

Agenda

Regular Board Meeting
Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Antonio Villaraigosa, Chair
Gloria Molina, 1st Vice Chair
Pam O'Connor, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Don Knabe
Bonnie Lowenthal
Bernard Parks
Frank Roberts
Zev Yaroslavsky
Doug Failing, non-voting member

Officers

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



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

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

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

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

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

DISCLOSURE OF CONTRIBUTIONS

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

ADA REQUIREMENTS

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NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

**SUMMARY OF AGENDA ITEMS
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, DECEMBER 15, 2005**

CONSENT CALENDAR ITEMS	NON CONSENT ITEMS	CLOSED SESSION
2	3	45
5	4	
6	21	
11	34	
13	35-B	
23**	39	
24**	40	
25**	41	
26	42	
27	43	
28*	44	
29*		
30*		
31*		
32*		
33*		
35-A, C & D		
36		
38		

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

*** APPROVED UNDER COMMITTEE AUTHORITY**

1. APPROVE Consent Calendar Items: 2, 5, 6, 11, 13, 23**, 24**, 25**, 26, 27, 35-A, C &D, 36 AND 38

**REQUIRES 2/3 VOTE OF THE BOARD

APPROVED UNDER COMMITTEE AUTHORITY: Items 28 through 33

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held October 27, 2005.
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) awarding a two-year fixed-priced contract No. PS-4320-1699, to MFA/Jones and Stokes for **preparation of the Project Approval/Environmental Document for State Route 2 (Glendale Freeway) Terminus** for an amount not to exceed \$1,076,018.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) amending the FY06 budget to add \$450,000 of expenditures to the General Fund and AUTHORIZING right-of-way lease revenues to pay for the **relocation of the County of Los Angeles Department of Mental Health** from the LACMTA owned building located at 3160 West 6th Street as committed to at the time of building purchase.
11. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) approval of MOLINA MOTION that the Board **rename the Metro Gold Line Eastside Extension** the “Edward R. Roybal Metro Gold Line Eastside Extension”, in honor of this local icon’s revered memory.
13. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the proposed **2006 Federal and State Legislative Program**.

23. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that the bids received for new Allison B400R WTECIII bus transmissions under Public Utilities Code section 130232 have been rejected and new bus transmissions may be purchased at a lower price on the open market. The Board hereby authorizes **purchase of new Allison B400R bus transmissions** on the open market pursuant to Public Utilities Code section 130233; and
- B. authorizing the Chief Executive Officer to purchase on the open market from Valley Power Systems no more than 200 new Allison B400R WTECIII bus transmissions at a unit price of \$14,788 each for a cumulative amount not to exceed \$3,201,602 inclusive of sales tax.

REQUIRES 2/3 VOTE OF THE BOARD

24. OPERATIONS COMMITTEE RECOMMENDED (4-0):

- A. finding that there is only a single source of procurement for upgrading the Master Controllers, and purchase is for the sole purpose of upgrading Metro's fleet of 104 Red Line cars already in use. The Board hereby authorizes the procurement pursuant to Public Utilities Code 130237; and
- B. authorizing the Chief Executive Officer to award a single source, firm fixed-price contract to Transmed Systems to **upgrade 120 Master Controllers including spares for the Metro Red Line fleet** for a total cost of \$306,480.

REQUIRES 2/3 VOTE OF THE BOARD

25. OPERATIONS COMMITTEE RECOMMENDED (5-0):

- A. finding that there is only a single source of procurement for **Cummins L10 CNG engines and repair parts**. The purchase is for the sole purpose of augmenting Metro's existing equipment. The Board hereby authorizes the purchase of L10 Cummins CNG engines pursuant to Public Utilities Code Section 130237;
- B. authorizing the Chief Executive Officer to:
 - 1. award a firm fixed-price contract to Cummins Cal Pacific, LLC, for the procurement of 35 L10 CNG engines for an amount not to exceed \$1,345,007, inclusive of sales tax; and

2. exercise an option with Cummins Cal Pacific, LLC. to purchase up to 105 additional CNG bus engines subject to availability of funding for an amount not to exceed \$3,989,554 inclusive of sales tax.

