

# RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, MAY 27, 2004

## DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
1	APPROVE CONSENT CALENDAR ITEMS: 2, 8, 16, 20, 26, 33, 39, AND 40. ITEMS 11, 19, 25, AND 42 WERE REMOVED FROM CONSENT CALENDAR	APPROVED	Y	A	Y	A	Y	Y	A	Y	Y	Y	A	Y	Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD APRIL 22, 2004.	APPROVED ON CONSENT CALENDAR														
3	CHAIR'S REPORT	RECEIVED	P	P	P	A	P	P	A	P	P	P	P	P	P	
4	CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED	P	P	P	A	P	P	A	P	P	P	P	P	P	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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8	APPROVE THE PROGRAMMING OF \$1,092,000 IN FTA SECTION 5311 FUNDS FOR LOS ANGELES COUNTY FOR A SIX-YEAR PERIOD AND AUTHORIZE THE CHIEF EXECUTIVE OFFICER OR HIS DESIGNEE TO IDENTIFY PROJECTS ANNUALLY.	APPROVED ON CONSENT CALENDAR														
11	CONSIDER: A. APPROVING THE REVISED AND UPDATED EXPOSITION PROJECT SCHEDULE; AND B. AMENDING THE FY05 BUDGET TO ADD \$5.8 MILLION TO THE EXPOSITION PROJECT FOR A TOTAL APPROVED PROJECT BUDGET THROUGH PRELIMINARY ENGINEERING OF \$17.8 MILLION.	APPROVED	Y	Y	Y	A	Y	Y	A	Y	Y	Y	Y	Y	Y	

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16	RECEIVE AND FILE THE ORDINANCE REGULATING THE MTA'S CONTRACTOR PRE-QUALIFICATION PROGRAM AT THE MAY BOARD MEETING AND ADOPT IT AT THE NEXT MEETING.	APPROVED ON CONSENT CALENDAR														
19	ADOPT THE FOLLOWING POSITIONS ON FEDERAL LEGISLATION:  A. S.2276 (BOXER) – A BILL TO ALLOW THE SECRETARY OF HOMELAND SECURITY TO MAKE GRANTS TO AMTRAK, OTHER RAIL CARRIERS, AND PROVIDERS OF MASS TRANSPORTATION FOR IMPROVEMENTS TO THE SECURITY OF OUR NATION'S RAIL AND MASS TRANSPORTATION SYSTEM. SUPPORT	APPROVED	Y	Y	Y	A	Y	Y	A	Y	Y	Y	Y	Y	Y	

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19	B. S.2273 (MCCAIN) – A BILL TO PROVIDE \$1.2 BILLION IN FUNDING TO MEET IMMEDIATE SECURITY NEEDS FOR INTERCITY AND FREIGHT RAIL TRANSPORTATION PROVIDERS. WORK WITH AUTHOR															
19	C. S.2289 (SESSIONS) – A BILL TO ENSURE THAT RAILROAD CARRIERS AND MASS TRANSPORTATION PROVIDERS RECEIVE THE SAME PROTECTION UNDER FEDERAL CRIMINAL LAW. SUPPORT															

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20	<p>ADOPT THE FOLLOWING POSITIONS ON STATE LEGISLATION:</p> <p>A. AB 2456 (SPITZER) – WOULD ESTABLISH A BASE AMOUNT OF FUNDING THROUGH THE STIP FOR PLANNING, PROGRAMMING, AND MONITORING ACTIVITIES AND WOULD AUTHORIZE THE ALLOCATION OF THE BASE AMOUNTS EVEN IN YEARS WHEN NO NEW STIP FUNDS ARE MADE AVAILABLE. SUPPORT</p>	APPROVED ON CONSENT CALENDAR														

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20	B. SB 138 (KNIGHT) – WOULD ALLOW CALTRANS TO ENTER INTO AGREEMENTS WITH PRIVATE ENTITIES TO CONSTRUCT A TOLL ROAD IN THE SR 138 CORRIDOR RUNNING THROUGH THE ANTELOPE AND APPLE VALLEYS. SUPPORT															
20	C. SCA 20 (TORLAKSON) – WOULD INCREASE THE VOTE THRESHOLD TO SUSPEND PROPOSITION 42 AND REQUIRE THAT SUSPENDED FUNDS BE REPAID UNDER SPECIFIED CONDITIONS. SUPPORT															

