

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

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

Officers

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



Metro

Los Angeles County
Metropolitan Transportation Authority

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

PUBLIC INPUT

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

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

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

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

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

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

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

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

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

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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.

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

**REGULAR BOARD MEETING
THURSDAY, JULY 24, 2008**

CONSENT CALENDAR ITEMS	COMMITTEE AUTHORITY	NON-CONSENT ITEMS	CLOSED SESSION
2	NONE	3	37
5		4	
6		10	
7		17	
11		28	
12		30	
18		31**	
21		32	
22		33	
23		34	
24		35	
25		36	
26			
27			
**REQUIRES 2/3 VOTE OF THE BOARD			

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 7, 11, 12, 18, 21, 22, 23, 24, 25, 26 and 27.

CONSENT CALENDAR:

2. APPROVE [Minutes of Regular Board Meeting held June 26, 2008](#).

5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) adopting:

- A. findings and recommendations for using **fiscal year (FY) 2008-09 Transportation Development Act (TDA) Article 8 fund estimates** totaling \$20,649,809 as follows:

1. In the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon chooses to use \$119,983 of their Article 8 funds for their transit services; therefore, TDA Article 8 funds will be used to meet the unmet transit needs.
2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition 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, and TDA Article 8 funds in the amount of \$4,900,789 and \$4,957,015 (Lancaster and Palmdale, respectively) as well as the Los Angeles County Unincorporated areas of the Antelope Valley, may be used for transit and/or street and road purposes.
3. In the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with TDA Article 8 funds; however, other funding sources, such as Proposition A and Proposition C Local Return, may be used to address their needs; therefore, there are no unmet transit needs that are reasonable to meet, and TDA Article 8 funds in the amount of \$6,036,893 for the City of Santa Clarita, as well as the Los Angeles County Unincorporated areas of the Santa Clarita Valley, may be used for transit and/or street and road purposes, as long as their transit needs continue to be met. (Continued on next page)

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4. In the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, the allocation is \$4,635,130.
- B. a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
- A. recertifying \$640.9 million in existing [fiscal year \(FY\) 2008-09 commitments from previous Countywide Calls for Projects](#) and authorizing the expenditure of funds to meet these commitments;
 - B. deobligating \$4 million of previously approved Countywide Call for Projects;
 - C. approving \$0.325 million in previously awarded Call for Project funds from our Ramirez Flyover (Project #4302) to evaluate design options which could result in a potential change in scope;
 - D. authorizing:
 1. the Chief Executive Officer or his designee to negotiate and execute all necessary agreements for approved projects;
 2. the reprogramming or administrative extension of approved project funding for California Department of Transportation (Caltrans) projects as required, to meet Caltrans design and construction time frames; and
 3. amendments to the FY 2008-09 budget, as necessary, to include the 2008 Countywide Call for Projects Recertification and Extension funding in the Regional Programs budget and our programmed projects in the appropriate cost center budgets; and
 - E. receiving and filing time extensions for \$173 million in projects.

7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price Contract No. PS-4360-2153 to Iteris, Inc. for the **Countywide Metro Rapid Signal Priority Expansion, Phase II Project** to provide professional services in the amount of \$7,998,715, inclusive of an option to purchase and install additional equipment, effective August 1, 2008.
11. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving a memorandum of understanding between the County of Los Angeles, Los Angeles Unified School District and the Los Angeles County Metropolitan Transportation Authority, **limiting government code claims and litigation against each other and improving public agency defenses against third-party claims.**
12. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) approving **NAJARIAN AND FLEMING MOTION:**
- Over the past 10 years, \$167 million has been transferred from Proposition A Growth Over Inflation (GOI) to Prop C 40%. These funds have been bundled into the Metro budget for Board approval, without calling out the specific use for these transferred funds.
- I therefore move that *after* the Eligible Operators have received funding from GOI (created for Eligible Operators and the primary use of this fund), and prior to the transfer of unused GOI funds to Prop C 40%, staff bring their recommendations back to the Metro Board through the annual budget process as a separate item.
18. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED APPROVAL (3-0) UNDER RECONSIDERATION authorizing the Chief Executive Officer to award a five-year firm fixed unit rate Contract No. PS26102156 to RMI International for **private security contractor services for an amount not to exceed \$24,363,136, inclusive of two one-year options, effective September 1, 2008.**

21. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 08-0015 to the following lowest responsive, responsible bidders for **safety gloves for an amount not to exceed \$1,005,798, inclusive of sales tax and one-year option:**
- A. Stag Enterprise, Inc., for line items #10 through #12 (glass handling glove), for a total contract value of \$65,020, inclusive of sales tax;
 - B. Extreme Safety, for line items #6 through #9 (hyflex foam glove), #14 (blacksmith glove) and #15 (cotton/canvas glove), for a total contract value of \$370,289, inclusive of sales tax; and
 - C. Coast to Coast Safety, Inc., for line items #1 through #5 (nitrile glove), #13 (hood style glove) and #16 (welding glove), for a total contract value of \$570,489, inclusive of sales tax.
22. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm fixed unit rate Contract No. OP39600679 to ARINC Incorporated to **upgrade the existing Supervisory Control And Data Acquisition (SCADA) System to include the Metro Gold Line Eastside Extension to the Gold Line** for an amount not to exceed \$1,786,897, inclusive of sales tax and a 10% contingency, effective August 1, 2008.
23. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 08-0016 with PowerUp, Inc., the lowest responsive and responsible bidder, for **223 bus re-power kits for an amount not to exceed \$2,008,669, inclusive of sales tax.**
24. OPERATIONS COMMITTEE RECOMMENDED (4-0) **adopting the Big Rig Service Patrol program as follows:**
- A. transition the I-710 Big Rig Service Patrol project from a demonstration project to an on-going operation; and
 - B. expand the Big Rig Service Patrol program onto the SR-91 freeway to be funded with a combination of an Air Quality Management District (AQMD) grant and local funds.

25. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid No. 08-0010 to the following lowest responsive and responsible bidders for **bus filters for an amount not to exceed \$3,170,478, inclusive of sales tax and one-year option:**
- A. Tri-Dim Filters Corporation for line item #16 (Screen Ventilation Filter), for a total contract value of \$81,837, inclusive of sales tax;
 - B. Muncie Reclamation and Supply for line items #10 (Hydraulic Fluid Filter Element) and #14 (A/C Return Filter), for a total contract value of \$183,653, inclusive of sales tax;
 - C. NAPA Auto Parts for line item #13 (CNG Spin On Fuel Filter), for a total contract value of \$106,258, inclusive of sales tax;
 - D. H & H Auto Parts Wholesale for line items #1 (Air Intake Engine Filter), #4 (Air Intake 13" Engine filter), #9 (Power Steering/Hydraulic Fan Reservoir Element), #12 (Engine Oil Series 50 Filter) and #15 (Filter Svc. All B400R/B500R Transmission Twin Filters Kit), for a total contract value of \$430,740, inclusive of sales tax;
 - E. Vehicle Maintenance Program, Inc. for line items #2 (Air Intake Engine Filter), #3 (Filter – Air Intake Engine Series 50 Diesel), and #5 (Oil Filter Element), for a total contract value of \$699,927, inclusive of sales tax;
 - F. Cummins Cal Pacific, LLC for line item #6 (CCV Closed Crankcase Ventilation Racor Element), for a total contract value of \$710,813, inclusive of sales tax; and
 - G. North American Bus Industries for line items #7 (Element – Fuel Filter CNG Small 30-oz. Filter Bowl), #8 (Element – Fuel Filter CNG Small 50-oz. Filter Bowl), and #11 (CNG Fuel Filter Element), for a total contract value of \$957,250, inclusive of sales tax.
26. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to award a 36-month, adjustable rate, indefinite quantity contract under Bid No. 08-0017 for **ultra-low sulfur diesel fuel to Southern Counties Oil Co., dba SC Fuels**, the lowest responsive and responsible bidder, for an amount not to exceed \$15,320,363, inclusive of sales tax and a one-year option, effective August 1, 2008.

27. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving the following nominees for membership on the **San Gabriel Valley Service Sector Governance Council:**
(attachment)
Harry Baldwin – Reappointment
Appointed by: Cities of San Gabriel and Rosemead
Term ending: June 2011
- Joseph Mosca – Reappointment
Appointed by: Cities of Sierra Madre, La Canada-Flintridge, and Pasadena
Term ending: June 2011
- Rosie Vasquez – Reappointment
Appointed by: L.A. County Supervisor Gloria Molina
Term ending: June 2011

NON-CONSENT:

3. Chair’s Report.
4. Chief Executive Officer’s Report.
10. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES authorizing the Chief Executive Officer to negotiate and award **Excess Liability Insurance policies not to exceed \$4.3 million** for the 12-month period effective August 1, 2008 through July 31, 2009.
17. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION **adopting the following position on State Legislation:**
- SB 1350 (Cedillo)** – Would use a specified design-build procurement process for the construction of a high occupancy vehicle lane in Los Angeles County.
SUPPORT

28. OPERATIONS COMMITTEE RECOMMENDED (4-0) **AS AMENDED** authorizing the Chief Executive Officer to issue a **Request for Interest and Qualifications (RFIQ) for a new long-term Transit Community Policing contract**; and approving **ANTONOVICH MOTION** that the Metro Board postpones the release of the Request for Proposals for the Transit Policing Contract until after the full Board can deliberate the proposal and framework for Metro Transit Policing at the July 2008 regular Board meeting.

Parks Amendment that the Metro Board direct the CEO to return for Board approval to enter into exclusive negotiations with the most qualified respondent to provide transit security services over the next five years in response to the proposed RFIQ.

