

MINUTES

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:52 A.M.

Directors Present:

Pam O'Connor, Chair
Antonio Villaraigosa, 1st Vice Chair
Don Knabe, 2nd 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

Officers

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



Los Angeles County
Metropolitan Transportation Authority

Metro

1. APPROVED **Consent Calendar** Items: 2, 7, 10, 11, 14, 15, 16, 35, 37, 38, 39, 40, 41, and 44.

Items 6, 13, 32 and 36 were removed from the Consent Calendar.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held October 25, 2007.

6. APPROVED **as amended By Director Burke** 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;

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 all projects being built by a Construction Authority and include value engineering on the Expo Light Rail Project.

7. APPROVED ON CONSENT CALENDAR:

- 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. APPROVED ON CONSENT CALENDAR:

- 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.

11. APPROVED ON CONSENT CALENDAR:

- A. 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.

13. APPROVED **as amended**:

- 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.

Molina/Najarian Amendment that the Board direct staff to allocate \$16.352 million of the funds being returned by the City of Los Angeles to eligible projects in the signal synchronization category from the 2007 Call for Projects that were funded but at a reduced cost; and

Further moved that the Board direct staff to allocate the remaining \$3.968 million for use on future signal synchronization projects.

- 14. **APPROVED ON CONSENT CALENDAR declaring a portion of the Metro Red Line Yard (Division 20) site between 4th Street and 6th 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. **APPROVED ON CONSENT CALENDAR 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. **APPROVED ON CONSENT CALENDAR 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. **AUTHORIZED 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. APPROVED ON CONSENT CALENDAR adopting proposed changes to the **Metro Transit Service Policy.**
36. APPROVED 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. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE:
 - 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).
38. APPROVED ON CONSENT CALENDAR:
 - A. 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. APPROVED ON CONSENT CALENDAR 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. APPROVED ON CONSENT CALENDAR 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. APPROVED ON CONSENT CALENDAR 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. APPROVED ON CONSENT CALENDAR 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. RECEIVED Chair's Report
 - Metro Citizens' Advisory Council Chair presented the CAC person of the Year Award to Jacki Bacharach, Executive Director of the South Bay Council of Governments.
 - Director Lowenthal recognized Metro Director Doug Failing for his work following the Interstate 5 Newhall Pass Tunnel Accident and Fire on October 12, 2007.
4. RECEIVED Chief Executive Officer's Report
 - Mortimer Downey, Chairman of PB Consult, Inc. and a former Deputy Secretary for the U.S. Department of Transportation, gave a presentation on goods movement strategies for Metro to pursue in the future.
8. APPROVED REVISED MOTION as amended by Directors Antonovich, Katz, Lowenthal, and O'Connor:

- A. 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. 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.

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

- 1. 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. **Such local funding shall be provided when municipal operators receive the approval needed for their transit capital projects from the state controller, as prescribed by Caltrans' Proposition 1B Transit Modernization Program Guidelines;**
- 2. 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. **Such local funding shall be provided to the Los Angeles Department of Transportation and Santa Clarita Transit for eligible transit capital projects as prescribed by Caltrans' Proposition 1B Transit Modernization Program Guidelines.**

Furthermore, the Los Angeles Department of Transportation and Santa Clarita Transit shall adhere to all requirements of said program guidelines, including submittal of project descriptions to Metro for approval and reporting and audit requirements; and

Fasana Clarification that if the Los Angeles Department of Transportation and Santa Clarita Transit are being included as eligible operators, then the other two eligible operators, Foothill Transit and the Antelope Valley Transit Authority also be included.

Antonovich Amendment that the Metro Board Of Directors amend recommendation B for Item 8 so that:

The decision to allocate the \$116.6 million recommended for "Miscellaneous Transit Projects" (\$27.5 million in FY 2008; \$53.5 million in FY 2009; \$35.6 million in FY 2010) and the \$85.0 million recommended for "Union Bus Division Construction" (\$5 million in FY 2008; \$36 million in FY 2009; \$44 million in FY 2010) be deferred to and considered concurrently with the Board approval of the 2008 Long Range Transportation Plan (LRTP) update.

