

# RECAP OF PROCEEDINGS

## LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, JUNE 24, 2004

### DIRECTORS VOTING

ITEM NO.	<u>SUBJECT ITEM</u>	<u>ACTION TAKEN</u>	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
1	APPROVE CONSENT CALENDAR ITEMS: 2, 7, 18, 19, 22**, 23, 28, 38, 39 and 40 ITEMS 6, 12, 13, 27, 30, 34A AND 36 WERE REMOVED FROM THE CONSENT CALENDAR.  REQUIRES 2/3 VOTE OF THE BOARD **	APPROVED	A	A	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	
	NOTED COMMITTEE AUTHORITY ITEMS: 31- 32	NOTED UNDER CONSENT CALENDAR														
3	CHAIR'S REPORT Ø ELECTION OF OFFICERS	RECEIVED REPORT. ELECTED DIRECTOR MOLINA AS 2ND VICE CHAIR	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4	CHIEF EXECUTIVE OFFICER'S REPORT Ø STATUS UPDATE ON OUTPLACEMENT ASSISTANCE.	RECEIVED	P	A	P	P	P	P	P	P	P	P	P	P	P	

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

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6	APPROVE: A. THE MTA'S \$40,181,000 FINANCIAL CONTRIBUTION TO THE FY 2004-05 SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) PRELIMINARY BUDGET CONSISTENT WITH BOARD ACTION ON THE MTA BUDGET ON JUNE 7TH, 2004; AND	APPROVED	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	
6	B. THE REPROGRAMMING OF:  1. \$630,500 IN FY 2001-02 SCRRA OPERATIONS, REHABILITATION AND RENOVATION FUNDING TO PROJECTS AS DESCRIBED; AND  2. \$457,400 IN FY 2002-03 OPERATIONS, REHABILITATION AND RENOVATION FUNDING TO PROJECTS AS DESCRIBED.															

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

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7	<p>ADOPT:            A. FINDINGS AND RECOMMENDATIONS FOR USING FY 2004-05 TDA ARTICLE 8 FUND ESTIMATES TOTALING \$15,948,475 AS FOLLOWS:            1. IN THE CITIES OF AVALON AND SANTA CLARITA, THERE ARE UNMET TRANSIT NEEDS THAT ARE REASONABLE TO MEET. THEREFORE, TDA ARTICLE 8 FUNDS WILL BE USED TO MEET THESE UNMET TRANSIT NEEDS AS DESCRIBED. THE ALLOCATIONS ARE \$99,381 AND \$4,876,230 FOR AVALON AND SANTA CLARITA, RESPECTIVELY.</p>	APPROVED ON CONSENT CALENDAR														

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

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7	2. IN THE ANTELOPE VALLEY, WHICH INCLUDES THE CITIES OF LANCASTER AND PALMDALE, AND IN THE LOS ANGELES COUNTY UNINCORPORATED AREAS OF ANTELOPE VALLEY, SANTA CLARITA VALLEY AND CATALINA ISLAND, TRANSIT NEEDS ARE MET USING OTHER FUNDING SOURCES, SUCH AS PROPOSITIONS A AND C LOCAL RETURN. THEREFORE, THERE ARE NO UNMET TRANSIT NEEDS THAT ARE REASONABLE TO MEET, BECAUSE OTHER FUNDING SOURCES WILL BE USED TO ADDRESS THESE NEEDS. THUS, TDA ARTICLE 8 FUNDS MAY BE USED FOR STREET AND ROAD PURPOSES. THE ALLOCATIONS FOR THE ANTELOPE VALLEY ARE \$3,774,663 AND \$3,807,590 (LANCASTER AND PALMDALE, RESPECTIVELY). THE ALLOCATION FOR LOS ANGELES COUNTY UNINCORPORATED IS \$3,390,611 AS DESCRIBED.															

