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2002 BOARD ACTIONS AND PROCEEDINGS JANUARY 9, 2002

SPECIAL BOARD MEETING - January 9, 2002

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

OPEN SESSION:

1. APPROVED travel request of Director Allison Yoh to attend the **Annual Transportation Research Board** meeting scheduled for January 13-16, 2002 in Washington, D.C.
2. RECEIVED Public Comment.

CLOSED SESSION:

3. Conference with Legal Counsel–Existing Litigation – G.C. 54956.9 (a):
Labor/Community Strategy Center v. MTA, Case No. 99-56581

APPROVED a motion by Los Angeles Mayor Jim Hahn to direct the MTA to come back in 60 days with an action plan to present to the Special Master on how the MTA will further implement the Consent Decree. In addition, after serious thought and debate, the MTA Board of Directors has voted to appeal to the U.S. Supreme Court to clarify how to measure compliance with the Consent Decree and what role the federal courts can play in solving transportation problems.

2002 BOARD ACTIONS AND PROCEEDINGS

JANUARY 24, 2002

REGULAR BOARD MEETING - January 24, 2002

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

1. APPROVE Consent Calendar Items 2, 10, 12, 13, 20, 21, 22, 29, 30, 38, and 39

Items 11, 15, 28 and 37 removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEM: 16

Item 17 removed from Committee Authority.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held November 29, 2001 and Special Board meeting held January 9, 2002.

3. RECEIVED Chief Executive Officer's Report

- Invitation to the Best of the Best Dinner
- Introduction of Gerald Francis, General Manager of Rail Operations
- Improvements on Line 720 (Metro Rapid Bus)

4. RECEIVED Chair's Report

- Presented Resolutions to departing Chief Operating Officer, Allan Lipsky and Executive Officer of Construction, Charles Stark.

2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002

5. DIRECTED the Chief Executive Officer to **end negotiations with the MacLeod Partnership** consistent with the terms of the Exclusive Negotiation Agreement (ENA).

6. CARRIED OVER FOR 60 DAYS WITH A STATUS REPORT IN 30 DAYS: a six-month Exclusive Negotiation Agreement (ENA) with the team headed by Legacy/Olson for the **development of approximately 12.41 acres of MTA-owned properties located at the North Hollywood Metro Red Line Station**, subject to the following provisions:
 - A. Legacy/Olson shall submit, within 90 days from the date of the ENA execution, a proposal to include an expanded retail/commercial component; and
 - B. Legacy/Olson shall participate in a coordinated planning effort with the City of Los Angeles and adjacent developers to maximize project compatibility and connectivity with those developments.

10. APPROVED ON CONSENT CALENDAR rejection of the single bid submitted by Siemens Transportation Systems, under Bid 05-0108 for a **static inverter** in accordance with MTA Procurement Policies and Procedures, Section 731.

11. APPROVED UNDER RECONSIDERATION:
 - A. award of a firm fixed-price contract to North American Bus Industries, the highest ranked proposer under RFP No. OP33200705, for **30 lightweight, low floor, high capacity Compressed Natural Gas buses, spare parts, diagnostic equipment, training aids and spare fuel cylinders** in the amount of \$12,671,221 inclusive of sales tax; and

2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002

- B. authorizing the CEO to execute change orders, for this procurement only, in an amount not to exceed \$1,000,000 for a total contract value not to exceed \$13,671,221.
12. APPROVED ON CONSENT CALENDAR **acquisition of real property** located at 1680 East Imperial Highway, Willowbrook, from the California Department of Transportation (CALTRANS) for a total purchase price of \$231,000.
13. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract to Powerware Global Service, the lowest responsive, responsible bidder under Bid No. 12-0113 for the **purchase and installation of Uninterruptible Power Supply (UPS) batteries** for three Metro Red Line Stations, including removal and disposal of existing batteries, in an amount not to exceed \$426,855, inclusive of sales tax and option to replace the UPS battery systems at four additional Metro Red Line Stations.
15. APPROVED CONTINGENT UPON THE FUNDS IN ITEM "B" NOT BEING ALLOCATED UNLESS/UNTIL CONTRACT IS AWARDED FOR CONSTRUCTION OF UNIVERSAL UNDERPASS:
- A. negotiation and execution of Change Order No. 27 to Contract Work Order (CWO) No. 1 for Contract No. MC047, with Jacobs Engineering Group, Inc., Hatch Mott MacDonald, Inc., ACG Environments, a Joint Venture (JMA), to provide continued **Construction Management Services to Metro Red Line, Segment 3, North Hollywood Extension** for Contract Nos. C0326 and C2327, in an amount not to exceed \$700,000, and AUTHORIZATION to extend the total contract period of performance from April 30, 2002 to August 31, 2002;

2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002

- B. negotiation and execution of contract, as part of Change Order No. 27 to CWO No. 1 for Contract MC047 for Construction Management Services to Metro Red Line, Segment 3, North Hollywood Extension, Contract No. C0322, for an amount not to exceed \$1,200,000 and extending the total contract period of performance from August 31, 2002 to April 30, 2004;
 - C. negotiation and execution as part of Change Order No. 27 to CWO No. 1 for Contract MC047, to provide an increase in the Other Direct Cost allowance in an amount not to exceed \$200,000 for replacement insurance costs associated with the end of the MTA Owner Controlled Insurance Program; and
 - D. based upon the changes to Contract No. MC047 with Jacobs Engineering Group, Inc., Hatch Mott MacDonald, Inc., ACG Environments, a joint venture (JMA), identified in paragraphs A, B & C above, increasing the total contract value in an amount not to exceed \$2,100,000 from \$66,469,836 to \$68,569,836 and an increase in the Authorization for Expenditure (AFE) to Contract No. MC047 in an amount not to exceed \$2,100,000, increasing the current contract AFE from \$66,939,688 to \$69,039,688.
16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure to Contract No. E0112, **Design and Engineering Services During Construction**, with INCA Engineers, Inc., to provide funding for pending changes that are within the Board-delegated authority in the amount of \$250,000, increasing the current Segment 3 AFE amount from \$1,154,325 to \$1,404,325.
17. APPROVED execution of Amendment No. 6 to Contract No. EN068 with Harding ESE, to provide **anticipated Environmental Engineering Services** for a period of one year in an amount not to exceed \$2,000,000 increasing the total contract value from \$3,637,493 to \$5,637,493.

2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002

18. APPROVED utilization of Contract No. E0111, General Engineering Consultant Multiple Award Agreement, for **Design Support During Construction Services** on Contract No. C0322, Universal City Station Pedestrian Underpass on the Metro Red Line, Segment 3, North Hollywood Extension, in an amount not to exceed \$700,000 to be funded by the Segment 3, North Hollywood Extension project WITH REPORT BACK IN FEBRUARY ON STATUS OF NEGOTIATIONS WITH UNIVERSAL.

20. APPROVED ON CONSENT CALENDAR adopting the **Financial Institutions Resolution** authorizing financial institutions to honor the signatures of MTA Officials.

21. APPROVED ON CONSENT CALENDAR award of a five-year unit rate contract to Metavante Corporation to provide **Photo Identification Card Production Services** for the MTA's Reduced Fare Program in an amount not to exceed \$1,225,807, inclusive of two one-year options.

22. APPROVED ON CONSENT CALENDAR:
 - A. execution of five-year multiple award agreements with the following four firms: Completion Corporation, APR Consulting, Inc., PI Technology and Booz-Allen & Hamilton, Inc. to provide information systems technical services to assist in various computer **Programming and Database related services**, with a cumulative total not to exceed \$3,000,000; and

 - B. execution of Task Orders under these agreements for computer programming and database related services.

**2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002**

28. APPROVED, AS AMENDED BY BERNSON, adopting the **revised** proposed **2001-2002 Legislative Program – Second Session** INCLUDING THE FOLLOWING LANGUAGE IN THE PASSENGER RAIL IMPROVEMENT SAFETY AND MODERNIZATION (PRISM) PROGRAM:

“Work with intercity, commuter and urban passenger rail operators to support improved funding for rail rehabilitation and modernization funds”.

29. APPROVED ON CONSENT CALENDAR adoption of the following positions with the **revised** recommendation on Item C:
- A. Proposition 42 (Dutra) – would permanently dedicate the sales tax on gasoline to transportation purposes. **SUPPORT**
 - B. AB 629 (Oropeza) – would require two-way communication devices on specified public transit vehicles. **SUPPORT – WORK WITH AUTHOR.**
 - C. SB 18 (Alarcon)– would 1) require a study of the membership and governance structure of the MTA and 2) require transit agencies in California to adopt a Transit Riders Bill of Rights. **NEUTRAL**

30. APPROVED ON CONSENT CALENDAR:

- A. adopting the updated **MTA Investment Policy**; and
- 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.

**2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002**

31. **CLOSED SESSION:**

- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9 (a):
Gillespie v. MTA PC 020418

APPROVED settlement in the amount of \$225,000.

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

NO REPORT.

- C. Personnel Matters – G.C. 54957:
Direct Report Performance Evaluations - Consider evaluations of MTA Officers reporting directly to the Board of Directors.

NO REPORT.

- D. Conference with Labor Negotiator – G.C. § 54957.6:
Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: AFSCME and Engineers and Architects Association

NO REPORT.

37. APPROVED working with the cities of Norwalk, Santa Fe Springs and the Los Angeles Department of World Airports to institute a **direct bus connection between the Norwalk/Santa Fe Springs Metrolink Station and the Los Angeles International Airport (LAX)** prior to initiating a planning process for a Metro Green Line eastern extension.

2002 BOARD ACTIONS AND PROCEEDINGS
JANUARY 24, 2002

38. APPROVED ON CONSENT CALENDAR inclusion of the **Canoga Avenue Right-of-Way** as an initial alternative to be evaluated in the San Fernando Valley North/South Transit Corridor Major Investment Study.
39. APPROVED ON CONSENT CALENDAR the findings of the Public Hearing conducted on November 10, 2001 and ADOPTING the revised **FY 2002 Service Change Program**.

RECEIVED public comment.

Adjourned in memory of Tom Silver, longtime Transportation Deputy for Director Antonovich.

2002 BOARD ACTIONS AND PROCEEDINGS FEBRUARY 28, 2002

REGULAR BOARD MEETING - February 28, 2002

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

1. APPROVED Consent Calendar Items 2, 27, 36, 37, 38 and 39

Items Pulled From Consent: 15**, 20, 32, 33, 34, 40** and 41
Items Withdrawn by Staff: 21 and 28

* * Requires 2/3 vote of the Board

NOTED Committee Authority Items: 11, 16, 17, 43 and 44

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held January 24, 2002.

3. Chief Executive Officer's Report

No Report

4. Chair's Report

- Received resolution from the City of Whittier
- Director Hahn presented resolution to Frances T. Bannerjee who is retiring from the City of Los Angeles, Department of Transportation
- Upcoming APTA Conference in Washington, D.C.
- Chair Fasana is considering appointment of an Ad Hoc Task Force to expedite the Sector process.

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of non-competitive five-year Contract No. PS016430107 with Invensys Building Systems for **maintenance, repair and support services for the Gateway Building Management System (BMS)** effective April 1, 2002, in an amount not to exceed \$391,961.

13. APPROVED BY A 2/3 VOTE OF THE BOARD:
 - A. a finding that awarding a design-build contract pursuant to Public Utilities Code Section 130242 will achieve for the MTA, among other things, certain private sector efficiencies in the integration of the design, project work and components, including the construction of the stations, trackwork and systems elements of the **Eastside Light Rail Transit Project**; and
 - B. solicitation of a design-build contract for Stations/Trackwork/Systems, pursuant to Public Utilities Code Section 130242.

14. APPROVED BY A 2/3 VOTE OF THE BOARD:
 - A. a finding that awarding a design-build contract pursuant to Public Utilities Code Section 130242 will achieve for the MTA, among other things, certain private sector efficiencies in the integration of the design, project work and construction of the **San Fernando Valley East-West Transit Corridor Bus Rapid Transit Project**; and
 - B. solicitation of a design-build contract for construction of the San Fernando Valley East-West Corridor Bus Rapid Transit Project, pursuant to Public Utilities Code Section 130242.

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

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

- A. a finding that awarding a design-build contract pursuant to Public Utilities Code Section 130242 will achieve for the MTA, among other things, certain private sector efficiencies in the integration of the design and construction of the **communications network infrastructure and cabling of Divisions 4, 6, 8, 9, 14 and 15**; and
- B. solicitation of a design-build contract for Communications Network Infrastructure and Cabling, pursuant to Public Utilities Code Section 130242.

16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. execution of Change Order No. 73 to Contract C0326, **Universal City Station Freeway Overcrossing and Site Restoration**, with Brutoco Engineering and Construction, Inc. to pay for extended overhead costs for compensable delays in the contract completion date between December 1999 and February 2001, in the amount of \$1,065,120, increasing the total contract value from \$33,690,696 to \$34,755,816; and
- B. an increase in the Authorization for Expenditure to provide funding for Change Order No. 73, and 26 other changes issued or executed within the Board-delegated authority, in the amount of \$2,765,000, increasing the AFE from \$33,861,816 to \$36,626,816.

17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. negotiation and execution of Change Order 5 to Contract MC056, **claims support**, with PinnacleOne to provide continued claims, litigation and closeout support for Metro Red Line, Segments 2 and 3, in an amount not to exceed \$780,934, increasing the total contract value from \$6,065,826 to \$6,846,760; and

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

- B. an increase in the Authorization for Expenditure to provide funding in an amount not to exceed \$657,307, increasing the current AFE from \$6,189,453 to \$6,846,760.
19. RECEIVED AND FILED mid-year reports on **FY02 budgeted revenues and expenses**.
20. ADOPTED a resolution authorizing MTA to effect the refunding of the **outstanding 1993 qualified redevelopment bonds** of the City of Los Angeles Community Redevelopment Authority and approval of related documents.
21. WITHDRAWN BY STAFF declaring certain real property located on the southerly side of Mealy Street between Tamarind Avenue and Mona Boulevard in the City of Compton as **surplus property** and authorizing the sale of said property to Arnold Luster of Major Properties for \$210,000.
27. APPROVED the following positions on **state legislation**:
- A. Board of Equalization Proposed Legislation 1533.2 – would reduce the amount of operating funds available for public transit in the State of California. **OPPOSE**
- B. AB 630 (Oropeza) – would require additional responsibility on the MTA to conduct an analysis of security on the transit system in Los Angeles County. **WORK WITH AUTHOR**

**2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002**

28. WITHDRAWN BY STAFF:

- A. adoption of the MTA **Financial Standards Policy**, FIN 25; and
- B. approval of the MTA FY 2002-03 Financial Standards.

29. CLOSED SESSION:

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

- 1. Lee v. MTA, Case No. BC 245295
APPROVED settlement in the amount of \$350,000.
- 2. Pineda v. MTA, Case No. VC 032428
APPROVED settlement in the amount of \$425,000.
- 3. Flores v. MTA, Case No. CV00-12188
No Report
- 4. Obayashi v. MTA, Case No. EC 024692
No Report

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

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

No Report

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

31. APPROVED:

- A. adoption of the **Metro Rapid Expansion Program** report findings and phased countywide implementation plan;
- B. implementation of the funded portion of Phase IIA of the Metro Rapid Expansion Program; and
- C. development of a five-year expansion plan for the Metro Rapid Program which identifies the operating and capital requirements necessary to complete Phase IIA and the remaining three expansion phases.

Hahn/O'Connor Amendment - that the MTA prepare a series of alternatives for the accelerated deployment for the Phase II program of the MTA Metro Rapid Bus system in six (6) months and present these alternatives for the full consideration of the MTA Executive Board; and

that the MTA, with the full assistance and cooperation of the Municipal Operators, cities, and Los Angeles County, expand the proven low-cost and highly effective bus signal priority system currently in use for the Metro Rapid Bus Demonstration Program (Phase I).

32. APPROVED AS AMENDED BY MOLINA:

- A. certification of the **Los Angeles Eastside Corridor Final Supplemental Environmental Impact Statement/ Subsequent Environmental Impact Report** and adoption of the Findings of Fact and Statement of Overriding Considerations in accordance with the California Environmental Quality Act;
- B. adoption of the Mitigation Monitoring Plan;
- C. adoption of the Locally Preferred Alternative for the Eastside Corridor Transit Project as approved by the MTA Board on

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

May 24, 2001 and modified in the Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report as Light Rail Transit Build Alternative Option B, as a project; and

- D. filing a Notice of Determination.