Should the California Transportation Commission (CTC) deadline for project submittals fall before the LRTP update can be approved, then these two decisions shall be deferred only to the Metro Board meeting prior to said CTC deadline.

12. APPROVED as **amended** by **Villaraigosa** and **Katz** 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;
 - 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.

Villaraigosa/Katz Amendment that the Metro Board approve the proposed Diesel Multiple Unit Feasibility Analysis and further direct the CEO to include a clean fuel alternative to the feasibility analysis contract.

20. APPROVED:

- 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.

24. ADOPTED the **Proposed 2008 Federal and State Legislative Programs as amended.**

Molina/O'Connor Amendment that the Chief Executive Officer direct staff to bundle projects from multiple corridors (**i.e. San Fernando Valley, North/South Busway, Exposition Light Rail Transit Phases I and II, Downtown Regional Connector, Gold Line Eastside Extension, Gold Line Foothill Extension, and the Crenshaw Corridor**) when applying for Federal Transportation Administration funds and to develop an annual Metro Legislative Lobbying Day at the State Capitol.

25. APPROVED:

- 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. APPROVED:

- 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. RECEIVED AND FILED the final draft of Booz Allen Hamilton **Gating Feasibility Study as amended.**

Burke/Fasana Amendment that the CEO direct 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.

44. RECEIVED 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.

46. APPROVED 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.
 - 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. APPROVED:

- A. the submittal of a one-year congestion pricing demonstration project to the United States Department of Transportation that includes conversion of existing High Occupancy Vehicle (HOV) lanes to High Occupancy Toll

(HOT) lanes along Interstate 10 (El Monte Busway), Interstate 110 (Harbor Freeway Transitway), and Interstate 210 from the I-605 to the I-710 as part of a first phase, with the potential for a second phase that would include HOV lanes currently under construction along State Route 60 (Pomona Freeway), future carpool lanes on the I-10 east of the I-605, and carpool lanes on the I-210 east of the I-605 as HOT lanes during a second phase; and

- B. the submittal of an application to the California Transportation Commission for legislative authority to develop and operate HOT lanes for the freeway corridors included in action "A" of this recommendation, including the administration and operation of a congestion-pricing program and exclusive or preferential lane facilities for public transit per Assembly Bill 1467.

49. APPROVED BY A 3/4 VOTE KNABE/LOWENTHAL/O'CONNOR MOTION **as amended by Villaraigosa, Najarian and Fleming** 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.

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, 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

Villaraigosa Amendment that replaces the words “\$0.90 base fare” and “\$0.25 base fare” with “current base fare”; and

Adds a paragraph D directing the Metro Board to allocate any new state or local operations funding sources to the included and eligible operators by this formula. In the event that federal or state legislation excludes any of the included and eligible operators from this new funding source, Metro will allocate other funding sources to the operators equivalent to their share under the FAP formula.

Najarian Fleming Amendment that updates from the current year’s budget be provided and called out on a quarterly basis to Metro’s Finance Committee on allocations and expenditures from Proposition A Growth over Inflation funds that have been converted to Proposition C 40% discretionary; and

that in Metro FY 2008-2009 Budget, a line item be inserted in simple terms showing the conversion/transfer of Proposition A Growth over Inflation funds to Proposition C 40% discretionary funds.

50. WITHDRAWN:

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.

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. ADOPTED **the five-year Metro Ridership Plan** that incorporates TAP technology options.
52. DISCUSSED Trade Corridor Improvement Fund Proposals and APPROVED **Antonovich Motion** directing Legal Counsel to announce that Metro is considering legal action over the California Transportation Commission's blatant disregard of the transportation fund allocation formula.
53. APPROVED proclaiming December 1, 2007 as "Rosa Parks Human Rights Day" and urged all citizens throughout Los Angeles County to honor and pay tribute to the spirit and memory of Rosa Parks, through a reaffirmed commitment to practicing tolerance and promoting diversity.

FORWARDED TO COMMITTEE directing the Chief Executive Officer to report back in 90 days with a plan to implement the Rosa Parks Human Rights Day on an annual basis.