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21	<p>CONSIDER:</p> <p>A. RECEIVING AND FILING THE REPORT ON COSTS ASSOCIATED WITH THE SECTOR GOVERNANCE COUNCILS; AND</p>	RECEIVED AND FILED														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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21	B. MODIFYING THE SERVICE SECTOR GOVERNANCE COUNCIL BYLAWS AND POLICY TO HELP STREAMLINE COSTS AS FOLLOWS:  1. BYLAW ARTICLE II, MEMBERSHIP, PARAGRAPH E CODE OF CONDUCT – ADD LANGUAGE TO CLARIFY THAT SECTOR GOVERNANCE COUNCIL MEMBERS HAVE NO INDIVIDUAL AUTHORITY OVER MTA OPERATIONS AND MUST ACT ONLY THROUGH THE GOVERNANCE COUNCIL OF WHICH THEY ARE A MEMBER.	APPROVED	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	
21	2. BYLAW ARTICLE II, MEMBERSHIP, PARAGRAPH I REMOVAL/REPLACEMENT – ADD LANGUAGE TO ALLOW THE MTA BOARD TO REMOVE OR REPLACE A SERVICE SECTOR COUNCIL MEMBER BY A MAJORITY VOTE. THIS WILL BECOME EFFECTIVE IMMEDIATELY.	APPROVED	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	

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21	3. BYLAW ARTICLE V, MEETINGS, PARAGRAPH B, REGULAR MEETINGS – ADD LANGUAGE TO REFLECT THAT SECTOR GOVERNANCE COUNCILS SHALL MEET <del>FOUR</del> SIX TIMES A YEAR INCLUSIVE OF PUBLIC HEARINGS <b>OR BE REQUIRED TO STAY WITHIN THE ANNUAL BUDGET ALLOTMENT FOR SIX MEETINGS, EXCEPT FOR EMERGENCY SITUATIONS IN WHICH A MEETING IS NECESSITATED.</b> THIS WILL BECOME EFFECTIVE MAY 31, 2004.	APPROVED AS AMENDED BY FASANA TO DELETE ITEM #3- BYLAW ARTICLE V, MEETINGS, WHICH WOULD REMAIN UNCHANGED; AND IMPLEMENT COST SAVINGS AS IDENTIFIED BY STAFF.	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	
21	4. BYLAW ARTICLE VI, AMENDMENTS – CLARIFY LANGUAGE THAT ALLOWS THE MTA BOARD TO AMEND THE BYLAWS BY SIMPLE MAJORITY VOTE. THIS WILL BECOME EFFECTIVE IMMEDIATELY.	APPROVED	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	

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21	5. POLICY SECTION 2, TRAVEL – REPLACE EXISTING LANGUAGE <b>AND SPECIFY AN ANNUAL TRAVEL ALLOWANCE CAP OF \$3,500 \$7,500 PER YEAR PER SECTOR FOR ALL FIVE GOVERNANCE COUNCILS ON TRAVEL- ALLOWANCE PROVISIONS FOR COUNCIL MEMBERS.</b> THE POLICY WILL INCLUDE LANGUAGE REQUIRING SERVICE SECTOR COUNCIL MEMBERS TO ADHERE TO THE PROVISIONS OF MTA TRAVEL POLICY, FIN#14.	APPROVED	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	
23	<u>CLOSED SESSION:</u> <u>A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – G.C. 54956.9 (A):</u> BENITEZ V. MTA BC 295729	APPROVED SETTLEMENT IN THE AMOUNT OF \$900,000.	Y	A	Y	A	A	Y	A	Y	Y	Y	Y	A	A	