MOLINA AMENDMENT:

1. Implement the Eastside Transportation Community Linkages Program in order to address issues regarding multimodal interfaces, pedestrian accessibility, traffic management, park and ride needs and transit oriented development opportunities along the alignment.
2. Leave the configuration of traffic lanes crossing First Street Bridge open and support the City of Los Angeles in their efforts to secure State and Federal funding to widen First Street Bridge. Should the City not receive funding, MTA staff shall return to the Little Tokyo community to address their concerns and return to this Board with recommendations.
3. Continue working with LAUSD to explore options and resolve the issues surrounding Ramona High School, including acquiring additional parcels adjacent to the school in order to facilitate the school remaining at its current location.
4. Leave the configuration of traffic lanes open on 3rd street between Atlantic Boulevard and Eastern Avenue. Create a parking task force that includes both merchants and residents to study the issues raised by the merchants regarding the number of traffic lanes and make recommendations to staff.
5. Remove the current Kaiser facility from the list of potential acquisition sites and continue to work with them on issues of accessibility, noise and vibration, security and on potential joint use proposals that will not impact their current nor future needs.

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

6. Create a computerized case processing and tracking system for addressing community complaints and concerns during the construction process.

33. APPROVED:

- A. certification that the **San Fernando Valley East-West Transit Corridor** Federal Environmental Impact Report is in compliance with the California Environmental Quality Act, the Final Environmental Impact Report (FEIR) was presented to the MTA Board, and that the Board reviewed and considered the information contained therein prior to approving the project. Further, certify that the FEIR reflects the MTA's independent judgment and analysis, and adoption of the Findings and Statement of Overriding Considerations;
- B. adoption of the Mitigation Monitoring Plan;
- C. adoption of the Locally Preferred Alternative for the San Fernando Valley East-West Transit Corridor Project, as approved by the MTA Board on July 26, 2001, with refinements/enhancements discussed in the Federal Environmental Impact Report, and the February 20, 2002 Board report to respond to community issues, as a project; and
- D. filing a Notice of Determination.

34. APPROVED:

- A. award of a nine-month, firm fixed-price, professional services Contract PS 4350-1018 for the **San Fernando Valley North South Transit Corridor Major Investment Study** to the firm of Meyer Mohaddes Associates, Inc. in the amount of \$977,299; and

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

- B. negotiation and execution of change orders in an amount not to exceed ten percent (10%) of the total contract value.
35. APPROVED changes to project implementation as follows:
- A. supporting **consolidating two Los Angeles River/Taylor Yard bike project grants** to fund design of a new re-scoped and expanded project that will include an underpass at the Union Pacific railroad tracks, a bridge over the Los Angeles River, and an access road bike path at Taylor Yard, and work with the City to identify full funding for the project construction;
 - B. transferring grant sponsorship for the design and construction of the Los Angeles River Bicycle/Pedestrian Bridge at Taylor Yard (Project #738) in the amount of \$2,184,000 from MTA to the City of Los Angeles, subject to the City obtaining full funding for the new re-scoped project, to comply with MTA's obligations set forth in the 1992 Memorandum of Understanding with the City of Los Angeles; and
 - C. changing the scope of work for the City of Los Angeles Call for Projects Grant (Project #2077) for the Taylor Yard Bike Path Phase I in the amount of \$677,000 and allowing the City to spend this money on the design of the new re-scoped project.
36. APPROVED ON CONSENT CALENDAR inclusion of the **State Bicycle Transportation Account** requirements for all cities and Los Angeles County in MTA's Countywide Bicycle Transportation Master Plan, subject to the local jurisdictions supplying necessary supplemental information on local land use, bicycle facilities and other information.

**2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002**

37. APPROVED ON CONSENT CALENDAR:

- A. amending the **Subsidies Budget** to include \$2,517,550 in reprogrammed FY 1999-2000 subsidy to the Southern California Regional Rail Authority; and
- B. reprogramming and authorizing the Chief Executive Officer to amend into the Subsidies Budget, up to \$4,679,000 in prior year subsidy, to Southern California Regional Rail Authority from FY 2000-01.

38. APPROVED ON CONSENT CALENDAR finding that 88 jurisdictions are in conformance with the **Congestion Management Program** for Los Angeles County and determining that one jurisdiction, the City of Industry, is not in conformance.

39. APPROVED ON CONSENT CALENDAR:

- A. twelve, three-year **Metro Freeway Service Patrol** contracts to eight contractors for a total amount not to exceed \$15,878,771; and
- B. a contract amendment to Contract 01FSP-25 for \$150,000.

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Period</u>
1	Frank Scotto Towing, Torrance	\$1,573,053	9/1/02-8/31/05
5	Classic Club Service, Van Nuys	1,410,231	9/1/02-8/31/05
9	S&W Towing, Hawthorne	1,511,556	9/1/02-8/31/05
13	City Terrace Services, L.A.	1,487,723	9/1/02-8/31/05
21	Calif. Coach Auto Body, Walnut	1,198,139	9/1/02-8/31/05
27	South Coast Towing, L.A.	1,472,759	7/1/02-6/30/05
28	Calif. Coach Auto Body, Walnut	1,199,748	9/1/02-8/31/05
29	Classic Club Service, Van Nuys	1,574,566	7/1/02-6/30/05
30	Frank Scotto Towing, Torrance	1,231,651	7/1/02-6/30/05
33	TG Towing Serv., Canyon Country	1,123,071	7/1/02-6/30/05
34	TG Towing Serv., Canyon Country	1,097,601	7/1/02-6/30/05
37	Navarro's Towing, Monterey Park	998,673	7/1/02-6/30/05

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

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

- A. a finding that there is only a sole source to provide an upgrade to the **storage and retrieval machines**. The purchase is for the sole purpose of upgrading the MTA's existing storage and retrieval machines. The Board hereby authorizes the upgrade to the existing storage and retrieval machines pursuant to Public Utilities Code Section 130237; and
- B. award of a sole source, firm fixed-price contract to HK Systems, Inc. for upgrade of the existing storage and retrieval machines in the amount of \$561,913 including sales tax.

41. APPROVED:

- A. award of a five year, firm fixed-price Contract No. OP-02-4610010 to Cubic Transportation System, Inc. for a **Universal Fare System** in the amount of \$84,003,444 effective March 1, 2002; and
- B. execution of change orders for this procurement only, in an amount not to exceed \$5,000,000 for a total contract value not to exceed \$89,003,444.

43. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. negotiation and execution of Change Order No. 7.00 to Contract E0350, **Professional Services Administration Management in Support of Contract P2000, Los Angeles Standard Car**, with LTK Engineering Services to extend the contract for an additional four (4) months commencing January 1, 2002 through April 30, 2002 to provide continuing administration, design review and testing services for the P2000 vehicles, in the amount of \$300,000, increasing the total contract value from \$13,808,735 to \$14,108,735; and

2002 BOARD ACTIONS AND PROCEEDINGS
FEBRUARY 28, 2002

B. an increase the Authorization for Expenditure to Contract E0350 in the amount of \$300,000, increasing the AFE from \$13,808,735 to \$14,108,735.

44. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. execution of Change Order No. 3 to Contract Work Order (CWO) No. 1 to Contract No. PM022, **Project Management Assistance**, with URS Corporation to provide support services for the Eastside Corridor Light Rail Transit Project from March 1, 2002 to June 30, 2002, in an amount not to exceed \$495,418, increasing the CWO value from \$214,470 to \$709,888;
- B. execution of Change Order No. 2 to CWO No. 6 to Contract No. PM022, Project Management Assistance, with URS Corporation to provide support services for Capital Projects from March 1, 2002 to June 30, 2002 in an amount not to exceed \$891,713, increasing the CWO value from \$291,303 to \$1,183,016;
- C. execution of Change Order No. 2 to CWO No. 2 to Contract No. PM023, Project Management Assistance, with Carter Burgess Inc., to provide support services for the San Fernando Bus Rapid Transit Project from March 1, 2002 to June 30, 2002 in an amount not to exceed \$331,164, increasing the CWO value from \$294,380 to \$625,544; and
- D. an increase in the Authorization for Expenditure to Contract Nos. PM022 and PM023 to provide funding for the identified change orders in the amount of \$1,718,295, increasing the current Authorization for Expenditure from \$1,016,172 to \$2,734,467.

Adjourned in memory of Reverend Charles D. Clark, father of Gary Clark who is the Deputy Executive Officer of Board Services & Government Relations.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

REGULAR BOARD MEETING - March 28, 2002

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

1. APPROVED Consent Calendar Items 2, 9, 10, 11, 12, 13, 15, 16, 17, 23, 24, 25, 27, and 34

Item 33 removed from Consent Calendar.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held February 28, 2002.

3. Chief Executive Officer's Report

No Report

4. RECEIVED Chair's Report

- Adjourned in Memory of Judith Norton, wife of Goldy Norton, Public Relations representative for the UTU; former employee Russ Wilson and former County Supervisor Ernest Debbs
- Appointment of Ad Hoc Service Sector Committee consisting of Directors Bernson, Fasana, Molina, O'Connor, Yaroslavsky
- Congratulated County Counsel Steve Carnevale for settlement of the Tutor-Saliba litigation.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

7. APPROVED:
- A. five-year, unit rate, multiple award agreements to provide **Workers' Compensation Investigation Services**, inclusive of two one-year options, effective April 1, 2002 with a total contract amount not to exceed \$5,000,000, with the following firms:
- | | |
|------------------------------------|---------------|
| Frasco Investigative Services | PS 5310-1145A |
| MJM Investigations, Inc. | PS 5310-1145B |
| Luchay and Associates | PS 5310-1145C |
| Facticon, Inc. | PS 5310-1145D |
| Phillip J. Burrueal and Associates | PS 5310-1145E |
| Page Investigations | PS 5310-1145F |
| Nelson and Nelson Investigations | PS 5310-1145G |
| Fu-Gen Investigations, Inc. | PS 5310-1145H |
- B. execution of Task Orders under these contracts for the investigation firms' services for a total amount not to exceed \$5,000,000.
9. APPROVED ON CONSENT CALENDAR award of a 24-month, fixed-price contract under Bid No. 12-0120 to Asbury Environmental Services, the lowest responsive, responsible bidder, to provide **recycled coolant for the bus and automobile fleets**, and dispose of used coolant for an amount not to exceed \$641,513, inclusive of sales tax.
10. APPROVED ON CONSENT CALENDAR award of a firm, fixed-price contract under Bid No. 10-0131 to Los Angeles Freightliner, the lowest responsive, responsible bidder for the **purchase of three Heavy Duty Bus Transport and Tractor Trailers** for a total bid amount of \$496,738 inclusive of sales tax.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

11. APPROVED ON CONSENT CALENDAR SUBJECT TO RESOLUTION OF PROTEST award of a firm, fixed-price contract under Bid No. 01-0229 to Computer Power Solutions, the lowest responsive, responsible bidder, for the **purchase of eighteen Uninterruptible Power Supply (UPS) Units** for Segments 2 and 3 of the Metro Red Line Subway System, for an amount not to exceed \$1,154,188 inclusive of sales tax.

12. APPROVED ON CONSENT CALENDAR award of a one-year firm fixed price competitive Contract No. PS-4140-1153 to CDSNet, Incorporated to **provide supervisory and technical services in collecting and processing ridership and running time data** on MTA bus and rail lines in the amount of \$349,996, effective April 15, 2002.

13. APPROVED ON CONSENT CALENDAR execution of Amendment No. 1 to existing Contract No. PS009210234 with Giro, Inc., for the **implementation of HASTUS** (Horaires et Assignations pour Systeme de Transport Urbain et Semi-urbain) **System Version 5.12** and the additional modules of HASTOP (HASTUS STOP information), Analyses Temps Parcours (ATP), and RIDER, for a total additional contract value not to exceed \$561,000.

15. APPROVED ON CONSENT CALENDAR award of a five-year, unit rate Contract No. PS-5210-1135 to Bank of America for **general and specific banking services**, for an amount not to exceed \$1,545,474 inclusive of two one-year options, effective June 1, 2002.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

16. APPROVED ON CONSENT CALENDAR:
- A. adoption of a resolution extending the expiration of the **taxable commercial paper** program by an additional six years until June 30, 2009; and
 - B. award of a three-year unit rate Contract No. PS-5210-008 to Landesbank Hessen-Thurigen (Helaba) to provide a \$150 million direct pay letter of credit, for an amount not to exceed \$1,700,000, including legal fees and other related expenses.
17. APPROVED ON CONSENT CALENDAR:
- A. negotiation of terms and execution of the documents necessary to complete a **like-kind-exchange defeased-lease transaction** with FBS Investments, Inc., a subsidiary of Textron Corporation, as the equity investor, for MTA property generally referred to as the Patsaouras Transit Plaza, including the transit parking (the "Property");
 - B. payment of fees and transaction expenses not to exceed \$1,202,500; and
 - C. adoption of a resolution authorizing the like-kind-exchange defeased-lease transaction for the Property.
18. APPROVED negotiation and award of **All Risk Property insurance policy and Boiler & Machinery insurance policy** for all MTA property for a cost not to exceed \$5.5 million for a 12-month period effective May 10, 2002 to May 10, 2003.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

23. APPROVED ON CONSENT CALENDAR the following positions on **state legislation**:
- A. SB 1262 (Torlakson) – would require county transportation commissions to develop reward programs whereby 10% of the Regional Transportation Improvement Program funds would be allocated to local jurisdictions based on their promotion of projects to reduce traffic congestion and improve jobs/housing balance located closer to schools and businesses. **OPPOSE, UNLESS AMENDED – WORK WITH AUTHOR**
 - B. AB 1912 (Kehoe) – would delete the condition that funds could flow to transit operators only if they are not precluded from utilizing part-time drivers or contracting for services. **WORK WITH AUTHOR**
 - C. AB 2184 (Cohn) – would authorize Board of Directors of transit agencies to adopt ordinances prohibiting loitering on or in transit properties. **SUPPORT**
24. APPROVED ON CONSENT CALENDAR revisions to the **MTA Procurement Policies and Procedures** Manual to comply with changes in California law and 49 CFR Part 26.
25. APPROVED ON CONSENT CALENDAR revisions to the **Alcohol and Drug-Free Work Environment Policy** (#HR 4-2).
26. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to fund the second 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 \$192,865 effective May 1, 2002; and

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

- 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, 2002.

27. APPROVED ON CONSENT CALENDAR:

- A. award of fifteen fully burdened unit labor rate multiple award contracts for the **CPA audit pool** to:

	Contractor	CONTRACT NUMBER
1.	Andrew Lu & Company	PS01-2511-15-01
2.	BDO Seidman LLP	PS01-2511-15-02
3.	Conrad & Assocs. LLP	PS01-2511-15-03
4.	Jones, Jenle & Schunck	PS01-2511-15-04
5.	Macias, Gini & Co.	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
11.	Thompson, Cobb, Basilio	PS01-2511-15-11
12.	Vargas, Lopez & Co.	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

to provide audit services for a period of five years, inclusive of two one-year options, effective April 2, 2002; and

- B. execution of Task Orders under these contracts for audit services for the first year of the contracts, in a total amount not to exceed \$5,156,000.

**2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002**

28. CLOSED SESSION:

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

1. Lopez v. MTA, Case No. VC031574.

APPROVED settlement in the amount of \$1.8 million.

2. Labor/Community Strategy Center v. MTA, Case No. 94-936

NO REPORT

3. Burbank v. MTA, Case No. KC035498

NO REPORT

B. Conference with Legal Counsel – Anticipated Litigation:

1. GC 54956.9(b) One case

APPROVED closeout costs for Contract C6435 in the amount of \$875,000.

2. GC 54956.9(c) One case

Metrolink (SCRRA)

The Board of Directors voted to confirm that the Southern California Regional Rail Authority is fully authorized to act on behalf of the MTA as necessary to enforce any and all terms of the Riverside Operating Agreement and of the Riverside Non-exclusive Lease of Railroad Facilities that require the Union Pacific Railroad to give priority to Metrolink trains and to schedule and dispatch trains in a safe and reliable manner that minimizes disruption to Metrolink passenger service.

**2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002**

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

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

NO REPORT

33. APPROVED award of a nineteen-month, cost plus fixed-fee contract to Parsons Transportation Group, Contract No. PS 4330-1068, for **professional consultant services** for the North County Combined Highway Corridor Study – Part II in the amount of \$1,842,815 inclusive of a 10% contingency.
34. APPROVED ON CONSENT CALENDAR MOLINA MOTION directing staff to investigate cost effective **bus stop information displays** and develop an accelerated program for installing bus information displays at every MTA bus stop and report back to the Board within 60 days. Each bus stop shall display basic route and schedule information and MTA’s help line number. Where space is available, the display shall include a route map for each route and detailed bus arrival information.
35. RECEIVED AND FILED report outlining the MTA plans for continuing to comply with the provisions of the **Consent Decree**.
36. APPROVED **FASANA MOTION AS AMENDED BY BERNSON** – instructing staff to return to the MTA Board for approval of any arrangements to advance the I-5 HOV lane between Routes 134 and 170 **and the 101 Van Nuys freeway off-ramp** that arise from the 2002 State Transportation Improvement Program Projects (STIP) process.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

37. APPROVED FASANA/YOH MOTION:

Universities and colleges throughout the state have found innovative ways to finance local transportation services and provide **transit passes** to enrolled **students**. These programs are designed to reduce parking problems around campuses, provide alternative transportation options, and improve the quality of life for students, faculty, and staff.