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7	B. A RESOLUTION MAKING A DETERMINATION OF UNMET PUBLIC TRANSPORTATION NEEDS IN THE AREAS OF LOS ANGELES COUNTY OUTSIDE THE MTA SERVICE AREA.															
12	ADOPT THE UPDATED MTA DEBT POLICY AND INTEREST RATE SWAP POLICY.	CARRIED OVER FOR 30 DAYS	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
13	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AWARD A FIVE-YEAR FIRM FIXED UNIT RATE CONTRACT NO. PS4625-1522, TO COMPSYCH CORPORATION FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES FOR AN AMOUNT NOT TO EXCEED \$794,052 INCLUSIVE OF TWO ONE-YEAR OPTIONS EFFECTIVE OCTOBER 1, 2004.	APPROVED	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	C	Y	

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

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18	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AWARD A FIVE-YEAR INDEFINITE QUANTITY REQUIREMENTS – FIXED FEE CONTRACT NO. PS0452101506 TO BANK OF NEW YORK WESTERN TRUST COMPANY FOR CUSTODY, COMPLIANCE REPORTING AND PERFORMANCE MEASUREMENT SERVICES FOR AN AMOUNT NOT TO EXCEED \$482,083 INCLUSIVE OF TWO ONE YEAR OPTIONS, EFFECTIVE AUGUST 1, 2004.	APPROVED ON CONSENT CALENDAR														
19	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND AWARD AN EXCESS LIABILITY INSURANCE PROGRAM FOR METRO LIABILITY EXPOSURES, OTHER THAN MAJOR CONSTRUCTION PROJECTS, AT A COST ESTIMATED NOT TO EXCEED \$5,640,000 FOR A 12-MONTH PERIOD BEGINNING AUGUST 1, 2004 THROUGH JULY 31, 2005.	APPROVED ON CONSENT CALENDAR														

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

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20	AMEND THE FY04 BUDGET TO APPROPRIATE AN ADDITIONAL \$23.9 MILLION IN SUBSIDIES TO THE ENTERPRISE FUND.	APPROVED	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
21	AUTHORIZE AN INCREASE IN AN AMOUNT NOT TO EXCEED \$5,765,000 TO CONTRACT NO. EN069 WITH CH2M HILL CONSTRUCTORS, INC. (CCI), TO PROVIDE ENVIRONMENTAL WASTE HANDLING SERVICES FOR FISCAL YEAR 2005, INCREASING THE TOTAL CONTRACT NOT-TO-EXCEED (NTE) VALUE FROM \$12,130,000 TO \$17,895,000.	APPROVED	Y	A	Y	C	C	Y	Y	Y	Y	Y	Y	C	C	

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

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22	AUTHORIZE: A. THE FINDING THAT AWARD OF 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. SOLICITATION AND AWARD OF DESIGN-BUILD CONTRACTS FOR RENOVATION, REPAIR AND CONSTRUCTION AT MTA FACILITIES, PURSUANT TO PUBLIC UTILITIES CODE SECTION 130051.9 (C).	APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD	A	A	Y	A	Y	Y	Y	Y	Y	Y	A	Y	Y	

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



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23	MOLINA AND VILLARAIGOSA MOTION THAT THE MTA BOARD RESCIND ITS ACTION OF DECEMBER 4, 2003, WHICH CREATED A TEMPORARY CONTINGENCY FUND FOR THE EASTSIDE EXTENSION OF THE GOLD LINE.	APPROVED ON CONSENT CALENDAR														
27	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AWARD A 24-MONTH CONTRACT UNDER BID 04-0010 TO BP WEST COAST PRODUCTS LLC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR ULTRA-LOW SULFUR DIESEL FUEL FOR AN AMOUNT NOT TO EXCEED \$14,127,502, INCLUSIVE OF SALES TAX.	APPROVED	Y	A	Y	Y	C	Y	Y	Y	Y	Y	Y	C	C	

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

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28	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA HIGHWAY PATROL (CHP) TO PROVIDE FIELD OFFICER AND DISPATCH SUPPORT TO THE LOS ANGELES COUNTY METRO FREEWAY SERVICE PATROL (FSP) DURING FY05 IN THE AMOUNT OF \$600,000.	APPROVED ON CONSENT CALENDAR														
30	LABONGE, FASANA, AND PROO MOTION THAT THE BOARD DIRECT MTA STAFF TO WORK WITH SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) STAFF TO EXPLORE NEW OPPORTUNITIES TO REDUCE AIR QUALITY EMISSIONS FROM METROLINK OPERATIONS AND REPORT BACK TO THE BOARD WITHIN 90 DAYS ON ISSUES AND POTENTIAL OPTIONS.	APPROVED	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