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23	<u>B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS CONCERNING PRICE AND/OR TERMS OF PAYMENT – G.C. 54956.8:</u> NEGOTIATOR: VELMA MARSHALL METRO ORANGE LINE WARNER CENTER PARK AND RIDE FACILITY OWNER: BOEING NORTH AMERICA, INC. ADDRESS: 6620 CANOGA AVENUE, CANOGA PARK	INSTRUCTED REAL PROPERTY NEGOTIATOR AS TO AN OFFER TO BE MADE ON THE FACILITY LISTED ON THE AGENDA	Y	A	Y	Y	C	Y	A	Y	Y	C	Y	A	A	
25	CONSIDER: A. APPOINTING GOLDMAN SACHS & CO. AND MORGAN STANLEY AS CO-SENIOR MANAGING UNDERWRITERS AND REMARKETING AGENTS FOR ONE OR MORE SERIES OF AUCTION RATE SECURITIES; AND	CARRIED OVER TO JUNE BOARD MEETING	Y	Y	Y	A	C	Y	A	Y	Y	Y	Y	C	Y	

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25	B. APPOINTING GOLDMAN SACHS & CO. AND MORGAN STANLEY AS CO-SENIOR MANAGING UNDERWRITERS, WITH GOLDMAN SACHS & CO. TO SERVE AS THE BOOKRUNNING UNDERWRITER, AND THE FOLLOWING FIRMS TO SERVE AS CO-MANAGING UNDERWRITERS IN THE EVENT ONE OR MORE FIXED RATE BOND SERIES ARE ISSUED: E.J. DE LA ROSA & CO., JACKSON SECURITIES, INC., LOOP CAPITAL MARKETS, AND LLC, BACKSTROM MCCARLEY BERRY & CO., LLC TO TRANSACT A REFUNDING OF THE GENERAL REVENUE BONDS, SERIES 1996-A IN A NEGOTIATED SALE.															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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26	ADOPT A RESOLUTION EXTENDING THE EXPIRATION OF THE TAX-EXEMPT COMMERCIAL PAPER (TECP) PROGRAM BY AN ADDITIONAL SIX YEARS UNTIL JANUARY 31, 2012.	APPROVED ON CONSENT CALENDAR														
33	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CHANGE ORDER NO. 61 TO CONTRACT NO. H1100, AUTOMATIC TRAIN CONTROL, WITH UNION SWITCH AND SIGNAL, INC. ON THE METRO GREEN LINE FOR A CREDIT IN THE AMOUNT OF NOT LESS THAN \$395,000 FOR THE DELETION OF DRIVERLESS DEMONSTRATION TEST, DECREASING THE TOTAL CONTRACT VALUE FROM \$62,785,743 TO \$62,390,743.	APPROVED ON CONSENT CALENDAR														

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38	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE TWELVE METRO FREEWAY SERVICE PATROL (FSP) CONTRACTS FOR A TOTAL AMOUNT NOT TO EXCEED \$15,157,283 TO THE FOLLOWING CONTRACTORS: (REFER TO BOARD REPORT FOR LIST OF CONTRACTORS).	APPROVED	Y	C	Y	Y	C	Y	A	Y	Y	C	Y	C	Y	

*LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT*

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39	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. PS-6810-1346 WITH ENTERNET BUSINESS SYSTEMS TO PROVIDE CONSULTING SERVICES TO METRO FOR THE ON-GOING IMPLEMENTATION OF THE INTEGRATED TRANSITSAFE™ AND VEHICLE ACCIDENT MONITORING SYSTEM (VAMS), EXTENDING THE CONTRACT PERIOD THREE YEARS TO JUNE 30, 2007 FOR AN AMOUNT NOT TO EXCEED \$255,000, INCLUSIVE OF A ONE YEAR OPTION, INCREASING THE TOTAL CONTRACT VALUE FROM \$147,999 TO \$402,999.	APPROVED ON CONSENT CALENDAR														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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40	<p>AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. PS-6810-1282 WITH TRANSPORTATION RESOURCE ASSOCIATES (TRA) FOR MAINTENANCE, UPGRADES AND ENHANCEMENTS TO THE PROPRIETARY SOFTWARE PROGRAM, TRANSITSAFE™, IN SUPPORT OF OUR INCIDENT AND CLAIMS MANAGEMENT ACTIVITIES, FOR AN AMOUNT NOT TO EXCEED \$376,000, INCREASING THE TOTAL CONTRACT VALUE FROM \$238,645 TO \$614,645 AND EXTENDING THE PERIOD OF PERFORMANCE FROM JULY 1, 2004 TO JULY 1, 2009.</p>	<p>APPROVED ON CONSENT CALENDAR</p>														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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42	<p>AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO:</p> <p><u>A. EXECUTE MEMORANDUM OF UNDERSTANDING (MOU) MODIFICATION NO. 3 TO MOU NO. TCP2610LASD TO PROVIDE FUNDING FOR FY05 <b>TRANSIT COMMUNITY POLICING SERVICES</b> FOR AN AMOUNT NOT TO EXCEED \$49,794,668, \$49,054,950 FOR THE PERIOD JULY 1, 2004 THROUGH JUNE 30, 2005; AND INCREASING THE TOTAL CONTRACT VALUE FROM \$55,081,812 TO \$104,876,480 FOR THE PERIOD JULY 1, 2004 THROUGH JUNE 30, 2005.</u></p>	<p>APPROVED AS AMENDED BY BURKE THAT THE PASSAGE OF THIS ITEM DOES NOT PREJUDICE ANY OTHER OPTIONS FOR FUNDING THE IMMEDIATE NEEDS PROGRAM</p>	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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42	<u>B. ADD THE AMOUNT OF \$500,000 TO MOU TCP2610LASD FOR CONTINGENCY FUNDING TO COVER EMERGENCY SERVICES REQUIRED FOR HEIGHTENED SECURITY RESULTING FROM ACTIVITIES SIMILAR TO THE RECENT MADRID TRAIN BOMBING, REVISING THE TOTAL CONTRACT VALUE FROM \$55,081,812 TO \$104,636,762.</u>															
43	APPROVE THE FOLLOWING SERVICE SECTOR COUNCIL NOMINATIONS: A. MR. A. DENNIS LYTTON, A HOLLYWOOD RESIDENT, LAW STUDENT AT THE SOUTHWESTERN UNIVERSITY SCHOOL OF LAW, AND AN AVID USER OF THE METRO TRANSIT SYSTEM, FOR THE FINAL VACANT SEAT ON THE WESTSIDE/CENTRAL GOVERNANCE COUNCIL; AND	WITHDRAWN BY STAFF														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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43	B. DR. RICHARD O. ARVIZU, A RESIDENT OF WEST HILLS, THE ASSOCIATE VICE PRESIDENT OF ADMINISTRATIVE SERVICES AT LOS ANGELES MISSION COLLEGE, AND A REGULAR PATRON OF THE METRO TRANSIT SYSTEM. HE HAS BEEN NOMINATED BY LOS ANGELES CITY COUNCIL PRESIDENT ALEX PADILLA TO REPLACE MR. BART REED ON THE SAN FERNANDO VALLEY GOVERNANCE COUNCIL.	APPROVED	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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44	CONSIDER: A. ADOPTING POSITION ON ASSEMBLY BUDGET SUBCOMMITTEE #5 ITEM #2660-001-650, WHICH WOULD REMOVE THE CAP ON OVERRUNS ASSOCIATED WITH THE SAN FRANCISCO BAY AREA TOLL BRIDGES AS PROPOSED BY THE DEPARTMENT OF FINANCE. OPPOSE; AND	APPROVED	Y	Y	A	Y	Y	Y	A	Y	A	Y	Y	A	Y	
44	B. RECOMMENDING THAT THE MTA BOARD OF DIRECTORS COMMUNICATE TO THE LEGISLATURE THAT OVERRUNS ON THE BAY AREA BRIDGES BE FUNDED OUT OF BAY AREA SOURCES.															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

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45	<p>CONSIDER: A. HOLDING A PUBLIC HEARING ON THE PROPOSED RESOLUTION OF NECESSITY; AND  B. ADOPTING THE RESOLUTION OF NECESSITY AUTHORIZING THE COMMENCEMENT OF AN EMINENT DOMAIN ACTION TO ACQUIRE PARCEL ES-588 FOR THE EASTSIDE LIGHT RAIL TRANSIT PROJECT - INDIANA STREET STATION.  (REQUIRES A 2/3 VOTE OF THE BOARD).</p>	APPROVED	Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	A	A	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT