

**2003 BOARD ACTIONS AND PROCEEDINGS
JANUARY 13, 2003**

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SPECIAL BOARD MEETING
January 13, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. Public Comment - NONE
2. Conference with Labor Negotiator – G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: Amalgamated Transit Union

AUTHORIZED on a roll call vote, negotiator to offer 1.75% pay increase with quarterly wage adjustment of .25%; or 2.85% wage increase contingent upon receipt of work rule concessions from the union.

2003 BOARD ACTIONS AND PROCEEDINGS

JANUARY 23, 2003

REGULAR BOARD MEETING

January 23, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 14, 21, 30, 32, 38, 39**, 40**, 41, 42, and 44

** - Requires 2/3 vote of the Board

Items 13, 18, 29, 31, 37 and 43 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 11, 12, 16, 26, 27, 28, 45, 46, and 47

2. APPROVED **Minutes** of regular meeting held December 12, 2002.
3. RECEIVED Chair's Report
 - Planned trip to Washington, D.C. regarding Total Regional Funding package
4. RECEIVED Chief Executive Officer's Report
 - Land Use Mobility Summit scheduled for February 21, an outgrowth of Mobility 21 study on land use in relation to transportation
 - Security Forum on February 5th and 6th at Manhattan Beach Marriott Hotel
 - Reported on the first South Bay Sector Council meeting

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5. **APPROVED YAROSLAVSKY SUBSTITUTE MOTION to extend funding of the existing Transit Community Policing services for one month and carry over to the next board meeting consideration of new contracts.**
 - ~~A. authorizing the Chief Executive Officer to negotiate and execute Memoranda of Understanding (MOUs) with the County of Los Angeles for Sheriff's Department and/or the City of Los Angeles for Los Angeles Police Department for **Transit Community Policing services** for a period of five years, inclusive of two, one year options;~~
 - ~~B. authorizing the Chief Executive Officer to negotiate and extend Interim Contract No. PS2610LASD with the County of Los Angeles for Sheriff's Department (LASD) Transit Community Policing services for a period of performance through March 31, 2003 for a contract value not to exceed \$3,510,983;~~
 - ~~C. authorizing the Chief Executive Officer to negotiate and extend Interim Contract No. PS2610LAPD with the City of Los Angeles for Los Angeles Police Department (LAPD) Transit Community Policing services for a period of performance through March 31, 2003 for a contract value not to exceed \$4,859,878; and~~
 - ~~D. authorizing payment under Contract OP2610LASD to the County of Los Angeles in the amount of \$168,283 covering payment of outstanding balance due County for services provided during the period between July 1 through November 30.~~

6. **APPROVED AS AMENDED BY FASANA/MOLINA/ ANTONOVICH to accept the San Gabriel Valley Coalition of Governments' seven nominees, of which any five may be selected by the Council of Governments to serve on a rotating basis, starting with the current interim Joint Powers Authority; Two members that are non-elected officials to be nominated by the Council of Governments; Two members representing the County Board of Supervisors to be selected annually by lottery:**

2003 BOARD ACTIONS AND PROCEEDINGS

JANUARY 23, 2003

- A. nominate the following to serve on the **San Gabriel Valley Service Sector Council** representing the eleven cities with members to serve on a rotating basis starting with the current Interim Joint Powers Authority initially serving staggered terms of 1, 2, 3 year(s):

San Gabriel: Harry Baldwin
Pasadena: Sid Tyler
South Pasadena: David Rose
San Marino: Emile Bayle
Sierra Madre: Bart Doyle
Montebello: Kathy Salazar
Monterey Park: Sharon Martinez

two (2) members representing the County Board of Supervisors to be nominated by the LA County Board of Supervisors;

- B. ~~increase the allowed membership on the San Gabriel Service Sector Council from 9 to 10 members, nine voting and one non-voting. (One public member, non-voting to serve as an advisory voice, to be selected by the nine voting members.~~

11. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE January progress report on the development of the **Short Range Transportation Plan** for FY04-09.
12. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE status report on the progress of the **I-710 Long Beach Freeway Major Corridor Study** between the ports of Los Angeles, Long Beach and SR-60 Pomona Freeway.

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

13. APPROVED AS AMENDED BY BERNSON the **Crenshaw-Prairie Corridor Major Investment Study** and directed staff to:
 - A. Prepare, a funding and implementation schedule for Crenshaw Metro Rapid enhancements including higher capacity buses, enhanced stations and segments of dedicated transit lanes for consideration by the Board, along with other potential projects, as part of the Short Range Plan;
 - B. Initiate discussions with the Burlington Northern Santa Fe Railroad Company (BNSF) regarding shared use of the Harbor Subdivision railroad right-of-way within the Crenshaw Corridor for exclusive bus lane or possible future passenger rail uses;
 - C. Coordinate with the ongoing Los Angeles International Airport (LAX) Master Planning efforts to evaluate connections from any new LAX Intermodal Transit Center to the Crenshaw Corridor;
 - D. Consider implementing a bus route from the Wilshire/Western Station to the planned LAX Intermodal Transit Center via the Crenshaw Corridor;
 - E. Continue to ~~reflect potential future implementation of light rail transit (LRT) or a 24-hour Metro Rapid Transitway in the Crenshaw Corridor in the MTA Long Range Transportation Plan~~ **evaluate higher capacity modal options as part of MTA Long Range Planning process.**

14. APPROVED ON CONSENT CALENDAR the “**Draft MTA Parking Policy**” for circulation and comment as part of the MTA’s Short Range Transportation Plan.

16. RECEIVED AND FILED UNDER CONSTRUCTION COMMITTEE AUTHORITY November 2002 **Metro Red Line Segment 2 and Segment 3 closeout status.**

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

18. APPROVED:
- A. negotiation and execution of Change Order No. 9 to Contract No. PS-4310-0964, with Eastside Light Rail Transit Partners, a Joint Venture, consisting of Parsons Brinckerhoff, Jenkins/Gales & Martinez and Barrio Planners, Inc. **to provide Design Support During Construction Services** from January 2003 to January 2004, for an amount not to exceed \$2,430,660, increasing the CWO value from \$28,572,170 to \$31,002,830;
 - B. establishing a contract contingency fund in the amount of \$243,066 as an allowance for contract modifications; and
 - C. execution of contract modifications within this amount.
21. APPROVED ON CONSENT CALENDAR the **MTA FY04 Financial Standards**.
22. APPROVED AS AMENDED BY YAROSLAVSKY adoption of a resolution authorizing the Chief Executive Officer to price and deliver up to \$560 million of the **Proposition A 2003-A refunding bonds**, including approval of documents on file with the Board Secretary, in a negotiated bond sale using the previously approved underwriting syndicate consisting of UBS PaineWebber as book-running co-senior manager and Salomon Smith Barney as co-senior manager, with co-managers Chapman & Co., E. J. De La Rosa & Co., M. R. Beal & Co., Ramirez & Co. and Siebert Brandford Shank & Co., LLC, to encourage minority participation.

AMENDMENT: that a bond sale other than a forward bond sale must be competitively bid.

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

26. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT & AUDIT COMMITTEE AUTHORITY quarterly report of **Management Audit Services**.

27. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT & AUDIT COMMITTEE AUTHORITY **Report to Management** from PriceWaterhouseCoopers for the year ended June 30, 2002.

28. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT & AUDIT COMMITTEE AUTHORITY status of implementation of the FY 1998-00 **Triennial Performance Audit** recommendations for MTA Operations, Los Angeles County transit operators, and Los Angeles County Metropolitan Transportation Authority as the Regional Transit Planning Entity for Los Angeles.

29. ADOPTED the proposed **2003-2004 Federal, Regional and Local Legislative Program**.

30. APPROVED ON CONSENT CALENDAR:
 - A. adopting the updated **MTA Investment Policy**;
 - B. delegating to the MTA Treasurer or his/her designees, the authority to invest MTA funds for a one-year period, pursuant to California Government Code Section 53607; and
 - C. approving the Financial Institutions Resolution authorizing financial institutions to honor the signatures of MTA Officials.

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

31. APPROVED AS AMENDED BY O'CONNOR execution of Amendment No. 2 to Contract No. PS-5420-0653 with Images in Foil, Inc. for additional **fare media pass and stamp production services for the Regional Pass and Stamps** for an amount not to exceed \$492,480 increasing the total contract value from \$1,976,140 to \$2,468,720.

AMENDMENT: **staff to work with muni operators to use MAX fare collection system and to develop an interim solution for the lack of magnetized stripe on the EZ Regional Transit pass.**

32. APPROVED ON CONSENT CALENDAR the revised **public comment procedure.**

37. APPROVED execution of an amendment to Contract No.OP-02-4610-10 with Cubic Transportation Systems, Inc. to provide **Universal Fare System** equipment for an amount not to exceed \$7,454,844 increasing the total contract value from \$89,003,444 to \$96,458,288.

38. APPROVED ON CONSENT CALENDAR execution of:

- A. Amendment No. 1 to Contract No. OP33200705 with North American Bus Industries, **to exercise an option for seventy (70) additional high capacity buses, spare parts, and diagnostic equipment** for an amount not to exceed \$28,679,137, increasing the total contract value from \$12,639,386 to \$41,318,523 inclusive of sales tax; and
- B. change orders for this procurement only for an amount not to exceed \$2,000,000 for a total contract value not to exceed \$43,318,523.

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

39. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD finding that purchase of the in-ground, axle engaging heavy lift in compliance with Public Utilities Code Sections 130232 and 130233 does not constitute a method of procurement adequate for acquisition of the unique, prototype equipment needed to provide a new, environmentally safe lift for maintaining buses. The Board hereby authorizes the **procurement of the Rotary Model MD30 heavy lift** pursuant to PUC Section 130236, for operational testing and evaluation of the lift as is necessary to assess the performance for the intended purpose.

40. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD award of a sole source contract to AnsaldoBreda **to repair Metro Red Line Cars 549 and 550** for a total cost not to exceed \$280,000.

41. APPROVED ON CONSENT CALENDAR adoption of the **Los Angeles County Regional Transit Plan** for fiscal years 2003 to 2007.

42. APPROVED ON CONSENT CALENDAR revised report executing Amendment No. 5 to Contract No. PS26100450 with Elite Security, Inc., **to provide private security services in support of Metro Gold Line construction and pre-revenue operations**, for a period through June 30, 2003 for an amount not to exceed \$544,071 increasing the not to exceed value of the contract from \$15,052,105 to \$15,596,176.

43. APPROVED:
 - A. award of a three-year firm fixed-price contract, Contract No. PS-9240-1264 to Spear Technologies for **Acquisition and Implementation of a Maintenance and Materiel Management System** for an amount not to exceed \$18,976,212, effective February 1, 2003; and

2003 BOARD ACTIONS AND PROCEEDINGS

JANUARY 23, 2003

- B. negotiation and execution of Change Orders for this procurement up to ten (10%) percent of the original approved contract value, for an amount not to exceed \$1,900,000 for a total contract value not to exceed \$20,876,212.
44. APPROVED ON CONSENT CALENDAR award of a five-year firm fixed-price unit rate, variable quantity Contract No. OP33440665 to Woods Maintenance Services, Inc. the most responsive, responsible bidder, **to provide trash removal and mechanical weed abatement services** for MTA-owned railroad rights-of-way for an amount not to exceed \$2,976,600 inclusive of two one-year options; **subject to resolution of protest.**
45. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed-price contract under Bid 10-0231 to Cookson Door Sales, the lowest responsive, responsible bidder **to replace 55 roll-up doors** at Division 4 in Downey, Division 7 in West Hollywood and Location 14 in South Park, for a total price of \$280,729 inclusive of sales tax.
46. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of twenty-four month firm-fixed price requirements contracts under Bid 08-0222 the lowest responsive, responsible bidders for **bus and automotive batteries** for an amount not to exceed \$768,683 inclusive of sales tax to the following:
- A. Exide Corporation for group 31 bus battery for a total contract value of \$708,496 inclusive of sales tax; and
- B. Battery Systems for group 24 series batteries, group GC-4 series batteries, group 8D series batteries, group 65 series batteries, group 34 series batteries, group 64 series batteries, group 58 series batteries, and group 78 series batteries for a total contract value of \$60,187 inclusive of sales tax.

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47. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT & AUDIT COMMITTEE AUTHORITY **Audit Activities Report** from the Office of the Inspector General.

48. APPROVED BY A 2/3 VOTE OF THE BOARD:

A. holding a public hearing on the resolution of necessity for the acquisition of project Parcel Nos. 1801, 1813, 2101, 2202 for the **San Fernando Valley East-West Bus Rapid Transit** Project; and

B. adopting Resolutions of Necessity authorizing the commencement of eminent domain actions to acquire the above subject properties.

49. APPROVED BY A 2/3 VOTE OF THE BOARD:

A. holding a public hearing on the resolution of necessity for the acquisition of project Parcel Nos. ED-193, ES-548, ES-549, ES-550, ES-551, and ES-553 for the **Eastside Light Rail Project** – 1st Boyle and 1st Soto Street stations; and

B. adopting Resolutions of Necessity authorizing the commencement of eminent domain actions to acquire the above subject properties.

50. APPROVED MOLINA MOTION that MTA establish a **Gold Line operating procedure** which designates the crossings at Avenues 45 and 50 as quiet zones, and which includes rules prescribing the circumstances under which train operators should sound “quackers,” and other audible warning devices, such as horns and bells;

I FURTHER MOVE, that this operating procedure be designed in a manner which balances the need to ensure the safety of vehicular and pedestrian traffic with the legitimate community interest in eliminating unnecessary noise in the operation of the Gold Line;

2003 BOARD ACTIONS AND PROCEEDINGS JANUARY 23, 2003

I FURTHER MOVE, that, if, in drafting the operating rules, staff determines a further application to the Public Utilities Commission or legislation is required to allow quiet zones at Avenues 45 and 50, the staff prepare the application and return to the Board with its recommendation.

19. CLOSED SESSION:

A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

Eastside Metro Gold Line Project

Parcel No.	Owner	Address
ES-598	Ellen M. Widiss	245, 249, 251 & 255 South Atlantic Boulevard, Los Angeles
ES-606	Chris Chen	506-518 E. Commercial Street, Los Angeles, CA

NO REPORT.

B. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9 (a):

1. Cortez v. MTA LC 058113

APPROVED settlement in the amount of \$1 million.

2. Luna v. MTA VC 035142

APPROVED settlement in the amount of \$250,000

3. Heaven v. MTA SC 062932

NO REPORT.

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4. Ridgeway v. MTA 1000-92-01833

APPROVED structured settlement at a cost of \$660,000

5. Labor/Community Strategy Center v. MTA CV94-5936 TJH

NO REPORT.

- C. Personnel Matters – G.C. 54957

Public Employee Appointment: William Waters –Inspector
General

APPOINTED William Waters as Inspector General.

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

Agency Negotiators: Roger Snoble and Brenda
Diederichs

Employee Organizations: Amalgamated Transit Union and
Engineers and Architects Association

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS

February 5, 2003

SPECIAL BOARD MEETING

February 5, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED AS AMENDED BY YAROSLAVSKY to delete the word “working priorities”:
 - A. adoption of ~~working priorities~~ and **priority-setting criteria for highway, existing Call for Projects and transit projects;**
(See Attachment A which is made part of the minutes)
 - B. a State Transportation Improvement Program (STIP) amendment request; and
 - C. adoption of state legislative positions that include transportation revenue increases.
2. RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS

February 27, 2003

REGULAR BOARD MEETING

February 27, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 9, 15, 28, 32 and 33 A, B, C

Items 8, 10, 20, 24, 25, 26 and 27 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 7, 23, and 30

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held January 23, 2003 and Special Board Meeting held February 5, 2003.

3. RECEIVED Chair’s Report

- Honored Eric Levinson, former Chair of MTA’s Accessibility Advisory Committee and his contribution to MTA.

4. RECEIVED Deputy Chief Executive Officer’s Report

- Special Board Meeting on March 5, 2003 to set a public hearing on proposed fare restructuring
- Co-hosting with the Greater Los Angeles Chamber of Commerce a one-day seminar on Land-Use.
- CEO Snoble in Sacramento to attend the first Mobility 21 Coalition Advocacy and to testify before the California Transportation Commission.