REQUIRES 2/3 VOTE OF THE BOARD

26. OPERATIONS COMMITTEE RECOMMENDED (4-1) approval of revision to the Jefferson Development Agreement's Schedule of Performance for the **West Los Angeles Transportation Facility (Division 6 Land Exchange)**, extending the hard dates (milestones) for "Commencement of Construction" to April 1, 2006 and "Completion of Construction" to June 30, 2007.
27. OPERATIONS COMMITTEE RECOMMENDED (5-0) approval of **Parks Motion** that staff bring together all agencies responsible for the construction and maintenance of bus shelters, benches and stops to discuss: a model bus shelter design; a strategy to include bus shelters at all bus stops; and a comprehensive rehabilitation and maintenance protocol;

Further move that staff provide a status report on the newly created "See It. Report It" program in the South Bay Service Sector and implementation plans to take it agency-wide as soon as possible **and directed staff to include municipal operators in the process.**

35. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) approval of Items A, C and D. (Forwarded Item B to the full Board without recommendation)
 - A. authorizing the Chief Executive Officer to program **\$618 million in state and federal funds** as follows:
 1. \$608 million for highway and transit capital improvements and support; and
 2. \$10 million in back-up funding to leverage up to \$19 million of unused federal appropriations for Countywide Congressional earmarks from the 1998 Transportation Equity Act of the 21st Century (TEA-21), provided that such funds are made available towards amounts encumbered for projects listed for only the next two years (FY 2006 and FY 2007).

- C. authorizing the Chief Executive Officer or his designee to negotiate and execute funding contracts or agreements as needed with Los Angeles County jurisdictions, agencies or other entities to provide funds programmed as authorized; and
- D. adopting the resolution certifying to the Southern California Association of Governments (SCAG) that the Los Angeles County Transportation Improvement Program (TIP) is constrained to financial resources that can reasonably be expected to be available.

36. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0)
authorizing the Chief Executive Officer to:

Negotiate and execute Change Order No. 6 to Contract PM022, CWO-03 with URS Corporation, Inc. **to support the development of engineering design and engineering scopes of services** for early implementation items for an amount not to exceed \$200,000 increasing the CWO-03 total amount from \$232,616 to \$432,616.

38. CONSTRUCTION COMMITTEE RECOMMENDED (4-0):

- A. authorizing the Chief Executive Officer to negotiate and execute:
 - 1. a five-year Indefinite quantity/Indefinite delivery contract, No. EN074, to MACTEC Engineering and Consulting Services Inc. for **Environmental Hazardous Materials Handling and Construction Services** on Contract Work Orders for an amount not to exceed \$5.9 million for fiscal years 2006 and 2007;
 - 2. Contract Work Orders and changes within the Board approved contract value; and
- B. should staff be unable to conclude negotiations with MACTEC, staff requests authority to negotiate and execute a contract with the next qualified proposer.

APPROVED UNDER COMMITTEE AUTHORITY

28. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a firm fixed-price contract under Bid No. OP-34341720 with Westrux International, Inc., the lowest, responsive and responsible bidder for a **2 three-axle heavy duty tractors** in the amount of \$215,434 inclusive of sales tax **and directed staff to check availability of alternative fuel vehicles.**
29. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a firm fixed-price contract No. OP39201658 with ARINC Inc., to **upgrade the Metro Red Line Segment 1 Remote Terminal Unit**, for an amount not to exceed \$1,342,148 inclusive of 10% contingency.
30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a five-year firm fixed-unit rate contract, Contract No. OP33411754 to Pacific Resource Recovery Services for removal and disposal of **hazardous, non-hazardous and universal waste** for an amount not to exceed \$541,354 inclusive of two one-year options, effective January 1, 2006.
31. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a firm fixed-price contract under Bid No. 05-0006 with Siemens Transportation Systems Inc. the lowest responsive and responsible bidder for various **Green/Gold Rail Line Parts**, for an amount not to exceed \$1,047,306.
32. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a firm fixed-price contract under Bid No. OP34341719 with Reynolds Buick/Pontiac/GMC Trucks, Inc., the lowest, responsive and responsible bidder, for **five trucks with crew cab and utility body** in the amount of \$634,345 inclusive of sales tax.
33. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (5-0) award of a five-year contract for **maintenance and enhancement services of Operations' Consolidated Data Warehouses**, under RFP No. OP31501747, to Strategic Data Systems, Inc., the highest-rated proposer, for an amount not to exceed \$2,926,000 inclusive of two one-year options.