For example, California State University at San Luis Obispo (Cal Poly, SLO) subsidizes bus fares with funding primarily from parking citations; the program allows faculty, staff and students to ride the bus at no cost to the rider. In the San Diego area, San Diego State University; University of San Diego; University of California at San Diego; and Mesa City, and Southwestern colleges also offer subsidized transportation passes.

At UCLA, students "swipe" their school ID cards in the fare box on board Santa Monica's Big Blue Bus and ride for free, and the university then pays the cost for each boarding. California State University at Sacramento and University of California at Santa Barbara finance similar transit programs through student activity fees and tuition approved through student referenda. These programs encourage public transit use, reduce the costs of education for low-income students, and offer all students, faculty and staff a viable and convenient alternative to driving, thereby reducing congestion and emissions.

The introduction of Smartcards at the MTA presents the opportunity to consider similar programs and collaborations with universities and colleges.

WE THEREFORE MOVE that the Board of Directors direct staff to report back to the Board in June 2002 on similar approaches that may be viable in Los Angeles County. The Board encourages staff to seek input from universities, community colleges, and trade and vocational schools to determine the levels of interest in these types of programs.

2002 BOARD ACTIONS AND PROCEEDINGS
MARCH 28, 2002

RECEIVED public comment.

Adjourned in Memory of Judith Norton, wife of Goldy Norton, Public Relations representative for the UTU; former employee Russ Wilson and former County Supervisor Ernest Debbs.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

REGULAR BOARD MEETING - April 25, 2002

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

1. APPROVED Consent Calendar Items: 2, 9, 19, 20, 21, 22, 29, 30, 37, 38, 39

Items 10**, 11, 14, 17**, 28 & 40 pulled from Consent Calendar.

** - Requires 2/3 vote of the Board

NOTED Committee Authority Items: 8, 15 & 16

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held March 28, 2002.

3. Chief Executive Officer's Report

No Report

4. Chair's Report

- Presented resolution to Ed Kichi, Senior Contract Administrator, for coming to the aid of a coworker.
- Presented resolution to the Metro Art Tour Docents.

5. RECEIVED report from the Independent Citizens' Advisory and Oversight Committee regarding the **Propositions A & C Audit for FY 2001 Public Hearing**.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

8. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed-price contract to Reynolds Buick/GMC Truck, West Covina, the lowest responsive, responsible bidder under Bid No. 01-0230 for the purchase of **15 mini passenger vans and 21 large cargo vans** for \$709,368, inclusive of sales tax.

9. APPROVED ON CONSENT CALENDAR award of a 24-month, fixed-price requirements contract to Cummins Cal Pacific, the lowest responsive, responsible bidder under Bid No. 02-0206A for procurement of **Cummins L10 engine parts** for the Neoplan CNG bus fleet for an amount not to exceed \$9,316,267, inclusive of sales tax.

10. APPROVED BY A 2/3 VOTE OF THE BOARD a finding that awarding a **design/build contract** pursuant to Public Utilities Code Section 130242(a) will achieve private sector efficiencies in the integration of the design and construction of the **Metro Red Line Intrusion Detection System Enhancements**.

11. APPROVED, subject to resolution of pre-qualification issues and Xerox agreement to amend contract terms to mitigate risk to the MTA:
 - A. execution of five-year contract No. PS016420025R with Xerox Corporation, the lowest responsive, responsible bidder for the **lease and maintenance of high-speed copier equipment** for the Copy Center for an amount not to exceed \$2,760,000, effective June 1, 2002; and

 - B. negotiation and execution of an amendment with Xerox Corporation for a five-year lease of Fusion Punches for the high-speed copier equipment for an amount not to exceed \$150,000, for a total contract amount not to exceed \$2,910,000.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

14. APPROVED execution of Change Order No. 3 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 **continuing preliminary engineering design services** for an amount not to exceed \$4,777,432.

15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 18 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to **delete the requirement for the vehicle between car warning devices**, in the credit amount of \$337,800, decreasing the total contract value from \$214,344,337 to \$214,006,537.

16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
 - A. Change Order No. 8.00 to Contract No. E0350, Professional Services Administration/Management in Support of Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with LTK Engineering Services to extend the contract for an additional 17 months through September 30, 2003, to provide continuing **administration, design review and testing services for the P2000 vehicles**, in the amount of \$1,033,129, increasing the total contract value from \$14,136,766 to \$15,169,895; and

 - B. an increase in the Authorization for Expenditure to Contract No. E0350, in the amount of \$1,033,129 increasing the AFE from \$14,136,766 to \$15,169,895.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

16. APPROVED BY A 2/3 VOTE OF THE BOARD a finding that awarding a **Design-Build contract** pursuant to Public Utilities Code Section 130242(a) will achieve for the MTA, among other things, certain private sector efficiencies in the integration of the design, project work, and components, including the construction of the double-walled piping, sumps, and monitoring system upgrade for **Underground Storage Tanks** and removal of unneeded tanks at four Metro Bus Divisions.

19. APPROVED ON CONSENT CALENDAR award of five-year, fixed rate contract No. PS-5440-1118 to Los Angeles Federal Armored Services, Inc., for the **sale of currency** effective July 1, 2002 for an amount not to exceed \$1,475,250, inclusive of four one-year options.

20. APPROVED ON CONSENT CALENDAR authorization for the Chief Executive Officer to select one or more **investment providers** and enter into forward delivery contracts for terms of up to 10 years, and authorized payment of related legal fees, advisory fees and other ancillary expenses necessary to implement the agreements.

21. APPROVED ON CONSENT CALENDAR execution of a **lease amendment** with Camille's, Inc., dba Denny's Restaurant, to extend the term of the lease for an additional five years commencing February 1, 2004 and ending January 31, 2009, and increased the monthly rental amount to \$10,500 per month effective February 1, 2003.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

22. APPROVED ON CONSENT CALENDAR declaring certain real property located on the south side of Mealy Street between Tamarind Avenue and Mona Boulevard in the City of Compton as **surplus property** and authorized the sale of said property to Owens Corning, a Delaware Corporation, for \$361,000.
28. ADOPTED the following positions on **state legislation**:
- A. SCA 11 (Murray) – Would require that loans from the State Highway Account and Public Transportation Account be repaid with interest when those accounts lend funds to other state accounts. **SUPPORT**
 - B. AB 2788 (Longville) – Would enact the Passenger Rail Improvement, Safety and Modernization Bond Act of 2002 to provide for general obligation bonds in the amount of \$500 million and require a 50% match by local agencies based on passenger miles, annual trips and track miles. **SUPPORT**
 - C. SB 1853 (Murray) – Would enact the Transportation Noise Reduction, Safety Enhancement and Congestion Relief Bond of 2002 to authorize general obligation bonds in the amount of \$1 billion for financing soundwall construction. **SUPPORT**
 - D. AB 2751 (Pavley) – To evaluate the feasibility of using rice straw for soundwall construction. **SUPPORT**
 - E. SB 1927 (Soto) – Would require transit fueling stations to assess the long-term environmental and public health impact of stations located by residential communities. **NEUTRAL**
 - F. SB 1858 (Burton) – Would create a TEA fund in the State Treasury and authorize Caltrans to administer the TEA program. **WORK WITH AUTHOR**
 - G. AB 2582 (Chu) – Would allow paratransit vehicles to utilize the HOV lanes with less than required occupancy. **NEUTRAL, SEEK AMENDMENTS**

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

- H. SB 1740 (Murray) – Develop record retention program for the SAFE program throughout the state. **SUPPORT/SPONSOR**
29. APPROVED ON CONSENT CALENDAR the **Use of MTA Property for Commercial Activities Policy** as guidance in the use of MTA transit facilities for commercial activities.
30. APPROVED ON CONSENT CALENDAR **revisions to the MTA Procurement Policies and Procedures Manual** requiring contractors to certify requests for payment.
36. CARRIED OVER, for inclusion of Board recommended changes, **Joint Development Policies and Procedures** to replace the previously adopted joint development policy.
37. APPROVED ON CONSENT CALENDAR execution of Amendment No. 10 to Contract No. 07H004, Project ID No. 350B with Washington Infrastructure (MK Centennial) to expedite additional design work for the **Route 10 HOV lane between Route 57 and the San Bernardino County Line** for an amount not to exceed \$325,000, increasing the total contract value from \$9,989,335 to \$10,314,335.
38. APPROVED ON CONSENT CALENDAR:
- A. the local scores for the **Federal Transit Administration Section 5310 projects** including the applications recommended for funding in the 2002-2003 Regional Transportation Improvement Program; and

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

- B. execution and transmission of a Resolution and scoring recommendations to Caltrans.
39. APPROVED ON CONSENT CALENDAR:
- A. MTA participation in a multi-agency **Regional Pass Program**; and
- B. allocation of \$2 million in fiscal year 2003 from the current Propositions A & C/TDA administrative funds to implement this program.
40. APPROVED:
- A. award of a five-year firm, fixed-price and unit rate contract to First Transit, Inc. to provide **local transit services for Package A (Lines 177 & 256)** for an amount not to exceed \$9,198,467 effective June 3, 2002, inclusive of two one-year options;
- B. award of a five-year firm, fixed-price and unit rate contract to Transportation Concepts, Inc. to provide **local transit services for Package B (Lines 218, 603 & 605)** for an amount not to exceed \$22,353,743 effective June 3, 2002, inclusive of two one-year options;
- C. award of a five-year firm, fixed-price and unit rate contract to Transportation Concepts, Inc. to provide **shuttle services for Package C (Lines 625, 626, 631 & 646)** for an amount not to exceed \$7,637,646 effective June 30, 2002, inclusive of two one-year options; and
- (the cumulative total for Packages A, B & C is not to exceed \$39,189,856)

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

- D. canceling the solicitation for Package D (Lines 530 & 577) for business reasons.
42. APPROVED ON A ROLL CALL VOTE AS AMENDED BY BURKE:
- A. an inflationary increase for the FY 03 funding allocation to **Access Services, Inc.**, in the amount of \$5,086,349, for a total MTA funding commitment of \$58,601,051, amended to include a report back on possible additional services outside of ADA requirements and funding options; and
 - B. notifying Access Services, Inc. that the MTA expects improved interaction with the community to provide quality, reliable services that comply with the requirements of the Americans with Disabilities Act within the above resources.
43. RECEIVED report on **Workers' Compensation** issues.
44. ADOPTED:
- A. the MTA **Financial Standards** Policy, FIN 25; and
 - B. the MTA FY 2002-03 Financial Standards.
45. APPROVED:
- A. initiating a performance-based, negotiated procurement of economic quantities of 60-foot articulated buses;
 - B. that the first procurement must be for CNG-electric or CNG-hybrid, followed by procurement of conventional CNG buses (if necessary); and

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

C. following the recommended procurement schedule:

RFP Issuance: June 15, 2002;
RFP Response: August 1, 2002;
Downselect: October 15, 2002;
Board Approval: October 24, 2002;
Contract Award: November 15, 2002;
First Article Delivery: May 1, 2004;
First Production Lot (30+ buses) Delivery: December 31, 2004

46. APPROVED:

A. the establishment of **Service Sectors** with governance councils;

APPROVED ON A ROLL CALL VOTE, AS AMENDED:

B. Service Sector Councils have up to nine (9) members; that sectors have the option of retaining governance structures already in place, e.g. the San Fernando Valley; **amended to state that each sector can come back with recommended changes in the number of members;**

APPROVED ON A ROLL CALL VOTE AS AMENDED:

C. Councils **may** be comprised of elected officials and/or private citizens; and

D. a stipend **may** be paid for up to two meetings per month; the amount of the stipend to be determined for review by the Board.

2002 BOARD ACTIONS AND PROCEEDINGS
APRIL 25, 2002

47. CLOSED SESSION:

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

Bill Schnee Studios, Inc. v. MTA, Case No. BC241283

APPROVED settlement in the amount of \$500,000.

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

APPROVED settlement with Caltrans as final payment for construction of the Green Line, including all claims, in the amount of \$2,244,258.

C. Personnel Matters – G.C. 54957:

Public Employee Release

No Report

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

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

No Report

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 13, 2002

SPECIAL BOARD MEETING - May 13, 2002

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

1 RECEIVED the **Fiscal Year 2002 - 2003 proposed budget.**

CEO Snoble reported that despite allowing for an increase in service, the budget is balanced and the cost per revenue service hour is steadily decreasing.

2. Public Comment.

None

2002 BOARD ACTIONS AND PROCEEDINGS MAY 23, 2002

REGULAR BOARD MEETING - May 23, 2002

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

1. APPROVED Consent Calendar Items: 2, 9**, 29, 31, 32, 33, 34 and 35

** - Requires 2/3 vote of the Board

Items 23, 30 and 36 removed from Consent Calendar.

NOTED Committee Authority Items: 11, 12 and 14

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held April 25, 2002 and Special Board Meeting held on May 13, 2002.

3. RECEIVED Chief Executive Officer's Report.

- Requested Special Board meeting for labor issues.

4. RECEIVED Chair's Report

- Presented of Resolution to retiring Ex Officio Board Member Robert Sassaman.
- Announced formation of Ad Hoc Committee for start up of Gold Line to be comprised of two Gold Line appointees and Directors Molina and Roberts representing MTA
- Adjournment of meeting in Memory of Los Angeles Sheriff's Department Deputy David March.

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 23, 2002

5. ADOPTED AS AMENDED BY BURKE, REVISED BY BERNSON, YAROSLAVSKY AND YOH the **Joint Development Policies and Procedures** to replace the MTA's previously adopted joint development policy document.

Burke Amendment, as Revised by Bernson, Yaroslavsky and Yoh:

Section C - Exclusive Negotiations Agreement:

Developer shall provide a comprehensive list of previous experience in the specific project area being described in the solicitation document in both the construction and operation of the said project type being solicited, as well as disclose full credit and litigation history under penalty of perjury.

Additionally, staff is directed to:

- Set up a process to brief Board Members on planned developments
- Evaluate all modes of access to transit
- Correct language regarding parking in attachment B
- Do complete background and credit checks on potential developers

9. APPROVED ON CONSENT CALENDAR by a 2/3 vote of the Board:
- A. finding that procurement under Public Utilities Code §130232 does not constitute a procurement method adequate to meet MTA's needs and that the procurement of the buses qualifies under Public Contracts Code (PCC) § 20217 for procurement by competitive negotiation;
- B. authorizing the Chief Executive Officer to solicit proposals for up to seventy-two (72) **CNG-electric or CNG-hybrid 60-foot articulated transit buses** as a competitive negotiation pursuant to PCC § 20217 and MTA's Procurement Policies and Procedures for use on the San Fernando Valley Bus Rapid Transit (BRT); and

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 23, 2002

- C. authorizing the Chief Executive Officer to solicit proposals for up to 200 advanced design, high performance **60-foot articulated CNG transit buses** as a competitive negotiation pursuant to PCC §20217 and MTA's Procurement Policies and Procedures for use on existing MTA bus routes.
11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an agreement with the California Highway Patrol to provide field officer and dispatch support to the **Metro Freeway Service Patrol** (FSP) during FY03 for a total amount not to exceed \$405,000.
12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm, fixed-price contract under Bid No. 01-0224 to the following lowest responsive and responsible bidders for **pick-up trucks** for the total amount of \$410,965, inclusive of sales tax:
- A. Burch Ford for line item #1 for 15 each compact pick-up trucks for the amount of \$191,510 inclusive of sales tax; and
- B. Ford West for line item #2 for 10 each full-size pick-up trucks for the amount of \$219,455 inclusive of sales tax.
14. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY AS CORRECTED:
- A. execution of Work Authorization Change Notice (WACN) No. 45.04 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems Inc., **to design, build and install between car barriers** on the 52 light rail vehicles currently on order under the contract, increasing the amount of the WACN from \$200,000 to \$500,000, and increasing the total contract value from \$214,552,446 to \$214,852,446; and

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 23, 2002

- B. negotiation and execution of the subsequent contract change order, providing that the negotiated value is less than or equal to the current proposed value of \$1,165,893, which includes the above \$500,000 increased WACN value.

16. ADOPTED with Amendment:

- A. the **Fiscal Year 2002-2003 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.

BURKE AMENDMENT: that the MTA Board approve the MTA Budget with the condition that those items containing money for the Pasadena Gold Line (PGL) are approved contingent upon this Board's further review and receiving a full report discussing the issues and containing answers to the following questions:

- A. What are the "real" total costs to MTA for all aspects of Pasadena Line opening on the proposed schedule?
- B. What are the terms contained in the Master Cooperative Agreement as it pertains to Reimbursement for costs expended by the MTA?
- C. Identify what costs are proposed to be the sole responsibility of the MTA and why they are the MTA's responsibility in the context of the "Turnkey" project's definitions.
- D. What sources of funds are being proposed to be used? What is being deferred or what other regional projects are not being funded due to the use of these funds for the PGL project? What were these funds programmed for before any such PGL proposal?
- E. If Bonds are sold (as indicated on pg 6-20 in Appendix 4) to provide funds for this project, what revenue sources are being

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 23, 2002

bonded against and what are the primary uses for these revenues if not used for bonding on this project?

17. APPROVED REVISED FASANA MOTION:
- A. that funds taken off the top for the administration of Propositions A and C programs should not be expended for regional programs that are operations related;
 - B. that funds taken off the top for the administration of Propositions A and C programs should not be expended for MTA operations related activities;
 - C. that the Board direct the CEO to report back to the Board within 30 days on the impact of the implementation of these clarifications to the financial standards and to recommend modifications to the FY03 budget as appropriate; and
 - D. that the Board direct the CEO to provide a detailed listing in future annual budgets and comprehensive annual financial reports of programs using Propositions A and C administrative funds.
23. APPROVED the following positions on Items A, B and D on **state legislation. Item C carried over with no position.**
- A. AB 2098 (Bates) – a federal statute requires states to adopt four penalties for repeat drunk driving violations. California meets two of these four requirements and is subject to mandatory transfer of federal transportation funds to certain safety programs: 1) AB 2098 would impose an ignition interlock requirement, and; 2) allow currently transferred highway funds to flow through the STIP. **SUPPORT, SEEK AMENDMENTS.**

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- B. AB 2189 (Koretz) – would impose a 60-day employee retention requirement when a contractor for a public transit service is terminated. **OPPOSE UNLESS AMENDED.**

(CARRIED OVER WITH NO POSITION)

- C. AB 2333 (Nakano) – would require Caltrans to give priority to projects that promote airport development and access, only if the county is compatible with the aviation element of the RTP under SCAG’s guidelines and authorize Southern California Regional Aviation Authority to review county master plans for compliance with RTP. **OPPOSE**
- D. SB 1918 (TORLAKSON) - sponsored by the developers and manufacturers of the Segway Human Transporter vehicle. The bill defines the Segway as an electric personal assistive mobility device (EPAD), with amendments consistent with those requested by the League of California Cities. **SUPPORT, WITH AMENDMENTS**

24. CLOSED SESSION:

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

1. Alvarez v. MTA, Case No. PC026760

APPROVED settlement in the amount of \$500,000.

2. Lee v. MTA, Case No. BC237857

APPROVED settlement in the amount of \$2.4 million.

3. Burbank v. MTA, Case No. PC035498

APPROVED settlement in the amount of \$1,950,000.

4. Tutor-Saliba-Perini v. MTA. No. BC123559

NO REPORT.

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5. Mangrove Estate v. MTA, BC271206

NO REPORT.

B. Public Employee Performance Evaluation - G.C. 54957:

1. Chief Executive Officer

NO REPORT.

2. Chief Ethics Officer/Manager

NO REPORT.

28. APPROVED with Amendment:

A. receiving Caltrans' approved Project Study Report/Project Development Support (PSR/PDS) for the **State Route 2 Freeway Terminus Improvements project**; and

B. authorizing the Chief Executive Officer to proceed with the next phase of project development, the preparation of the Project Approval/Environmental Document, and include in the environmental scoping process the four candidate alternatives identified in the PSR/PDS and the alternative proposed by the Echo Park Community Action Committee.

MOLINA AMENDMENT:

A. that the environmental phase consist of a full environmental impact report (EIR/EIS);

B. that the environmental phase include an analysis of the community's alternative and that it be analyzed to the same level that the other four alternatives were studied in the PSR;

C. that the environmental document include a new and expanded traffic study that sets the study area to be the I-

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5/SR-2 interchange at the north and the Berkly/Alvarado/Glendale Blvd. intersection to the south. The traffic study must include a validation of the existing capacity on Glendale Blvd. without assuming any additional enhancements other than those associated with the LA City project. Furthermore, the study should be based upon the projected traffic volumes in 2025 given the particular constraints in the corridor, rather than the projected demand; and

- D. that the environmental phase include additional pedestrian safety enhancements and possible traffic calming techniques beyond those that are currently included in the alternatives.

29. APPROVED ON CONSENT CALENDAR the FY 2002-03 **Southern California Regional Rail Authority (SCRRA) Preliminary Budget**; MTA's financial contributions to that Budget totaling \$37,592,549; and an additional \$20,000 for promotional train programs not included in the SCRRA budget.
30. APPROVED award of three separate nine-month, firm fixed-price contracts to perform preliminary engineering services through the preparation of **Noise Barrier Scope Summary Reports (NBSSR), Environmental Documents, and Noise Study Reports for the Post 1989 MTA Retrofit Soundwalls**, Phase I, Priority 2 projects. Each of the following firms will independently perform preliminary engineering services for discrete freeway corridors:
- A. Washington Infrastructure Services, Inc. (Contract No. PS-4340-1237) for the amount of \$1,850,000 for packages 1 and 3;
- B. Tetra Tech, Inc. (Contract No. PS-4340-1238) for the amount of \$735,000 for project package 2; and

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- C. Parsons Brinckerhoff Quade & Douglas, Inc. (Contract No. PS-4340-1239) for the amount of \$485,000 for project package 4.
31. APPROVED ON CONSENT CALENDAR seven new **Subregional Paratransit projects** for implementation beginning in FY03 in the total amount of \$700,000.
32. APPROVED ON CONSENT CALENDAR the **Regional Improvement Program** (RIP) changes for inclusion in the Final 2002 State Transportation Improvement Program (STIP) for Los Angeles County as follows:
- A. re-assign funding to four projects totaling \$43.0 million from RIP funds to Regional Surface Transportation Program funds, thereby permitting nineteen (19) projects to be advanced;
- B. re-program \$42.5 million in RIP funds freed up by Recommendation A and \$5.0 million in RIP reserves to the Interstate 5 High Occupancy Vehicle Lane project between Routes 134 and 170 in FY 2007 and seek accelerated construction phase funding for this project from the State through the 2003 Call for Projects and 2004 STIP processes; and
- C. re-program \$500,000 in RIP funds freed up by Recommendation A, to Route 101/Van Nuys Off-Ramp project, to meet one-half of the \$1 million match that the California Transportation Commission requires before granting \$8 million of Interregional TIP funds and secure the remaining \$500,000 needed from the City of Los Angeles by redirecting some of their existing Call for Projects funding or providing some other non-MTA funding source.

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MAY 23, 2002

33. APPROVED ON CONSENT CALENDAR:
- A. increasing funding limit for **Rideshare Program** from \$4,367,270 to \$4,667,270 to close out the Memorandum of Understanding with SCAG for FY 02; and
 - B. transitioning to an MTA-operated Rideshare Program that integrates rideshare offerings with transit pass programs that will create a complete line of alternative transportation services for employers, schools and communities.
34. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to negotiate and execute Amendment No.1 to Contract No. OP2610LASD with the County of Los Angeles for Sheriff's Department (LASD) **transit policing service** for a period of five months beginning July 1, 2002, for an amount not to exceed \$8,750,000, for a total contract value not to exceed \$103,650,000.
35. APPROVED ON CONSENT CALENDAR award of a firm, fixed-price contracts under Bid 02-0219 to the lowest responsive, responsible bidders for **Heavy Duty Tow Trucks and Field Equipment Trucks** for a firm fixed price of \$2,538,529 inclusive of sales tax:
- A. Boerner Truck Center, for 14 Heavy Duty Tow Trucks for a total contract value of \$2,270,340 inclusive of sales tax, and;
 - B. West Covina Motors Inc., for 5 Field Equipment Trucks for a total contract value of \$268,189 inclusive of sales tax.

2002 BOARD ACTIONS AND PROCEEDINGS
MAY 23, 2002

36. APPROVED ON A ROLL CALL VOTE KNABE SUBSTITUTE MOTION AS AMENDED BY BERNSON AND YAROSLAVSKY regarding Access Services, Inc:

- Extend current service as it exists today, with existing budget, for six months and report back;
- Provide monthly report regarding complaints; and
- Commence a process of evaluating other vendors and the cost of bringing this service in-house and report back in three months.

RECEIVED public comment.

Adjourned in Memory of Los Angeles Sheriff's Department Deputy David March.

2002 BOARD ACTIONS AND PROCEEDINGS
JUNE 12, 2002

SPECIAL BOARD MEETING - June 12, 2002

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

1. CLOSED SESSION - Conference with Labor Negotiator – G.C. 54957.6:

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

NO REPORT

2. RECEIVED Public Comment.

2002 BOARD ACTIONS AND PROCEEDINGS JUNE 27, 2002

REGULAR BOARD MEETING - June 27, 2002

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

1. APPROVED Consent Calendar Items: 2, 10**, 11**, 14, 15, 16, 17, 18, 21, 24, 25, 31-A, 42, 47, 48, 49, 50 and 51

Items 31-B, 43, 44 and 45 removed from Consent Calendar.

**Requires two-thirds vote of the Board.

NOTED Committee Authority Item: 20

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held May 23, 2002.

3. Chief Executive Officer's Report – NONE

4. Chair's Report

- Elected Director Roberts as 2nd Vice Chair, Director Yaroslavsky as 1st Vice Chair; and Director Bernson as Chair.
- Presented:
 1. Resolutions to Inspector General Arthur Sinai from the MTA and the City of Los Angeles;
 2. MTA resolution to Claudette Moody, Director of Government Relations; and
 3. MTA resolution to outgoing Chair Fasana.

2002 BOARD ACTIONS AND PROCEEDINGS
JUNE 27, 2002

10. APPROVED ON CONSENT CALENDAR by a two-thirds vote a finding that the **Automated Guided Vehicles** (AGVs) consist of highly specialized hardware equipment, communication technology, and software, such that the procurement qualifies under Public Utilities Code Section 130238 for procurement by competitive negotiation. Using this methodology staff will solicit a package of system hardware and software to be installed on site.
11. APPROVED ON CONSENT CALENDAR by a two-thirds vote:
- A. a finding that there is only a sole source to provide **S-1 Gards**. The purchase is for the sole purpose of enhancing the safe operation of the MTA's existing bus fleet. The Board hereby authorizes the purchase of 1,979 S-1 Gards pursuant to Public Utilities Code Section 130237; and
 - B. award of a sole source, firm fixed-price contract to Willamette Valley Company, Eugene, Oregon, for the procurement of 1,979 S-1 Gards for a firm fixed-price of \$2,720,680 inclusive of sales tax.
12. APPROVED:
- A. award of a firm fixed-price contract to International Power Machines (IPM), the lowest responsive, responsible bidder under Bid No. 01-0229 for the purchase of 14 **Uninterruptible Power Supply (UPS)** units for Segments 2 and 3 of the Metro Red Line subway system for an amount not to exceed \$1,071,141 inclusive of sales tax.
 - B. receipt and filing of report notifying the Board that the Chief Executive Officer has purchased 4 UPS Systems under immediate remedial measures in accordance with Public Utilities Code Section 130235(b).

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13. APPROVED award of a two-year contract to BP West Coast Products, the lowest responsive, responsible bidder under Bid 04-0216, for **ultra low sulfur diesel fuel** for an amount not to exceed \$9,286,335, inclusive of sales tax.

14. APPROVED ON CONSENT CALENDAR the **2002 Hollywood Bowl Park-and-Ride** service agreement with the Los Angeles County Department of Public Works and the Los Angeles Philharmonic Association.

15. APPROVED ON CONSENT CALENDAR execution of two three-year contracts and one two-year contract for the **Metro Freeway Service Patrol** for a total amount not to exceed \$3,172,965:

<u>Beat</u>	<u>Contractor</u>	<u>Amount</u>	<u>Contract Period</u>
11	Hadley Towing, Whittier	\$1,005,350	10/1/02 - 9/30/05
43	S&W Towing Hawthorne	\$1,508,234	10/1/02 - 9/30/05
42	Panorama City Towing, San Fernando	\$ 659,381	10/1/02 - 9/30/04
Total Amount		\$3,172,965	

16. APPROVED ON CONSENT CALENDAR award of a two-year contract to Corporate Express, Paramount, and the lowest responsive, responsible bidder under Bid No. 03-0205, for **office supplies** for an amount not to exceed \$1,500,000 inclusive of sales tax.

17. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract to Johnson Lift/Hyster, the lowest responsive, responsible bidder under Bid No. 04-0211, for **18 motorized hand lift trucks** for a firm fixed-price of \$208,275, inclusive of sales tax.

2002 BOARD ACTIONS AND PROCEEDINGS
JUNE 27, 2002

18. APPROVED ON CONSENT CALENDAR award of twenty-four month, firm fixed-price requirements contracts to the following lowest responsive, responsible bidders under Bid No. 04-0212, for **bus electrical parts** for a total amount not to exceed \$706,786 inclusive of sales tax:
- A. Crain Auto Electric for electrical regulator, housing assembly, stator and field coil assembly, end housing assembly, and solenoid for a total contract value of \$388,018;
 - B. Kirk's Automotive for bus alternators for a total contract value of \$150,960;
 - C. Auto Diesel Electric for alternator kit and flasher for a total contract value of \$88,818;
 - D. Hydraulic Electric for frame end drive for a total contract value of \$49,362; and
 - E. Neoplan, Inc. for alternator stator assembly for a total contract value of \$29,628.
20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. negotiation and execution of Change Order No. 4 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 the amount of \$3,926,062 for **phase II final engineering design services** for Eastside Light Rail Transit Project increasing the CWO value from \$24,169,883 to \$28,095,945; and
 - B. an increase in the Authorization for Expenditure (AFE) to provide funding for the identified Change Order in the amount of \$3,926,062, increasing the current AFE from \$24,177,184 to \$28,103,246.

2002 BOARD ACTIONS AND PROCEEDINGS
JUNE 27, 2002

21. APPROVED ON CONSENT CALENDAR:

- A. execution of Change Order 4, Contract Work Order (CWO) No.1 to Contract PM022, Project Management Assistance with URS Corporation, for the preparation and deliverable of an **independent cost estimate for the Eastside Light Rail Transit Project**, for an amount not to exceed \$586,068, increasing the CWO value from \$709,888 to \$1,295,956; and
- B. an increase in the Authorization for Expenditure (AFE) to provide funding for the identified Change Order and for other changes to be issued within Board-delegated authority, in the amount of \$586,068, increasing the current total AFE from \$709,888 to \$1,295,956.

23. APPROVED negotiation and award of an **Excess Liability Insurance Program** for MTA liability exposures, other than major construction projects, at a cost not to exceed \$4.4 million for a 12-month period beginning August 1, 2002 through July 31, 2003.

24. APPROVED ON CONSENT CALENDAR negotiation and execution of a non-competitive one-year indefinite delivery, indefinite quantity Contract No. PS92101275 to IBM Corporation for **annual software maintenance**, for an amount not to exceed \$1,110,000.

25. APPROVED ON CONSENT CALENDAR award of a five-year labor hour contract No. PS-9210-1129 to Van & Associates, Inc. to provide **technical support services for IBM software products** for an amount not to exceed \$390,000, inclusive of three one-year options, effective July 1, 2002.

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31. APPROVED ON CONSENT CALENDAR the following position on **state legislation:**

A. AB 2333 (Nakano) – amended to require that the benefits and burdens of airports are fairly distributed among the counties and requires that the principles of environmental justice are utilized in airport planning. **NEUTRAL**

31. APPROVED the following position on **state legislation:**

B. SB18 (Alarcon) – amended to restructure the MTA Board by designating one seat for the San Fernando Valley should it secede. **OPPOSE**

32. APPROVED AS AMENDED BY BURKE, adoption of support positions on the following **TEA-21 reauthorization principles:**

A. State of California Consensus General Principles for Reauthorization of Transportation Equity Act for the 21st Century (TEA-21); and

B. Los Angeles region's General Principles for Reauthorization of Transportation Equity Act for the 21st Century (TEA-21).

BURKE AMENDMENT: Support the creation of a Metropolitan Congestion Program.

33. APPROVED clarifications to **MTA's FY03 Financial Standards.**

APPROVED HAHN MOTION: Staff to report back to Executive Management and Audit Committee next month with options for use of the \$3.6 million.

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34. APPROVED funding strategies to ensure the timely completion of the **Pasadena Gold Line** by:
- A. funding the unanticipated additional net cost of constructing a parking structure at the Sierra Madre Villa station site for an amount not to exceed \$10 million, on a reimbursement basis;
 - B. relieving the Pasadena Authority from its obligation to reimburse the MTA for pre-revenue start up activities and other minor items; and
 - C. negotiation and execution of agreement(s) and/or amendment(s) to existing agreements to implement required actions.