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7. RECEIVED AND FILED under Planning and Programming Committee report on the **Southeast Bus Restructuring Study and associated Subregional Government Alternatives Study and Supplemental Southeast Bus Restructuring Study.**

8. APPROVED AS AMENDED BY YAROSLAVSKY authorizing the Chief Executive Officer to continue Exclusive Negotiation Agreement **through March 28, 2003** with Legacy Partners for the **development of approximately 2.8 acres of MTA-owned properties located at the Hollywood and Vine Metro Rail Station; and thereafter allow the MTA to open non-exclusive negotiations for the Hollywood/Vine station site with those who have previously made proposals to the MTA as part of the original RFP process.**

9. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to enter into a six-month Exclusive Negotiation Agreement with MacArthur Park, LLC for the **development of approximately 3.7 acres of MTA-owned properties located at the Metro Red Line Wilshire/Alvarado Station (MacArthur Park).**

10. APPROVED AS AMENDED BY BURKE **for staff to offer participation in the new technology pilot program to the next soundwall on the Phase I, Priority 1 list:**
 - A. the Chief Executive Officer to enter into a Memorandum of Understanding with Caltrans for an estimated \$3.1 million to construct a companion soundwall along westbound Route 210 from Highland Avenue to Buena Vista Street;

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- B. the allocation of \$2.3 million combined for I-5 Golden State Freeway, May 1989 **Soundwall projects** between Route 170 and 134 in the City of Los Angeles (from North Hollywood Way to North Sunland Boulevard) and in the City of Glendale (from Western Avenue to North Alameda Avenue); and I-10 San Bernardino Freeway, May 1989 soundwall project in the City of West Covina (from Grand Avenue to immediately west of Holt Avenue) to allow these soundwalls to accommodate planned future HOV lanes;
- C. the allocation of \$750,000 to participate in a Caltrans demonstration of a rice straw soundwall authorized by Assembly Bill (AB) 2751 **or other alternative soundwall material** on the Route 10-Santa Monica Freeway; and
- D. the establishment of Phase I, Priority 3, Post 1989 soundwall list projects that were identified by Caltrans after the Board action of April 27, 2000.

12. APPROVED revised report:

- A. adopting the **San Fernando East-West Metro Rapid Transitway** (formerly known as “Bus Rapid Transit”) Project 800112 Budget for a baseline value of \$329,500,000;
- B. adopting the San Fernando Bikeway Project 800114 Budget for a baseline value of \$8,100,000;
- C. adopting a San Fernando East-West Metro Rapid Transitway and Bikeway Project Schedule to achieve a Revenue Operation Date, calculated as full Notice to Proceed date for Contract No. C0675 plus 27 months, contingent upon resolution of California Transportation Commission funding issues;
- D. authorizing the Chief Executive Officer to execute contract modifications for Contract No.C0675 Design/Build up to \$15,109,502 and Contract No. C0676 Los Angeles River Bridge up to \$383,658 subject to project budget and funding limitations; **and subject to the reporting, approval and individual contract modification dollar limitations set forth;**

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- E. authorizing the Chief Executive Officer to **negotiate the possible reimbursability from Third parties and exercise, if deemed appropriate**, Options E.2 through E.8 to Contract No. C0675 Design/Build; and
 - F. authorizing the Chief Executive Officer to negotiate an agreement for the design and construction of a park-and-ride facility and other ancillary improvements to serve Warner Center within the proposed Project Budget for the San Fernando Valley East-West Metro Rapid Transitway, which shall be brought to the MTA Board to review and approve the final terms and conditions.
-
- 15. APPROVED ON CONSENT CALENDAR adoption of the updated **MTA Defeased Leasing Policy**.

 - 16. AUTHORIZED the competitive sale and issuance of up to \$415 million of **Proposition C refunding bonds** and approve documents, including the Authorizing Resolution, Notice Inviting Bids and Notice of Intention to Sell Bonds.

 - 20. ADOPTED the **Contracted Transit Pass Programs**.

 - 21. FORWARDED TO THE MARCH REGULAR BOARD MEETING report on **Service Sector costs**.

 - 23. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY report on the **Mental Evaluation Team** dedicated to support regional public transit operations.

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24. APPROVED STAFF RECOMMENDATION AS AMENDED BY HUDSON to include a report back in 30 days with an analysis of the impact of suspending cancellation of Line 561.

- A. findings of public hearing held on Wednesday, January 15, 2003 concerning the MTA's San Fernando Valley Sector June 2003 Service Change Program; and
- B. adopting the Revised June 2003 San Fernando Valley Sector Change Program.

FAILED BURKE MOTION to suspend cancellation of Line 561 until public Hearing on Sector Changes for the Westside Sector can occur, staff can then report back to the Board with impact analysis.

25. APPROVED STAFF RECOMMENDATION AS AMENDED BY HUDSON to include a report back in 30 days with an analysis of the impact of adding "Limited Service" as an overlay to existing local services on Line 260 without decreasing local service:

- A. findings of the public hearing held on Saturday, January 25, 2003 concerning the MTA's San Gabriel Valley Sector June 2003 Service Change Program; and
- B. adopting the Revised June 2003 San Gabriel Valley Sector Change Program.

FAILED BURKE MOTION to add "limited service" as an overlay to existing local service without decreasing local service and report back to the Board in 6 months with ridership analysis and recommendations.

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26. APPROVED STAFF RECOMMENDATION AS AMENDED BY HUDSON to include a report back in 30 days with an analysis of the impact of suspending canceling/restructuring of Lines 55, 56, 60, 105, 107, 112, 119 and 214.
- A. findings of public hearing held on Saturday, January 25, 2003 concerning the MTA's Gateway Cities Sector June 2003 Service Change Program;
 - B. adopting the Revised June 2003 Gateway Cities Sector Change Program.

FAILED BURKE MOTION to suspend cancellation and/or re-structuring of Lines 55, 56, 60, 105, 107, 112, 119, and 214 for six months. Implement lines S-1 and S-2 and report back to the Board in six months with ridership analysis and recommendations for the above affected lines.

27. APPROVED:
- A. award of a fixed-price unit rate contract No. OP33200646 to North American Bus Industries (NABI), for **200 Low Floor CNG Articulated Vehicles, spare parts, training aids and other miscellaneous equipment** for an amount not to exceed \$138,888,329 inclusive of sales tax;
 - B. execution of a contract with NABI after funding is approved for this project by the California transportation Commission (CTC); and
 - C. negotiation and execution of Change Orders for this procurement only in amounts of less than \$1,000,000 per change order with cumulative change orders not to exceed 10% of the current approved contract value.

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28. APPROVED ON CONSENT CALENDAR award of a five-year fixed-price unit rate contract, No. OP39402528 to Knorr Brake Corporation, the single, responsive and responsible bidder, **for the overhaul of Metro Blue Line Light Rail Vehicle Brake System Equipment** for an amount not to exceed \$3,427,783.
29. WITHDRAWN BY STAFF execution of seven three-year **Metro Freeway Service Patrol** contracts for a total amount not to exceed \$8,632,302 to the following firms:

Beat	Contractor	Amount	Contract Period
2	South Coast Towing, Los Angeles	\$1,281,904	6/1/03 – 5/31/06
6	Tip Top Tow Service, Santa Monica	\$1,162,814	6/1/03 – 5/31/06
10	EZ Towing, Van Nuys	\$1,172,746	7/1/03 – 6/30/06
22	Girard & Peterson, Burbank	\$1,308,663	7/1/03 – 6/30/06
35	Girard & Peterson, Burbank	\$ 972, 173	7/1/03 – 6/30/06
39	J & M Towing, Alhambra	\$1,246,346	8/1/03 – 7/31/06
40	Best Car Towing, Los Angeles	\$1,481,656	8/1/03 – 7/31/06
TOTAL		\$8,632,302	

30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five-year firm fixed-price contract No. PS03064105 to Terminix Commercial, **for vehicle and facilities pest control services** for an amount not to exceed \$1,545,497 inclusive of two one-year options, effective March 7, 2003.
31. APPROVED award of a 2-year, firm fixed-price requirements contract under Bid 10-0208 to Molina Gaskets for **re-upholstered bus and light rail seat inserts** for an amount not to exceed \$1,295,190 inclusive of sales tax effective March 1, 2003.

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32. APPROVED ON CONSENT CALENDAR adoption of the proposed **2003-2004 State Legislative Program.**

Director Antonovich opposes points #4 and #5 of Goal #1 in the 2003-2004 State Legislative Program.

33. APPROVED ON CONSENT CALENDAR adoption of the following positions on **state legislation:**

A. ACA 7 (Dutra) – would reduce the voting requirement to a simple majority for sales taxes related to transportation. **SUPPORT IF AMENDED.**

B. SCA 2 (Torlakson) - Would reduce the voting requirement to a simple majority for sales taxes related to transportation. **SUPPORT IF AMENDED.**

C. AB98 (Koretz) – Would require the IWC to expand Wage Order #9 to publicly employed commercial drivers. **OPPOSE**

- 33-D. WITHDRAWN BY STAFF: AB 199 – (Oropeza) – Creates the Public Transit Employer – Employee Relations Act to give supervisory employees of public transit districts specified rights under the Myers-Milas Brown Act including the right to form and/or join an employee organization. **OPPOSE**

34. DISCUSSED:

A. the recently concluded Fiscal Year 2003 **Appropriations process and its impact on the MTA;**

B. prospects for securing full funding for the MTA's Fiscal Year 2004 Appropriations requests; and

C. a review of the MTA's Tea-21 Reauthorization Program and policy objectives.

2003 BOARD ACTIONS AND PROCEEDINGS
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35. APPROVED the San Fernando Interim Joint Powers Authority recommendation to nominate the following to serve on the **San Fernando Valley Sector Governance Council**:

<u>Submitted by:</u>	<u>Name</u>
City of Los Angeles	Coby King Joan Leonard Bart Reed Kymberleigh Richards
County of Los Angeles	David Fleming Jesus Ochoa
East Cluster Nominees	Rafi Manoukian Stacy Murphy
West Cluster Nominee	Jeff Reinhardt

36. APPROVED Los Angeles County's nominees to serve on the **San Gabriel Valley Sector Governance Council**:

Supervisor Antonovich	Dave Spence
Supervisor Molina	Rosie Vasquez

37. APPROVED:

- A. authorizing the Chief Executive Officer to negotiate and execute a Memorandum of Understanding (MOU) with the County of Los Angeles for Sheriff's Department **Transit Community Policing services**, for a period of five years, inclusive of two one-year options, not to exceed \$ 47,212,982 for FY04, and \$7,868,830 for two months service in FY03, inclusive of all start-up capital costs and annualized capital expenses, starting May 1, 2003; and
- B. authorizing the Chief Executive Officer to negotiate and extend Interim Contract No. PS2610LASD with the County of Los Angeles for Sheriff's Department (LASD) Transit Community Policing services for a period of performance through April 30,

2003 BOARD ACTIONS AND PROCEEDINGS

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2003 for a contract value not to exceed \$3,510,983 for two months service or \$1,755,492 per month; and

- C. authorizing the Chief Executive Officer to negotiate and extend Interim Contract No. PS2610LAPD with the City of Los Angeles for Los Angeles Police Department (LAPD) Transit Community Policing services for a period of performance through April 30, 2003 for a contract value not to exceed \$4,196,762 for two months service or \$2,064,536 per month; and
- D. authorizing payment under contract OP2610LASD to the County of Los Angeles in an amount up to \$160,000 covering payment of outstanding balance due County for services provided during the period July 1 through November 30, and authorize payment under contract OP2610LAPD to the City of Los Angeles in an amount up to \$2,281,195 for balance due the City for services provided during the period July 1 through November 23, 2002.

FAILED HAHN MOTION:

- 1) that the Chief Executive Officer negotiate and execute a Memorandum of Understanding with the County of Los Angeles and the City of Los Angeles for transit policing services. Pursuant to this MOU, the Los Angeles Police Department will provide security services for the Metro Red Line and the San Fernando, Central and West Side Service Sectors. The Los Angeles County Sheriff's Department will provide services to the Green Line, Blue Line, Gold Line and transit service areas outside of the City of Los Angeles;
- 2) that this agreement shall be for a period of five years, inclusive of the two, one-year options. Such agreement will be within the fiscal guidelines adopted by the Board for transit security;
- 3) that the MTA staff will conduct a study on the efficacy of establishing an internal MTA police force and report back to the Board within 6 months with the results of that study;

2003 BOARD ACTIONS AND PROCEEDINGS
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- 4) that all 54-fare inspectors be provided by MTA; and
- 5) that after recalculating LASD overhead costs, and other costs, the City of Los Angeles will make-up the difference found in scenario I, which is currently estimated at \$1.46 million.

APPROVED BURKE MOTION that the MTA staff will conduct a study on the efficacy of establishing an internal MTA Police Force and report back to the Board within 6 months with the results of that study.

38. CLOSED SESSION:

A. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9
(a):

- 1. Heaven v. MTA SC 062932

NO REPORT.

- 2. MTA v. United Transportation Union BC 287260

NO REPORT.

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

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: Amalgamated Transit Union and
Engineers and Architect Association

NO REPORT.

RECEIVED public comment.

ADJOURNED in memory of Eric Levinson.

2003 BOARD ACTIONS AND PROCEEDINGS

March 5, 2003

SPECIAL BOARD MEETING
March 5, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. **RECEIVED FY03 Mid-Year Financial Performance Report.**

2. **APPROVED:**
 - A. scheduling Saturday, April 12, 2003 as public hearing date to receive public comment on **possible transit fare adjustments**; and
 - B. authorizing the publication of the Public Hearing Notice.

3. **RECEIVED Public Comment.**

2003 BOARD ACTIONS AND PROCEEDINGS

March 27, 2003

REGULAR BOARD MEETING

March 27, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 10, 18, 23, and 34

Items 21, 24 and 31 were removed from Consent Calendar. Items 12 and 33 were removed from Committee Authority.

NOTED COMMITTEE AUTHORITY ITEMS: 7, 8, 11, 13, 14, 17, 28, and 29.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held February 27, 2003 and Special Board Meeting held March 5, 2003.

3. RECEIVED Chair’s Report

- Honored Shimarko Pope, a stock clerk at the Regional Rebuild Center who was killed March 1, 2003.

4. RECEIVED Chief Executive Officer’s Report

- 2003 Greater Los Angeles Vendor Fair on April 23, 2003
- Trip to Sacramento to testify before the California Transportation Authority regarding the STIP Amendment
- Mobility 21 trip to Washington, D.C.
- Security Issues

2003 BOARD ACTIONS AND PROCEEDINGS
March 27, 2003

7. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY report on the **North County Combined Highway Corridor (Part I) (Study)**, which focuses on the **I-5 Golden State Freeway and the SR-14 Antelope Valley Freeways in the North County**.

8. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY report on the progress towards completing the **North County Combined Highway Corridor Study**, which contains three major roadway segments along **State Route 138**.

10. APPROVED ON CONSENT CALENDAR execution of:
 - A. **Overall Master Cooperative Agreement** with the State of California for Design and Construction of Bus and Rail Transit Projects;

 - B. **Design** Supplemental Cooperative Agreement with the State of California for the **101 Freeway Overcrossing at Union Station**; and

 - C. **Construction** Supplemental Cooperative Agreement with the State of California for the **101 Freeway Overcrossing at Union Station**.

11. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of the Mutual Release And Settlement Agreement and Change Order No. 78 to Contract No. B710, **Escalators/Elevators**, with Fujitec America, Inc. **to settle all outstanding claims, changes and closeout issues** on Metro Red Line Segment 2 Wilshire/Vermont Corridor, Segment 3 North Hollywood and Segment 3 Mid City Extensions in the amount of \$1,935,949, increasing the total contract value from \$27,027,889 to \$28,963,838.

2003 BOARD ACTIONS AND PROCEEDINGS

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12. APPROVED execution of Amendment No. 1 to Contract No. EN070 with Ultrasystems Environmental **to provide anticipated Environmental Compliance Services** through fiscal year 2004 for an amount not to exceed \$220,000 increasing the total contract value from \$1,400,000 to \$1,620,000.
13. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY AS CORRECTED execution of Amendment No. 3 to Contract EN069 with **CH2Mhill Constructors, Inc., to provide continuing Environmental Waste Handling Services** for all transit and major capital projects in an amount not to exceed of \$3,850,000, increasing the total value from \$4,000,000 to \$7,850,000.
14. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 43 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. **to modify the electromagnetic interference monitoring system** for the 52 Light rail vehicles currently on order under the Contract, in the amount of \$283,153 increasing the total contract value from \$214,404,464 to \$214,687,617.
15. CLOSED SESSION:
- A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

San Fernando Valley East-West Bus Rapid Transit Project

Parcel No.	Owner	Address
301	Los Angeles Community College District (Pierce College)	Victory Blvd. and Winnetka Avenue

Instructed real property negotiator.

2003 BOARD ACTIONS AND PROCEEDINGS

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B. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9
(a):

1. Morales v. MTA BC263505

APPROVED settlement in the amount of \$675,000.

2. Carrington v. MTA VC035729

APPROVED settlement in the amount of \$210,000.

3. Livingston v. MTA BC276025

APPROVED structured settlement in the amount of \$325,000.

4. Jacobs v. MTA BC262200

APPROVED settlement in the amount of \$675,000.

5. Torres v. MTA VC033955

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

6. Moore v. MTA BC277037

APPROVED settlement in the amount of \$450,000.

7. Labor/Community Strategy Center v. MTA CV94-5936 TJH

NO REPORT.

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

Agency Negotiators: Roger Snoble and Brenda Diederichs

Employee Organizations: ATU, TCU, UTU and Engineers and Architects Association

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS

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17. RECEIVED AND FILED UNDER FINANCE AND BUDGET COMMITTEE AUTHORITY report recommending that (A) quarterly financial performance reports and (B) sales tax revenue updates be directly submitted to the Finance and Budget Committee as "**receive and file**" items.

18. APPROVED ON CONSENT CALENDAR execution of an amendment to Contract No. PS5110-0478 with ProBusiness Services, Inc. **to provide payroll services** for an additional eight months in the amount of \$379,100, increasing the total contract value from \$2,653,872 to \$3,032,972.

21. APPROVED REVISED BERNSON MOTION that MTA staff study the feasibility of a **parking lot observer program**, based on WMATA's program that assigns individuals who are on workers' compensation to be observers at MTA parking facilities **and key stations, and stops throughout the city** to monitor suspicious parking lot activity and report back in 30 days.

22. ADOPTED the following positions on state legislation:
 - A. ACR 40 (Dymally) - Would create the Compton Planning and Transportation Task Force. **WORK WITH AUTHOR**

 - B. AB 557 (Lowenthal) – Would grant a right-of-way to a transit bus under specified conditions. Expand this program statewide and establish the right-of-way as a permanent provision in State Law. **SUPPORT**

 - C. AB 1500 (Diaz and Pavley) - Would create the Petroleum Pollution Cleanup and Prevention Act. The bill would levy a \$1 charge on each barrel of petroleum delivered to a refinery in California and would dedicate those funds to various petroleum pollution remediation programs and to public transit. **SUPPORT**

2003 BOARD ACTIONS AND PROCEEDINGS

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- D. AB 1652 (Nakano) - Would add two City Selection Committee members to the MTA Board. Require the City Selection Committee to define the six sectors from which the new members would be selected. **OPPOSE**

FAILED Fasana motion to carry over item D for 30 days.

- E. SB 504 (Kuehl) - Would create the Santa Monica Metro Line construction Authority and transfer authority for construction of a light rail line along the Exposition Right-of-Way to the new Authority. **OPPOSE, WORK WITH AUTHOR**

APPROVED O'Connor substitute motion to take a position of "NEUTRAL AND WORK WITH AUTHOR".

- F. SB 541 (Torlakson) – Would provide for increases to the State Gas Tax based on inflation and would require an additional increase to the Traffic Congestion Relief Program under specified conditions. **SUPPORT**

- G. SB 760 (Scott) - Would delete the sunset provision of January 1, 2004 thereby making the sales tax exemption permanent. **SUPPORT**

- H. SB 795 (Karnette) – Clarify that the Freeway Service Patrol program (FSP) is an eligible use of excess funds. Clarify the ability of local agencies to place Call Boxes on county roads. **SUPPORT**

- I. SB 981 (Soto and Romero) - Would create the Petroleum Pollution Cleanup and Prevention Act similar to AB 1500. **SUPPORT, WORK WITH AUTHOR**

23. **APPROVED ON CONSENT CALENDAR** funding the third year of:

- A. Contract No. PS-2020-1051 with Dr. Eisenstein for **geotechnical and tunneling consulting** as a member of the Tunnel Advisory Panel for an amount not to exceed \$193,965 effective May 1, 2003; and

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- B. Contract No. PS-2020-1055 with Dr. Martin for geotechnical and tunneling consulting as a member of the Tunnel Advisory Panel for an amount not to exceed \$39,600 effective May 1, 2003.

- 24. APPROVED revisions to the **MTA Procurement Policy Manual** relating to awarding a contract.

- 28. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY **Safety's First Program and Workers' Compensation** status report for the period covering October through December 2002.

- 29. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY report for procurement action **to perform grouting on Metro Red Line tunnels** to stop water intrusion as an immediate remedial measure.

- 30. APPROVED:
 - A. award of a five-year, fixed unit rate contract, No. PS26101151A, to Intercon Security Systems **for private security services** in an amount not to exceed \$8,927,990 inclusive of four one-year options, effective July 1, 2003; and
 - B. award of a five-year, fixed unit rate contract No. PS26101151B, to U.S. Guards Company **for private security services** in an amount not to exceed \$10,510,127 inclusive of four one-year options, effective July 1, 2003.

- 31. CARRIED OVER FOR 30 DAYS AS AMENDED BY BURKE authorizing the Chief Executive Officer to enter into four-month (120 day) Exclusive Negotiation Agreement (ENA) with RAD Jefferson, LLC (RAD) **for a land exchange of MTA's Division 6 site in Venice, California** for a larger, more suitable West Los Angeles site to be acquired and developed as a new bus operating division.

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BURKE AMENDMENT: that this Board instruct MTA staff to include, as part of any further efforts regarding the Division 6 relocation, analysis of noise, traffic and health impacts on the surrounding communities and report back to this Board with its conclusions.

32. **APPROVED ANTONOVICH MOTION AS AMENDED BY ROBERTS** that the Executive Director of the MTA be directed to immediately review the following complaints:
- A. the MTA's rail system's escalators, elevators, and ticket vending machines are frequently out of order;
 - B. service attendants are not available to assist the disabled passengers; and
 - C. the condition of the Blue Line rail cars appears rundown with graffiti-etched windows;

and report back to the Committee in 30 days with an action plan to improve the rail fleet's appearance and service to its commuters.

AMENDMENT: that in addition to reviewing the Blue Line complaints, that this Committee directs the Executive Officer to expand Director Antonovich's motion to include the Red Line stations in the action plan.

33. **RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY** report on methodology used to select projects for deferral in the **STIP amendment request (excluding project priority list not adopted by the Board)** approved by the MTA Board at its February 5, 2003 meeting.
34. **APPROVED ON CONSENT CALENDAR** execution of the **Master Cooperative Agreement** that specifies the roles, responsibilities, and procedures, which MTA and COUNTY will follow in planning, designing, constructing the Eastside Light Rail Transit Project.

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35. RECEIVED AND FILED report on **Service Sector costs**.
36. RECEIVED AND FILED report on the **impact analysis for the June 2003 Service Change Programs** for the San Gabriel Valley, Gateway Cities, and San Fernando Valley Sectors.
37. CARRIED OVER TO THE APRIL 12, 2003 PUBLIC HEARING update on responses to questions raised at the March 5, 2003 Special Board meeting regarding **discount fare program** administration and the proposed fare restructuring.
38. APPROVED an **AB3090 repayment plan**, which includes a **REVISED** repayment schedule and estimated interest costs, for the Metro Gold Line Eastside Extension, the San Fernando Valley East-West Metro Rapid Transit (MRT), and Articulated Bus Procurement projects.
39. APPROVED the corrected legal description for Parcel ES-551 that was included in the Resolution of Necessity adopted by the Board of Directors authorizing the commencement of an eminent domain action to acquire the parcel for the **Eastside Light Rail Project – 1st/Soto Street Station**.
40. APPROVED Las Virgenes Malibu Council of Governments nominee Brad Rosenheim to replace Agoura Hills Mayor, Jeff Reinhardt to serve on the **San Fernando Valley Sector Governance Council**.

ADJOURNED in memory of Shimarko Pope.

RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS

April 24, 2003

REGULAR BOARD MEETING

April 24, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 6, 7, 8, 13, 18**, 19, 20, and 26.

Items 17, 33, 35, 37**, 42, and 44 were pulled from Consent Calendar.
Item 32 was removed from Committee Authority.

NOTED COMMITTEE AUTHORITY ITEMS: 12, 15, 16, 24, 25, 38, 39, 40, and 41.

** - Requires 2/3 vote of the Board

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held March 27, 2003.

3. Chief Executive Officer's Report

No Report.

4. Chair's Report

No Report.

2003 BOARD ACTIONS AND PROCEEDINGS
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6. APPROVED ON CONSENT CALENDAR:
 - A. the local scores for the Federal Transit Administration Section 5310 projects and authorize staff to include the applications recommended for **funding in the 2003-04 Regional Transportation Improvement Program**; and
 - B. executing and transmitting the Resolution and scoring recommendations to Caltrans.

7. APPROVED ON CONSENT CALENDAR a one-time waiver for the City of Redondo Beach of the **MTA Pass-Through Grant Program Policy's** restriction on assisting local agencies in obtaining Federal Section 5307 formula funds.

8. APPROVED ON CONSENT CALENDAR entering into a Joint Development Agreement (JDA) and, subject to Developer meeting contingencies of the JDA, entering into Ground Lease, Easement Agreement, and such other agreements necessary **to implement the Ground Lease with Wilshire Entertainment Center, LLC (WEC)** for the development of approximately 72,700 square feet of MTA-owned property located at the Metro Red Line Wilshire/Western Station.

9. APPROVED extending the term of the MTA's Exclusive Negotiation Agreement (ENA) with Urban Partners, LLC (Urban Partners) **for the proposed joint development of the Wilshire/Vermont Metro Red Line Station** site for an additional 60 days to July 4, 2003.

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12. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. C2327, Los Angeles River Bridge Widening at Lankershim Boulevard, with Brutoco Engineering and Construction, Inc. on the Metro Red Line, Segment 3, North Hollywood Extension, **to close out the contract and provide funding to allow staff to execute already negotiated changes** that are within the Board delegated authority in the amount of \$81,724, increasing the total current AFE amount from \$6,502,718 to \$6,584,442.

13. APPROVED ON CONSENT CALENDAR a Resolution to permit the prime contractor of the **Metro Gold Line Eastside Extension** under the CO801 Stations, Trackwork and Systems Design-Build Contract **to enter into subcontracts for work** without having designated a subcontractor for such work in the original bid.

15. RECEIVED AND FILED UNDER FINANCE AND BUDGET COMMITTEE AUTHORITY report on **sales tax revenues for fiscal year 2003**.

16. RECEIVED AND FILED UNDER FINANCE AND BUDGET COMMITTEE AUTHORITY report on **FY04 Metro Operations and Budget Key Performance Indicators**.

17. APPROVED amending the **FY03 Budget** to appropriate an additional \$27.9 million to the Enterprise Fund budget.

FAILED FASANA SUBSTITUTE MOTION that the \$27.9 million deficit in the Enterprise Fund Budget be made up from the existing Enterprise Fund Budget and that Transit Operations be held accountable for the Performance Measures identified in the FY03 budget, which includes a target of Bus system-wide cost per revenue service hour of \$99.14.

2003 BOARD ACTIONS AND PROCEEDINGS

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18. APPROVED ON CONSENT CALENDAR by a two-thirds vote:
 - A. award of a sole source, firm fixed-price contract, No. PS-9240-1367 to Oracle Corporation **for the upgrade of the Financial Information System** product suite to the Oracle E-business suite for an amount not to exceed \$478,344 effective May 1, 2003; and
 - B. negotiation and award of a separate sole source two-year Time and Material contract with Oracle Corporation to provide implementation services to support the upgrade to the E-business suite, for an amount not to exceed \$500,000.

19. APPROVED ON CONSENT CALENDAR award of a five-year, labor rate contract, Number PS 04-5110-01 to PricewaterhouseCoopers, LLP (PWC), **for the financial audit services of MTA** and component units beginning with Fiscal Year ending June 30, 2003, for an amount not to exceed \$1,596,367 inclusive of two one-year renewal options.

20. APPROVED ON CONSENT CALENDAR negotiation and award of **All Risk Property Insurance Policy and Boiler and Machinery Insurance Policy** for all MTA property for a cost not to exceed \$6,925,000 for a 12-month period effective May 10, 2003 to May 10, 2004.

24. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE AUTHORITY quarterly report of **Management Audit Services**.

25. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE AUTHORITY **audit activities report** from the Office of Inspector General.

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26. APPROVED ON CONSENT CALENDAR:
- A. delegating to the Chief Executive Officer the authority to approve all amendments **to renew annual software and hardware license and maintenance agreements;** and
 - B. approving revisions to the MTA Procurement Policy Manual.
27. WITHDRAWN REVISED **BERNSON MOTION** that the MTA Board amend the Board of Director's Rules and Procedures to provide no more than two opportunities for members of the public to comment during any MTA Board/Committee meeting and Committee Chair has discretion to waive rule.

FAILED FASANA SUBSTITUTE MOTION to refer Item 27 to Executive Management and Audit Committee.

28. CLOSED SESSION:
- A. Conference with Legal Counsel-Existing Litigation – G.C. 54956.9 (a):

Keda Studios v. MTA BC241284

APPROVED settlement in the amount of \$750,000.
 - B. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C. 54956.8)

Negotiator: Velma Marshall
Property Address: 100 Sunset Avenue, Venice, CA

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS
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C. Conference with Labor Negotiator – G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, UTU and Engineers and
Architects Association

NO REPORT.

32. APPROVED WITH FUTURE MONTHLY UPDATES report on the **action plan to improve the rail fleet and station appearance and services to its commuters.**

33. APPROVED:

- A. results of public hearing held on April 1, 2003 concerning **FY 2004 Service Change Program for Metro Westside/Central**; and
- B. adopting staff's recommended service adjustments to become effective June 22, 2003 or later.

34. APPROVED:

- A. adopting the Pasadena Gold Line and Eastside Extension Light Rail Vehicle Projects 800088 and 800151 Budgets for the value of \$191,222,902;
- B. awarding a five-year, firm, fixed-price contract No. P2550, to AnsaldoBreda, S.P.A., **for the manufacturing and delivery of 50 light rail vehicles (LRV)**, for an amount of \$158,738,671 for the base contract buy, exclusive of two 50-LRV options; and
- C. executing change orders for this procurement in the amount up to \$1,000,000 per change order with cumulative change orders not to exceed 10% of the current approved contract value.

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35. APPROVED award of a five-year, fixed-labor rate, task-order contract No. PS 8310-1267, to LTK Engineering Services **for rail consulting services** for an amount not to exceed \$9,017,964, inclusive of a 5% contingency.

36. AUTHORIZED the Chief Executive Officer:

A. to negotiate and execute twenty contract amendments for the Metro Freeway Service Patrol (FSP) for a total amount not to exceed \$4,438,300 including contingencies, to extend the periods of performance of all contractors for a duration of up to 10 months.

B. to award a Metro Freeway Service Patrol contract for Beat No. 2 to South Coast Towing of Los Angeles, the lowest responsible and responsive bidder, in the amount of \$1,281,904 with a contract period of performance from August 1, 2003 through July 31, 2006.

Beat	Contractor	Current Contract Amount	Not to Exceed Contract Increase	Not to Exceed Amount
2	South Coast Towing	\$992,130	\$128,800	\$1,120,930
3	A1's Towing	\$989,055	\$72,800	\$1,061,855
4	A1's Towing	\$1,235,306	\$136,500	\$1,371,806
6	LA's Bestway	\$998,322	\$291,200	\$1,289,522
8	A1's Towing	\$973,369	\$145,600	\$1,118,969
10	Girard & Peterson	\$1,098,475	\$322,400	\$1,420,875
22	Girard & Peterson	\$1,005,922	\$260,000	\$1,265,922
35	Girard & Peterson	\$911,429	\$234,000	\$1,145,429
39	LA's Bestway	\$955,158	\$351,000	\$1,306,158
40	J&M Towing	\$1,186,358	\$362,700	\$1,549,058
12	Bob & Dave's Towing	\$962,630	\$210,600	\$1,173,230
14	Kenny's Auto	\$1,097,535	\$226,200	\$1,323,735
15	Kenny's Auto	\$870,053	\$130,000	\$1,000,053
16	Bob & Dave's Towing	\$1,191,604	\$234,000	\$1,425,604
18	J&M Towing	\$1,430,910	\$312,000	\$1,742,910
19	Dale's Toe	\$1,360,388	\$227,500	\$1,587,888

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20	Dale's Toe	\$974,343	\$202,800	\$1,117,143
23	Navarro's Towing	\$1,058,556	\$254,800	\$1,313,356
26	Kenny's Auto	\$728,257	\$156,000	\$884,257
38	Bob & Dave's Towing	\$795,040	\$179,400	\$974,440
		Total	\$4,438,300	

37. APPROVED by a two-thirds vote authorizing the Chief Executive Officer to award a firm, fixed-price contract under Bid 03-0011 to the lowest responsive, responsible bidders **to provide vehicle parts to the Green Line, Gold Line and Red Line** for a total price of \$578,585, inclusive of sales tax as follows:

- A. Siemens Transportation Systems, Inc., for friction-brake and coupler light rail equipment for a total amount not to exceed \$201,566;
- B. WABCO Transit Division, for friction brake and coupler light rail equipment for a total amount not to exceed \$377,019;
- C. finding that MTA received one bid each for air comfort system equipment, line items 40 through 42, for heavy rail cars. Under Public Utilities Code section 130232, the bid has been rejected and the vehicle parts may be purchased at a lower price on the open market; and
- D. authorizing the purchase of air comfort system equipment pursuant to Public Utilities Code section 130233.

38. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a three-year, firm, fixed-price contract under Bid 03-0005 to Merrimac Energy Group, the lowest responsive, responsible bidder for **Lubricants** for an amount not to exceed \$591,853, inclusive of sales tax and two one-year options.

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39. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a 24-month firm, fixed-price requirement contracts under Bid 07-0202 to the lowest responsive, responsible bidders for **bus brake drums** for an amount not to exceed \$1,993,999, inclusive of sales tax to the following;
- A. Vehicle Maintenance Program for TMC, New Flyer, NABI, Flxible and Neoplan front and rear brake drums for a total contract value of \$1,428,155, inclusive of sales tax; and
 - B. The KIC Group for New Flyer and Flxible front brake drums for a total contract value of \$565,844, inclusive of sales tax.
40. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY:
- A. execution of an indefinite quantity/delivery type, multiple award agreement with Chromatic Lithographers, Dual Graphics, Graphic Press, Pacific Graphics, and Peaks & Associates **for printing services** for a period of three years, effective April 24, 2003, with a cumulative total amount not to exceed \$700,000; and
 - B. execution of Task or Contract Work Orders under these agreements for printing services.
41. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed-price contract under Bid No. 03-0019, to Motorola, Inc. **for the acquisition of radio transmission equipment** for a firm fixed-price of \$389,315.71 inclusive of sales tax.

2003 BOARD ACTIONS AND PROCEEDINGS

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42. APPROVED the following **actions to address State Budget impact** on Los Angeles County Transportation funding:
- A. adopting working priorities indicating those projects that can be funded based on current fund estimates. For those Freeway and Call for Projects projects that are deferred, make them the first priority for the next available funding, i.e., federal reauthorization, 2004 State Transportation Improvement Program (STIP), etc.;
 - B. adopting the refined project priority setting criteria;
 - C. requesting MTA's Technical Advisory Committee (TAC) to hold a meeting to allow Call for Project sponsors an opportunity to comment on their project(s) prioritization;
 - D. approving the State Transportation Improvement Program (STIP) Amendment request;
 - E. advancing MTA's 17% commitment to the Alameda Corridor East (ACE) for Phase 1 and pursuing existing Transportation Congestion Relief Program (TCRP) commitments through the legislative process; and
 - F. directing the Chief Executive Officer to continue to develop ways to advance high priority, immediately "ready-to-go" projects using funds from both deobligated and "not ready-to-go" low priority projects.

FAILED ANTONOVICH/ROBERTS SUBSTITUTE MOTION that the SR-14 HOV Project remain in its current "ready-to-go" status as currently programmed in the STIP and that construction work begin immediately per the Caltrans schedule.

43. APPROVED **YAROSLAVSKY MOTION** that the MTA rename the MTA Metro Rapid Transitway the San Fernando Valley Metro Rapidway Project and take all appropriate steps to reflect this change.

2003 BOARD ACTIONS AND PROCEEDINGS
April 24, 2003

44. ADOPTED the following positions on **state legislation**:
- A. AB 684 (Dutra) – would require that all smart card systems placed into contract after 2004 be equipped with a specified device to create interoperability of differing smart card technology and that these systems be equipped with this device as the equipment is upgraded or repaired. Require the establishment of a statewide task force to oversee the development of specifications and software to establish the technological requirements to establish interoperability of varying smart card technologies. **OPPOSE AND WORK WITH AUTHOR**
 - B. AB 875 (Wyland) – would require, beginning in 2008, all funds generated by the state gas tax and sales tax on gas be apportioned by the California Transportation Commission (CTC) to the county in which those funds were generated and, also require the CTC to program these funds for freeway purposes. **OPPOSE**
 - C. SB 157 (Bowen) would create the Streamlined Sales and Use Tax Agreement Act in the State of California, create a Board of Governors to represent California at the Agreement meetings and require that implementation of agreements reached by the project shall be done by separate legislation. **SUPPORT**
 - D. SCA 7 (Murray) – would require that the loan repayment conditions for the State Transportation Fund and Public Transportation Account be applied to any loan that is made from motor vehicle fuel and vehicle-related revenues to any other fund or account in the State. **SUPPORT**
45. APPROVED AS CORRECTED negotiation and award of **Builder’s Risk and Contractor’s Legal Liability Insurance** policies for the San Fernando Valley Metro Rapidway and San Fernando Valley Bikeway project for an amount not to exceed \$1,123,673 for Builder’s Risk and \$235,717 for Contractor’s Pollution Liability.

2003 BOARD ACTIONS AND PROCEEDINGS
April 24, 2003

46. APPROVED AS REVISED:

- A. receipt and filing of response to BERNSON MOTION that MTA staff study the feasibility of a parking lot observer program based on Washington Metropolitan Area Transit Authority's (WMATA) Program that assigns individuals who are on workers' compensation to be observers at parking facilities, key stations and stops throughout the ~~city~~ **County** to monitor and report suspicious activity; and
- B. direct staff to report back with a comprehensive Transitional Duty Safety Patrol Program and implementation plan **in 60 days**.

47. ADOPTED the following position on **state legislation**:

AB 1720 (Nunez) – would make legislative findings regarding the condition of the maintenance Employees Health and Welfare Fund (Fund) and require the MTA to transfer state transit assistance (STA) funds to the fund. **OPPOSE**

RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS
May 12, 2003

SPECIAL BOARD MEETING
May 12, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. RECEIVED the **Fiscal Year 2003 - 2004 proposed budget** for review and consideration.

2. RECEIVED Public Comment.

2003 BOARD ACTIONS AND PROCEEDINGS

May 22, 2003

REGULAR BOARD MEETING
May 22, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 9, 17, 18, 19, 23, 25, 30, and 33

Items 10, 16, 29 and 31 were removed from Consent Calendar.

NOTED Committee Authority Items: 7 and 8

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held April 24, 2003.

3. Chair’s Report - NONE

4. Chief Executive Officer’s Report - NONE

6. APPROVED AS AMENDED BY BURKE to restore the previously Board approved Arbor Vitae South Portion interchange in the Short Range Transportation Plan.

- A. receiving and filing the report on the Draft **Short Range Transportation Plan** for Los Angeles County; and
- B. approval of ROBERTS MOTION that the Draft Short Range Transportation Plan be referred back to Planning and Programming

2003 BOARD ACTIONS AND PROCEEDINGS

May 22, 2003

Committee with instructions to seek and incorporate more input from the subregions and the various local jurisdictions, and extend the final comment date to July 3, 2003, or until such time that all comments are included in the final recommendations.

7. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY report on the provision of **park-and-ride spaces** at the Metro Gold Line Lake Avenue Station through a shared parking arrangement and a paid permit parking system.
8. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY report discussing the **Mid-City/Exposition Transit Corridor** environmental and preliminary engineering studies.
9. APPROVED ON CONSENT CALENDAR:
 - A. the **FY 2003-04 Southern California Regional Rail Authority (SCRRA) preliminary budget**; MTA's financial contributions to that Budget totaling \$37,517,162; and an additional \$20,000 for promotional train programs not included in the SCRRA Budget; and
 - B. reprogramming of \$3,514,800 in FY 2001-02 SCRRA operations, rehabilitation and renovation funding to new capital projects.
10. APPROVED:
 - A. receiving and filing the **San Fernando Valley North-South Transit Corridor Regionally Significant Transportation Investment Study**;
 - B. identifying as the corridor project, a series of improvements to multiple corridors to be included in the MTA's Long Range Plan and to be implemented in phases as funding is identified; and
 - C. directing the Chief Executive Officer to proceed with implementation of Phase I and Phase II, or portions thereof, that are within the funding levels to be adopted in the Short Range Transportation Plan.

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

14. APPROVED:

- A. negotiation and execution of a labor-hour contract No. MC067 with Carter & Burgess for **Construction Management Support Services Consultant** (CMSSC) for the San Fernando Valley Metro Rapidway, Metro Gold Line Eastside Extension and other major capital projects, as required; and
- B. authorizing the Chief Executive Officer, upon successful completion of negotiations, to execute Contract Work Order (CWO) No. 1 for an amount not to exceed four million (\$4.0M) for the San Fernando Valley Metro Rapidway.

16. APPROVED:

- A. the **Fiscal Year 2004 Budget**; and
- B. the Reimbursement Resolution to authorize the expenditure of funds for capital construction and acquisition activities prior to issuance of debt for specific activities.

17. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to execute the appropriate documents to **restructure the Amended and Restated Development Agreement, Construction Management Agreement**, and other ancillary documents by and between Catellus Development Corporation (“Catellus”) and MTA; and
- B. accepting the combination of cash, real property and improvements totaling \$12.2 million as final payment in lieu of an indebtedness of \$16,689,901 as of December 31, 2002 consisting of the following:
 - 1) MTA accepts a cash payment of \$5.6 million;

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

- 2) MTA accepts title to the Triangle Parcel located at the corner of Vignes and Ramirez;
 - 3) Catellus obligated to construct the Ramirez Flyover at an estimated cost of \$3 million which includes authorizing the Chief Executive Officer to negotiate resolution of this payment if the Flyover is not constructed within a five year period; and
 - 4) Catellus waives payment of \$1.88 million that MTA owes to Catellus.
18. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to **execute an amendment to the Exclusive Parking Facilities Management Agreement** between MTA and Catellus Development Corporation to permit Catellus to be responsible for coordinating and facilitating the planning, performance of repair, restoration, alteration and refurbishment of the Gateway Parking Garage, the Patsouras Transit Plaza, the East Portal and other areas designated as Gateway Plaza.
19. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to join with the County of Los Angeles in a participating agreement with SBC for **telecommunications carrier services** for a five year requirements contract, inclusive of three one-year options.
23. APPROVED ON CONSENT CALENDAR adoption of the **Metro Vanpool Program**.

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

25. APPROVED ON CONSENT CALENDAR adopting a position on H.R. 1148 (Rep. Juanita Millender-McDonald and Rep. Mike Ferguson) to direct the Secretary of Homeland Security to **carry out activities to assess and reduce the vulnerabilities of public transportation systems.**
SUPPORT WITH AMENDMENT
26. CLOSED SESSION:
- A. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9
(a):
- Lucia B. Laso v MTA BC 276495
- APPROVED settlement in the amount of \$4.1 million.
- B. Conference with Labor Negotiator – G.C. 54957.6:
- Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, UTU and Engineers and
Architects Association
- NO REPORT.
29. APPROVED SUBJECT TO RESOLUTION OF PROTEST, award of a firm, fixed price contract No. OP31201325, to First Ann Arbor Corporation for one **Bus Operator Simulation Training System** in the amount of \$441,672 effective June 10, 2003.
30. APPROVED ON CONSENT CALENDAR **MOLINA MOTION** that the MTA Board direct the Chief Executive Officer to suspend execution of the agreement with the City of Los Angeles to reimburse the City for construction of the **El Pueblo Transportation Museum** until such time as these outstanding impacts to the adjacent businesses are resolved, and

2003 BOARD ACTIONS AND PROCEEDINGS

May 22, 2003

that the MTA Board urge the City of Los Angeles to consider relocation of the proposed entrance to the museum and other alternatives that will insure that the existing Puestos and the existing businesses continue in their current locations.

31. **APPROVED REVISED MOLINA MOTION** that the MTA staff express their preference for Alternative B, the TSM/TDM alternative, to the **I-710** Corridor Technical Advisory Committee (TAC) and the Oversight Policy Committee (OPC) and work with the various entities to develop a hybrid alternative using elements from Alternative C, D, and E that results in meaningful improvements to the corridor without impacting residences and businesses.

Furthermore, I move that staff urge the TAC and OPC to remove from consideration the design elements of Alternatives C, D, and E that result in the acquisition of business and residential parcels. Staff should continue working with the TAC, OPC, and Gateway Cities COG to identify improvements to the I-710 freeway that do not rely solely on cost and that explore non-standard design methods.

Additionally:

- 1) form advisory committees in key areas along the Corridor where current design alternatives require the acquisition of large amounts of private property. These committees should be comprised of residents and business owners and staff should work with local jurisdictions to identify members. The establishment of these committees should begin immediately.
- 2) and report back on the use of rail, specifically the Alameda Corridor, as a method of moving cargo to and from the ports. The report should include possible policies and incentives in order to further promote rail usages as the preferred method of transportation to and from the ports.

2003 BOARD ACTIONS AND PROCEEDINGS

May 22, 2003

32. **APPROVED MOTION REVISED** to change the name of Boyle Station to **Boyle Heights Mariachi Plaza Station**; that MTA rename the following stations along the **Pasadena and Eastside Gold Line**:

- Avenue 26 Station shall be changed to Lincoln Heights/Cypress Park Station;
 - French Avenue Station shall be changed to Heritage Square/The Arroyo Station;
 - Avenue 57 Station shall be changed to Historic Highland Park Station;
 - Alameda Station shall be changed to Little Tokyo/Arts District;
 - Utah Station shall be changed to Pico/Aliso Station;
 - Boyle Station shall be changed to ~~Mariachi Plaza Station~~ **Boyle Heights Mariachi Plaza Station**
 - Ford Station shall be changed to Maravilla Station;
 - Mednik Station shall be changed to East L.A. Civic Center Station;
- and

that MTA staff work with the Eastside Review Advisory Committee and the Cities of Pasadena and South Pasadena to rename the remaining stations should those entities wish to do so.

33. **APPROVED ON CONSENT CALENDAR** ratification of the work completed by Aon under Contract No.PS 5310-0655 Insurance Brokerage Services for additional costs incurred in providing **temporary worker's compensation technical/ professional personnel** to meet statutory and contractual reporting requirements during the period of January 2003 through March 2003 in the amount of \$176,198 increasing the total contract value from \$720,000 to \$896,198.

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

34. APPROVED BY A 2/3 VOTE OF THE BOARD AS AMENDED BY O'CONNOR/ANTONOVICH:
- A. receiving and filing comments from the public hearing conducted by the Board of Directors on Saturday, April 12, 2003; and
 - B. adopting **Option B fare restructuring, inclusive of tokens effective January 1, 2004, and directed staff to work with municipal operators regarding transfers and report back to the Board in the Fall and to report back with recommendation on a policy to adopt a multi-year fare restructuring program similar to the SCRRA'S program**
35. ADOPTED position on **state legislation AB199** (Oropeza) – which would create the Public Transit Employer-Employee Relations Act to give supervisory employees of the MTA specified rights to form, join and participate in the activities of an employee organization. **OPPOSE**
36. AUTHORIZED the Chief Executive Officer and/or his designee to enter into a Ground Lease with Wilshire Vermont Development LLC (WV Development) covering 3.24 acres of MTA-owned property at the **Wilshire/Vermont Metro Red Line Station** site for development of a mixed-use, apartment/retail complex.
37. APPROVED AS AMENDED BY BURKE: Authorized the Chief Executive Officer to enter into a three-month Exclusive Negotiation Agreement with RAD Jefferson, LLC (Developer) for a land exchange of MTA's 3.13 acre **Venice Division 6 site** for a 4.66 acre site in West Los Angeles; **not to preclude staff from seeking and considering alternative sites and report back in 30 days regarding sewer line.**

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

38. AUTHORIZED dismissal of the Los Angeles Superior Court Case No. BC290857 filed against Errol and Marilyn D. Segal Living Trust dba **Active Recycling Company, Inc.**, to condemn the property located at 14300 Bessemer Street, Los Angeles.
39. APPROVED **Gateway Cities Services Sector Governance Council** nominees:
1. Bonnie Lowenthal, Councilmember City of Long Beach
 2. Larry Nelson, Councilmember City of Artesia
 3. Samuel Pena, Mayor Pro Tem City of Maywood
 4. Joann Ero-Delgado, South Whittier Unincorporated Area, Mass Transit Consumer
 5. Jacqueline Rynerson, Lakewood, Community Activist, Mass Transit Consumer
 6. Wally Shidler, Walnut Park Unincorporated Area, Mass Transit Consumer
 7. Cynde Soto, Long Beach, Mass Transit Consumer
40. APPROVED **FASANA MOTION AS AMENDED BY YAROSLAVSKY** Resolved by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that John Dyer be recognized for his commendable efforts and pioneering years of dedicated service in the transportation industry and that staff be instructed to determine the most appropriate Metro Red Line Subway Station **or any other appropriate MTA facility** to be renamed in his memory as a tribute to his significant and material contributions for the mobility betterment and for improving the quality of life for residents and visitors in Los Angeles County.