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

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31	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AWARD A FIRM FIXED PRICE CONTRACT NO. OP33201516 TO FIRST TRANSIT, INC. FOR ARTICULATED BUS INSPECTION SERVICES FOR 200 CNG, SIXTY-FOOT BUSES FOR AN AMOUNT NOT TO EXCEED \$273,445, FOR A PERIOD OF TWO YEARS, EFFECTIVE JULY 1, 2004.	APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY		A		Y					Y		Y		Y	
32	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AWARD A FIVE-YEAR, TIME AND MATERIALS CONTRACT NO. OP33441513 TO ACE CRANE SERVICE, INC. TO PROVIDE OVERHEAD CRANES MAINTENANCE AND REPAIR SERVICES ON AN "AS NEEDED" BASIS, FOR AN AMOUNT NOT TO EXCEED \$202,750, INCLUSIVE OF TWO ONE-YEAR OPTIONS, EFFECTIVE JULY 1, 2004.	APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY		A		Y					Y		Y		Y	

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

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33A-1	CLOSED SESSION: A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – G.C. 54956.9 (A):  1. MTA V. TRAVELERS CV 03-9277 MMM	APPROVED SETTLEMENT INVOLVING PAYMENT TO MTA FOR DISPUTED CHARGES. DETAILS WILL BE MADE AVAILABLE WHEN FINAL AGREEMENT IS SIGNED	Y	A	A	A	C	Y	Y	Y	Y	A	Y	Y	Y	
33A-2	ARGONAUT INSURANCE V. MTA BC 156601	NO REPORT														
33B-1	B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS CONCERNING PRICE AND/OR TERMS OF PAYMENT - (G.C. 54956.8)  DIVISION 10 EXPANSION PROJECT  PETER DAMICO, VINCENT GACCHINA, AND THE GACCHINA FAMILY TRUST	INSTRUCTED REAL PROPERTY NEGOTIATOR WITH REGARD TO OFFER FOR PROPERTIES REQUIRED FOR DIVISION 10 EXPANSION	Y	A	A	A	Y	Y	Y	Y	Y	A	Y	Y	Y	

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

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33B-2	ARNOLD W. & RUTH CARLSON, TRUSTEES OF THE ARNOLD & RUTH CARLSON FAMILY TRUST	INSTRUCTED REAL PROPERTY NEGOTIATOR WITH REGARD TO OFFER FOR PROPERTIES REQUIRED FOR DIVISION 10 EXPANSION	Y	A	A	A	Y	Y	Y	Y	Y	A	Y	Y	Y	
33C	CONFERENCE WITH LABOR NEGOTIATOR-G.C. 54957.6: AGENCY NEGOTIATORS: ROGER SNOBLE AND BRENDA DIEDERICHS EMPLOYEE ORGANIZATIONS: ATU AND TCU.	NO REPORT														

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

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34	EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-2) ADOPTING THE FOLLOWING POSITION ON STATE LEGISLATION:  A. AB 712 (LIU) – WOULD CREATE THE METRO FOOTHILLS GOLD LINE CONSTRUCTION AUTHORITY WITH A BOARD STRUCTURE OF SEVEN VOTING MEMBERS. OPPOSE – UNLESS AMENDED (TO INCLUDE A 5-MEMBER BOARD AND THAT MTA REMAIN THE SOLE RECIPIENT OF FEDERAL FUNDS).	APPROVED AS AMENDED BY YAROSLAVSKY TO AUTHORIZE THE CEO TO WORK WITH ALL INTERESTED PARTIES TO EXPLORE OTHER ALTERNATIVES AND DEVELOP CONSENSUS ON AB 712	Y	A	Y	N	Y	Y	Y	Y	N	N	N	Y	Y	
	FASANA SUBSTITUTE MOTION TO ADOPT A POSITION OF NEUTRAL	FAILED	N	A	A	Y	N	Y	N	N	Y	Y	Y	N	N	

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34	B. PROPOSED LANGUAGE TO CREATE REGIONAL AUTHORITY FOR INVESTMENT IN TRANSPORTATION (RAIT). LEGISLATION HAS BEEN PROPOSED BY THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) THAT WOULD AUTHORIZE THE CREATION OF RAITS. THE RAITS WOULD BE CHARGED WITH RESPONSIBILITIES CURRENTLY RETAINED BY THE LACMTA. AT THIS POINT SCAG HAS INDICATED THAT THIS LANGUAGE WILL BE AMENDED INTO AN AS YET UNIDENTIFIED BILL. OPPOSE – RAIT LANGUAGE AS PROPOSED	APPROVED ON CONSENT CALENDAR														
34	C. AB 2628 (PAVLEY) – WOULD ALLOW HYBRID VEHICLES, OR ADVANCE TECHNOLOGY PARTIAL ZERO-EMISSION VEHICLES (AT PZEV), TO USE HIGH-OCCUPANCY VEHICLE (HOV) LANES REGARDLESS OF THE NUMBER OF OCCUPANTS. SUPPORT SEEK AMENDMENTS	APPROVED ON CONSENT CALENDAR														

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

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35	APPROVE EXECUTION OF AMENDMENT NO. 8 TO CONTRACT NO. PS-9240-0681 WITH SHARED TECHNOLOGIES, TO PROVIDE TELEPHONE MAINTENANCE SYSTEM SERVICE FOR A PERIOD OF ONE MONTH, IN THE AMOUNT NOT TO EXCEED \$12,831 INCREASING THE TOTAL CONTRACT VALUE FROM \$544,475 TO \$557,306.	APPROVED	Y	A	Y	Y	C	Y	Y	Y	Y	Y	Y	C	C	
36	APPROVE THE USE OF \$11.3 MILLION OF GENERAL FUND RIGHT-OF-WAY LEASE REVENUES TO FUND THE 208,250 HOURS OF CONSENT DECREE SERVICE TO BE IMPLEMENTED IN FY05, AS ORDERED BY THE SPECIAL MASTER.	APPROVED	Y	A	A	Y	Y	Y	Y	Y	Y	Y	Y	N	A	

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



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37	VILLARAIGOSA MOTION TO <del>ELIMINATE</del> ALLOW USE OF THE-SOTO AND CESAR CHAVEZ SITE AS A <b>TEMPORARY STAGING AREA UNTIL REQUIRED FOR</b> JOINT DEVELOPMENT.	APPROVED REVISED MOTION	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
38	LABONGE MOTION THAT STAFF REPORT TO THE OPERATIONS COMMITTEE ON THE FEASIBILITY OF DEVELOPING A PROGRAM THAT WOULD IDENTIFY THE LOCATIONS ON RAILROAD BRIDGES AND TUNNELS THAT ARE USED BY METRO AND METROLINK TRAINS WITH THE APPROPRIATE AESTHETICALLY PLEASING LOGOS TO HEIGHTEN MOTORISTS' AWARENESS OF THE VARIOUS TRANSPORTATION OPTIONS AVAILABLE IN THE REGION, WHICH THEY FUND THROUGH TRANSPORTATION TAX REVENUES.	APPROVED ON CONSENT CALENDAR														

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39	LABONGE MOTION THAT STAFF REPORT TO THE OPERATIONS COMMITTEE ON THE FEASIBILITY OF DEVELOPING A SUNDAY FAMILY DAY PASS.	APPROVED ON CONSENT CALENDAR														
40	LABONGE MOTION THAT STAFF REPORT TO THE OPERATIONS COMMITTEE ON THE FEASIBILITY OF CONVERTING THE LAST CAR ON THE METRO RED LINE SUBWAY TO ALLOW BICYCLES WITHOUT ANY RESTRICTIONS.	APPROVED ON CONSENT CALENDAR														

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

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41	FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0-1): 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 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.	APPROVED	Y	A	Y	Y	C	Y	Y	Y	Y	Y	Y	C	Y	

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

**RECAP OF PROCEEDINGS**  
**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**  
**REGULAR BOARD MEETING**  
**THURSDAY, JUNE 24, 2004**

DIRECTORS VOTING

ITEM NO.	<u>SUBJECT ITEM</u>	<u>ACTION TAKEN</u>	O'CONNOR	LUDLOW	MOLINA	ANTONOVICH	HAHN	ROBERTS	YAROSLAVSKY	BURKE	FASANA	KNABE	PROO	VILLARAIGOSA	LABONGE	WONG
42	ADOPT ORDINANCE REGULATING THE MTA'S CONTRACTOR PRE-QUALIFICATION PROGRAM.	ADOPTED	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
43	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-602 FOR THE EASTSIDE LIGHT RAIL TRANSIT PROJECT –INDIANA STREET STATION.	APPROVED BY A 2/3 VOTE OF THE BOARD	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

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