

RECAP
BOARD AGENDA
MAY 23, 2002

Item 1 Consent Calendar Approved

APPROVE Consent Calendar Items: 2, 9**, 29, 31, 32, 33, 34,
and 35

ITEMS 23, 30 & 36 Pulled from Consent Calendar

** - Requires 2/3 vote of the Board

NOTED COMMITTEE AUTHORITY ITEMS: 11, 12 and 14

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 2 Consent Calendar Approved

APPROVE Minutes of Regular Board Meeting held April 25, 2002
and Special Board Meeting held on May 13, 2002.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES

Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 3 Received

Chief Executive Officer's Report

Requested Special Board meeting for labor issues.

Present	HUDSON
Present	PROO
Present	O'CONNOR
Present	MOLINA
Present	ANTONOVICH
Present	KNABE
Present	FASANA
Absent	HAHN
Absent	YAROSLAVSKY
Present	BERNSON
Present	BURKE
Present	YOH
Absent	ROBERTS
Present	SASSAMAN

Item 4 Received

Chair's Report

- Presentation of Resolution to retiring Ex Officio Board Member Robert Sassaman.
- Appointed Ad Hoc Committee for start up of Gold Line: Directors Molina & Roberts representing MTA and 2 Gold Line appointees.

- Adjournment of meeting in Memory of LASD Deputy David March.

Present	HUDSON
Present	PROO
Present	O'CONNOR
Present	MOLINA
Present	ANTONOVICH
Present	KNABE
Present	FASANA
Absent	HAHN
Absent	YAROSLAVSKY
Present	BERNSON
Present	BURKE
Present	YOH
Absent	ROBERTS
Present	SASSAMAN

Item 5 Approved as Amended

ADOPT 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

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 9 Approved on Consent Calendar by a 2/3 vote

OPERATIONS COMMITTEE RECOMMENDED (4-0):

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

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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES

Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 11 Noted

APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 12 Noted

APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 14 Noted

APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (5-0), 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 \$214,890,246 \$214,552,446 to \$215,190,246 \$214,852,446; and

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.

Present	HUDSON	YES
Present	PROO	CON
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	CON
Absent	YAROSLAVSKY	
Present	BERNSON	CON
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 16 Approved

FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED BY BURKE adoption of:

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

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 17 Approved

FINANCE AND BUDGET COMMITTEE RECOMMENDED APPROVAL (4-0-1) OF REVISED FASANA MOTION that Propositions A & C revenues should be taken off the top for the administration of Propositions A & C programs. Furthermore, Propositions A & C and operational expenditures should be expended from appropriate eligible Propositions A & C allocations.

A. that funds taken off the top for the administration of Propositions A & 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 & 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 & C administrative funds.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Absent	MOLINA	
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 23 Items A, B & D Approved; Item C carried over with no position

Adopting the following positions on state legislation:

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.

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.

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

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Present	ROBERTS	YES
Absent	SASSAMAN	

Item 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Absent	ANTONOVICH	
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Absent	BERNSON	
Present	BURKE	YES
Present	YOH	YES
Present	ROBERTS	YES
Absent	SASSAMAN	

2. Lee v. MTA, Case No. BC237857

Approved settlement in the amount of \$2.4 million.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Absent	ANTONOVICH	
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES

Present	ROBERTS	YES
Absent	SASSAMAN	

3. Burbank v. MTA, Case No. PC035498

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

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Absent	ANTONOVICH	
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Present	ROBERTS	YES
Absent	SASSAMAN	

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

No Report

5. Mangrove Estate v. MTA, BC271206

No Report

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

1. Chief Executive Officer
2. Chief Ethics Officer/Manager

No Report

Item 28 Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0)
APPROVAL AS AMENDED BY MOLINA:

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-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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 29 Consent Calendar Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0)
approval of 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 30 Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0-1)
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

C. Parsons Brinckerhoff Quade & Douglas, Inc. (Contract No. PS-4340-1239) for the amount of \$485,000 for project package 4.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	CON
Present	ANTONOVICH	CON
Present	KNABE	CON
Present	FASANA	YES
Absent	HAHN	CON
Present	YAROSLAVSKY	YES
Present	BERNSON	CON
Absent	BURKE	CON
Present	YOH	YES
Present	ROBERTS	YES
Present	SASSAMAN	

Item 31 Consent Calendar Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0)
approval of seven new Subregional Paratransit projects for
implementation beginning in FY03 in the total amount of
\$700,000.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 32 Consent Calendar Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0)
approval of 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 33 Consent Calendar Approved

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0):

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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 34 Consent Calendar Approved

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 35 Consent Calendar Approved

OPERATIONS COMMITTEE RECOMMENDED (4-0) 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.

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Absent	YAROSLAVSKY	
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Absent	ROBERTS	
Present	SASSAMAN	

Item 36 SUBSTITUTE MOTION APPROVED ON A ROLL CALL VOTE

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (5-0) communicating the following findings to Access Services, Inc. (ASI)

A. that MTA endorses the inclusion of some "lifeline" service for individuals requiring same day unscheduled trips in ASI's planned mix of services.

B. that the funding for this "lifeline" service should be part of the previously approved \$58.6 million;

C. that the MTA, in its role as regional planner and programmer, will work with ASI staff to recommend financial and organizational modifications for funding the "lifeline" service.

KNABE SUBSTITUTE MOTION AMENDED BY BERNSON AND YAROSLAVSKY:

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

Present	HUDSON	YES
Present	PROO	YES
Present	O'CONNOR	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Present	KNABE	YES
Present	FASANA	YES
Absent	HAHN	
Present	YAROSLAVSKY	YES
Present	BERNSON	YES
Present	BURKE	YES
Present	YOH	YES
Present	ROBERTS	YES
Absent	SASSAMAN	