The Board directed staff to continue review of Director Robert's Amendment regarding the possible purchase of Del Mar station parking structure in addition to Sierra Madre Villa.

35. APPROVED AS AMENDED BY BURKE:
- A. the **Disadvantaged Business Enterprise (DBE) Program**;
 - B. authorizing the Chief Executive Officer to make administrative changes to the DBE Program that result from Department of Transportation Final Rule changes, new regulatory amendments and DOT/FTA program interpretations; and
 - C. adopting 20% as the DBE Annual Goal for Federal Fiscal Year 2003 (FFY03).

BURKE AMENDMENT that the Board instruct the Chief Executive Officer and the staff of Diversity and Economic Opportunity Department to develop recommendations and written procedures on how to implement a "SHARED RESPONSIBILITY" Program in an effort to apply the DBE annual Goal to MTA Departments and report back with their recommendations in October 2002.

2002 BOARD ACTIONS AND PROCEEDINGS
JUNE 27, 2002

36. CLOSED SESSION:

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

1. Obayashi v. MTA EC024692
NO REPORT

2. Labor/Community Strategy Center CV 94-5936 TJH
NO REPORT

B. Potential Litigation (GC 54956.9(b)

(One case)
NO REPORT

C. Public Employee Performance Evaluation - G.C. 54957:

Chief Executive Officer
NO REPORT

D. Public Employee Appointment - G.C. 54957:

Appointment of an Acting Inspector General
APPOINTED William Waters as Interim Inspector General.

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

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

NO REPORT

42. APPROVED ON CONSENT CALENDAR execution of Memorandums of Understanding with the Southern California Association of Governments to perform transitional **rideshare activities in FY 03** for a total amount not to exceed \$1,959,200.

2002 BOARD ACTIONS AND PROCEEDINGS
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43. APPROVED AS AMENDED BY YAROSLAVSKY a six-month **Exclusive Negotiation Agreement** with Legacy Partners for the development of approximately 2.8 acres of MTA-owned properties located at the Hollywood and Vine Metro Red Line Station.

YAROSLAVSKY AMENDMENT: If the developer changes any of the major elements of the proposal (i.e. W Hotel, condominiums or acreage), MTA will immediately cease negotiations.

44. APPROVED AS AMENDED BY HUDSON a six-month **Exclusive Negotiation Agreement** with Urban Partners, LLC for the development of approximately 7.0 acres of MTA-owned properties located at the Metro Red Line Wilshire/Vermont Station.

HUDSON AMENDMENT: If the developer changes any major element of the proposal, including acreage, MTA will cease negotiations.

45. APPROVED deferment of the **joint development of the North Hollywood Metro Red Line Station** at this time.

46. APPROVED AS AMENDED BY YOH:

A. **relocation of the 60-foot MTA-owned right-of-way between Vineland Avenue and Lankershim Boulevard in North Hollywood** subject to the following conditions:

1. realignment preserves the option of constructing and operating a light rail or bus rapid transit system in the future;
2. realignment generally follows the proposed route;

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JUNE 27, 2002

3. a right-of-way width of at least 56 feet is maintained to allow 36 feet for the rail guideway and a 10-foot buffer on both sides;
 4. **that the MTA, Los Angeles Unified School District and the City of Los Angeles resolve concerns about the impact of the Right Of Way realignment on the alley located east of Vineland Avenue;** and
 5. the Los Angeles Unified School District (LAUSD) and the Los Angeles Community Redevelopment Agency (CRA), agencies requesting the right-of-way relocation, incorporate appropriate features in the design, construction and operation of planned uses on their respective sites to be compatible with the future transit system.
- B. authorizing the Chief Executive Officer to enter into agreements with the LAUSD and the CRA for the property exchange and related transactions associated with the right-of-way relocation.
47. APPROVED ON CONSENT CALENDAR adoption of the **2002 Congestion Management Program** for Los Angeles County.
48. APPROVED ON CONSENT CALENDAR execution of **Amendment No. 1 to Amtrak Intercity Agreement** among National Railroad Passenger Corporation, Southern California Regional Rail Authority, Los Angeles County Metropolitan Transportation Authority, Riverside County Transportation Commission, San Bernardino Associated Governments and Ventura County Transportation Commission.

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49. APPROVED ON CONSENT CALENDAR:
- A. recertifying \$358.8 million in existing Fiscal Year 2002-03 commitments from previous **Call for Projects** and authorized the expenditure of funds to meet these commitments;
 - B. deobligating \$12.5 million of previously approved Call for Projects funding, including funds from savings, program adjustments, canceled or late projects;
 - C. reserving from the \$12.5 million in deobligated funds:
 - 1. \$3.0 million for the State Highway Program Claims Reserve Account to be used to pay outstanding claims for completed Call for Projects funded State Highway construction projects;
 - 2. \$9.5 million to be reprogrammed in the 2003 Call for Projects for all modes including the newly proposed category of capacity enhancement/3R (reconstruction, rehabilitation, repavement);
 - D. receiving and filing the list of time extensions totaling \$218.6 million for projects; and
 - E. adopting the resolution required by the Southern California Association of Governments, which certifies that Los Angeles County has the resources to fund the projects in the FY 2003-2008 Transportation Improvement Program and affirms its commitment to implement all of the projects in the program.
50. APPROVED ON CONSENT CALENDAR adoption of:
- A. the resolution making a determination of **unmet public transportation needs** in the areas of Los Angeles County outside the MTA service area; and
 - B. the findings and recommended actions for the allocation and use of FY 2002-03 TDA Article 8 funds of \$15,826,958, as

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JUNE 27, 2002

follows:

- in the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet; therefore, TDA Article 8 funds shall be used to meet these unmet transit needs. The allocation is: Avalon \$98,416 and Santa Clarita \$4,755,204;
- in the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County unincorporated areas of Santa Clarita Valley and Catalina Island, transit needs are met using other funding sources, such as Propositions A and C Local Return; therefore, the finding is that there are no unmet transit needs that are reasonable to meet, because other funding sources noted above will be used to address these needs. Thus, TDA Article 8 funds may be used for street and road projects. The allocation for the Antelope Valley (Lancaster and Palmdale) is \$3,736,420 and \$3,671,963. The allocation for Los Angeles County Unincorporated is \$3,564,955.

51. **APPROVED ON CONSENT CALENDAR allocations to Los Angeles County Transit Operators and cities for Fiscal Year 2003** as follows:

- A. Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA interest and Proposition A Discretionary fund allocations;
- B. Propositions A and C interest allocations;
- C. Proposition C 40% allocation for the Bus Service Improvement Program, Foothill Mitigation Program, the Transit Service Expansion Program and the Base Restructuring Program;
- D. Proposition C 40% Municipal Operator Service Improvement Program allocation;

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JUNE 27, 2002

- E. TDA Article 8 Fund allocation;
 - F. Propositions A and C Local Return and TDA Article 3 allocations;
 - G. Proposition A Incentive Program allocation;
 - H. Proposition C 5% Security Fund allocation; and
 - I. Federal Section 5307 Capital Funding allocation.
52. APPROVED YAROSLAVSKY MOTION AS AMENDED BY HUDSON that the MTA, as a prominent tenant of **818 W. 7th Street**, communicate its concerns to the building owner regarding the treatment of janitors and report back to the Board at the July Board meeting.
- HUDSON AMENDMENT:** to change the word “better” to “fair” in paragraph 2 of the preamble of Yaroslavsky’s motion.
53. APPROVED the **addition of 25 budgeted positions to the FY03 Budget** to perform increased Consent Decree compliance monitoring and reporting.

RECEIVED public comment.

2002 BOARD ACTIONS AND PROCEEDINGS JULY 25, 2002

REGULAR BOARD MEETING - July 25, 2002

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

1. APPROVED Consent Calendar Items: 2, 6, 7, 8, 9**, 10, 11, 22, 24, 26, 31, 32 and 33

**Requires two-thirds vote of the Board.

NOTED COMMITTEE AUTHORITY ITEMS: 13, 14, 16, 17, 18, 19, 20, 29 and 30

2. APPROVED ON CONSENT CALENDAR **Minutes** of Special Board Meeting held June 12, 2002 and Regular Board Meeting held June 27, 2002.

- Chief Executive Officer's Report
- Presented Resolutions to Operators Garlan Brown and Don Smith.
- Recognition of Operators Myra Jackson, Sarah Onopa-Bernal and Tamara Houston.
- Recognition of Finance employees for excellence in accounting.
- General Managers meeting of major transit properties in California.
- Senate Appropriations Subcommittee.
- Customer Survey.
- Muni Fare Share report postponement until September.

4. Chair's Report

Chair Bernson announced a Special Board Meeting August 15, 2002.

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JULY 25, 2002

6. APPROVED ON CONSENT CALENDAR award of three-year firm fixed-price requirements contracts under Bid 02-0206 to the lowest responsive, responsible bidders for **paper products** for an amount not to exceed \$2,633,027, inclusive of sales tax and two one-year options:
 - A. Gale Supply Company for line item 1, windshield towel, for a total contract value of \$36,258;
 - B. Kathco Products for line item 2, "C" fold towel, for a total contract value of \$123,317;
 - C. Empire Cleaning Supply for line item 3, single fold towel, and line item 5, roll towel, for a total contract value of \$270,265; and
 - D. Easterday Janitorial Supply Co. for line item 4, pop-up bonded cellulose wipers, for a total contract value of \$2,204,187.

7. APPROVED ON CONSENT CALENDAR award of a firm fixed-price Contract OP33451146 to ARINC, the highest ranked proposer, to provide a new **Light Rail Supervisory Control and Data Acquisition (SCADA) System** for a period not to exceed five years in the amount of \$8,718,158, inclusive of exercised contract options.

8. APPROVED ON CONSENT CALENDAR:
 - A. a split award on a ten-year Public/Private Partnership, Contract OP33900641A, to Trillium USA, Inc., Salt Lake City, UT, to **design, build, finance and maintain a CNG fueling station** at Division 3, for an amount not to exceed \$12,336,320;
 - B. a split award on a ten-year Public/Private Partnership, Contract OP33900641B, to The Hanover Company, Broken Arrow, OK, to design, build, finance and maintain a CNG

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

fueling station at Division 8, for an amount not to exceed \$14,262,044;

- C. execution of a supplemental Municipal Lease Agreement with GE Capital Public Finance, Inc., Minneapolis, MN, as the lending source for Hanover, in the amount of \$7,092,271, the cost of which is included in the total contract amount shown above in B; and
 - D. negotiation and execution of change orders as required with Trillium and Hanover in an aggregate amount not to exceed \$2,660,000.
9. APPROVED ON CONSENT CALENDAR by a 2/3 vote of the Board:
- A. a finding that the only responsive, responsible bid for **installation of two Robotic Paint Booth Dry Filtration Systems** under Public Utilities Code Section 130233 has been rejected and the equipment installation may be purchased at a lower price on the open market; and
 - B. executing a firm fixed-price contract with Evans and Sons, Inc. for **installation of two Dry Filtration Systems** at the Regional Rebuild Center at a unit price of \$300,000 each with a cumulative total of \$600,000.
10. APPROVED ON CONSENT CALENDAR:
- A. results of the May 18, 2002 Public Hearing; and
 - B. entering into a Service Agreement between the LACMTA and the City of Norwalk-Norwalk Transit System to **transfer operation of a 9.2 mile segment of Line 125** for six years, effective September 1, 2002 through June 30, 2008.

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

11. APPROVED ON CONSENT CALENDAR award of a five-year unit rate contract with EOS Group to provide **ancillary health care services** for the MTA's self-insured Workers' Compensation Claims Program for an amount not to exceed \$12,273,414, inclusive of two one-year options.

12. APPROVED award, and directed staff to report back in one year with status, of a five-year firm fixed-price revenue contract to Viacom Outdoor Group Inc., effective January 1, 2003, for the right to sell and display:
 - A. standard exterior and interior **advertising on the Metro Bus fleet** for a firm fixed revenue price of \$57,900,000, inclusive of three one-year options; and
 - B. wrapped advertising on not more than 100 buses in the Metro Bus fleet for a firm fixed revenue price of \$12,100,000, inclusive of three one-year options.

Total revenue contract amount is \$70,000,000.

13. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a four-year fixed-price unit rate Contract OP39402524 to Dellner Couplers, Inc., the lowest responsive, responsible bidder for the **overhaul of Metro Red Line Heavy Rail Vehicle couplers** for an amount not to exceed \$609,752.

14. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five-year, firm fixed-price contract under Bid 04-0225 to Herman Miller Workplace Resource, the lowest responsive, responsible bidder, to provide **Herman Miller and Geiger Office Furniture components** for an amount not to exceed \$625,000, inclusive of sales tax.

2002 BOARD ACTIONS AND PROCEEDINGS
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16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order 63 to Contract B641, Radio, with Amelco Electric SF, Inc. to settle all **outstanding claims and closeout issues** on Segment 2 Wilshire/Vermont Corridor, Segment 3 North Hollywood and Mid-City Extensions, in the amount of \$775,000, increasing the total contract value from \$18,892,945 to \$19,667,945.

17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order 34 to Contract P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to modify the **destination sign and message systems for the 52 light rail vehicles** currently on order, in the amount of \$245,000, increasing the total contract value from \$214,559,333 to \$214,804,333.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY negotiation and execution of Change Order 38 to Contract P2000, Los Angeles Standard light Rail Vehicle, with Siemens Transportation Systems, Inc. covering MTA performance of various **rework and maintenance overhaul tasks for the 52 light rail vehicles** currently on order, in the credit amount of not less than \$778,800, reducing the total contract value from \$214,559,333 to \$213,780,533.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY authorizing the General Engineering Consultant, Contract E0111, to **perform Segment 3 North Hollywood work** by issuing task orders in an amount not to exceed \$350,000, increasing the current Board authorized total amount from \$13,200,000 to \$13,550,000.

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure to Contract MC058, **resident engineering services**, with URS Corporation to provide funding in the amount of \$306,876, increasing the current amount from \$354,062 to \$660,938.
22. AUTHORIZED ON CONSENT CALENDAR the CEO to:
- A. negotiate and execute Change Order 5 to Contract Work Order 1 to Contract PM022, Project Management Assistance, with URS Corporation to provide **support services** for the Eastside Light Rail Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$2,131,562, increasing the CWO value from \$1,295,956 to \$3,427,518;
 - B. negotiate and execute Change Order 2 to Contract Work Order 3 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Mid-City/Wilshire Bus Rapid Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$109,101, increasing the CWO value from \$123,517 to \$232,618;
 - C. negotiate and execute Change Order 2 to Contract Work Order 6 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for Capital Program Projects from August 1, 2002 to June 30, 2003, for an amount not to exceed \$1,833,107, increasing the CWO value from \$1,183,016 to \$3,016,123;
 - D. negotiate and award Contract Work Order 7 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Exposition Light Rail Transit Project, from August 1, 2002 to June 30, 2003, for an amount not to exceed \$436,476;
 - E. negotiate and execute Change Order 3 to Contract Work Order 2 to Contract PM023, Project Management Assistance, with Carter Burgess, Inc. to provide support services for the San

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

Fernando Valley Bus Rapid Transit Project, from August 1, 2002 to June 30, 2003, for an amount not to exceed \$1,729,152, increasing the CWO value from \$625,544 to \$2,354,696; and

- F. increase the Authorization for Expenditure to Contract Nos. PM022 and PM023, to provide funding for the identified change orders, by an amount not to exceed \$6,239,398, increasing the total AFE amount from \$3,304,151 to \$9,543,549.
24. AUTHORIZED ON CONSENT CALENDAR the CEO and/or his designee to negotiate and execute a **70-year ground lease** between MTA and MJW Investments to lease MTA-owned property at 636 Maple Street for the development and operation of a commercial parking structure.
25. APPROVED execution of an option to extend the term of the existing lease with Downtown Properties, LLC, for a two-year term, effective March 1, 2003, for the lease of 24,074 square feet of **rental space in the 818 West 7th Street Building** for a total base rental payment of \$751,109; all other terms of the existing lease agreement will remain the same.
26. AUTHORIZED ON CONSENT CALENDAR:
- A. selection of the following firms under RFIQ PS-02-5210-13 to participate in the MTA's **Municipal Finance Pool** for a period of five years:
1. Fulbright & Jaworski LLP
 2. Hawkins, Delafield and Wood
 3. Kutak Rock LLP
 4. Law Offices of Samuel Norber
 5. Nixon Peabody LLP

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6. Nossaman, Guthner, Knox and Elliott LLP
7. O'Melveny and Myers LLP
8. Orrick Herrington and Sutcliffe
9. Pillsbury Winthrop LLP
10. Robinson and Pearman LLP

B. the CEO, working through County Counsel, to establish contractual relationships with these firms on behalf of the MTA.

29. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the monthly status report on the implementation of the August 2001 **Booz-Allen Management Audit recommendations.**

30. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the monthly report of **Management Audit Services.**

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

A. AB 2048 (Salinas) – Exempt transit agencies from current videotape storage requirements. Clarifies videotapes or recordings that are evidence, pending litigation until the incident is resolved. Defines routine video monitoring.
SUPPORT

B. AB 2360 (Dutra) – Would implement a competitive grant program for additional funds from the proposed state budget for the Freeway Service Patrol Program. **SUPPORT**

C. SB 1856 (Costa) – Enact the High Speed Train Bond subject to voter approval which would provide for the issuance of \$9 billion in general obligation funds for planning and construction. Would require the Authority to pursue and obtain other private or public funds to augment the bond proceeds. **WORK WITH AUTHOR**

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

32. APPROVED ON CONSENT CALENDAR, contingent upon resolution of any protest, award of a five-year firm fixed-price unit rate contract to LabCorp for **drug testing laboratory services** for an amount not to exceed \$566,710, inclusive of two one-year options.
33. APPROVED ON CONSENT CALENDAR the following revisions to the **MTA Procurement Policies and Procedures Manual**:
- A. add Appendix D, “Listing of Mandatory FTA Flow Down Requirements”;
 - B. authorize the CEO to update Appendix D, “Listing of Mandatory FTA Flow Down Requirements”, to keep current with federal law and regulation changes; and
 - C. incorporate updated policy language providing for clarity in the Check Request processing policy.
- 33. ADOPTED, AS AMENDED BY FASANA, the MTA Security Policy** that provides a high level of security to the MTA customers, employees and property.

FASANA AMENDMENT: MTA seeks to ensure that bus and rail passengers receive the same security services that pedestrians and drivers of passenger or commercial vehicles receive from local law enforcement agencies.

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

37. CLOSED SESSION:

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

1. Hernandez v. MTA, Case No. BC250135

APPROVED settlement in the amount of \$225,000.

2. Yue v. MTA, Case No. BC256256

APPROVED settlement in the amount of \$1 million.

3. Flores v. MTA, Case No. CV-00-12188 CBM

No Report.

4. EMC v. MTA, Case No. BC207617

APPROVED settlement of litigation for payment by MTA of \$1 million on the condition that EMC joint venture receive no net payment until all sub-contractors are satisfied.

5. MTA v. B&M Enterprises, Case No. BC258743

MTA will dismiss the lawsuit in exchange for payment to the MTA of \$400,000.

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

APPROVED final closeout of eight (8) remaining contracts between the MTA and Tutor-Saliba-Perini, other than the contracts that are subject to litigation, for a total final payment of \$12.5 million.

2002 BOARD ACTIONS AND PROCEEDINGS
JULY 25, 2002

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

No Report.

D. Public Employee Performance Evaluation - G.C. 54957:

Chief Executive Officer

No Report.

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

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

No Report.

RECEIVED public comment.

ADJOURNED in memory of Ralph Lauro, DuPont Safety Program
Consultant.

2002 BOARD ACTIONS AND PROCEEDINGS AUGUST 15, 2002

REGULAR BOARD MEETING - August 15, 2002

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

1. APPROVED Consent Calendar Items: 5, 6, 7, 8, 9, 11, 12, 14, and 16

Staff withdrew item 10.

Items 4, 13, 15 and 18 removed from Consent Calendar.

Item 17 forwarded to September Planning and Programming Committee.

2. RECEIVED Chief Executive Officer's Report

- Presented Resolutions to Robert Rodriguez and Tu Phan who won top honors in APTA's Rail Roadeo competition for FY 02.
- Announced the Los Angeles Transportation Summit - "Mobility 21, Los Angeles County Moving Together" scheduled for November.
- Staff to return in September with Revised Bicycle Policy.

3. RECEIVED Chair's Report

- Announced a Blood Drive, in partnership with the Red Cross, to honor the victims on the first anniversary of September 11th attack.
- Kick Off of the Regional EZ Pass with the muni's, going on sale August 25 for \$58.00.

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

4. APPROVED **Minutes** of Regular Board Meeting held July 25, 2002.

5. RECEIVED AND FILED ON CONSENT CALENDAR quarterly report on activities of the **County's Mental Evaluation Team (MET)** in support of regional transit operations.

6. RECEIVED AND FILED ON CONSENT CALENDAR status report on **Safety's First Program and Workers' Compensation** for the period April 2002 through June 2002.

7. APPROVED ON CONSENT CALENDAR execution of a second amendment to Contract No. OP35600906A with Nationwide Environmental Services **to provide power sweeping services for Metro bus facilities and the street running sections of the Metro Blue Line** for an amount not to exceed \$100,000, to extend the term of the contract for a period of four months, increasing the total contract value from \$1,266,335 to \$1,366,335.

8. APPROVED ON CONSENT CALENDAR execution of an amendment to Contract No. OP33443130 with Mitsubishi Electric & Electronics USA, Inc. Elevator/Escalator Division, **to increase the Board authorized contingency for as needed maintenance change orders** and to add funds for upgrade and modernization capital projects for an amount not to exceed \$2,325,000 over the remaining 41 months in the term of the contract, increasing the total contract value from \$10,144,660 to \$12,469,660.

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

9. APPROVED ON CONSENT CALENDAR execution of Change Order No. 6.00 to Contract No. C0652, Division Network Construction Project, with Network Infrastructures Corporation **for additional work at South Bay Service Sector**, Division 18, in the amount of \$155,342 increasing the total contract value from \$2,060,198 to \$2,215,540.

10. WITHDRAWN by staff execution of amendment No. 2 to Contract No. PS-3150-1283 with Innovative Resources Consultant Group, Inc. **to provide team building and organizational assessment services** in the amount of \$200,000 increasing the total contract value from \$161,832 to an amount not to exceed \$361,832.

11. APPROVED ON CONSENT CALENDAR:
 - A. authorizing the Chief Executive Officer to renew policies for the non-contract **Group Insurance Plan**, including medical, dental, life, accidental death and dismemberment and long-term disability coverages for a one-year period beginning January 1, 2003; and
 - B. establishing a straight 90/10, employer/employee, cost-sharing ratio for each plan choice.

12. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to negotiate a three-year unit rate Contract No. PS-5210-1278 **to provide a \$350 million direct-pay letter of credit (LOC)** in support of the tax-exempt commercial paper (TECP) program with:
 - A. The bank team consisting of Bayerische Landesbanke, Westdeutsche Landesbank Girozentrale and Landesbanke Baden-Wurttemberg, the top ranked proposer, for an amount not to exceed \$3,734,750 including legal fees and other related expenses, or;

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

- B. If MTA has not made significant progress in reaching an agreement satisfactory to both parties by October 25, 2002, the MTA may pursue negotiations with the second ranked proposer, the bank team consisting of Landesbank Hessen-Thuringen (Helaba), JPMorgan Chase Bank, Bank of America, BNP Paribas and the Bank of New York, for an amount not to exceed \$4,512,500 including legal fees and other related expenses, and;
- C. execution of the contract and related documentation upon completion of negotiations.

13. APPROVED:

- A. authorizing the Chief Executive Officer to create the position of **Chief of Transit Police** with sworn peace officer status pursuant to Public Utilities Code Section 30504 and California Penal Code Section 830.33; and
- B. adopting a resolution to subject the Chief of Transit Police position to the California Commission on Peace Officer Standards and Training (POST) program, agreeing to adhere to Sections 13510 and 13512 of the Penal Code.

14. AUTHORIZED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:

- A. the Chief Executive Officer to execute **Betterment Agreement No. PCO 130 between the Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA) and the MTA** for an amount not to exceed \$3,111,020, and to purchase:
 - 1. the 30 carborne Automatic Train Protection (ATP) units from Prime Contractor, Kiewit/Washington's subcontractor GE Transportation Systems Global Signaling (GETS GS);

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

2. the installation of 26 carborne ATP units on the MTA's P2000 Light Rail Vehicles (LRV) by Siemens Transportation Systems (STS);
 3. the installation of 52 carborne Train to Wayside Communication (TWC) units, previously procured, on the P2000 LRVs by STS; and
- B. to cancel the MTA's Request For Proposals No. H0250 for the design, delivery, and installation of ATP/TWC equipment.

15. AUTHORIZED:

- A. the Chief Executive Officer to:
1. modify contract OP63301054 with Motorola Corporation to upgrade radio systems for the **ATMS program** and consolidate Freeway Service Patrol's radio system with the MTA's, for an additional cost not to exceed \$12 million;
 2. exercise a contract option to provide for the installation of Automatic Voice Annunciators for an additional cost of \$13,490,321;
 3. negotiate and execute change orders for an amount not to exceed \$2.5 million, for a revised project contingency amount not to exceed \$3.7 million; and
- B. negotiate and execute third party license and co-channel user agreements in an amount not to exceed \$6 million.

The proposed changes in the amount of \$29,190,321 will increase the total contract value from \$70,485,691 to an amount not to exceed \$99,676,012.

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

16. APPROVED ON CONSENT CALENDAR negotiation and execution of a change order with Korve Engineering Inc. to initiate and complete the **Mid-City/Exposition Transit Corridor Final Environmental Impact Statement/ Environmental Impact Report (EIS/EIR)** for an amount not to exceed \$900,000, plus a 10% contingency.
17. FORWARDED TO SEPTEMBER PLANNING AND PROGRAMMING COMMITTEE negotiation and execution of a Cost-Plus-Fixed Fee (CPFF) contract with DMJM+Harris for the **Mid-City/Exposition Light Rail Transit (LRT) Project Preliminary Engineering Design Services** for an amount not to exceed \$16,241,078.
18. APPROVED UNDER RECONSIDERATION:
- A. certifying the Final Environmental Impact Report (FEIR) for the **Mid-City/Westside Transit Corridor, Wilshire BRT Project**;
 - B. adopting the Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring Plan;
 - C. authorizing staff to file a Notice of Determination; and
 - D. authorizing a demonstration and testing program for a dedicated transit lane, subject to the approval of local jurisdictions.
19. CLOSED SESSION:
- A. Public Employee Performance Evaluation - G.C. 54957:
 - 1. Chief Executive Officer

NO REPORT.

2002 BOARD ACTIONS AND PROCEEDINGS
AUGUST 15, 2002

2. Board Secretary

NO REPORT.

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

Agency Negotiators: Roger Snoble and Brenda
Diederichs

Employee Organizations: AFSCME, ATU and Engineers and
Architects Association

NO REPORT.

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

SB1828 (Burton) – Would expand CEQA review in relation to Native American sacred sites and prohibit the issuance of a permit for a project until that review is completed to the satisfaction of the affected native American group. **OPPOSE**

RECEIVED public comment.

**2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002**

SPECIAL BOARD MEETING – September 26, 2002

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

1. APPROVED AS AMENDED HAHN MOTION that in honor of the achievements of Chick Hearn and his contributions to the game of basketball, Los Angeles Lakers, and the City and County of Los Angeles, the Board hereby instructs the MTA staff to immediately establish and properly **designate the Pico station of the Long Beach Metro Blue Line as the “Chick Hearn/Pico Station”**.

2. Public Comment - NONE

2002 BOARD ACTIONS AND PROCEEDINGS SEPTEMBER 26, 2002

REGULAR BOARD MEETING - September 26, 2002

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

4. APPROVED Consent Calendar Items: 2, 8, 10, 12, 13, 14, 17, 18, 19, 20, 30, 31, 35, 36, 37** and 40

** - Requires 2/3 vote of the Board

Items 11 and 33 were pulled from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 6, 7, 16, 22, 24, 25, 26, and 39

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held August 15, 2002.

3. Chief Executive Officer's Report

- Appropriations Update
- Introduction of Michael Koss, Executive Officer for Risk Management and Safety Services
- Bank of America check cashing fee update
- Blood Drive honoring September 11 victims
- Recognition of Martha Welbourne

4. Chair's Report

No Report.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

6. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the annual report on the MTA **Policy for Programming Cost Changes for STIP and Federal/Local Funded State highway Projects.**

7. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the September progress report on the development of the **Short Range Transportation Plan** for FY 04-09.

8. APPROVED ON CONSENT CALENDAR:
 - A. receiving and filing the final report of the **HOV Performance Program Evaluation Report**; and
 - B. adopting the HOV Guiding Principles to guide the operation and development of the countywide freeway High Occupancy Vehicle lanes.

9. APPROVED:
 - A. negotiation and execution of a Cost-Plus-Fixed-Fee (CPFF) contract with DMJM+Harris for the **Mid-City/Exposition Light Rail Transit (LRT) Project Preliminary Engineering Design Services** for an amount not to exceed \$16,241,078; and
 - B. deferring exercise of any contract options for design of below-ground segments pending separate review and approval by the Board.

2002 BOARD ACTIONS AND PROCEEDINGS SEPTEMBER 26, 2002

BURKE AMENDMENT:

That the MTA Board approve the staff recommendation and include the following revisions:

1. As an initial task of the PE study, MTA shall begin with a full evaluation of at-grade segments, at the following locations, and all other intersections in terms of safety in accordance with the PUC process:
 - Exposition/Vermont,
 - Exposition/Normandie,
 - Exposition/Western,
 - Exposition/Crenshaw, and
 - Exposition/La Brea.

Safety mitigations should be priced, and if determined to be necessary in order to solve a problem at an intersection, then design would be authorized by the MTA Board.

2. In order to address the concerns raised by the community east of Figueroa Street, as part of the PE Scope of Work, MTA shall study alternative alignments for a non-revenue connector between Hill Street and Long Beach Avenue.

HELD OVER UNTIL AFTER NOVEMBER 5TH

3. If new sources of funding are specifically identified for an underground segment in the Exposition Park area (e.g., Proposition 51), MTA will immediately seek Board approval to exercise the contract option of conducting PE to define a belowground alternative at University of Southern California/Exposition Park.

FASANA, O'CONNOR & YAROSLAVSKY AMENDMENT:

That once the preliminary engineering contract is finalized, an independent peer review panel be immediately convened to review MTA's design standards and make recommendations to bring the

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

design, engineering and construction costs of this project in line with comparable projects. Participants should include high level project managers from other properties with experience in building cost effective light rail systems and should be familiar with urban traffic and community mitigation issues. The recommendations of the peer review panel should be presented to the MTA Board for review and approval.

Further that the MTA shall use this peer review panel to reassess the entire budget for the Exposition Light Rail line and make recommendations to reduce the cost of this project through value engineering, cost containment and by using the budgets and experiences of comparable light rail systems.

Lastly, that the peer review panel should meet at important milestones during the preliminary engineering of this project and their findings should be presented to the MTA Board for review.

10. APPROVED ON CONSENT CALENDAR:

- A. adopting the **Metro Rapid Five-Year Implementation Plan** report findings and accelerated, phased countywide expansion plan;
- B. setting aside \$92.3 million of future regional funds to complete the Metro Rapid Five-Year Implementation Plan;
- C. amending the FY 2003 Special Revenue budget to include \$3.8 million for Phase II station construction, (funds are included in the FY 2002 Regional TIP); and
- D. authorizing the Chief Executive Officer to negotiate and execute agreements with the local jurisdictions in each corridor so as to expedite deployment of the Five-Year Implementation Plan.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

11. APPROVED AS AMENDED BY MOLINA:
- A. receiving and filing the **Capacity Enhancement/System Preservation Needs Assessment Report**;
 - B. continuing to focus MTA's highway and arterial expenditures on Capacity Enhancement projects due to the large unmet funding need for these types of projects;
 - C. in recognition of the significant need for system preservation (reconstruction, rehabilitation and resurfacing):
 - 1. continuing to allow a system preservation component for capacity enhancing arterial projects funded through the Call for Projects;
 - 2. reducing the Call for Projects Regional Surface Transportation Improvement modal category local match requirement from 35% to 20% making it consistent with the other Call for Projects modal categories;
 - 3. advocating increased federal and state funding for system preservation;
 - 4. providing increased training and assistance to local jurisdictions in accessing funds eligible for both capacity enhancement and system preservation;
 - 5. continuing to work with local jurisdictions to determine ways to assist cities with using Surface Transportation Program-Local funds including potentially developing a brokering program;
 - 6. adding \$5 million in previously reserved Call for Projects funding to the Regional Surface Transportation Improvement modal category in the 2003 Call for Projects; and
 - 7. continuing to work with local jurisdictions to gain a better understanding of the relationship of the effects of deferred

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

system preservation on backlog cost;

- D. amending MTA's Proposition C 10%, 20% and 25% Administrative Guidelines to include the same Maintenance of Effort requirement in the State of California Highway Code, Section 2182.1; and
- E. working with the Study's Steering Committee to identify the feasibility and cost of developing a standardized Los Angeles County Pavement Management System to provide a regional Pavement Condition Index which will allow the region to strongly advocate for additional federal and state funds to address the system preservation funding shortfall.