2003 BOARD ACTIONS AND PROCEEDINGS
May 22, 2003

RECEIVED public comment.

Adjourned in memory of John Dyer, recognized as the father of the Los Angeles subway system and former General Manager of the Southern California Rapid Transit District (RTD) from 1981 to 1988.

2003 BOARD ACTIONS AND PROCEEDINGS

June 26, 2003

REGULAR BOARD MEETING

June 26, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 7, 9, 10, 21, 27, 28, 35, 37 and 38.

Items 6, 11, 20, 36, and 40 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 15, 19, 33, 34 and 41.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Special Board Meeting held May 12, 2003 and Regular Board Meeting held May 22, 2003.

3. Chief Executive Officer’s Report

- Presented:

MTA Resolutions to outgoing Chair Bernson.

4. Chair’s Report

- Elected Supervisor Yaroslavsky as Chair, Director Roberts as 1st Vice Chair, and Mayor Hahn as 2nd Vice Chair.

2003 BOARD ACTIONS AND PROCEEDINGS

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5. APPROVED ANTONOVICH MOTION AS AMENDED BY BURKE directing staff to report back in 60 days on a comprehensive rail program which prioritizes MTA's next phase of rail projects and include an indication of the possibility of alternative technologies with comparative costs.

6. ADOPTED the **Conceptual Development Guidelines** for the MTA's Metro Red Line's Vermont/Sunset, Vermont/Santa Monica, and Vermont/Beverly Stations joint development sites.

7. APPROVED ON CONSENT CALENDAR:
 - A. the **Route 138 Corridor State Transportation Improvement Program (STIP) Amendment** request; and

 - B. requiring Caltrans District 7 to submit future STIP amendment requests affecting Los Angeles County Regional Improvement Program (RIP) funds to the MTA before the due dates established for such amendments by Caltrans Headquarters.

8. APPROVED AS AMENDED BY BERNSON AND FASANA supporting the **recommendations of the US-101 Corridor Study Steering Committee** and directing staff to take the following implementing actions:
 - A. include the potential short and mid-range mobility improvement projects in the appropriate subregional section(s) of the MTA Short Range Transportation Plan (SRTP) subject to further community review and refinement, and modification by the affected agencies. Assist the sponsoring agencies in seeking funds for those projects through future MTA Call for Projects and other funding programs;

 - B. include analysis of the US-101 freeway as a "Congested Corridor" in the next update of the MTA SRTP;

2003 BOARD ACTIONS AND PROCEEDINGS

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- C. continue to include the US-101 freeway improvements in the Strategic Element of the MTA Long Range Transportation Plan so that a long-range multi-modal transportation vision, including transit options, can be better defined and funded; and
- D. support Countywide and regional coordinated inter-agency efforts in pursuit of innovative land use policies that would effectively promote smart growth, prevent and mitigate traffic congestion, and improve quality of life in Los Angeles County.

FASANA AMENDMENT to add:

- E. Continuation of US-101 Corridor Study Steering Committee process.

BERNSON AMENDMENT: Under no circumstances do we back off for the need of improving these Corridors with additional capacity, as well as the off-ramp that was proposed in the initial stage.

- 9. **APPROVED ON CONSENT CALENDAR Capital Reserve Accounts** for the Cities of Arcadia, Irwindale, Industry, Lomita, Malibu, Montebello, Pico Rivera, Rosemead and Whittier from Proposition A and Proposition C Local Return funds, so that funding may be used to finance projects.
- 10. **APPROVED ON CONSENT CALENDAR** adopting findings, recommendations and a resolution for **FY 2003-04 TDA Article 8 funds** as follows:
 - A. Findings and recommendations for using FY 2003-04 TDA Article 8 fund estimates totaling \$14,939,685;
 - In the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet. Therefore, TDA Article 8 funds will be used to meet these unmet transit needs. The allocations are \$91,944 and \$4,534,208 for Avalon and Santa Clarita, respectively;

2003 BOARD ACTIONS AND PROCEEDINGS

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- In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County unincorporated areas of Antelope Valley, Santa Clarita Valley and Catalina Island, transit needs are met using other funding sources, such as Propositions A and Propositions C Local Return. Therefore, there are no unmet transit needs that are reasonable to meet, because other funding sources will be used to address these needs. Thus, TDA Article 8 funds may be used for street and road projects. The allocations for the Antelope Valley are \$3,525,970 and \$3,543,155 (Lancaster and Palmdale, respectively). The allocation for Los Angeles County Unincorporated is \$3,244,408.
- B. The resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the MTA service area.
11. **APPROVED the following transit fund allocations totaling approximately \$1 billion to Los Angeles County Transit Operators and Cities for Fiscal Year 2004:**
- A. Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA interest and Proposition A Discretionary fund allocations;
 - B. Proposition C 40% allocation for the Bus Service Improvement Program (BSIP), Foothill Mitigation Program, the Transit Service Expansion Program and the Base Restructuring Program;
 - C. Proposition A and Proposition C Interest allocations;
 - D. Proposition C 40% Municipal Operator Service Improvement Program allocation;
 - E. TDA Article 8 Fund allocation;

2003 BOARD ACTIONS AND PROCEEDINGS

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- F. Propositions A & C Local Return and TDA Article 3 allocations. Lapsed TDA Article 3 funds (in the amount of \$29,215) have been reallocated to cities receiving less than \$5,000. This redistribution methodology has been approved by the Street & Freeway Subcommittee and the Technical Advisory Committee;
 - G. Proposition A Incentive Program allocation;
 - H. Proposition C 5% Security Fund allocation; and
 - I. Federal Transit Act Section 5307 Capital Fund allocation.
14. APPROVED:
- A. execution of Change Order No. 138 to Contract No. C0326, **Universal City Station Freeway Overcrossing and Site Restoration**, with Brutoco Engineering and Construction, Inc. (BEC) and increase the funding to pay for extended overhead costs for compensable delays to the contract completion date between September 2001 and May 2002, in the amount of \$1,368,977, increasing the total contract value from \$35,816,018 to \$37,202,995; and
 - B. an increase in the Authorization for Expenditure to Contract No. C0326 to provide funding for Change Order No. 138 in the amount of \$1,386,977, increasing the total current Contract No. C0326 AFE amount from \$36,908,516 to \$38,295,493.
15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 142 to Contract No. C0326, **Universal City Station Freeway Overcrossing and Site Restoration**, with Brutoco Engineering and Construction, Inc. (BEC), to pay for increases in asphalt concrete pavement amounting to \$280,883 and take a credit for decreases in asphalt concrete pavement amounting to \$232,520 for a final quantity adjustment of asphalt concrete pavement in the amount of \$48,363, increasing the total contract value from \$35,816,018 to \$35,864,381.

2003 BOARD ACTIONS AND PROCEEDINGS
June 26, 2003

16. APPROVED AS AMENDED BY YAROSLAVSKY:

- A. an increase to the life of the project budget for **Project 800115, Universal City Site Enhancements Project**, from \$3,355,090 to \$6,970,790 and amend the FY04 Capital Budget to authorize an FY04 expenditure of \$3,615,700, an increase of \$1,092,700, for additional site and traffic improvements and related design, construction management, MTA Project Administration and Third Party Administration costs as described in Recommendations B and C below;
- B. negotiation and execution of Contract Modification No. 12 to Contract No. C0324, Universal City Station Site Improvements, with Brutoco Engineering and Construction, Inc. (BEC), to pay for the widening of Lankershim Boulevard at Campo de Cahuenga City Park, in an amount not to exceed \$1,400,000; and
- C. an increase in contract authorization for Contract Modifications to Contract C0324, Universal City Station Site Improvements to fund both Recommendations B above and potential contract modifications of \$780,000 for a total delegated staff authority amount of \$2,180,000, increasing the current contract authorization from \$2,621,190 to \$4,801,190.

YAROSLAVSKY AMENDMENT: that the proposed budget increase of \$3,615,700 for the Universal City Site Enhancements project be reduced to \$1,935,000 and allocated as follows: \$1,400,000 for all construction activities related to the Lankershim Boulevard widening at Campo de Cahuenga; \$215,000 for utility/force accounts; no more than 10% of the construction costs to fund professional staff services; and \$180,000 for project contingency.

2003 BOARD ACTIONS AND PROCEEDINGS

June 26, 2003

17. CLOSED SESSION:

A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C. 54956.8)

Negotiator: Velma Marshall

1. **Eastside Metro Gold Line Project**

Parcel No.	Owner	Acquisition
ES-504	Catellus Development Corporation	Permanent Easement
		Temporary Construction Easements (2)

2.

Parcel No.	Owner	Acquisition
ES-505	Exxon/Mobil Corporation	Real Prop – Fee
	Exxon Mobil Corporation and Henry Hahn dba Alameda Mobil	Improvements pertaining to Realty
	Exxon Mobil Corporation	Removal cost of underground storage tanks

NO REPORT.

B. Conference with Legal Counsel – Existing Litigation - G.C. 54956.9 (A):

1. Flores v. MTA BC 276051

APPROVED settlement in the amount of \$4.5 million.

2. Wilson v. MTABC 252888

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS
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- C. Conference with Legal Counsel-Anticipated Litigation – G.C. 54956.9(b)

(One case)

NO REPORT.

- D. Conference with Legal Counsel-Anticipated Litigation – G.C. 54956.9(c)

(Two cases)

NO REPORT.

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

Agency Negotiators: Roger Snoble and Brenda
Diederichs

Employee Organizations: ATU, TCU, UTU and Engineers and
Architects Association

NO REPORT.

19. RECEIVED AND FILED UNDER FINANCE AND BUDGET COMMITTEE AUTHORITY **FY03 Third Quarter Financial Performance Report.**
20. AUTHORIZED the Chief Executive Officer to appoint Citigroup Global Markets, Inc. (previously Salomon Smith Barney) as the senior managing underwriter, with co-managers Goldman Sachs & Co., E.J. De La Rosa & Co. and Backstrom McCarley Berry & Co. **to price and deliver the General Revenue Refunding Bonds, Series 2003-A in a negotiated bond sale.**

2003 BOARD ACTIONS AND PROCEEDINGS
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21. APPROVED ON CONSENT CALENDAR adopting a resolution authorizing the Chief Executive Officer and other Authorized Officers under the resolution **to annually transfer amounts from the Surplus Account** of the A1 Bonds to a defeasance account held by the bond trustee to retire a portion of the outstanding bonds.
27. APPROVED ON CONSENT CALENDAR adopting the **Transitional Duty and Safety Patrol Program**.
28. APPROVED ON CONSENT CALENDAR:
- A. adopting the proposed **MTA Interest Rate Swap Policy**;
 - B. re-affirming the Debt Policy refunding targets.
29. WITHDRAWN BY STAFF:
- A. finding that there is only a single source of procurement for the supplies, equipment, and materials and that the purchase is for the sole purpose of duplicating or replacing inventory items already in use, pursuant to Public Utilities Code 130237;
 - B. delegating to the Chief Executive Officer contracting authority for approving contract awards, or rejecting all bidders for inventory procurements; and
 - C. approving revisions to the MTA Procurement Policy Manual.
33. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY **Safety's First Program and Worker's Compensation** Status Report for the period covering January through March 2003.

2003 BOARD ACTIONS AND PROCEEDINGS

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34. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY report on the status of **El Monte Station improvements**.

35. APPROVED ON CONSENT CALENDAR award of a five-year firm fixed-unit rate variable quantity contract No. OP3000646, to Aramark Uniform and Career Apparel Inc. **to provide uniform rental services** for an amount not to exceed 2,052,813, inclusive of two one-year options and 10% contingency, effective July 1, 2003.

36. APPROVED award of a ten-year contract No. PS03644022, to Iron Mountain Records Management, Inc. **for inactive records storage and maintenance** for an amount not to exceed \$3,782,608 inclusive of five one-year options, effective August 1, 2003.

37. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year, **indefinite quantity/delivery contract to MCM Integrated Systems for Gateway security system maintenance, repair, and upgrades** for an amount not to exceed \$572,000, inclusive of an annual CPI increase, effective July 1, 2003.

38. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute an agreement with the California Highway Patrol **to provide field officer and dispatch support** to the Los Angeles County Metro Freeway Service Patrol during FY04 for an amount not to exceed \$500,000.

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39. APPROVED authorizing the Chief Executive Officer to negotiate a cost neutral Scope of Work change to Contract No. PS-4340-0667 with the Consultant, Parsons, Brinckerhoff, Quade and Douglas (PBQD) for the **I-710 Major Corridor Study** to accommodate the MTA May 2003 Board action.

APPROVED REVISED FASANA MOTION to include request for staff to return to Board with proposal and cost estimate to evaluate financial, economic, and environmental impacts of expansion of the Ports of Los Angeles and Long Beach on the Los Angeles County Region, and determine various corridors for goods movement that include routes 5, 10, 57, 60, 91, 110, 138, 605, and 210 in addition to the 710; and that staff is to take a “systems approach” to solving the goods movement problem.

40. APPROVED AS AMENDED adopting the following positions on **state legislation**:
- A. AB 531 (Kehoe) – would create the Community Infrastructure and Economic Development Bond Act which would authorize voters to consider a \$10 billion General Obligation Bond on the November 2004 ballot. **NEUTRAL**
 - B. SB 314 (Murray) – would authorize the MTA, upon voter approval, to impose an additional 0.5% transaction and use tax for 5 years or less. ~~SUPPORT WITH AMENDMENTS~~ **SUPPORT, IF AMENDED TO GIVE BOARD SOLE DISCRETION AS TO THE PROJECTS THAT WOULD BE INCLUDED IN THE BILL.**
 - C. SB 321 (Torlakson) – would create the Invest in California Infrastructure Bond Act which would authorize voters to consider a \$15 billion General Obligation bond on the November 2004 ballot. **NEUTRAL**

2003 BOARD ACTIONS AND PROCEEDINGS
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41. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY report on the proposed **Division 6 Land Exchange** replacement property at Jefferson and La Cienega in the City of Los Angeles.
42. APPROVED AS AMENDED BY HAHN to approve **color schemes** and refer graphics to Committees.
43. AUTHORIZED a special **two-day free fare promotion** for the grand opening weekend of the Metro Gold Line, which is tentatively set for Saturday, July 26 and Sunday, July 27, 2003.
44. AUTHORIZED the Chief Executive Officer to:
 - A. enter into a Joint Development Agreement (JDA) with Legacy Partners and Gatehouse Capital for development of approximately 2.8 acres of MTA-owned properties plus 1.47 acres of additional parcels at the **Metro Red Line Hollywood and Vine Station**; and
 - B. subject to Developer meeting contingencies of the JDA, enter into Ground Lease(s), Easement Agreement, and such other agreements necessary to implement the Ground Lease(s).
45. DISCUSSED options related to operational control of **transit parking at the Del Mar Station**.
46. APPROVED AND DIRECTED STAFF TO COME BACK WITH A COUNTYWIDE PARKING POLICY authorizing the Chief Executive Officer to include **Paid Parking at the Metro Gold Line Sierra Madre Villa Parking structure** as part of the Paid Permit Parking Pilot Project.

2003 BOARD ACTIONS AND PROCEEDINGS
June 26, 2003

47. APPROVED the San Gabriel Valley Council of Governments' recommendation to nominate the following public representatives to serve on the **San Gabriel Valley Service Sector Council**:
1. Bruce Heard
 2. Henry Lopez

RECEIVED public comment.

ADJOURNED in memory of Wanda Snoble, mother of Chief Executive Officer, Roger Snoble.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

REGULAR BOARD MEETING

July 24, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 7, 8, 12, 15, 16, 17, 23, 27**, 28, 29 and 31.

**Requires 2/3 vote of the Board.

Items 9, 22, 24, and 25 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 11, 19, 20, 21, 30 and 35.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held June 26, 2003.

4. RECEIVED Chief Executive Officer’s Report

- Eastside Light Rail funding
- Opening of the Gold Line
- Recognized Bus and Rail Roadeo Winners

5. RECEIVED Chair’s Report

- Presented:
Resolution to outgoing Director Yoh.

2003 BOARD ACTIONS AND PROCEEDINGS July 24, 2003

6. APPROVED:
- A. and certified the **Modified Initial Study/Addendum to the Final Supplemental Environmental Impact Statement/Supplemental Impact Report (SEIS/SEIR) for the Eastside Corridor;**
 - B. project enhancements not previously included in the Final SEIS/SEIR; and
 - C. filing of Notice of Determination of the Modified Initial Study Addendum with the Los Angeles County Clerk and State Clearinghouse.

APPROVED **MOLINA AMENDMENT**: to include in mitigation measures assurance that parking at the Pomona/Atlantic Park-N-Ride will be free of charge for transit users.

7. APPROVED ON CONSENT CALENDAR:
- A. adopting working priorities for the future construction of the **Post 1989, Phase I Priority Soundwalls;** and
 - B. authorizing the Chief Executive Officer to enter into a Memorandum of Understanding (MOU) with Caltrans for an amount not to exceed \$4.3 million to reimburse Caltrans for the final design and right-of-way support of the Post 1989, Phase I, Priority 1 Soundwalls, Design Packages 1 to 3.
8. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to negotiate and execute Amendment No. 2 to Contract No. PS-4320-1137-B with Barrio Planners Inc. (BPI), **for additional work on the Metro Gold Line Eastside Extension** to provide support on the environmental clearance on the reconfiguration of Ramona High School for an amount not to exceed \$78,981 increasing the total contract value from \$232,178 to an amount not to exceed \$311,159 and extending the term of this contract to December 31, 2003.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

9. APPROVED AS AMENDED BY BURKE authorizing the Chief Executive Officer to:
- A. award five-year multiple agreements under Contract Number PS-4310-1268 for the Countywide Planning and Development Division with contractors recommended **to provide planning related services on smaller scale planning, architectural and engineering and non-architectural and engineering projects** for an amount not exceed \$6 million effective August 1, 2003; and
 - B. execute Task Orders under the individual Bench Contracts for up to \$500,000 per contract.

BURKE AMENDMENT: direct Staff to come back in 6 months with expansion of consultant list.

11. RECEIVED AND FILED UNDER FINANCE AND BUDGET COMMITTEE AUTHORITY report on **sales tax revenues for fiscal year 2003.**
12. APPROVED ON CONSENT CALENDAR adopting a resolution authorizing the Chief Executive Officer and other Authorized Officers under the resolution **to execute documents for the modification or substitution of the Surety Bond provided by the Ambac Assurance Corporation,** and authorizing payment of the surety fee and all other expenses of the matters described in the resolution for an amount not to exceed \$350,000.
13. ADOPTED a resolution authorizing the Chief Executive Officer **to price and deliver up to \$95 million of the General Revenue 2003 refunding bonds,** and APPROVED documents on file with the Board Secretary, in a negotiated bond sale with an underwriting syndicate consisting of Citigroup Global Markets Inc. (previously Salomon Smith Barney) as the senior managing underwriter, with co-managers Goldman Sachs & Co., E.J. De La Rosa & Co., and Backstrom McCarley Berry & Co., to achieve a goal of 5% minority participation.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

14. ADOPTED AS AMENDED authorizing the Chief Executive Officer to **price and deliver up to \$175 \$405 million of the Proposition C 2003 refunding bonds**, in one or more series, in a competitive sale, with an **interest rate cap of 5½%** and APPROVED documents on file with the Board Secretary.

15. APPROVED ON CONSENT CALENDAR award of Contract No. PS-03-5210-10 to Public Financial Management for a **fixed annual retainer contract** amount of \$1,527,270 inclusive of 3 years and 2 one-year options, plus the amount of \$313,095 for task order services and expenses over the life of the contract, for a total contract amount not to exceed \$1,840,365 effective August 1, 2003.

16. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to negotiate and award an **Excess Liability Insurance program for MTA liability exposures, other than Major construction projects**, at a cost estimated not to exceed \$5,882,000 for a 12-month period beginning August 1, 2003 through July 31, 2004.

17. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute an amendment to extend the **Metro Blue Line Memorandum of Understanding (MOU) for Liability, Insurance and Indemnification** with respect to operations, use or maintenance of the Metro Blue Line between City of Long Beach, County of Los Angeles, and Los Angeles County Metropolitan Transit Authority (LACMTA), from August 1, 2003 through July 31, 2008.

19. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE AUTHORITY the quarterly report of **Management Audit Services**.

2003 BOARD ACTIONS AND PROCEEDINGS
July 24, 2003

20. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE AUTHORITY **audit activities report** from the Office of Inspector General.
21. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE AUTHORITY the ordinance set forth enacting an **MTA Administrative Code** at the July Board meeting and formally adopt it at the next Board meeting.
22. APPROVED City of South Pasadena's request to **rename Metro Gold Line Station** as follows:
- | | |
|--------------------------|--------------------------------|
| <u>From</u> | <u>To</u> |
| Mission Meridian Station | City of South Pasadena Station |
23. APPROVED ON CONSENT CALENDAR SUBJECT TO RESOLUTION OF PROTEST:
- A. award of one-year multiple award agreements with six firms, AECOM Consulting Transportation Group, Bearing Point, Inc., Booz Allen Hamilton, Innovative Resources, Insight Strategies, Inc. and Turstworks, Inc. **to provide Executive Management Design facilitation strategic services** in an amount not to exceed \$600,000; and
- B. execution of Task Orders under these agreements for facilitative related services.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

24. APPROVED AS AMENDED BY MOLINA 11% as the Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) **Annual Overall Goal for Federal Fiscal Year 2004** (FFY04).

MOLINA AMENDMENT: that this Board instruct the CEO and the Staff to examine the procurement process and develop recommendations and written procedures on how to implement a **SMALL BUSINESS TECHNICAL PARTICIPATION INITIATIVE** in an effort to ensure small businesses are included in a wide variety of technical work. Staff is to report back to the Board with their recommendations and implementation plan in January 2004.

25. APPROVED:

- A. the **Small Business Enterprise (SBE) Program revisions;**
- B. 15% SBE Program Goal for fiscal year 2004 (FY04); and
- C. authorizing the Chief Executive Officer to make administrative changes to the SBE Program as required by changes to State and Local statutes and regulations.

27. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:

- A. finding that awarding design/build contracts will achieve for the MTA 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 MTA facilities in Los Angeles County** pursuant to the Public Utilities Code Section 130242; and
- B. authorizing the Chief Executive Officer to solicit and award design-build contracts for renovation, repair and construction at MTA facilities, pursuant to Public Utilities Code Section 130051.9(c).

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

28. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute Amendment No. 1 to Contract No. PS000641014 with American Reclamation, Inc:

- A. **to provide recycling/trash hauling services for the Metro Gold Line Facilities** through the end of the contract period for an amount not to exceed \$202,000; and
- B. to increase the authorized contract amount for the existing facilities due to the imposition of AB939 by various cities by an amount not to exceed \$20,000.

For a total amendment amount not to exceed \$222,000 increasing the total contract value from \$1,697,986 to \$1,919,986.

29. APPROVED ON CONSENT CALENDAR execution of four amendments **to increase midday service for the Los Angeles County Metro Freeway Service Patrol** for a total amount not to exceed \$436,000.

BEAT	CONTRACTOR	CONTRACT	CONTRACT INCREASE	EXTENDED CONTRACT AMOUNT
11	Hadley Towing	FSP02A-11	\$153,000	\$1,158,350
19	Dale's Towing	FSP00A-19	\$ 42,000	\$1,629,888
30	Frank Scotto Towing	FSP02-30	\$125,000	\$1,356,651
37	Navarro's Towing	FSP02-37	\$116,000	\$1,114,673

30. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE AUTHORITY report on **Alameda Corridor**.

2003 BOARD ACTIONS AND PROCEEDINGS July 24, 2003

31. APPROVED ON CONSENT CALENDAR:
- A. recertifying \$194 million in existing FY 2003-04 commitments from previous **Call for Projects** and authorized the expenditure of funds to meet these commitments:
 - B. deobligating \$9.7 million of previously approved Call for Projects funding including funds from savings, canceled projects, program adjustments, or projects exceeding their lapse date;
 - C. amending the FY 2003-04 budget, if necessary, to include the 2003 Call for Projects Recertification projects in the Regional Programs budget and MTA grantee projects in the appropriate cost center budgets;
 - D. approving changes in the Scopes of Work for the Wilshire/Western Transit Center and the Westlake Community Based Intercept Intermodal Facility funded through previous Call for Projects; and
 - E. receiving and filing:
 - 1. the list of time extensions totaling approximately \$62 million;
 - 2. the Regional Transit Alternatives Analysis (RTAA) Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds extensions; and
 - 3. the Deferred List of Call for Projects projects, with funding programmed in FY 2003-04 and prior, totaling approximately \$42.6 million.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

32. ADOPTED AS AMENDED BY DIRECTORS YOH AND O'CONNOR:

- A. the **MTA Parking Policy**;
- B. authorizing the Chief Executive Officer to implement Pay for Parking at MTA parking facilities system wide, generally modeled upon the San Francisco Bay Area Rapid Transit District's (BART) "Pay for Parking" system; and
- C. working with affected patrons and communities regarding the number of spaces to be reserved at each location, mitigation of any potential spill over effects, and other issues.

YOH AMENDMENT: Section 4 of Parking Policy: Assess existing and proposed new services such as Metro Rapid Bus to determine ~~access parking~~ **access** needs. Recommend cost-effective methods to increase parking supply **or improve alternative access modes** where needed to accommodate existing or encourage new riders using the methods described in this policy.

O'CONNOR AMENDMENT: Section 2d i – Re-Stripe the Current Lot: Gains of 5-15% more parking can often be achieved with a re-stripe plan Consider the increase in vehicle size including SUV's, in any re-stripping plans that considers trends in vehicle sizes.

~~Delete ii under Section 5b – Allow residents and firms in conformity with state and local laws to lease on street parking spaces in front of their homes or business, for customers and personal use.~~

33. CARRIED OVER TO THE NEXT BOARD MEETING considering a support position and clarification of Gold Line language:

- A. approving the multi-modal list of projects to be submitted to State Senator Murray, the bill's author, for inclusion in **SB 314**.

2003 BOARD ACTIONS AND PROCEEDINGS

July 24, 2003

- B. directing the Chief Executive Officer to work with the author to extend the term of the sales tax from five to at least six years.
35. RECEIVED AND FILED UNDER PLANNING AND PROGRAMMING COMMITTEE, EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE, FINANCE AND BUDGET COMMITTEE AND OPERATIONS COMMITTEE AUTHORITY a presentation on the results of staff research and analysis of the agency's **service identity**.
36. APPROVED YOH/PROO MOTION that the Chief Executive Officer direct staff to evaluate the utilization of **UFS smart card readers** at the rear door of MTA buses. This evaluation should include costs and benefits, reliability of the technology and, a potential phase-in plan. This evaluation should also consider any other relevant issues. Staff should return to the Operations Committee with a report and recommendation within 60 or 90 days.
37. APPROVED by a 4/5 vote holding a public hearing on the proposed resolution of necessity for the acquisition of **Parcel No. 2701 for the San Fernando Valley Metro Rapidway** project and adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject parcel.
38. APPROVED AS AMENDED BY FASANA City of Pasadena's request to **rename Metro Gold Line Stations** as follows:

<u>From</u>	<u>To</u>
Del Mar Station	Del Mar Station
Memorial Park Station	Old Pasadena/Civic Center Station
Lake Station	Lake Avenue Station
Allen Station	Allen Station/College Station
Sierra Madre Villa	East Pasadena Station

2003 BOARD ACTIONS AND PROCEEDINGS
July 24, 2003

39. OPPOSED approving a short-term loan to Caltrans for up to \$27 million in Proposition C 25% funds for the purpose **of preventing work stoppages and progress payment penalties by Caltrans** construction contractors now performing work in Los Angeles County BUT AUTHORIZED CHIEF EXECUTIVE OFFICER TO CONTINUE NEGOTIATIONS WITH CALTRANS.

40. CLOSED SESSION:

A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C. 54956.8)

Negotiator: Velma Marshall

APPROVED Administrative Settlement on **Parcel ES-505 Alameda Mobil** in the amount of \$1.065 million

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

Agency Negotiators:	Roger Snoble and Brenda Diederichs
Employee Organizations:	Amalgamated Transit Union, Transportation Communications Union, United Transportation Union, and Engineers and Architects Association

NO REPORT.

RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS

August 28, 2003

REGULAR BOARD MEETING

August 28, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 10, 16 and 17.

Items 11 and 13 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEM: 6

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held July 24, 2003.

3. RECEIVED Chief Executive Officer’s Report

- “Clean Up L.A.” campaign

4. Chair’s Report

No Report.

6. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE AUTHORITY report on the annual **New Starts Rating Report** to be filed with the Federal Transit Administration for the Exposition Light Rail Transit (LRT) Project and two associated studies that have recently been completed for the project:

- Peer Review Panel Report, June 2003
- Value Engineering Study Report, June 2003

2003 BOARD ACTIONS AND PROCEEDINGS

August 28, 2003

7. ADOPTED AS AMENDED BY PROO the 2003 **Short Range Transportation Plan** for Los Angeles County with revisions.

PROO AMENDMENT: Revise the fifth bullet for page 23 to read, “Examine in consultation with freight industry representatives, including shippers, ports, and affected local jurisdictions, freight movement strategies to reduce congestion on key freeways, such as the I-710 during peak commute periods. Develop recommendations which address local, state, or federal regulatory changes that would be necessary for implementation.”

10. APPROVED ON CONSENT CALENDAR a consolidated and enhanced policy for the **naming of all MTA properties** that will supersede several existing policies, and ensure that MTA properties are named in a timely, cost-effective manner for the maximum benefit and convenience of our customers.
11. APPROVED 7% as the Federal Highway Administration (FHWA) Disadvantaged Business Enterprise (DBE) **annual goal for Federal Fiscal Year 2004** (FFY04).
12. APPROVED AS CORRECTED authorizing the Chief Executive Officer to **renew policies for the Non-Contract and AFSCME Group Insurance Plans, including medical, dental, life, accidental death and dismemberment, and long-term disability coverages** for a one-year period beginning January 1, 2004.
13. ADOPTED revised position on SB314 (Murray) – would authorize the MTA to impose an additional 0.5% transaction and use tax for 6 years or less. **WORK WITH AUTHOR**

2003 BOARD ACTIONS AND PROCEEDINGS
August 28, 2003

14. CLOSED SESSION:

A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C. 54956.8)

Negotiator: Velma Marshall

Eastside Light Rail Transit Project

Parcel No.	Owner	Property Interest
ES-589	M-C Investments	Fee Simple
		Improvements pertaining to Realty

APPROVED Just Compensation in the amount of \$720,705.

B. Conference with Labor Negotiator – G.C. 54956.9 (a):

1. Hernandez v. MTA SC071505

APPROVED settlement in the amount of \$325,000.

2. Ryan v. MTA YC045080

APPROVED settlement in the amount of \$425,000.

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

(One Case)

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS
August 28, 2003

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

Agency Negotiators:	Roger Snoble and Brenda Diederichs
Employee Organizations:	Amalgamated Transit Union, Transportation Communications Union, United Transportation Union, and Engineers and Architects Association

NO REPORT.

16. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to appoint Bear Stearns & Co. and Lehman Brothers, Inc. as co-senior managing underwriters and remarketing agents for one or more series of auction rate securities to be issued to refund portions of the **Proposition C 1993-B and 1995-A bonds** in a negotiated sale.

17. APPROVED ON CONSENT CALENDAR execution of Amendment No. 4 to Contract No. PS-5110-0970 with Optisource Technologies, to increase the contract amount by \$55,000, for the **continued provision of data imaging and archiving services** through December 31, 2003, increasing the contract amount from \$193,185 to \$248,185.

21. RECEIVED oral update on the **Universal Fare System** Implementation.

2003 BOARD ACTIONS AND PROCEEDINGS
August 28, 2003

22. CARRIED OVER TO NEXT MONTH:

- A. authorizing the Chief Executive Officer to enter into an agreement between the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority (MTA) for the **permanent transfer of 24 strands of excess fiber optic cable assets**, for a one time payment of \$1,000,000 within 90 days of commencement of agreement; and
- B. approving a 20-year indefeasible right of use agreement under which MTA would be granted use of conduit and fiber-optic infrastructure owned by the City of Los Angeles for the purpose of connecting MTA's existing fiber optic to the newly purchased strands for a one time payment of \$250,000 upon commencement of agreement.

APPROVED ANTONOVICH SUBSTITUTE MOTION directing staff to explore revenue owed to MTA from the City of Los Angeles and report back on options available to lease to others.

23. WITHDRAWN BY STAFF holding a public hearing on the resolution of necessity for the acquisition of project **Parcel No. ES-654 for the Eastside Light Rail Project – West Portal** project enhancements, between Gless Street and U.S. Highway 101 and adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject parcel.

24. ADOPTED the **MTA Administrative Code**.

RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS

October 20, 2003

SPECIAL BOARD MEETING October 20, 2003

1. APPROVED:
 - A. negotiating the terms of, and executing documents necessary to complete, a lease to service contract defeased lease transaction of the **Qualified Technological Equipment** with CIBC Capital Corporation and/or their syndication partners as the equity investor;
 - B. payment of fees and transaction expenses not to exceed \$975,000; and
 - C. resolution authorizing the lease of service contract defeased lease transaction.