30. **CLOSED SESSION**

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

1. James Hubbert, Jr. v. LACMTA, Case No.: BC360523

APPROVED settlement in the amount of \$435,000.

2. Isabella Birdfeather v. LACMTA, Case No.: GC037808

APPROVED settlement in the amount of \$300,000.

3. Susan Xue v. LACMTA, Case No. BC356172

APPROVED settlement in the amount of \$1.25 million.

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

NO REPORT.

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

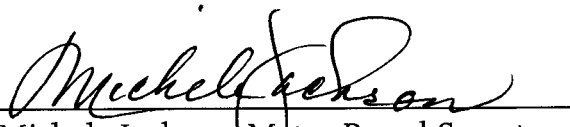
NO REPORT.

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

NO REPORT.

ADJOURNED AT 2:15 P.M.

Prepared by: William Walker
Board Specialist


Michele Jackson, Metro Board Secretary



Metro

Los Angeles County
Metropolitan Transportation Authority

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, NOVEMBER 29, 2007

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
1	APPROVE CONSENT CALENDAR ITEMS: 2, 6, 7, 10, 11, 13, 14, 15, 16, 32, 35, 36, 37**, 38, 39, 40, 41, AND 44. ** ITEM 37 REQUIRES A 2/3 VOTE OF THE BOARD.	APPROVED. ITEMS 6, 13, 32 AND 36 REMOVED FROM CONSENT CALENDAR.	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD OCTOBER 25, 2007.	APPROVED ON CONSENT CALENDAR.														
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	RECEIVED. METRO CAC CHAIR PRESENTED CAC PERSON OF THE YEAR AWARD TO JACKI BACHARACH, EXECUTIVE DIRECTOR, SOUTH BAY CITIES COUNCIL OF GOVERNMENTS. DIRECTOR LOWENTHAL APPLAUDED DIRECTOR DOUG FAILING, DIRECTOR OF CALTRANS DISTRICT 7, FOR HIS WORK FOLLOWING THE I-5 NEWHALL PASS TUNNEL ACCIDENT AND FIRE.	P	P	P	A	P	P	P	A	P	P	P	P	P	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