MOLINA AMENDMENT – Should additional federal Surface Transportation Program funding become available through TEA-21 Reauthorization, MTA will specify a percentage for funding system preservation (rehabilitation, resurfacing, reconstruction – 3R) work along with other potential uses for these funds and create an incentive program to encourage the cities to participate and report back to the Board.

- 12. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute a **Memorandum of Understanding** with the Southern California Regional Rail Authority to design and construct, on behalf of the MTA, 140 replacement parking spaces for the Chatsworth Intermodal Transportation Center Park-and-Ride Expansion Project.
- 13. APPROVED ON CONSENT CALENDAR **establishing Capital Reserve Accounts** for the Cities of Pomona and San Gabriel for Proposition C Local Return funds, so that funding may be used to finance listed projects.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

14. APPROVED ON CONSENT CALENDAR finding the **City of Industry in nonconformance with the Congestion Management Program** for Los Angeles County.

16. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the ten-year forecast of MTA **revenues and expenditures** for fiscal years ending 2003 through 2012.

17. APPROVED ON CONSENT CALENDAR declaring that certain real property located on the southerly side of Humboldt Street between Avenue 18 and Avenue 19 in the City of Los Angeles as **surplus property** and authorized its sale to the City of Los Angeles for \$228,300, subject to the results of an environmental investigation.

18. APPROVED ON CONSENT CALENDAR execution of a **lease agreement** with Arden Realty, Inc., for lease of approximately 9,835 square feet of ground floor office and storage space in a building located at 680 Knox Street, Los Angeles, for a five-year term, with a cancellation option after three (3) years, effective on or before December 1, 2002, for a total base rental amount of \$807,631 plus a pro-rata share of any increases in operating expenses and taxes above the base year.

19. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to work with the California Transit Finance Corporation's (CTFC) financing team to **develop the structure and documentation for the refunding of the CTFC 1992-B Certificates of Participation**, including payments to the CTFC financing team members in accordance with their contractual pricing arrangements.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

20. APPROVED ON CONSENT CALENDAR, SUBJECT TO RESOLUTION OF PROTEST, award of a three-year, firm fixed-price Contract No. PS92101127 to SBC Pacific Bell to **furnish or modify Private Branch Exchange telephone systems** for an amount not to exceed \$2,846,340, inclusive of options for seven additional MTA locations.

22. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY an oral monthly report on the **Gold Line**.

24. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY **audit activities** report from the Office of the Inspector General.

25. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY monthly report of **Management Audit Services**.

26. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY Management Audit's report on **Consent Decree costs**.

27. APPROVED:

A. the \$3.854 million of **Proposition C 40% funds** be programmed to the Universal Fare System (UFS) project for implementation of the Regional UFS program for participating local and municipal operators; and

B. establishing a taskforce including representation from Municipal Operators to re-evaluate a more efficient and equitable system for all regional funding.

(Clarification: Funds will be allotted to any operator in the county who wishes to participate, in the order of participation).

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

28. APPROVED an **Oppose** position on **state legislation Bill AB 1677** (Koretz) which would require a mandatory 30-minute meal period after five hours of work; mandatory ten minutes of rest for each four hours of work; and, compensation for that time at premium pay and a penalty if the meal and rest periods are not provided within the time frames.

29. ADOPTED AS AMENDED BY BURKE:

A. revised list of Los Angeles County projects for Reauthorization of Transportation Equity Act for the 21st Century (**TEA-21**); and

B. revisions to the Los Angeles County Principles for Reauthorization General Principles.

BURKE AMENDMENT – that the MTA Board include in its list of T-21/ISTEA Reauthorization under the category of “**Other Supported** Projects” the request for funding to revive the Metro Red Line western extension engineering, geological investigation and environmental clearances and seek removal of federal and local prohibitions. (Action does not interfere with the Exposition Line funding).

30. APPROVED ON CONSENT CALENDAR:

A. revisions to the **MTA Records Management Policy and Records Retention Schedule**; and

B. the Chief Executive Officer administering the Records Management Policy, including the records retention schedule, for the purpose of adding and defining new document categories and extending the terms of retention for categories and documents.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

31. APPROVED ON CONSENT CALENDAR award of a two-year firm fixed unit-rate Contract No. PS026240154, to Employee Support Systems Company for **Employee Assistance Program services** for MTA employees and their immediate families, for an amount not to exceed \$416,107.
33. ADOPTED the **revised Bike on Rail Policy**.
34. RECEIVED AND FILED, with staff to report back in November:
- Option 2 – Continuation of **Access Services** as the countywide, centralized administrative broker of services that are competitively contracted in services areas; **OR**
- Option 3 – Contracting the management of the brokerage function to one firm, which in turn would subcontract for the operation of services. This alternative would replace the public employees at Access Services with those of a private management firm and give that firm the ability to select service operators.
35. APPROVED ON CONSENT CALENDAR modifications to existing **Interagency Agreement** No. C-9-9167 between MTA and Orange County Transportation Authority to include acceptance of each agency's monthly passes effective November 1, 2002 on ten Orange County Transportation Authority lines into Los Angeles and six MTA lines into Orange County.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

36. APPROVED ON CONSENT CALENDAR:
- A. approving and certifying the **Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 3 Expansion and Modification of the Compressed Natural Gas (CNG) Fueling Facility Project;**
 - B. approving the Bus Division 3 CNG Expansion and Modification Project;
 - C. adopting the recommended Mitigation Monitoring and Reporting Program (MMRP) for the IS/MND; and
 - D. filing a Notice of Determination of the IS/MND with the Los Angeles County Clerk.
37. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that awarding design/build contracts pursuant to Public Utilities Code Section 130242(a) 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; 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).
39. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a fixed unit-rate contract to Analysts Inc., the lowest responsive, responsible bidder, to provide **fluid analysis for bus engine motors, transmissions and rail gear box oils** for a period up to 36 months, for a total contract value of \$243,780, effective October 1, 2002.

2002 BOARD ACTIONS AND PROCEEDINGS
SEPTEMBER 26, 2002

40. APPROVED ON CONSENT CALENDAR execution of Amendment No. 1 to Contract OP3630-5318R with Waste Management, Inc. to provide increased **portable toilet services** for ten current layover sites, the Pasadena Gold Line opening ceremonies, and other unanticipated special events and emergency requests for an amount not to exceed \$150,185 through October 2003, increasing the total contract value from \$139,152 to \$289,337.
42. APPROVED AS AMENDED BY MOLINA/HAHN proposed **policy creating the Service Sector Governance Councils.**
43. APPROVED AS AMENDED BY MOLINA/HAHN the proposed **bylaws** that are to be used uniformly by all Service Sector Councils.

MOLINA/HAHN AMENDMENT – that the Board amend the policy creating the Service Sector Governance Councils and the Council Bylaws to require that at least fifty percent of Council members be consumers of transit services and that they live or work in the area.

Additional amendments approved:

1. Bylaws Article VII, Authority, 2nd sentence – The Council’s authority ~~shall~~ **will** include ~~but not be limited to...~~
2. Bylaws Article V, Meetings, Item B – “...Council meetings ~~are limited to no more than two meetings a month and shall be conducted pursuant to Roberts’ Rules of Order~~”.
3. Bylaws Article VI, Amendments, last sentence – “Any amendments to the Bylaws are subject to ~~Sector General Manager and~~ MTA Board approval”.

2002 BOARD ACTIONS AND PROCEEDINGS
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4. Bylaws Article II, Item A Composition, 3rd sentence – “retaining structures already in place and may request **‘from the MTA Board’** a change...”.
5. Bylaws Article II, Item A Composition, last sentence – “MTA Board Members **and employees** are...”
6. Bylaws Article V, Meetings, move Item D, Code of Conduct to Article II: Membership.
7. Bylaws Article V, Meetings, Item H Stipend (will become Item G when action in No. 6 is completed) – “...will be paid a stipend, **for a maximum of two meetings per month**, in an amount determined by the MTA Board”.

(Amendments apply to Service Sector Policy and Bylaws.)

44. AUTHORIZED the Chief Executive Officer to execute a successor **Collective Bargaining Agreement** with the American Federation of State, County and Municipal Employees (AFSCME), Local 3634 and Local 3150 effective April 1, 2001.
45. ADOPTED an **Oppose position on Proposition 51** for the November ballot.
46. CLOSED SESSION:
 - A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):
 1. Lawson v. MTA, Case No. SC 064970

APPROVED settlement in the amount of \$650,000.

2002 BOARD ACTIONS AND PROCEEDINGS
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2. Flores v. MTA, Case No. 00-12188 CBM

No Report.

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

(One Case)

No Report.

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

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

No Report.

D. Public Employee Performance Evaluation - G.C. 54957:

Board Secretary

No Report.

2002 BOARD ACTIONS AND PROCEEDINGS OCTOBER 24, 2002

REGULAR BOARD MEETING - October 24, 2002

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

5. APPROVED Consent Calendar Items: 2, 7, 8, 11, 12, 17, 18, 23, and 25**

** - Requires 2/3 vote of the Board

Item 24 removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 22, 27, 28, 30 and 31

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting and Special Board meeting held September 26, 2002.
3. RECEIVED Chair's Report
- Presented of Plaques of Appreciation to MTA and Metrolink Station Cities.
4. RECEIVED Chief Executive Officer's Report
- "Mobility 21, Los Angeles County Moving Together"

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

7. ADOPTED ON CONSENT CALENDAR a resolution recommending to the Governor of the State of California that the Southern California Association of Governments (SCAG) be identified as the designated recipient to receive and dispense federal **Urbanized Area (UZA) Formula Funds** for the new Lancaster/Palmdale UZA with population over 200,000, according to Federal Transit Administration requirements.

8. APPROVED ON CONSENT CALENDAR:
 - A. award of five (5) firm fixed-price contracts under Bench Solicitation PS-4230-1155, to Cambridge Systematics, Inc., Fennessy Associates, Manuel Padron & Associates, Inc., Parsons Transportation Group, Inc., and PB Consult Inc, for **Professional Services Bench** for a cumulative total amount not to exceed \$750,000. The period of performance will be five years, inclusive of two one-year options;

 - B. execution of task orders under these contracts for **Transportation Demand Modeling** for a total amount not to exceed \$750,000 for a five-year period of performance.

11. APPROVED ON CONSENT CALENDAR execution of Change Order No. 42.00 to Contract No. C0390, Ancillary Construction and Maintenance on **Segment 3, North Hollywood Extension**, with Steiny and Company, Inc., in the credit amount of \$836,134, decreasing the total contract value from \$17,857,211 to \$17,021,077.

12. REAFFIRMED ON CONSENT CALENDAR the Chief Executive Officer's delegation to execute a contract with the technically acceptable lowest priced, responsive, responsible bidder for **design and construction of the San Fernando Valley East-West Corridor Bus Rapid Transit Project**.

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

14. APPROVED AS AMENDED BY YAROSLAVSKY award of a five-year firm fixed price Contract No. PS-0532-1235, to Aon Risk Services, Incorporated for:
- A. Phase 1 of the **Construction Insurance Brokerage services** administering marketing services in the amount of \$65,255 effective November 1, 2002; and
 - B. ~~contingent on the successful completion of Phase 1, authorize the Chief Executive Officer to exercise the option for Construction Insurance Implementation and Program Administration (Phase 2) in an amount not to exceed \$1,014,594, for a total contract value not to exceed \$1,079,819.~~
16. ADOPTED a resolution authorizing the **issuance of the California Transit Financing Corporation 2002 refunding certificates** and approved documents for the negotiated sale of the certificates by UBS Paine Webber.
17. APPROVED ON CONSENT CALENDAR strategies for locking in the potential savings from refunding up to \$537 million of outstanding **Proposition A 1993-A bonds** by authorizing the Chief Executive Officer to:
- A. appoint UBS Paine Webber as the book-running co-senior managing underwriter and Salomon Smith Barney as co-senior managing underwriter, along with underwriting syndicate member firms, to price and deliver the Proposition A 2003-A refunding bonds using a forward delivery agreement in a negotiated bond sale and establish a minority participation goal of 20%; and
 - B. direct the MTA's financial advisor to prepare bid specifications, documentation, and competitively select a firm to provide a hedge against changes in interest rates.

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

18. APPROVED ON CONSENT CALENDAR:
- A. negotiation and execution of a **defeased lease transaction** for up to 800 NABI buses and up to 362 New Flyer buses with Philip Morris Capital Corporation as the equity investor;
 - B. payment of fees and transaction expenses not to exceed .66% of the appraised value of the vehicles; and
 - C. a resolution authorizing the lease to service contract defeased lease transaction for up to 1,162 buses.
22. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY **Contractor Debarment and Suspension Ordinance** for formal adoption of the same at the next Board meeting.
23. ADOPTED ON CONSENT CALENDAR the updated **MTA Debt Policy**.
24. AUTHORIZED the Chief Executive Officer to award a six-year contract No. MC066, to Ed Wundram, dba The Design Build Consulting Group, to be the Design/Build manager for the **Eastside Light Rail Transit Project** for an amount not to exceed \$1,059,840 for Design/Build Advisory Panel services.
25. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. finding that purchase of the multi-media mobile theater vehicle 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 and enhanced safety outreach program through the

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

use of a mobile unit to the population along the Metro Blue and Gold Lines. The Board hereby authorizes the procurement of the **Multi-Media Mobile Theater and Tractor** pursuant to PUC Section 130236, to be used to provide the safety outreach and to conduct such operational testing and evaluation as is necessary to assess the performance for the intended purpose; and

- B. authorizing the Chief Executive Officer to award a firm fixed price contract to Provision Entertainment, Incorporated for a used Multi-Media Mobile Theater and Tractor for a total price not to exceed \$400,340, exclusive of sales tax.
27. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY report on maintenance of **El Monte Station**.
28. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY report for the **procurement of vehicles and facilities pest control services**, as immediate remedial measures.
30. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an amendment to Contract No. OP33440807 with XLNT Tint, **to increase frequency of replacing etched glass panel graffiti guard film**, for an amount not to exceed \$250,000 over the remaining 20 months of the term of the contract, increasing the total contract value from \$236,665 to \$486,665.
31. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of an amendment to Contract No. OP33440808 with Acme Glass & Mirror, **to replace damaged glass panels at Metro transit stations** for an amount not to exceed \$330,000 over the remaining 20 months of the term of the contract, increasing the total contract value from \$298,489 to \$628,489.

2002 BOARD ACTIONS AND PROCEEDINGS
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32. CARRIED OVER: ASSUMPTION AND AUTHORIZATION of payment of **Union Station Gateway's financial obligations** related to the remediation of the Gibson Environmental, Inc. Site in Bakersfield.
33. APPROVED new capital budget in the amount of \$3,355,090 for project 800115, **Universal City Station** site enhancements to cover construction and related administrative costs as shown below (excluding element c – project contingency of \$167,910):

ELEMENT	LINE ITEM	BUDGET	COMMENTS
T - Construction	1 - Guideway / Structures	\$2,621,190	Bid price with options (*) plus 10% contingency
	3 - Hazardous Material Handling	\$10,000	Allowance only
	7 - Systemwide Equipment	\$0	None
	9 - Testing and Operations	\$0	None
	10 - OCIP Administration	\$0	Contractor provides own insurance
S - Professional Services	11 - General Engineering	\$20,000	Support during construction and as-built drawing review
	12 - Construction Management	\$200,000	Office Engr., Surveyors, Secretary
	13 - Specialty Services	\$50,000	Environmental monitoring & verification testing
	19 - Project Administration	\$253,900	MTA Agency cost for duration of contract and closeout
F - Utility/Force Accounts	23 - Utility / Force Accounts	\$200,000	City of Los Angeles scope of work
C - Project Contingency	24 - Project Contingency	\$167,910	-5% of total cost
	TOTAL	\$3,523,000	
		\$ 3, 355,090	

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

34. REFERRED TO THE SERVICE SECTOR AD HOC COMMITTEE: the San Gabriel Valley Coalition of Governments' recommendation to:

A. Nominate the following to serve on the **San Gabriel Valley Service Sector Council**:

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

B. increase the allowed membership on the San Gabriel Service Sector Council from 9 to 14.

35. RECEIVED AND FILED report outlining the MTA's participation in the California Child Safety **AMBER Network** for the safe and rapid recovery of abducted children.

36. CLOSED SESSION:

A. Public Employee Performance Evaluation – G.C. 54957

Board Secretary

APPROVED reclassification of the Board Secretary position from Grade N to Grade O.

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

1. Briot v. MTA, BC260158

APPROVED settlement in the amount of \$3 million.

**2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002**

6. Forgia v. MTA, BC260246

APPROVED settlement in the amount of \$600,000.

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

NO REPORT.

C. Conference with Legal Counsel – Anticipated Litigation

1. Significant exposure to litigation - G.C. 54956.9(b)

Two Cases

First Case - NO REPORT.

Second Case - APPROVED partial settlement and mutual waiver of damage claims with Siemens related to the P2000 cars.

2. Initiation of litigation – G.C. 54956.9(c)

One Case

NO REPORT.

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

Negotiator: Velma Marshall

1. APPROVED **Just compensation** for the following parcels and authorized the Chief Executive Officer to make an offer to the owner(s) of record to acquire the parcels for the Eastside Light Rail Transit Project and to pay relocation benefits pursuant to federal and state regulations.

**2002 BOARD ACTIONS AND PROCEEDINGS
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Parcel No.	Owner	Address
ES-549	Jose Morales, Jr.	2316 – 2318 East First Street, Los Angeles
ES-550	Beatrice Lopez	2322-2324 East First Street, Los Angeles
ES-551	Angel M. Becerra, et al.	111-112 ½ S. Soto Street, Los Angeles
ES-553	Philip George, Marilyn Kiralla, & Cheryl Dickinson	2400 – 2412 East First Street, Los Angeles
ES-554	Gabriel & Cecilia Lopez and Gabriela Lopez	119 S. Soto Street, Los Angeles
ES-555	Saturnino & Amelia Astorga	121-123 S. Soto Street, Los Angeles

ALSO, instructed property negotiators regarding fair compensation for properties related to the Eastside Light Rail Transit Project.

2. APPROVED **Just compensation** for the following parcels and authorized the Chief Executive Officer to make an offer to the owner(s) of record to acquire the parcels for the San Fernando Valley Bus Rapid Transit Project and to pay relocation benefits pursuant to federal and state regulations.

Parcel No.	Owner	Address
102	Victory Associates	21045 –21059 Victory Boulevard, Canoga Park
1801	Peter Banduraga, et.al	6050 Van Nuys Boulevard, Los Angeles
1813	Errol & Marilyn D. Segal Living Trust	14300 Bessemer Street, Los Angeles
2202	Julia Haviland	5546 – 5552 Fulton Avenue, Sherman Oaks

2002 BOARD ACTIONS AND PROCEEDINGS
OCTOBER 24, 2002

ALSO, instructed property negotiators regarding fair compensation for properties related to the San Fernando Valley Bus Rapid Transit Project.

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

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

NO REPORT.

RECEIVED public comment.

**2002 BOARD ACTIONS AND PROCEEDINGS
DECEMBER 12, 2002**

REGULAR BOARD MEETING - December 12, 2002

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

8. APPROVED Consent Calendar Items: 2, 9**, 10, 17, 18, 19, 21, 25, 27, 33, 34, 35, 41, 43, 44, 45, 46, 47

** - Requires 2/3 vote of the Board

Items 20, 36, 40 and 42 were removed from Consent Calendar.

NOTED COMMITTEE AUTHORITY ITEMS: 11, 12, 13, 15, 16, 24, 31, 39

2. APPROVED ON CONSENT CALENDAR **Minutes** of regular meeting held October 24, 2002.
3. Chair's Report
- Presented resolution to retiring Board Recording Secretary, Rhodona Enright.
4. Chief Executive Officer's Report
- Presented report on Transportation Funding Impacts of the Governor's mid-year spending reduction.
 - Rapid Bus ride with Director Hahn
5. ADOPTED the **Contractor Debarment and Suspension Ordinance**.

2002 BOARD ACTIONS AND PROCEEDINGS
DECEMBER 12, 2002

6. AUTHORIZED the Chief Executive Officer to execute the addendum to the **1991 Master Cooperative Agreement with the City of Los Angeles**, which incorporates future Bus and Rail Transit Projects and the use of Design/Build contracts.

7. CARRIED OVER TO THE NEXT BOARD MEETING execution of a **Master Cooperative Agreement** that specifies the roles, responsibilities, and procedures that MTA and CALTRANS will follow in planning, designing and constructing Major Capital (bus and rail) Transit Projects that impact the State Highway system.

8. CARRIED OVER TO THE NEXT BOARD MEETING execution of a **Design Supplemental Cooperative Agreement** that specifies detailed responsibilities and procedures which MTA and CALTRANS will follow in planning and designing the Light Rail Vehicle bridge over the 101 Freeway at Union Station in conjunction with CALTRANS Freeway improvements.

9. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
 - A. finding that awarding design/build contracts pursuant to Public Utilities Code Section 130242(a) 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 as defined by the list of projects; 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).

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10. APPROVED ON CONSENT CALENDAR an increase in **Los Angeles Rail Car** project budget in the amount of \$13,895,329 increasing the total project budget from \$201,400,000 to \$215,295,329.

11. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
 - A. execution of Change Order No. 137 to Contract No. CO326, Universal City Station Freeway Overcrossing and Site Restoration, with Brutoco Engineering and Construction, Inc. to **add gravel backfill** for Mechanically Stabilized Earth retaining walls in the amount of \$406,992 and **delete sand backfill** in the credit amount of \$125,292 for a net amount of \$281,700, increasing the total contract value from \$35,387,126 to \$35,668,826; and
 - B. an increase in the Authorization for Expenditure in the amount of \$281,700, increasing the AFE from \$36,626,816 to \$36,908,516.

12. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 35 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to **replace existing passenger seat upholstery** on 26 of the 52 Light Rail Vehicles in the amount of \$225,000 increasing the total contract value from \$214,559,333 to \$214,784,333.

13. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 39 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to **modify the propulsion system for the 52 Light Rail Vehicles** in the amount of \$593,278 increasing the total contract value from \$214,559,333 to \$215,152,611.

2002 BOARD ACTIONS AND PROCEEDINGS
DECEMBER 12, 2002

15. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE AUTHORITY status report on the completion of the **Los Angeles/Ventura Advanced Traveler Information System development.**

16. RECEIVED AND FILED UNDER PLANNING & PROGRAMMING COMMITTEE AUTHORITY MTA's **Joint Development Work Program.**

17. APPROVED ON CONSENT CALENDAR adoption of the **Conceptual Development Guidelines** for the MTA's Metro Red Line Westlake/MacArthur Park Station joint development site.

18. APPROVED ON CONSENT CALENDAR extending the **Exclusive Negotiation Agreement** with Wilshire Entertainment Center, LLC for 90 days for the development of approximately 2.34 acres of MTA-owned properties located at the Metro Red Line Wilshire/Western Station.

19. APPROVED ON CONSENT CALENDAR finding that 88 jurisdictions are in conformance with the **Congestion Management Program** for Los Angeles County and determining that the City of Industry remains in non-conformance.

20. APPROVED AS AMENDED BY YAROSLAVSKY proceeding with the **2003 Call for Projects Application Package** and authorized the CEO to suspend the Call at his discretion as more information becomes available.

2002 BOARD ACTIONS AND PROCEEDINGS
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21. APPROVED ON CONSENT CALENDAR:
- A. ratifying the work completed for Contract No. PS-4340-0667 with Parsons Brinckerhoff Quade & Douglas, Inc. for **increased level of effort relating to modeling** for an amount not to exceed \$147,942; and
 - B. authorizing the Chief Executive Officer to negotiate and execute Amendment No. 1 to Contract No. PS-4340-0667 with Parsons Brinckerhoff Quade & Douglas, Inc., increasing the cost by an amount not to exceed \$215,559 (\$147,942 for ratification above and \$67,617 for future additional work) increasing the total contract value from \$3,684,330 to \$3,899,889 AND extending the contract term to December 31, 2003.
24. RECEIVED AND FILED UNDER FINANCE & BUDGET COMMITTEE AUTHORITY quarterly update on **Capital Plan**.
25. APPROVED ON CONSENT CALENDAR award of five-year fixed rate contracts to:
- A. Banc of America Capital Management, LLC PS0252101279A
 - B. LM Capital Group, LLC PS0252101279B
 - C. Pacific Investment Management Co., LLC PS0252101279C
- for **investment management services** effective January 1, 2003 for an amount not to exceed \$4,000,000.

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26. APPROVED execution of strategies for locking in refunding savings by adopting resolutions to:
- A. price and deliver \$560 million of the **Prop A 2003-A refunding bonds**, including approval of documents on file with the Board Secretary, using a forward delivery agreement in a negotiated bond sale with an 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;
 - B. enter into a hedging agreement utilizing a rate lock product to mitigate interest rate risk; and
 - C. enter into a hedging agreement utilizing an interest rate swap to mitigate interest rate risk.

Adoption of these resolutions does not commit the MTA to executing any of the transactions.

27. APPROVED ON CONSENT CALENDAR Hudson Motion that the Finance & Budget Committee reaffirm the committee summary/description as accurately reflecting the scope of **responsibility of the Finance & Budget Committee** to:

Act as focal point for development, review and approval of MTA funding resources, debt structure and expenditures. Review and approve annual operating and capital budgets, formula allocations, financial plan, mid-year budget and financial structure adjustments, and provide guidance to the Board in management of funds.

2002 BOARD ACTIONS AND PROCEEDINGS
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31. RECEIVED AND FILED UNDER EXECUTIVE MANAGEMENT & AUDIT COMMITTEE AUTHORITY **2002 Legislative Matrix.**

32. APPROVED AS AMENDED BY BURKE AND YAROSLAVSKY AWARD OF a ~~six-year~~ **two year contract with a two-year renewal followed by two one-year renewals and a 30-day cancellation clause** covering professional services contract to Patton Boggs, LLP for **federal legislative advocacy services** beginning January 1, 2003, ~~in the amount of \$3,000,000, inclusive of two one-year options.~~

33. APPROVED ON CONSENT CALENDAR award of a six-year professional services contract to Capital Representation Group for **state legislative advocacy services** beginning January 1, 2003 for an amount not to exceed \$1,287,051 inclusive of two one-year options.

34. APPROVED ON CONSENT CALENDAR execution of a Memorandum of Understanding with the Riverside County Transportation Commission for **rideshare development and support services** for Los Angeles County during the second half of FY03 and FY04 for a total amount not to exceed \$625,000.

35. APPROVED ON CONSENT CALENDAR adoption of the proposed policy for the **expedited procurement of communications media.**

36. APPROVED UNDER RECONSIDERATION AS AMENDED BY YOH **that the research program include evaluation of both public demand for varying levels of transit services and the needs of differing market segments:**

2002 BOARD ACTIONS AND PROCEEDINGS
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- A. award of a six (6) five-year contracts for firm fixed-price task orders under Bench Solicitation PS-7140-1285 to the Applied Management & Planning Group, CDSNet, Inc., the Howell Research Group, Nelson/Nygaard Consulting Associates, MSI International and the Strategic Consulting and Research Group, for professional services effective December 1, 2002, for a cumulative total not to exceed \$1,477,000, inclusive of two one-year options; and
- B. authorizing the Chief Executive Officer to execute Task Orders under these contracts for **Market Research Services**, for a total amount not to exceed \$1,477,000 over a 5-year period.
39. RECEIVED AND FILED UNDER OPERATIONS COMMITTEE AUTHORITY status report on the **Safety's First program and workers' compensation** for the one-year period October 2001 through September 2002.
40. APPROVED:
- A. scheduling Wednesday, January 15 and Saturday, January 25, 2003 as **public hearing** dates to receive public comment on the following service changes proposed for implementation in the Metro San Fernando Valley and San Gabriel Valley Sectors:
- Proposed Bus/Rail Interface Plan for Pasadena Gold Line
 - New Limited Stop Service
 - Other Service changes
- B. publishing the Public Hearing Notice; and
- C. designating the Chief Executive Officer, or appointees, as the Public Hearing Officers to receive public testimony on these matters.

2002 BOARD ACTIONS AND PROCEEDINGS
DECEMBER 12, 2002

APPROVED possible scheduling of public hearing(s) in the Metro Gateway Cities, Westside/Central and South Bay service sectors in January, 2003.

41. APPROVED ON CONSENT CALENDAR:
- A. certification of the Initial Study/Mitigated Negative Declaration (IS/MND) for the **Division 8 Compressed Natural Gas Fueling Facility upgrade** to increase CNG fueling capacity;
 - B. Division 8 CNG station upgrade;
 - C. adoption of the recommended Mitigation Monitoring and Reporting Program for the IS/MND; and
 - D. staff filing a Notice of Determination of the IS/MND with the Los Angeles County Clerk.
42. APPROVED:
- A. amending the FY03 budget to increase the budget for **Access Services** by \$5,000,000 for a maximum MTA funding of \$63,601,051;
 - B. establishing \$61,800,000 as the FY04 budget for Access Services and approving FY04 Paratransit Plan principles;
 - C. retaining Access Services as the provider of complementary paratransit services as required by the Americans with Disabilities Act;
 - D. adopting the Certificate of Resolution that will allow the MTA to become a member agency of Access Services; and

2002 BOARD ACTIONS AND PROCEEDINGS
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- E. authorizing the Chief Executive Officer to take action to seek MTA representation on the Access Services Board of Directors and appoint staff to fill that position.
43. APPROVED ON CONSENT CALENDAR award of a five-year firm fixed unit-rate Contract No. OP-3120-4009 to Island Environmental Services for **liquid waste disposal services** effective January 1, 2003, for an amount not to exceed \$3,282,282 inclusive of two one-year options.
44. APPROVED ON CONSENT CALENDAR award of a five-year firm-fixed unit-rate Contract No. OP33440662 to Nationwide Environmental Services, the most responsive, responsible bidder to provide **power sweeping services** for Metro transit facilities and the street running sections of the Metro Blue Line for an amount not to exceed \$2,129,032 inclusive of two one-year options and a 10% contingency fund of \$212,903 for as-needed services, for a total contract value not to exceed \$2,341,935, subject to resolution of protest.
45. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract under Bid 08-0223 to Burch Ford, the lowest responsive, responsible bidder for nine 2003 **utility trucks** for a total price of \$428,621, inclusive of sales tax.
46. APPROVED ON CONSENT CALENDAR YAROSLAVSKY/BURKE MOTION that the MTA work with the preliminary engineering consultant to immediately **convene a peer review panel to assess the design specs and standards for the Expo line**. MTA staff should report back during the January committee cycle on the progress made by the peer review panel and the panel's

**2002 BOARD ACTIONS AND PROCEEDINGS
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recommendations should be presented to the MTA Board and incorporated into the preliminary engineering.

ALSO APPROVED MTA staff looking at the internal structures of other transit properties that have built successful design/build rail lines and report back to the Board on internal changes that can be made to better implement design/build projects in the future.

ALSO APPROVED no new RFPs for consultants or professional services contractors for the Expo line be developed or issued without approval by the MTA Board.

47. APPROVED ON CONSENT CALENDAR the City of La Canada Flintridge's request to **change the city's membership** from the San Fernando Valley Service Sector to the San Gabriel Valley Sector.
48. APPROVED Service Sector Council **nomination process** for incorporation into the Service Sector Governance Policy, eliminating the Selection and Review Committees.
49. APPROVED South Bay Cities Coalition of Governments' recommendation to nominate the following to serve on the **South Bay Sector Governance Council**:

<u>Submitted by:</u>	<u>Name</u>
Inglewood Mayor Dorn	Curren Price
MAX	John McTaggard
PV Transit	Jim Hendrickson
Torrance Transit	Teresa Price
Council member Janice Hahn	Lou Mitchell
City of Carson	Margaret Hudson
Supervisors Burke & Knabe	Howard Sachar

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50. CARRIED OVER TO THE NEXT BOARD MEETING the San Gabriel Valley Coalition of Governments' recommendation to:

- 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.)

51. ASSUMED AND AUTHORIZED payment of **Union Station Gateway's financial obligations** related to the remediation of the Gibson Environmental, Inc. site in Bakersfield.

52. AUTHORIZED the Chief Executive Officer to enter into an agreement with the Los Angeles Unified School District (LAUSD) to initiate design and environmental work to **reconfigure Ramona Opportunity High School** as stated in the Mitigation Monitoring Plan (MMP) for the Eastside Light Rail Transit Project, and to include the Basic Terms and Agreements for a Memorandum of Agreement between the LAUSD and MTA.

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53. APPROVED AS AMENDED BY YAROSLAVSKY authorization for the Chief Executive Officer to negotiate and execute:
- A. Interim Contract No. PS2610LASD with the County of Los Angeles for Los Angeles County Sheriff Department **transit policing services** for a period of performance not to exceed **two months** beginning December 1, 2002, for a contract value not to exceed \$3,510,983; and
 - B. Interim Contract No. PS2610LAPD with the City of Los Angeles for Los Angeles Police Department transit policing services for a period of performance not to exceed **two months** beginning November 23, 2002, for a contract value not to exceed \$4,788,409.
54. CLOSED SESSION:
- A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):
 - 1. Labor/Community Strategy Center v. MTA CV94-5936 TJH

NO REPORT.
 - B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9 (b):

One case

NO REPORT.
 - C. Initiation of litigation – G.C. 54956.9(c)

One Case (Grand Central Square)

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The Board approved restructuring of financial agreement under which Grand Central Square is financed.

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.

RECEIVED public comment.