30. ADOPT a finding, pursuant to Section 33445(a)(2) of the California Health and Safety Code, that Los Angeles County Metropolitan Transportation Authority (LACMTA) had no other reasonable means to finance the **construction of the new Pico/Rimpau Bus Terminal** except to require the new facility as part of the consideration for the sale of LACMTA's former Terminal 40 site to Etoile Holding (now CIM/PICO) in June 1999.

(CARRIED OVER FROM JUNE BOARD MEETING)

31. CONSIDER:

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

(REQUIRES A 2/3 VOTE OF THE BOARD)

(CARRIED OVER FROM JUNE BOARD MEETING)

32. AUTHORIZE the Chief Executive Officer to **execute Modification No. 1 to Contract No. PS8310-1267, Rail Consulting Services with LTK Engineering Services**, to extend the period of performance by thirty months and increase the total not-to-exceed contract amount by \$3,919,571 from \$8,588,537 to \$12,508,108.

(CARRIED OVER FROM JUNE BOARD MEETING)

33. **ANTONOVICH MOTION** that the Board of Directors instruct the Chief Executive Officer to **assemble a “Tiger Team” that will do the following:**

- Be in effect for a six-month period until January 31, 2009.
 - The CEO shall bring to the Board an item for consideration to extend the term, and/or modify the mission and composition, of this “Tiger Team” in January 2009.
- Be composed of key members of each of the Metro departments – bus operations, rail operations, planning, finance, communications, government relations, construction, risk management and economic development – as well as County Counsel, the Sheriff’s Department and Caltrans.
- Be convened by the Chief Operating Officer as often as deemed necessary given the trends in ridership and impacts on the system, but with a meeting once a week at minimum to maintain a current level of awareness of Metro ridership issues.
- Evaluate the current implementation and effectiveness of the Metro Five-Year Ridership Plan adopted in November 2007, and propose policies if necessary to the Board.
- Analyze and propose policies for implementation for all elements of the transit ridership experience, including but not limited to issues and policies related to the following:
 - Parking structures and parking costs.
 - Bikes, carts, strollers, wheelchair, and suitcase capacity on buses and rail during peak periods.
 - Rail and bus Rapid line stations.
 - Asset condition of rail system and facility infrastructure to sustain current and future increases in service.
 - Evaluate new rail and bus service plans and the equipment and operating resources to meet them.

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- Advertising and communications focused on acclimating new ridership to Metro service and guidelines.
 - Ridership safety.
 - Economic opportunities associated with ridership growth, such as vending, advertising and customer service, complaints and outreach.
 - Operational efficiency and effectiveness.
 - Metro and non-Metro feeder systems into rail and bus Rapid lines.
 - Lessons learned for application to Eastside, Exposition, and all future rail and bus Rapid lines.
 - Enforcement and evaluation of the customer code of conduct.
 - Evaluation of enforcement of current Metro policies by sheriffs and security force.
- Be authorized under the authority of the CEO to take immediate action to implement temporary policies and decisions across Metro departments specifically designed to mitigate problems associated with the focus of this motion as they arise.
- These policies will expire at the conclusion of each month unless the CEO gains authorization from the Board to continue for a longer period of time.
- Report back to the Operations Committee and the Board of Directors on a monthly basis with the following elements:
- A report on temporary actions approved by the CEO for the prior month, with written justification and rationale.
 - Policy recommendations for the Committee and Board to consider for action on any of the items listed above.
 - An overview of the impact of higher ridership on the Metro system and emergent trends – both positive and negative – in the short term and long term.

34. APPROVE **ANTONOVICH AND FASANA MOTION** that the Metro Board of Directors take the following actions:
1. approve programming of \$80 million in Proposition 1B Public Transportation Modernization Improvement and Service Enhancement Account (Transit Modernization) bond funds for **construction of the Metro Gold Line Foothill Extension Phase 2A (to Azusa/Citrus)**; and
 2. include the Metro Gold Line Foothill Extension Phase 2A (to Azusa/Citrus) as a project in the baseline portion of the Metro Long Range Transportation Plan, and program operating and maintenance funds for the project.
35. AUTHORIZE the Chief Executive Officer to execute a Memorandum of Understanding with the United States Department of Transportation for **conversion of High Occupancy Vehicle (HOV) lanes to High Occupancy Toll (HOT) lanes.**
36. ADOPT:
- A. **the ordinance, including Expenditure Plan, ballot language, and Five-Point plan, to implement a transportation sales tax measure;**
 - B. the resolution requesting the Los Angeles County Board of Supervisors to place the ordinance on the ballot for the November 4, 2008 countywide general election; and
 - C. an amendment to the FY09 Budget to add \$8.4 million to cover additional election-related costs.

37. **CLOSED SESSION:**

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

Lisa Crump, et al. (Deborah Vanderberg) v. LACMTA,
Case No. BC366604

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

Significant exposure to litigation (one case)

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

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

ADJOURNMENT