2. AUTHORIZED:
 - A. a two-tiered approach to the **grant Anticipation Revenue Vehicle (GARVEE) bond projects**. Tier 1, with a GARVEE amount of up to \$146.2 million, will be used if the California Transportation Commission (CTC) establishes a restrictive county-by-county GARVEE bond debt service cap at their October 30, 2003 meeting. Otherwise, both Tier 1 and Tier 2, with a combined GARVEE amount of up to \$188.2 million, will be submitted for CTC approval at their December 11, 2003 meeting;
 - B. the Chief Executive Officer to propose to the California Transportation Commission (CTC) an advance of \$45.5 million in Proposition C 25% funds for up to 12 Los Angeles County State Transportation Improvement Program (STIP) projects. The advance would be repaid with STIP replacement project(s) in future year(s) through the CTC's AB 3090 process.

2003 BOARD ACTIONS AND PROCEEDINGS
October 20, 2003

3. CLOSED SESSION:

Conference with Labor Negotiators – G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee organizations: Amalgamated Transit Union,
United Transportation Union, and Transportation
Communications Union

RECEIVED public comment.

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

REGULAR BOARD MEETING September 25, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 14, 17, and 27**.

**Requires 2/3 vote of the Board

Items 6, 24, 25, 28 and 36 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 29, 30, 32, 33, 34 and 39.

Item 31 was removed from Committee Authority.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held August 28, 2003.

3. Chief Executive Officer’s Report

NO REPORT.

4. Chair’s Report

- Submitted motion regarding salary structure to be agendized for the October meetings.

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

6. AUTHORIZED:

- A. the integration of Metrolink fare media into the **EZ Transit Pass Program**; and
- B. the Chief Executive Officer or his designee to enter into an agreement with the Southern California Regional Rail Authority (SCRAA) and amend the EZ Transit Pass agreements with the transit operators to implement the integration of Metrolink fare media into the EZ Transit Pass Program.

7. APPROVED:

- B) Addition of grade separations at the following Exposition Corridor crossings as part of preliminary engineering per the Evaluation of Exposition LRT Project With Proposed MTA Grade Crossing Policy:
 - La Brea Avenue
 - La Ciénega Boulevard

CARRIED OVER:

- A) **The MTA Grade Crossing Policy for Light Rail Transit;**
- C) Consider for inclusion in the Exposition LRT project scope and budget, supplemental grade crossing safety devices for traffic and/or pedestrian safety, at a minimum at the following locations:
 - Vermont Avenue (USC/Exposition Park)
 - Western Avenue (Foshay Middle School)
 - Arlington Avenue (Traffic Safety)
 - Gramercy Place/Rodeo Road (Traffic Safety)
 - Crenshaw Boulevard (West Angeles Cathedral)
 - Farmdale Avenue (Dorsey High School)

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

10. APPROVED an increase of \$550,000 to the life of project budget for Project 800115 **Universal City Site Enhancements Project** for environmental compliance services to preserve and interpret the archaeological resources within Campo de Cahuenga City Park increasing the total project budget from \$5,290,090 to \$5,840,090 and amend the FY04 budget to authorize a total FY04 expenditure of \$3,058,006.

11. APPROVED AS AMENDED BY MOLINA:

A. execution of Change Order No. 58 to Contract No. H1100, Union Switch & Signal, Inc., Automatic Train Control, for an amount not to exceed \$1,900,000 to **provide compensation for delays and inefficiencies**, increasing the total contract value from \$60,723,743 to \$62,623,743; and

B. an increase in the Authorization for Expenditure (AFE) to provide funding for Change Order No. 58 and for pending changes that are within the Board-delegated authority in the amount of \$112,943, increasing the current AFE from \$62,407,800 to \$62,520,743.

MOLINA AMENDMENT: that in future board reports for change orders, a section be added showing impact on other contracts.

12. CLOSED SESSION: Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

A. **Eastside Light Rail Transit Project**

Parcel No.	Owner	Property Interest
ES-508	City of Los Angeles, Department of Water and Power	Partial Acquisition of Real Property
		Temporary Construction Easement (18 months)

The Board instructed property negotiator.

2003 BOARD ACTIONS AND PROCEEDINGS
September 25, 2003

B. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9
(a):

1. Duran v. MTA BC274361

APPROVED settlement in the amount of \$1 million.

2. Ishimura v. MTA SC073749

APPROVED settlement in the amount of \$1,425,000.

3. Labor/Community Strategy Center v. MTA CV94-5936 TJH

NO REPORT.

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

(One Case)

NO REPORT.

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

Agency Negotiators:

Roger Snoble and Brenda
Diederichs

Employee Organizations:

Amalgamated Transit Union,
Transportation Communications
Union, United Transportation
Union, and Engineers and
Architects Association

NO REPORT.

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

14. APPROVED ON CONSENT CALENDAR increasing the Chief Executive Officer's authority to approve **just compensation for the acquisition of real property from \$200,000 up to an appraised value of \$500,000** plus any statutory relocation benefits and closing costs subject to the following conditions:
 - A. the parcel is required for a project that has been environmentally cleared and approved by the Board of Directors; and
 - B. funds have been budgeted for the acquisition.

17. APPROVED ON CONSENT CALENDAR award of a ten-year firm fixed-price contract No. PS-9240-1330, to SunGard Recovery Services LP for **Disaster Recovery Services** for an amount not to exceed \$2,912,338 inclusive of three two-year options, effective November 1, 2003.

18. APPROVED award of Contract PS-5210-1304 to Bond Logistix, LLC for **Arbitrage Rebate Calculation Services**, for an amount not to exceed \$142,500 for the three-year base period, plus \$51,500 and \$54,000 for option years one and two respectively, for a total contract amount not to exceed \$248,000 effective November 1, 2003.

19. ADOPTED AT A SPECIAL BOARD MEETING a resolution authorizing the Chief Executive Officer to price and deliver up to \$405 million of auction rate securities as the **Proposition C Second Senior 2003-B refunding bonds**, in one or more series of auction rate securities to be issued to refund portions of the Proposition C 1993-B and 1995-A bonds, and to enter into one or more related interest rate swaps, and to approve documents on file with the Board Secretary for a negotiated bond sale and competitive swap provider selection.

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

24. ADOPTED the **MTA Transit Service Policy AS AMENDED BY HAHN TO CARRY OVER SECTION 1.2.1 (HUB AND SPOKE SYSTEM)**, which will supersede all previous MTA Board adopted service policies.
25. CARRIED OVER TO THE NEXT BOARD MEETING:
- A. life of project budget in the amount of \$8.7 million for installation of four Gold Line Traction Power Substations; and
 - B. execution of a Betterment Agreement No. PCO 194 between the Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA) and the Los Angeles County Metropolitan Transportation Authority (MTA) for the procurement and **delivery of four traction power substations** in the amount of \$4,733,190.
26. APPROVED AS AMENDED BY BURKE authorizing the Chief Executive Officer to enter into an Exchange Agreement with RAD Jefferson, LLC (the Developer), and all other agreements required to implement the **exchange of MTA's Venice facility for acquisition and development of the larger replacement facility in the City of Los Angeles.**
- AMENDMENT:** that the Board approve the Development Exchange Agreements subject to the following conditions:
- MTA staff, and the developer will continue to work closely with the community throughout the EIR process and potential construction.
- MTA staff will assemble and convene a Design Review committee made up of representatives from Blair Hills, Cameo Woods and East Culver City as well as representatives from the neighboring commercial community.

Traffic impacts identified through the EIR must be fully mitigated, including (but not limited to)

2003 BOARD ACTIONS AND PROCEEDINGS

September 25, 2003

- MTA buses not in service, must stay off La Cienega south of Jefferson, and off of Rodeo Road between La Cienega and Jefferson during peak periods.
 - MTA buses shall further avoid using Rodeo Road, west of La Cienega, during the hours from 9:00 p.m. to 7:00 a.m.
 - Noise Mitigations must be put in place to ensure that the facility does not increase the ambient noise levels identified during the EIR in the neighboring residential areas, particularly Cameo Woods, Blair Hills, Baldwin Gardens, and East Culver City especially between the hours of 9:00 PM and 7:00 AM.
 - Additionally, noise mitigations shall be included to prevent and avoid loud impact noises during those periods, as well.
 - Noise mitigations shall also be included dealing specifically with noise associated with employees and cars entering and leaving the parking facility in the late night and early morning hours especially during the change of shift periods.
27. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that there is only a single source for **procurement of Transynd synthetic transmission fluid**. The purchase is for the sole purpose of replenishing the MTA's existing supply. The Board hereby authorizes the procurement pursuant to Public Utilities Code 130237; and
 - B. authorizing the Chief Executive Officer to award a single source requirements contract to Valley Detroit Diesel Allison Company (VDDA) to purchase approximately 90,000 gallons of Transynd synthetic transmission fluid (STF) to support the bus fleet over a twenty-four month period for an amount not to exceed \$2,192,063 including sales tax.

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28. APPROVED award of a 24-month, firm fixed-price contract with an option for one additional year under Bid 03-0015 to Petro Diamond Inc. the lowest responsive, responsible bidder for **Unleaded Gasoline** for an amount not to exceed \$3,099,349 inclusive of sales tax.

29. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of Amendment No. 2 to contract PS-4610-1026 with Booz-Allen & Hamilton (BAH) to provide Phase I Preliminary Cost-Benefits of various options to **implement the Universal Fare System Regional Service Center and Clearinghouse** for an amount not to exceed \$128,842 increasing the total contract value to an amount not to exceed \$4,705,185.

30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a 24-month, firm fixed-price contract under Bid 03-0008 to Graffiti Removal Inc., the lowest responsive, responsible bidder for **Rail Window Vandal Protection Shields** for an amount not to exceed \$252,146 inclusive of sales tax.

31. APPROVED SUBJECT TO RESOLUTION OF PROTEST award of a five-year firm fixed-unit rate contract No. OP33440653 to XLNT Tint, Inc. of Anaheim, the responsive, responsible bidder to **provide graffiti guard film installation service** for Metro transit facilities for an amount not to exceed \$1,990,837 inclusive of two one-year options.

32. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed-price contract under Bid 03-0020 to A & P Development and Construction, the lowest responsive, responsible bidder to **furnish, deliver and install storage carousel systems** for a total price of \$592,828 inclusive of sales tax and an option to move existing carousel.

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September 25, 2003

33. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five-year firm fixed-price contract, No. PS64301426 to Mitsubishi Electric & Electronics USA, Inc. for **Gateway elevator and escalator services** for an amount not to exceed \$1,208,796 inclusive of two one-year options effective December 1, 2003.
34. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a 24-month firm fixed-price requirements contracts under Bid 03-0024 to the lowest responsive, responsible bidder for **bus brake shoes** for an amount not to exceed \$1,689,544 inclusive of sales tax to the following:
- A. MCI Service Parts Inc. for 5,000 New Flyer, front and rear brake shoes for a total contract value of \$402,701 inclusive of sales tax;
 - B. Neopart for 20,000 TMC rear brake shoes for a total contract value of \$520,466 inclusive of sales tax;
 - C. Onyx Distribution for 11,000 NABI rear brake shoes for a total contract value of \$375,086 inclusive of sales tax; and
 - D. NABI Inc. for 14,000 TMC, Neopart, NABI front brake shoes and 10,000 Flxible front and rear shoes for a total contract value of \$391,291 inclusive of sales tax.
35. APPROVED AS AMENDED BY MOLINA TO CARRY OVER paragraph B-2, two-part financing proposal for **Deferred Los Angeles County State Transportation Improvement Program Projects** as follows:
- C. approving amended programming that utilizes Grant Anticipation Revenue Vehicle (GARVEE) bond proceeds in the amount of \$36.4 million for the Route 14 Carpool Lane from Pearblossom Highway to Avenue P-8; and

2003 BOARD ACTIONS AND PROCEEDINGS

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D. for the 29 transportation improvement projects, AUTHORIZE the Chief Executive Officer to propose to the California Transportation Commission (CTC) a \$248.5 million financing plan consisting of the following two parts:

1. A GARVEE bond of \$207.0 million for up to 16 eligible Los Angeles County right-of-way and construction projects (including the new programming); and

CARRIED OVER:

2. an advance of \$41.5 million in Proposition C 25% funds for up to 13 Los Angeles County State Transportation Improvement Program (STIP) projects, which is to be repaid with replacement project(s) in future year(s) through the CTC's AB 3090 process.

36. APPROVED PROO/KNABE revised **freight movement motion** that MTA:

Authorize the Chief Executive Officer to provide the necessary leadership in the area of freight movement planning by ensuring a coordinated countywide approach to developing consistent freight and passenger movement policy, analyzing systemic needs, assessing freight movement strategies, identifying priorities for project development, seeking additional innovative revenue sources, and providing viable recommendations to support the economic vitality of the county's residents and businesses.

Direct the Chief Executive Officer to ensure the freight planning process involves consultation with public and private stakeholders, including trucking companies, ports, local jurisdictions, railroads and commuter rails, shippers, and other community groups to develop recommendations that would address the need for accommodating the projected freight movement growth, its impacts to the transportation network, and impacts on Los Angeles communities.

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Coordinate its work with federal, state, regional, and local transportation agency partners to develop a comprehensive and cohesive freight movement policy and plan for the Los Angeles County.

Direct the Chief Executive Officer to report back in 90 days with a comprehensive Work Plan to address the freight management and funding strategies.

37. APPROVED execution of Change Order No. 4 to Contract No. PS-8310-0566, with SYSTRA Consulting, Inc. **to provide design verification** services on the Metro Green Line, until March 2004 for an amount not to exceed \$899,620, increasing the total contract value from \$1,483,729 to \$2,383,349.
39. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of Amendment No. 3 to Contract No. PS-5420-0653 with Images in Foil, Inc. for **Additional Fare Media Production Services for Day passes** in the amount of \$1,566,853 revising the total contract value from \$3,875,284 to \$5,442,137.
40. RECEIVED report from the Independent Citizens' Advisory and Oversight Committee regarding the **Propositions A & C FY 2002 Audit**.
41. RECEIVED AND FILED report on the status of FY04 **Federal Appropriations** requests.
42. HELD public hearing on the resolution of necessity for the acquisition of project **Parcel No. ES-654 for the Eastside Light Rail Project – West Portal** project enhancements, between Gless Street and U.S. Highway 101 and ADOPTED BY A 2/3 VOTE OF THE BOARD the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject parcel.

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43. APPROVED:

- A. results of public hearing held on September 11, 2003 concerning **service modifications proposed for FY2004 Metro Westside/Central Lines 58 and 218**; and
- B. service adjustments to become effective October 26, 2003 or later.

44. APPROVED:

- A. certifying that the Board has reviewed and considered the information in the Mitigated Negative Declaration for the West Valley Water Recycling Project prepared by the City of Los Angeles to **design and construct the proposed Recycled Water Distribution Pipeline along the San Fernando Valley Metro Rapidway**; and
- B. authorizing staff to file a Notice of Determination for the Mitigated Negative Declaration with the Los Angeles County Clerk and the state clearing house, if necessary.

45. APPROVED:

- A. an initial project budget of \$5.0 million for Project 800116 to be reimbursed by the Los Angeles Department of Water and Power; and
- B. negotiation and execution of a Change Order to Contract No. C0675 Design/Build with Shimmick Construction Co., Inc./Obayashi Corporation, J.V. for an amount not to exceed \$2.5 million for initial funding **to design and construct a Recycled Water Pipeline Project** within the San Fernando Valley Metro Rapidway Project - to be reimbursed by the Los Angeles Department of Water and Power.

2003 BOARD ACTIONS AND PROCEEDINGS
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46. APPROVED:

- A. negotiation and execution of Contract Work Order No. 2 to Contract No. MC067 with Carter & Burgess to provide Construction Management Support Services for the **San Fernando Valley Metro Rapidway – Los Angeles Department of Water and Power (LADWP) for a Recycled Water Pipeline Project** for an amount not to exceed \$240,000 increasing the total contract value from \$3,989,125 to \$4,229,125; and

- B. execution of contract modifications to CWO No. 2 to Contract MC067 Construction Management Support Services Consultant for the San Fernando Valley Metro Rapidway Project in an aggregate amount not to exceed ten percent of CWO No. 2 original total value.

RECEIVED public Comment.

Meeting adjourned at 2 :15 p.m.

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SPECIAL BOARD MEETING
September 25, 2003

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

19. ADOPTED a resolution authorizing the Chief Executive Officer to price and deliver up to \$405 million of auction rate securities as the **Proposition C Second Senior 2003-B refunding bonds**, in one or more series of auction rate securities to be issued to refund portions of the Proposition C 1993-B and 1995-A bonds, and to enter into one or more related interest rate swaps, and to approve documents on file with the Board Secretary for a negotiated bond sale and competitive swap provider selection.

RECEIVED public Comment.

Meeting adjourned at 10:20 a.m.

2003 BOARD ACTIONS AND PROCEEDINGS

December 4, 2003

REGULAR BOARD MEETING December 4, 2003

NOTE: Members voting are reflected on the attached "RECAP OF PROCEEDINGS" matrix.

1. APPROVED Consent Calendar Items: 2, 7, 9-14, 17**, 19-23, 26.

Items 6, 8, 15, 16, 18**, 24, 25 were removed from the Consent Calendar.

** Requires 2/3 vote of the Board

Item 27 was withdrawn by staff.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held September 25, 2003 and Special Board Meeting held October 15, 2003.

3. RECEIVED Chief Executive Officer's Report on the **2004 Fare Restructuring** and APPROVED:

- Free Fare on New Year's Eve
- Free on Rail from 9 p.m. to 2 a.m.
- Free on bus from 9 p.m. to 5 a.m.
- External distribution of day passes on rail.

FAILED: motions by Hahn and LaBonge to extend free rides on the Gold Line through New Year's Day and offer free rides to children under 12.

4. Chair's Report

No Report.

2003 BOARD ACTIONS AND PROCEEDINGS
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6. APPROVED:
- A. execution of Change Order No. 11 to Contract No. PS-4310-0964, with Eastside LRT Partners, a Joint Venture, consisting of Parsons Brinckerhoff, Jenkins/Gales & Martinez, and Barrio Planners, Inc. **for continuation of Design Services During Construction (DSCD)** for an amount not to exceed \$3,596,210 increasing the total contract value from \$31,002,830 to \$34,599,040; and
 - B. execution of modifications to Contract No. PS-4310-0964 for the Metro Gold Line Eastside Extension in an aggregate amount not to exceed ten percent of Change Order No. 11 total value.
7. APPROVED ON CONSENT CALENDAR:
- A. negotiation and execution of Contract Work Order (CWO) No. 4 to Contract No. MC067 with Carter & Burgess, Inc. to provide **Construction Management Support Services (CMSS)** for the Metro Gold Line Eastside Extension Project for an amount not to exceed \$3,726,283 increasing the total contract value from \$4,229,125 to \$7,955,408; and
 - B. execution of modifications to Contract No. MC067, CWO No. 4 for the Metro Gold Line Eastside Extension in an aggregate amount not to exceed ten percent of CWO. No. 4 total value.
8. APPROVED:
- A. executing Amendment No. 6 to Contract Number 07H001 with CH2M Hill to **complete construction support service for the Route 10 HOV lanes from Baldwin Avenue to Route 605** for an amount not to exceed \$203,714, increasing the total contract value from \$7,741,679 to \$7,945,393; and
 - B. authorizing a \$29,000 contingency budget for unanticipated construction support services which would allow future contract amendments up to the original programmed amount for the project design and construction support services.

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9. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract under Bid No. 03-0021, to Burch Ford, the lowest responsive and responsible bidder for **12 full size passenger vans** for a firm, fixed price of \$262,671 inclusive of sales tax.

10. APPROVED ON CONSENT CALENDAR award of a five-year, firm fixed-price, unit rate Contract No. PS64301429, to Bielski Window & Masonry Cleaning for **window cleaning services** for the Union Station Gateway Headquarters building for an amount not to exceed \$252,129, inclusive of two, one-year option(s), effective December 1, 2003.

11. APPROVED ON CONSENT CALENDAR execution of Change Order No. 1.00 to Contract No. OP33410654, with N/S Corporation, for the deletion of **High Velocity Air Blowers** on the Bus Interior Bellows Upgrade contract in the credit amount of \$303,390, reducing the total contract value from \$1,499,500 to \$1,196,110.

12. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract under Bid No. 03-0028 with West Covina Motors, Inc. the lowest responsive and responsible bidder for **six stake bed trucks** in the amount of \$201,345 inclusive of sales tax.

13. APPROVED ON CONSENT CALENDAR execution of Amendment No. 1 to Contract No. PS016430107 with Yamas Controls Group, Inc. (formerly Invensys Building Systems) to provide **upgrades to the Gateway Building Management System** for a period through the remaining term of March 2007, for an amount not to exceed \$313,000 increasing the total contract value from \$391,961 to \$704,961.

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14. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract under Bid No. 03-0035 with Taylor-Dunn Manufacturing, the lowest responsive and responsible bidder for **seven tow tractors** in the amount of \$261,824 inclusive of sales tax.

15. APPROVED award of a 24-month firm fixed-price contract under Bid 03-0030 to Siemens Transportation Systems, the lowest responsive, responsible bidder for **eight P2000 rail car auxiliary inverters** in the amount of \$1,091,852 inclusive of sales tax and one option for five auxiliary inverters.

16. APPROVED award of a 24-month firm fixed-price contract under Bid 03-0029 to Siemens Transportation Systems, the lowest responsive, responsible bidder for **P2000 rail car split brake discs** in the amount of \$1,406,038 inclusive of sales tax.

17. APPROVED ON THE CONSENT CALENDAR BY A 2/3 VOTE:
 - A. finding that there is only a single source of procurement for the **remanufacture of the MTA owned rail grinder machine**. The Board hereby authorizes the procurement pursuant to Public Utilities Code Section 130237; and

 - B. authorizing the Chief Executive Officer to award a one-year firm fixed-price contract No. 04-04343412, to Harsco Track Technologies for the remanufacture of an MTA owned rail grinder for an amount not to exceed \$1,300,000.

2003 BOARD ACTIONS AND PROCEEDINGS

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18. APPROVED BY A 2/3 VOTE OF THE BOARD:
 - A. finding that there is only a single source for **procurement of Thyristors** and that the purchase is for the sole purpose of replenishing the MTA's existing supply. The Board hereby authorizes the procurement pursuant to Public Utilities Code 130237; and
 - B. awarding a single source, firm fixed-price contract to Bombardier Transportation to purchase 125 Thyristors to support the Metro Blue Line fleet for an amount not to exceed \$355,872 including sales tax.

19. APPROVED ON CONSENT CALENDAR authorization for the Chief Executive Officer to amend the existing "**As Needed Printing Services**" contract, an indefinite quantity/delivery, multiple award agreement with Chromatic Lithographers, Dual Graphics, Graphic Press, Pacific Graphics, and Peaks & Associates for printing services for a period of three years effective April 24, 2003, increasing the cumulative total amount by \$2,500,000.

20. APPROVED ON CONSENT CALENDAR execution of Amendment No. 3 to Contract No. GS006420060 with Canon U. S. A. Corporation to provide **lease of convenience copiers**, for the remaining 19 months of the contract term, for an amount not to exceed \$234,803, increasing the total contract value from \$1,953,866 to \$2,188,669.

21. APPROVED ON CONSENT CALENDAR rejection of all bids submitted under IFB No. PS64601394 for the provision of **Non-Inventory Paper Supplies** in accordance with Public Utility Code 130232.

2003 BOARD ACTIONS AND PROCEEDINGS

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22. APPROVED ON CONSENT CALENDAR award of contract to Booz Allen Hamilton Inc. to conduct the Fiscal Year (FY) 2001 to FY 2003 **Triennial Performance Audit** of the Los Angeles County Metropolitan Transportation Authority as the Regional Transportation Planning Entity (RTPE) and to conduct the FY 2001 to FY 2003 Triennial Performance Audit of the Los Angeles County transit Operators, including MTA Operations, for a firm fixed-price of \$595,000.
23. APPROVED ON CONSENT CALENDAR:
- A. life of project budget in the amount of \$8.7 million for installation of four Gold Line Traction Power Substations; and
 - B. execution of a Betterment Agreement No. PCO 194 between the Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA) and the Los Angeles County Metropolitan Transportation Authority (MTA) for the procurement and delivery of **four traction power substations** in the amount of \$4,733,190.
24. APPROVED:
- A. increasing funding in the amount of \$4,185,000 to the CPA Audit Pool for **audit services** through April 2005; and

	CONTRACTOR	CONTRACT NUMBER
1.	Lu, Chuan & Company, LLP	PS01-2511-15-01
2.	BDO Seidman, LLP	PS01-2511-15-02
3.	Conrad & Assocaites, LLP	PS01-2511-15-03
4.	Jones, Henle & Schunck, Acct. Corp.	PS01-2511-15-04
5.	Macias, Gini, & Company	PS01-2511-15-05
6.	Nunez & Associates	PS01-2511-15-06
7.	Qiu Accountancy Corp.	PS01-2511-15-07
8.	Quezada & Company	PS01-2511-15-08
9.	Ramirez International	PS01-2511-15-09
10.	Simpson & Simpson	PS01-2511-15-10

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11.	Thompson, Cobb, Bazilio & Ass.	PS01-2511-15-11
12.	Vargas, Lopez & Company	PS01-2511-15-12
13.	Vasquez & Company	PS01-2511-15-13
14.	Wang Professional Corp.	PS01-2511-15-14
15.	Williams & Tucker	PS01-2511-15-15

- B. authorizing the Chief Executive Officer to execute task orders under these contracts for audit services in total not to exceed the amount of \$4,185,000.

25. CARRIED OVER TO JANUARY OPERATIONS COMMITTEE approval of the execution of nine three-year **Metro Freeway Service Patrol (FSP) contracts** for a total amount not to exceed \$11,572,088 to the following contractors:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
3	Hollywood Independent Towing, Los Angeles	\$1,429,201	01/01/04-12/31/06
4	Tow Masters, Los Angeles	\$1,725,545	01/01/04-12/31/06
6	LA's Bestway, Los Angeles	\$1,087,238	02/01/04-01/31/07
8	Al's Towing, Alhambra	\$1,171,035	02/01/04-01/31/07
10	Mid Valley Towing, North Hollywood	\$1,390,351	02/01/04-01/31/07
22	Girard & Peterson, Burbank	\$1,159,897	02/01/04-01/31/07
35	Girard & Peterson, Burbank	\$913,863	03/01/04-02/28/07
39	LA's Bestway, Los Angeles	\$1,166,792	03/01/04-02/28/07
40	J&M Towing, Alhambra	\$1,528,166	03/01/04-02/28/07
	Total	\$11,572,088	

26. APPROVED ON CONSENT CALENDAR the adoption of the updated **MTA Debt Policy**.

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27. WITHDRAWN BY STAFF adopting the **Conceptual Joint Development Guidelines** for the MTA's Metro Gold Line First/Boyle, First/Soto, First/Lorena, and Cesar Chavez/Lorena joint development sites.

28. RECEIVED oral report on strike-related expenditures.

29. APPROVED revised financing proposal:
 - A. Amend the MTA FY 2004 budget to commit up to \$15 million in proposition C 25% funds for the first three of the five projects shown below and then request approval for grant anticipation revenue vehicle (GARVEE) financing from the California Transportation Commission (CTC) for the following five projects:
 1. Route 405 Southbound carpool lane from Waterford to Interstate 10.
 2. Route 5 carpool lanes from Route 14 to Route 118.
 3. Route 405/101 interchange gap closure connection.
 4. Route 14 carpool lanes from Pearblossum to Avenue P-8.
 5. Route 90 Playa Vista access improvements.

 - B. Request approval from the CTC to advance \$22.6 million in proposition C 25% funds for the route 101 from Los Angeles Street to Center Street project. If approved by the CTC, the advance will be repaid with a replacement project in the 2004 State Transportation Improvement Program (STIP).

 - C. In light of the 2004 STIP fund estimate scheduled to be adopted by the CTC on December 11, 2003, defer all other projects in attachments A and B and direct staff to return in February 2004 with a recommendation for regional transportation system improvement priorities that is consistent with the 2004 STIP fund estimate.

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30. APPROVED reaffirmation of commitment to the project financial plan for the Metro Gold Line Eastside Extension (MGLEE), MTA's highest regional transit corridor project priority, to further support the execution of the federal full funding grant agreement (FFGA) and to improve future federal funding allocations.

APPROVED Molina motion that the Board direct the CEO to develop a fiscal contingency plan to ensure the timely completion of the Gold Line Eastside Extension until such time that federal appropriations are more secure. Allocations to a contingency fund should include the \$10M short range transportation allocation to the Gold Line Extension to Claremont that has yet to be drawn down. Further that the CEO be directed to examine any other potential sources of funds from lower priority projects and recommend any further reallocations of funds to this Gold Line Eastside Extension contingency fund.

APPROVED Villaraigosa amendment that allocations to the contingency fund also should include the remaining FY03 and FY04 MTA contributions to the Alameda Corridor East project and that staff report back to the Board on any sources of funding that could be dedicated to the Gold Line Eastside Project.

31. CARRIED OVER TO NEXT JANUARY adopting oppose position on **AB 712** (Liu) – which would rename the Metro Blue Line Construction Authority the Foothills Gold Line Construction Authority and change the membership of the Board from the current 5 members to 15 members and would make other specified changes.
32. APPROVED execution of one or more refinancing agreements of **CNG fueling facilities** lease agreements for a total amount not to exceed \$18 million at interest rates not to exceed 5%.

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33. APPROVED:
- A) the **MTA Grade Crossing Policy for Light Rail Transit**; and
 - B) Evaluation of Exposition Light Rail Transit Project (Vermont Avenue to Venice Boulevard Segment) with the Proposed MTA Grade Crossing Policy.
34. APPROVED AS AMENDED, the following list of nominees to serve on the **Westside/Central Service Sector Council**:
- Carol Gross, Culver City
 - Brad Robinson, Beverly Hills
 - Ann Semonco, West Hollywood
 - Stephanie Negriff, Los Angeles County
 - Joyce Perkins, Los Angeles County
 - Pressley Burroughs, City of Los Angeles
 - ~~Ruby Sylvestre, City of Los Angeles~~
 - Helen Johnson, City of Los Angeles
 - Peter Capone-Newton, City of Los Angeles
35. APPROVED YAROSLAVSKY MOTION that the Chief Executive Officer (CEO) work with Human Resources and County Counsel to prepare a **salary structure** that provides equity among positions, to develop a policy that would require budget authorization for positions and Board approval for the creation of new positions; and
- Further, that the Chief Executive Officer develop comprehensive job descriptions for all non-represented positions in the agency, salary scales commensurate with those positions, and a policy governing other benefits such as housing and car allowances. The CEO should report back to the Board with this information within 60 days.

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36. **APPROVED AS AMENDED YAROSLAVSKY MOTION that in light of MTA's budget situation, the Sector Governance Council Bylaws be amended to ~~remove~~ cap the annual travel allowance ~~provision~~ for Sector Councilmembers at \$7,500; and**

Further, that MTA staff return in 60 days with a report on the costs associated with the sectors and sector governance councils and recommendations on further changes to the bylaws that will help streamline these costs.

37. **APPROVED HAHN MOTION that the Board direct MTA staff to report back in 60 days on the feasibility of the inclusion of sustainable building practices into the **design of Division 6**, and for subsequent MTA developments of this magnitude, including, but not limited to such measures as:**

- A. LEED certification for the design of the main building structure at the site;
- B. The installation of photovoltaic (solar) panels for future energy savings.
Consider their use as mechanisms to provide shade for parked buses and/or employee vehicles.
 - 1. Determine how much DWP rebates would be able to offset the installation costs; and
 - 2. The implementation of Stormwater Best Management Practices (BMPs) in order to reduce the amount of, and improve the quality of, runoff into the City storm drain system, which drains into Ballona Creek, and subsequently to the Santa Monica Bay.
- C. Consider options for on-site water retention and reuse.

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38. CLOSED SESSION:

A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

1. Metro Green Line Light Rail Transit Project

Parcel No.	Owner	Property Interest
AS-502	SAMS VENTURE, LLC (Space and Missile Systems)	Fee Simple Interest to Real Property

NO REPORT

2. MTA & Catellus Development Corporation

NO REPORT

B. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9 (a):

1. Sweigart v. MTA BC284418
 APPROVED settlement in the amount of \$876,846.60

2. Duron v. MTA EC035573
 APPROVED settlement in the amount of \$215, 000

3. Panhasian v. MTA LC061371
 APPROVED settlement in the amount of \$250,000

4. Dorfman&Maizes v. MTA SC074386
 APPROVED settlement in the amount of \$1.5M (Dorfman) and \$1M (Maizes).

5. MTA v. Neoplan 01CC01998
 NO REPORT

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

Initiation of Litigation (One Case)

NO REPORT

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

Agency Negotiators:

Roger Snoble and Brenda
Diederichs

Employee Organizations:

Amalgamated Transit Union,
Transportation Communications
Union, United Transportation
Union, and Engineers and
Architects Association

NO REPORT

RECEIVED public Comment.

Meeting adjourned at 2:45 p.m.

2003 BOARD ACTIONS AND PROCEEDINGS
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**OCTOBER AND NOVEMBER BOARD MEETINGS WERE CANCELLED DUE
TO LABOR STRIKE.**