \*Proposition C 40% Discretionary Municipal Operator Service Improvement Program (MOSIP)
- \*Proposition C 40% Discretionary Transit Service Expansion (TSE)
- \*Proposition C 40% Discretionary Bus System Improvement Plan (BSIP)/Overcrowding Relief
- \*Proposition C 40% Discretionary Base Restructuring
- \*Proposition C 40% Discretionary Foothill Transit Mitigation
- \*Proposition C 40% Discretionary Interest

50. FASANA MOTION that:

A new simplified and equitable **Formula Application Procedure (FAP)** be developed that would replace the existing FAP, Municipal Operator Service Improvement Program (MOSIP), and other bus funding pools and incorporate these features:

FAP Formula: A participant's funding share will be the ratio of their total vehicle service hours (VSH) to all participants' total VSH.

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Single Funding Pool: All current and future funding that LACMTA elects to allocate to any and all participants for transit operations must be allocated by this formula, including but not limited to TDA, STA, interest, Proposition A and C.

Transition: During the first three years after implementation of the New FAP, all participants will be guaranteed a minimum allocation equal to the total Fiscal Year 2006-2007 Transit Fund Allocation approved by the Metro Board at the July 27, 2006 meeting (participants with shortfalls below their FY 2006-2007 allocations would receive funds from participants with surpluses above their FY 2006-2007 allocations on a pro rata basis).

51. ADOPT **the five-year Metro Ridership Plan** that incorporates TAP technology options.

30. **CLOSED SESSION**

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

1. James Hubbert, Jr. v. LACMTA, Case No.: BC360523
2. Isabella Birdfeather v. LACMTA, Case No.: GC037808
3. Susan Xue v. LACMTA, Case No. BC356172

B. Conference with Real Property Negotiators concerning Price and/or Terms of Payment – G. C. 54956.8:

1. Property: 496 Bauchet Street  
Agency Negotiator: Roger Moliere  
Negotiating Partners: Bauchet Associates, LLC  
Under Negotiation: Price and/or Terms
2. Property: Metro Red Line Universal Station, Bus Depot and Park-and-Ride Lot  
Agency Negotiator: Roger Moliere  
Negotiating Parties: Thomas Properties Group and Universal Studios, LLC  
Under Negotiation: Price and/or Terms

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C. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(c):  
Initiation of Litigation (One Case)

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