



**OPERATIONS COMMITTEE
FEBRUARY 19, 2004**

**SUBJECT: CONTRACT WITH METROLINK FOR PROVISION OF SPECIFIED
LAW ENFORCEMENT SERVICES**

**ACTION: ADOPT FUNDING LEVELS AS INCLUDED IN FY02, FY03, FY04 AND
FY05 ANNUAL BUDGETS**

RECOMMENDATION

Adopt specified funding levels for FY02, FY03, FY04 and FY05, as required by a Memorandum of Understanding (MOU) between the Southern California Regional Rail Authority (SCRRA) and the MTA, for the contract of specified law enforcement services on rights of way (ROWS) within Los Angeles County on which Metrolink operates.

	MOU	
	<u>Funding Level</u>	
FY02	\$	1,336,816
FY03	\$	1,390,289
FY04	\$	1,445,901
FY05	\$	1,503,737*

* Estimated

ISSUE

The MTA, which owns ROWs in Los Angeles County, entered into an MOU with SCRRA and its contractor, the Los Angeles Sheriff's Department (LASD), for the provision of non-core security services on those ROWs. The Board approved execution of the MOU on May 25, 2000, which runs from July 1, 2000 through June 30, 2005. The MOU contains language that the contract value would adjust each year for a cost-of-living increase of up to 4% and that annual Board action would be obtained to approve any material changes, including such cost-of-living adjustments. Staff thought the annual funding level for this service was approved by the Board in the agency's annual budgets. However, upon further review of the MOU, it was determined that a separate Board action for each fiscal year covered by the MOU, other than the first year, is required by the MOU.

POLICY IMPLICATIONS

To ensure compliance with the MOU, it is necessary to obtain Board approval of funding levels for the specified years. These funding levels include adjustments attributable to salary and/or employee benefit-cost increases but no change in staffing levels as original deployments continue to be deemed sufficient.

ALTERNATIVE OPTIONS CONSIDERED

Failure to approve this action would result in failure to adopt a funding level for FY04, thereby resulting in no non-core security services on MTA's ROWs for the rest of the current fiscal year. For FY02 and FY03, failure to approve this action would leave the budgeted funding levels ungratified for those years.

FINANCIAL IMPACT

There is no financial impact as funds have already been budgeted.

BACKGROUND

SCRRA operates Metrolink service within six counties, including Los Angeles, and contracts with LASD for the provision of law enforcement services on its lines. Law enforcement services consist of two components, core and non-core. Core services include coordination of local law enforcement services along the Metrolink service corridor, fare enforcement, security coordination with other law enforcement organizations, training, and communications and inventory control. Non-core services include patrolling the rights-of-way and providing law enforcement on railroad property in Los Angeles County.

Consistent with both the MOU and past practice, LASD deploys a security patrol on the ROW in Los Angeles County on which Metrolink operates. The patrol is staffed at the full-time equivalent (FTE) level of 9.5 deputy sheriffs and annual billings by Metrolink are based on the fully burdened rate for those 9.5 deputies.

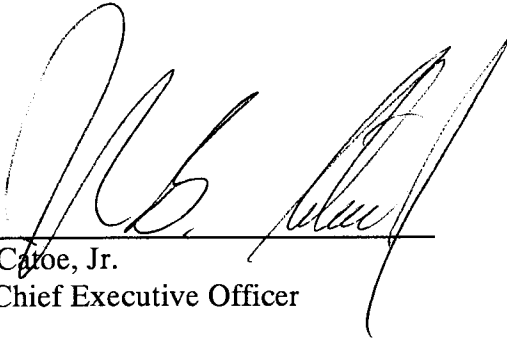
With regard to funding, the MOU specified a not-to-exceed (NTE) funding level for FY01, the first year of the agreement, of \$1.29 million and included a provision for subsequent annual increases up to 4% annually based on cost-of-living adjustments. Such adjustments have been made in each succeeding year due to increases in deputy salary and/or employee benefit costs.

Further, as previously indicated, the MOU will expire June 30, 2005, necessitating adoption of a funding level for FY05. We anticipate that costs will continue to escalate as they have in the past and therefore recommend a funding level of \$1.50 million for FY05.

NEXT STEPS

Staff will obtain Board approval for execution of a new MOU to be considered and approved by SCRRRA in sufficient time for that document to be in place prior to June 30, 2005.

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