November 29, 2007 Regular Board Recap

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
4	CHIEF EXECUTIVE OFFICER'S REPORT PRESENTATION BY MORT DOWNEY, CHAIRMAN, PB CONSULT, INC. AND FORMER DEPUTY SECRETARY, U.S. DEPARTMENT OF TRANSPORTATION	RECEIVED. DISCUSSED ITEM 52 DURING REPORT.	P	P	P	A	P	P	P	P	P	P	P	P	P	
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.	APPROVED. DIRECTED STAFF TO PROVIDE A MONTHLY UPDATE TO THE METRO BOARD ON PROJECTS BEING BUILT BY A CONSTRUCTION AUTHORITY AND INCLUDE VALUE ENGINEERING FOR EXPO LIGHT RAIL.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
6	<p>B. ALAMEDA CORRIDOR EAST (ACE)</p> <p>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:</p> <p>A. ACE MUST ENCUMBER THE CURRENT FUNDING ALREADY COMMITTED BY METRO;</p> <p>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;</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
6	<p>C. METROLINK EASTERN MAINTENANCE FACILITY</p> <p>1. APPROVE PROGRAMMING FOR \$14.6 MILLION IN PROPOSITION C 10% FUNDS TO THE SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRRA) FOR THE EASTERN MAINTENANCE FACILITY PROJECT, PREVIOUSLY REFERRED TO AS THE ROLLING STOCK MAINTENANCE FACILITY IN SAN BERNARDINO;</p> <p>2. AMEND THE FY 2008 BUDGET TO INCLUDE \$4.4 MILLION FOR THE EASTERN MAINTENANCE FACILITY PROJECT; AND</p> <p>DIRECTED STAFF TO PROVIDE A MONTHLY UPDATE TO THE METRO BOARD ON PROJECTS BEING BUILT BY A CONSTRUCTION AUTHORITY.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
7	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):</p> <p>A. PROGRAMMING AN ADDITIONAL \$2,042,000 TO THE PHASE I, PRIORITY 1, SOUNDWALL PROGRAM; AND</p> <p>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.</p>	APPROVED ON CONSENT CALENDAR.														
8	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) AS AMENDED BY DIRECTORS O'CONNOR, LOWENTHAL AND KATZ:</p> <p>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:</p> <p>1. TIER 1, AT \$57.4 MILLION, IF THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TARGET THROUGH FY 2013 IS ADOPTED AND FUNDED; AND</p>	<p>APPROVED REVISED MOTION AS AMENDED BY FASANA AND ANTONOVICH.</p> <p>FASANA AMENDMENT: CLARIFY THAT SINCE THE LOS ANGELES DEPARTMENT OF TRANSPORTATION AND SANTA CLARITA TRANSIT ARE BEING INCLUDED AS ELIGIBLE OPERATORS THAT THE OTHER TWO ELIGIBLE OPERATORS, FOOTHILL TRANSIT AND ANTELOPE VALLEY TRANSIT AUTHORITY, ALSO BE INCLUDED.</p>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
8	<p>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;</p> <p>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</p> <p>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.</p> <p>O'CONNOR/LOWENTHAL/KATZ AMENDMENT THAT THE METRO BOARD DIRECT THE CHIEF EXECUTIVE OFFICER:</p> <p>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</p>	<p>ANTONOVICH AMENDMENT: THAT THE METRO BOARD OF DIRECTORS AMEND RECOMMENDATION B FOR ITEM 8 SO THAT:</p> <p>THE DECISION TO ALLOCATE THE \$116.6 MILLION RECOMMENDED FOR "MISCELLANEOUS TRANSIT PROJECTS" (\$27.5 MILLION IN FY 2008; \$53.5 MILLION IN FY 2009; \$35.6 MILLION IN FY 2010) AND THE \$85.0 MILLION RECOMMENDED FOR "UNION BUS DIVISION CONSTRUCTION" (\$5 MILLION IN FY 2008; \$36 MILLION IN FY 2009; \$44 MILLION IN FY 2010) BE DEFERRED TO AND CONSIDERED CONCURRENTLY WITH THE BOARD APPROVAL OF THE 2008 LONG RANGE TRANSPORTATION PLAN (LRTP) UPDATE.</p> <p>SHOULD THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) DEADLINE FOR PROJECT SUBMITTALS FALL BEFORE THE LRTP UPDATE CAN BE APPROVED, THEN THESE TWO DECISIONS SHALL BE DEFERRED ONLY TO THE METRO BOARD MEETING PRIOR TO SAID CTC DEADLINE.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

November 29, 2007 Regular Board Recap

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
8	<p>1. IN THE IMPLEMENTATION OF STATE-ESTABLISHED PROCEDURES FOR THE ALLOCATION OF PROPOSITION 1B TRANSIT MODERNIZATION PROGRAM FUNDS FOR THE FIRST YEAR TOTAL LIFE OF THE BOND PROGRAM, 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. SUCH LOCAL FUNDING SHALL BE PROVIDED WHEN MUNICIPAL OPERATORS RECEIVE THE APPROVAL NEEDED FOR THEIR TRANSIT CAPITAL PROJECTS FROM THE STATE CONTROLLER, AS PRESCRIBED BY CALTRANS' PROPOSITION 1B TRANSIT MODERNIZATION PROGRAM GUIDELINES.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
8	2. TO ALLOCATE FUNDING FOR PURPOSES SPECIFIED BY THIS PROGRAM TO LOS ANGELES DEPARTMENT OF TRANSPORATION AND SANTA CLARITA TRANSIT AT FUNDING LEVELS EQUIVALENT TO THE FAP ALLOCATION FOR THESE PROPERTIES. TO ALLOCATE FUNDING FOR PURPOSES SPECIFIED BY THIS PROGRAM TO LOS ANGELES DEPARTMENT OF TRANSPORATION AND SANTA CLARITA TRANSIT AT FUNDING LEVELS EQUIVALENT TO THE FAP ALLOCATION FOR THESE PROPERTIES. SUCH LOCAL FUNDING SHALL BE PROVIDED TO THE LOS ANGELES DEPARTMENT OF TRANSPORTATION AND SANTA CLARITA TRANSIT FOR ELIGIBLE TRANSIT CAPITAL PROJECTS AS PRESCRIBED BY CALTRANS' PROPOSITION 1B TRANSIT MODERNIZATION PROGRAM GUIDELINES. FURTHERMORE, THE LOS ANGELES DEPARTMENT OF TRANSPORTATION AND SANTA CLARITA TRANSIT SHALL ADHERE TO ALL REQUIREMENTS OF SAID PROGRAM GUIDELINES, INCLUDING SUBMITTAL OF PROJECT DESCRIPTIONS TO METRO FOR APPROVAL AND REPORTING AND AUDIT REQUIREMENTS.															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
8	3. 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.															
10	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):</p> <p>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</p> <p>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.</p>	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FALLING
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.	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
12	<p>PLANNING AND PROGRAMMING FORWARDED WITHOUT RECOMMENDATION, DUE TO ABSENCES AND CONFLICTS, AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO:</p> <p>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;</p> <p>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</p> <p>C. AMEND THE FY 2008 BUDGET BY ADDING \$296,200 USING PROPOSITIONS A AND C ADMINISTRATION FUNDS.</p>	<p>APPROVED AS AMENDED BY VILLARAIGOSA AND KATZ THAT THE METRO BOARD APPROVE THE PROPOSED DIESEL MULTIPLE UNIT FEASIBILITY ANALYSIS AND FURTHER DIRECT THE CEO TO INCLUDE A CLEAN FUEL ALTERNATIVE TO THE FEASIBILITY ANALYSIS CONTRACT.</p>	Y	Y	C	Y	C	Y	Y	A	Y	C	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
13	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):</p> <p>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</p> <p>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.</p>	<p>APPROVED AS AMENDED.</p> <p>MOLINA/NAJARIAN AMENDMENT THAT THE BOARD DIRECT STAFF TO ALLOCATE \$16.352 MILLION OF THE FUNDS BEING RETURNED BY THE CITY OF LOS ANGELES TO ELIGIBLE PROJECTS IN THE SIGNAL SYNCHRONIZATION CATEGORY FROM THE 2007 CALL FOR PROJECTS THAT WERE FUNDED BUT AT A REDUCED AMOUNT; AND</p> <p>THAT THE BOARD DIRECT STAFF TO ALLOCATE THE REMAINING \$3.968 FOR USE ON FUTURE SIGNAL SYNCHRONIZATION PROJECTS.</p>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
14	FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) DECLARING A PORTION OF THE METRO RED LINE YARD (DIVISION 20) SITE BETWEEN 4TH STREET AND 6TH 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.	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED ON CONSENT CALENDAR.			C		C	C								
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.	APPROVED ON CONSENT CALENDAR.			C		C	C					C			