NON-CONSENT:

3. Chair's Report
4. Chief Executive Officer's Report

21. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION due to absences and conflicts, authorizing the Chief Executive Officer to:
 - A. execute Change Order No. 14 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 **engineering and environmental services on the relocation of Indiana Station** in an amount of \$327,643, increasing the total contract value from \$38,226,803 to \$38,554,446; and
 - B. execute future contract modifications to Contract No. PS-4310-0964, for the Metro Gold Line Eastside Extension for an amount not to exceed \$32,764.

34. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) as **amended by Yaroslavsky** authorizing the Chief Executive Officer to enter into a Joint Development Agreement and Ground Lease with Polis/McGregor Santa Fe Yards, LLC, covering approximately 2.7 acres of Los Angeles County Metropolitan Transportation Authority -owned properties located at the Metro Redline/Santa Fe Yards Maintenance of Way facility for **development of a mixed-use, apartment/retail complex**, having key terms and conditions.

Amendment: Contingent upon receipt of letter from legal counsel Orrick, Harrington and Sutcliff containing necessary terms and conditions and acceptance of the letter by outside Counsel Richard Volpert.

35-B. PLANNING AND PROGRAMMING COMMITTEE (5-0) FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:

- B. reauthorizing a \$68.7 million **advance of the 17% Metro contribution to the Alameda Corridor East** (ACE) Phase II project for use on ACE Phase I project activities, using the same funding and similar terms as the original advance.

39. APPROVE the:

- A. creation of a **new non-contract classification of Executive Officer, Real Property Management and Development (Grade AA)**; and
- B. salary to fill the new position.

40. APPROVE the **salary for a non-contract Transportation Planning Manager IV (Modeling for Freight & Passenger Movement) position**, in Planning -- Systems Analysis and Research (Grade N).

41. AUTHORIZE the Chief Executive Officer to execute Contract No. OP3000772, a non-competitive contract with Gayland Moffat, Inc., for **labor consulting services** in support of the 2006 labor negotiations for an 18-month period for an amount not to exceed \$522,580 effective February 1, 2006.

42. CONSIDER:

- A. certifying **Los Angeles Mid-City/Exposition Corridor Final EIS/FEIR** (transmitted under separate cover) and authorizing staff to file a Notice of Determination;
- B. adopting the Findings of Fact and Statement of Overriding Considerations in accordance with the California Environmental Quality Act (CEQA);
- C. adopting the Mitigation Monitoring Plan (MMP); and
- D. adopting the Locally Preferred Alternative (LPA) as previously approved by the Metro Board in June 2001 and modified in the FEIS/FEIR Section 2.7 as the Light Rail Build Alternative from Downtown Los Angeles

(7th/Metro Center) to Culver City (Venice/Robertson) incorporating the following design options:

1. Flower Street Design Option incorporating an undercrossing between Jefferson Boulevard and Trousdale Parkway;
2. La Brea Aerial Station & Grade Separation;
3. La Cienega Station Parking Facility on Southeast Corner (East Central Interceptor Sewer- ECIS Construction Staging Site);
4. Jefferson Boulevard Northside Widening at La Cienega Boulevard;
5. Jefferson Boulevard Grade Separation near Ballona Creek; and
6. Venice/Robertson Interim Station located East of National Boulevard within the Metro-owned Exposition Right-of-Way.

E. environmentally clearing the following design options for construction in the event that additional funding becomes available (“Recommended Options”):

1. USC/Exposition Park Optional At-Grade Station near Kinsey Drive;
2. USC/Exposition Park Extended Undercrossing Option (Precludes Optional At-Grade Station near Kinsey Drive);
3. Venice/Robertson Aerial Station.

F. eliminating the following from further consideration:

1. Venice/Robertson At-Grade Station (at-grade rail crossings of Washington and National Boulevards).

43. APPROVE the following nominee for membership on the **Westside Central Service Sector Governance Council:**

Mr. Glenn Rosten – replacing Stephanie Negriff
Mr. Peter Capone Newton - reappointment

44. APPROVE the appointment of the following nominees for membership on the **South Bay Service Sector Governance Council:**

Terisa Price – reappointment
Curren Price – reappointment
Margaret Hudson – reappointment
Devon Deming – new appointment, replacing Howard Sachar

45. **CLOSED SESSION:**

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

1. Labor/Community Strategy Center v. MTA CV94-5936
2. People v. MTA SCR02660

B. Conference regarding Potential Threats to Public Services or Facilities - G.C. 54957:

While there may be no immediate threat, this is to provide the Board with a confidential update by Commander Finkelstein, Chief of Security and Law Enforcement, on security related matters.

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT