

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Antonio Villaraigosa, Chair
Don Knabe, 1st Vice Chair
Ara J. Najarian, 2nd Vice Chair
Michael Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Gloria Molina
Pam O'Connor
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



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:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

**SUMMARY OF AGENDA ITEMS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
THURSDAY, OCTOBER 23, 2008**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	36
5		4	
6		10	
9		14	
21		19	
22		32	
23		33**	
24		34	
25		35	
26			
28			
29			
**REQUIRES 2/3 VOTE OF THE BOARD			

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 9, 21, 22, 23, 24, 25, 26, 28 and 29.

CONSENT CALENDAR:

2. APPROVE **Minutes of Regular Board Meeting held September 25, 2008.**

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

- A. authorizing the Chief Executive Officer to exercise option to renew Contract No. PS44301997 with Vasquez and Company, LLP to perform **financial and compliance audits of programs, jurisdictions and agencies** for fiscal year (FY) 2007-08 and FY 2008-09 for an amount not to exceed \$951,589 for both years; and
- B. executing Contract Modification Authority under Contract No. PS44301997 to provide funding for an additional amount of up to \$50,000 to cover any unforeseen changes in the scope of work that may be required in the performance of these audits.

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

- A. amending the Funding Agreement (#PSTUDYSFN) with the City of Los Angeles Department of Transportation for the **Eastern San Fernando Valley North/South Bus Speed Improvements project** to transfer \$200,000 from Preliminary Engineering (PE) to Analysis for identification and analysis of proposed bus speed improvements along Van Nuys, Lankershim, Reseda and Sepulveda Boulevards; and
- B. authorizing the Chief Executive Officer to make additional transfers, if necessary, between the Analysis and PE within the total grant amount.

9. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0):
- A. approving the **updated Defeased Lease Policy**; and
 - B. authorizing the Chief Executive Officer to execute letters to elected and other governmental officials in support of legislative or regulatory actions that would protect our financial interests and those of the public transit industry.
21. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 09-0003 with Union Switch & Signal, Inc., the single bidder for **Automatic Train Protection and Train to Wayside Communication spare parts for the P2550 Rail Car Fleet**, for an amount not to exceed \$522,476.
22. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under IFB OP-3434-2193 with Longo Toyota, the lowest responsive and responsible bidder, for 31 **midsize utility hybrid vehicles** for an amount not to exceed \$1,113,632, inclusive of sales tax.
23. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under IFB OP-3434-2192 with Theodore Robins Ford, the lowest responsive and responsible bidder, for 19 **full-size twelve-passenger vans** for an amount not to exceed \$500,865, inclusive of sales tax.
24. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 09-0008 to Gillig Corporation, LLC, the lowest responsive, responsible bidder for the procurement of 200 **bus – rear axle planetary final drive assembly kits** for an amount not to exceed \$778,509, inclusive of sales tax and a one-year option.

25. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year firm fixed price Contract No. PS0864302173 to Mitsubishi Electric & Electronics USA, Inc., Elevator and Escalator Division for **Gateway Headquarters building elevators and escalators services** for an amount not to exceed \$2,098,317, inclusive of two one-year options, effective December 1, 2008.

26. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving **service changes to Tier 1 bus lines 33/333 (Downtown LA – Santa Monica via Venice Blvd.)** scheduled to be implemented in December 2008.

28. OPERATIONS COMMITTEE RECOMMENDED (3-0) approving **revised FASANA MOTION** that Metro Management and Audit Services; Office of the Inspector General; Los Angeles Sheriff Dept-Transit Service Bureau; Metro System Safety and Security; Metro Operations, Metro TAP project; and Metro Marketing-Pass Sales report back ~~at the next meeting of the Board of Directors~~ **within sixty days** on lessons learned to date, difficulties securing fare media, findings and recommendations of any audits completed to date, and **potential controls to protect fare media.**

29. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to enter into a twelve month service agreement to **introduce a dual Visa payWave - TAP smart card** for a 12 month pilot program.

NON-CONSENT:

3. Chair's Report.
 - Presentation of Resolutions to Directors Burke and Lowenthal.

4. Chief Executive Officer's Report.

10. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED the **summary of the FY09 Ten-Year Forecast for the Enterprise Fund (bus and rail operating and capital forecast)**, AND RECOMMENDED (3-1) approving **MOLINA MOTION** to direct the Chief Executive Officer to:
 1. Stop the Measure R Informational Campaign;
 2. Seek reimbursement from the Measure R Campaign for any funds already spent by Metro on the Information Campaign; and
 3. Redirect reimbursed/unspent Measure R Informational Campaign funds to Metro's share of the Positive Train Control improvements for Metrolink.

14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED approval (4-0) AND OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to enter into direct contract negotiations with the Los Angeles Sheriff's Department Transit Services Bureau for **transit community policing services**.

19. CONSIDER:
 - A. increasing the Life-Of-Project Budget for Project 800288 (Metro Gold Line Eastside Extension Enhancements and Mitigations) in the amount of \$8,700,000, increasing the previously authorized amount of \$42,703,000 to \$51,403,000; and
 - B. authorizing the Chief Executive Officer to:
 1. execute Contract CO893 for the **Pomona/Atlantic Parking Structure** with the lowest responsive and responsible bidder; and
 2. execute contract modifications for this contract for an amount not to exceed \$1,650,000.

32. AUTHORIZE the Chief Executive Officer to **renew group insurance policies** covering Non-Contract, AFSCME, and Expo employees for a one-year period beginning January 1, 2009.

(CARRIED OVER FROM SEPTEMBER BOARD MEETING)

33. CONSIDER:

- A. finding that there is only a **single source of procurement for repair of a Siemens P2000 Light Rail Vehicle** and purchase is for the sole purpose to repair Metro Gold Line Car 243 already in use. The Board hereby authorizes repair of Rail Car 243 pursuant to Public Utilities Code § 130237; and
- B. authorizing the CEO to award a single source firm fixed price contract to Siemens Transportation Systems, Inc. to repair Metro Gold Line Car 243 for an amount not to exceed \$250,000, which represents Metro's insurance deductible portion.

(REQUIRES A 2/3 VOTE OF THE BOARD)

(CARRIED OVER FROM SEPTEMBER BOARD MEETING)

34. CONSIDER:

- A. programming up to \$5 million from potential unused FY 07-08 surplus subsidy to the Southern California Regional Rail Authority (SCRRA) and/or from our unprogrammed Proposition C 10% fund balance to implement **Automatic Train Stop and/or other collision avoidance systems** on the commuter rail system in the County of Los Angeles;
- B. amending the FY 08-09 Los Angeles County Metropolitan Transportation Authority Budget, if necessary, to include up to \$5 million in Proposition C 10% funds;
- C. authorizing the Chief Executive Officer to enter into the necessary agreements to implement Recommendation A above; and
- D. receiving and filing this report addressing the Board's September 25, 2008 Joint Motion.

35. APPROVE FLEMING MOTION that the Los Angeles County Metropolitan Transportation Authority Board direct the CEO to provide \$135,000 to **Fixing Angelinos Stuck in Traffic (FAST)** for its first 12 months of operation. This Metro contribution will be matched by \$265,000 for the first year through FAST board membership and other sources.

36. CLOSED SESSION:

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

1. Eleanor Russell (Micaela N. Bastianelli, by and through her Guardian Ad Litem, Nicol Bastianelli), et al. v. LACMTA, Case No. BC363479 (consolidated with BC371820)
2. The Estate of Marina Lobyanik, by and through her Successor-in-Interest, Barbara Altman, et al. v. LACMTA, Case No. BC379117

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

1. 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