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
20	<p>PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) AND AD-HOC CONGESTION PRICING COMMITTEE RECOMMENDED (2-0):</p> <p>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:</p> <p>1. "CONGESTION-PRICING FEASIBILITY STUDY," FOR \$800,000, WHICH WILL BE FUNDED BY CALTRANS, AND FOR POTENTIAL ADDITIONAL FUNDS TO BE NEGOTIATED WITH SCAG;</p>	APPROVED.	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	
20	<p>2. "IMPERIAL/WILMINGTON/ROSA PARKS METRO RAIL STATION MASTER PLAN," FOR \$250,000, WHICH WILL BE FUNDED BY CALTRANS; AND</p> <p>3. "DEVELOPING TRANSIT-ORIENTED DEVELOPMENT TYPOLOGY FOR THE CITY OF LOS ANGELES," FOR \$208,000, WHICH WILL BE FUNDED BY CALTRANS.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
20	<p>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.</p> <p>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.</p>															
24	<p>EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) AS AMENDED BY MOLINA AND O'CONNOR ADOPTING THE PROPOSED 2008 FEDERAL AND STATE LEGISLATIVE PROGRAMS.</p> <p>MOLINA/O'CONNOR AMENDMENT THAT THE CHIEF EXECUTIVE OFFICER DIRECT STAFF TO BUNDLE PROJECTS FROM MULTIPLE CORRIDORS (I.E. SAN FERNANDO VALLEY NORTH/SOUTH BUSWAY, EXPOSITION LIGHT RAIL TRANSIT PHASES I AND II, DOWNTOWN REGIONAL CONNECTOR, GOLD LINE EASTSIDE EXTENSION, GOLD LINE FOOTHILL EXTENSION, AND THE CRENSHAW CORRIDOR) WHEN APPLYING FOR FEDERAL TRANSPORTATION ADMINISTRATION FUNDS AND TO DEVELOP AN ANNUAL METRO LEGISLATIVE LOBBYING DAY AT THE STATE CAPITOL.</p>	APPROVED.	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
25	<p>EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION:</p> <p>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</p> <p>B. AMENDING THE FY 2008 BUDGET TO ADD \$275,000 OF EXPENSES FUNDED FROM THE SOUTHERN CALIFORNIA REGIONAL DISPARITY STUDY CONSORTIUM.</p>	APPROVED.	Y	Y	Y	Y	Y	C	Y	A	Y	Y	Y	Y	Y	
26	<p>EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION APPROVING:</p> <p>A. 6% AS THE FEDERAL TRANSIT ADMINISTRATION DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL GOAL FOR FEDERAL FISCAL YEAR (FFY) 2008.</p> <p>B. 3% AS THE FEDERAL HIGHWAY ADMINISTRATION ANNUAL ANTICIPATED DBE PARTICIPATION LEVEL FOR FFY 2008.</p> <p>15% AS THE SMALL BUSINESS ENTERPRISE PROGRAM GOAL.</p>	APPROVED	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED.	Y	Y	C	C	C	Y	Y	C	Y	C	C	Y	Y	
35	OPERATIONS COMMITTEE RECOMMENDED (3-0) ADOPTING PROPOSED CHANGES TO THE METRO TRANSIT SERVICE POLICY.	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
37	<p>OPERATIONS COMMITTEE RECOMMENDED (3-0):</p> <p>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</p> <p>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).</p> <p>(REQUIRES A 2/3 VOTE OF THE BOARD)</p>	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
38	<p>OPERATIONS COMMITTEE RECOMMENDED (3-0):</p> <p>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</p> <p>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</p>	APPROVED BY A 2/3 VOTE ON CONSENT CALENDAR.												C		
39	<p>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.</p>	APPROVED ON CONSENT CALENDAR.			C									C		

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED ON CONSENT CALENDAR.														
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.	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
43	<p>OPERATIONS COMMITTEE RECOMMENDED RECEIVING AND FILING THE FINAL DRAFT OF BOOZ ALLEN HAMILTON GATING FEASIBILITY STUDY AS AMENDED BY BURKE AND FASANA.</p> <p>BURKE/FASANA AMENDMENT THAT THE CHIEF EXECUTIVE OFFICER DIRECTS STAFF TO:</p> <ul style="list-style-type: none"> • 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. 	APPROVED	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	N	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED ON CONSENT CALENDAR.														
44	RECEIVE 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 PUSHED FOR PUBLIC COMMENT.	APPROVED ON CONSENT CALENDAR.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
46	<p>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:</p> <p>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.</p>	APPROVED	A	Y	Y	A	Y	Y	Y	A	Y	Y	Y	Y	Y	
46	<p>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.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
46	<p>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.</p> <p>D. A STRATEGIC PLAN BY THE CEO PRESENTED FOR BOARD DISCUSSION AND APPROVAL THAT WOULD:</p> <p>1. IDENTIFY POTENTIAL PRIVATE SECTOR FUNDING COLLABORATORS;</p>															
46	<p>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;</p> <p>3. COLLECT THIS INFORMATION INTO A REPORT FOR BOARD DISCUSSION, AND;</p> <p>4. PRESENT THESE FINDINGS TO THE BOARD WITH RECOMMENDATIONS FOR FURTHER POLICY ACTION.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
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.	APPROVED	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
49	<p>KNABE/LOWENTHAL/O'CONNOR MOTION THAT THE FOLLOWING CHANGE BE MADE TO THE FORMULA ALLOCATION PROCEDURE (FAP).</p> <p>(REQUIRES 3/4 VOTE OF THE BOARD)</p> <p>FAP FUNDING STABILITY:</p> <p>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.</p> <p>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.</p>	<p>APPROVED BY A 3/4 VOTE AS AMENDED BY VILLARAIGOSA, NAJARIAN AND FLEMING.</p> <p>VILLARAIGOSA AMENDMENT: REPLACES THE WORDS "\$0.90 BASE FARE" AND "\$0.25 BASE FARE" WITH "CURRENT BASE FARE"; AND</p> <p>ADDS PARAGRAPH D DIRECTING THE METRO BOARD TO ALLOCATE ANY NEW STATE OR LOCAL OPERATIONS FUNDING SOURCES TO THE INCLUDED AND ELIGIBLE OPERATORS BY THIS FORMULA. IN THE EVENT THAT FEDERAL OR STATE LEGISLATION EXCLUDES ANY OF THE INCLUDED AND ELIGIBLE OPERATORS FROM THIS NEW FUNDING SOURCE, METRO WILL ALLOCATE OTHER FUNDING SOURCES TO THE OPERATORS EQUIVALENT TO THEIR SHARE UNDER THE FAP FORMULA.</p>	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
49	<p>APPLICATION OF FAP FORMULA:</p> <p>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).</p> <p>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.</p> <p>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.</p>	<p>NAJARIAN/FLEMING AMENDMENT THAT UPDATES FROM THE CURRENT YEAR'S BUDGET BE PROVIDED AND CALLED OUT ON A QUARTERLY BASIS TO METRO'S FINANCE COMMITTEE ON ALLOCATIONS AND EXPENDITURES FROM THE PROPOSITION A GROWTH OVER INFLATION FUNDS THAT HAVE BEEN CONVERTED TO THE PROPOSITION C 40% DISCRETIONARY; AND</p> <p>THAT IN THE METRO FY 2008-2009 BUDGET, A LINE ITEM BE INSERTED IN SIMPLE TERMS SHOWING THE CONVERSION/TRANSFER OF PROPOSITION A GROWTH OVER INFLATION FUNDS TO PROPOSITION C 40% DISCRETIONARY FUNDS.</p>															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FALLING
49	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.															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
49	<p>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.</p> <p>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,</p> <p>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.</p>																

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
49	<p>CONTINUATION OF CURRENT TRANSIT OPERATING FUNDS:</p> <p>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:</p> <p>*TRANSPORTATION DEVELOPMENT ACT, ARTICLE 4 (INCLUDES INTEREST)</p> <p>*STATE TRANSIT ASSISTANCE (INCLUDES INTEREST)</p> <p>*PROPOSITION A 40% DISCRETIONARY INTEREST</p> <p>*PROPOSITION A 40% DISCRETIONARY INTEREST</p> <p>*PROPOSITION A 40% DISCRETIONARY GROWTH OVER CPI</p> <p>*PROPOSITION C 5% SECURITY</p> <p>*PROPOSITION C 40% DISCRETIONARY MUNICIPAL OPERATOR SERVICE IMPROVEMENT PROGRAM (MOSIP)</p> <p>*PROPOSITION C 40% DISCRETIONARY TRANS</p> <p>*PROPOSITION C 40% DISCRETIONARY BUS SY</p> <p>*PROPOSITION C 40% DISCRETIONARY BASE R</p> <p>*PROPOSITION C 40% DISCRETIONARY INTERE</p>																

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
50	<p>FASANA MOTION THAT: (REQUIRES 3/4 VOTE OF THE BOARD)</p> <p>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:</p> <p>FAP FORMULA: A PARTICIPANT'S FUNDING SHARE WILL BE THE RATIO OF THEIR TOTAL VEHICLE SERVICE HOURS (VSH) TO ALL PARTICIPANTS' TOTAL VSH.</p>	WITHDRAWN														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
50	<p>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.</p> <p>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).</p>															
51	ADOPT THE FIVE-YEAR METRO RIDERSHIP PLAN THAT INCORPORATES TAP TECHNOLOGY OPTIONS.	ADOPTED.	A	Y	Y	A	Y	Y	Y	A	Y	Y	Y	Y	A	
52	DISCUSSION OF TRADE CORRIDOR IMPROVEMENT FUND PROPOSALS.	DISCUSSED.	P	P	P	A	P	P	P	P	P	P	P	P	P	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING														
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P	
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING	
53	<p>ADDED TO THE AGENDA BY A 2/3 VOTE BURKE/PARKS MOTION THAT THE METRO BOARD:</p> <p>A. HEREBY PROCLAIM DECEMBER 1, 2007 AS "ROSA PARKS HUMAN RIGHTS DAY" AND URGE ALL CITIZENS THROUGHOUT LOS ANGELES COUNTY TO HONOR AND PAY TRIBUTE TO THE SPIRIT AND MEMORY OF ROSA PARKS, THROUGH A REAFFIRMED COMMITMENT TO PRACTICING TOLERANCE AND PROMOTING DIVERSITY.</p> <p>B. DIRECT THE CHIEF EXECUTIVE OFFICER TO REPORT BACK IN 90 DAYS WITH A PLAN TO IMPLEMENT THE ROSA PARKS HUMAN RIGHTS DAY ON AN ANNUAL BASIS.</p>	<p>APPROVED 53A.</p> <p>FORWARDED 53B TO JANUARY OPERATIONS COMMITTEE MEETING.</p>	A	Y	Y	A	Y	Y	Y	A	Y	Y	Y	Y	Y	A	
30A	<p>CLOSED SESSION</p> <p><u>CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - G.C. 54956.9(A):</u></p> <p>1. JAMES HUBBERT, JR. V. LACMTA, CASE NO.: BC360523</p>	<p>APPROVED SETTLEMENT IN THE AMOUNT OF \$435,000.</p>	Y	Y	C	Y	Y	Y	Y	A	Y	Y	A	Y	Y		
30A	<p><u>CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - G.C. 54956.9(A):</u></p> <p>2. ISABELLA BIRDFEATHER V. LACMTA, CASE NO.: GC037808</p>	<p>APPROVED SETTLEMENT IN THE AMOUNT OF \$300,000.</p>	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y	Y		

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
30A	<u>CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - G.C. 54956.9(A):</u> 3. SUSAN XUE V. LACMTA, CASE NO. BC356172	APPROVED SETTLEMENT IN THE AMOUNT OF \$1.25 MILLION.	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y	Y	
30B	<u>CONFERENCE WITH REAL PROPERTY NEGOTIATORS CONCERNING PRICE AND/OR TERMS OF PAYMENT – G. C. 54956.8:</u> 1. PROPERTY: 496 BAUCHET STREET AGENCY NEGOTIATOR: ROGER MOLIÈRE NEGOTIATING PARTNERS: BAUCHET ASSOCIATES, LLC UNDER NEGOTIATION: PRICE AND/OR TERMS	APPROVED THE ACQUISITION OF 496 BAUCHET STREET FROM BAUCHET ASSOCIATES, LLC FOR A TOTAL PURCHASE PRICE OF \$4,050,000 PLUS ANY REQUIRED TITLE AND ESCROW FEES.	A	Y	Y	Y	C	A	Y	A	Y	Y	A	A	Y	
30B	2. PROPERTY: METRO RED LINE UNIVERSAL STATION, BUS DEPOT AND PARK-AND-RIDE LOT AGENCY NEGOTIATOR: ROGER MOLIÈRE NEGOTIATING PARTIES: THOMAS PROPERTIES GROUP AND UNIVERSAL STUDIOS, LLC UNDER NEGOTIATION: PRICE AND/OR TERMS	NO REPORT.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT

			DIRECTORS VOTING													
ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P	P	P	P
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FALLING
30C	CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - G.C. 54956.9(C); INITIATION OF LITIGATION (ONE CASE)	NO REPORT.														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, P-PRESENT, A-ABSENT