



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, OCTOBER 28, 2004

DIRECTORS VOTING

ATTENDANCE			P	P	P	P	P	P	P	P	P	P	P		P	A
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LULOW	FASANA	BURKE	MOLINA	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	PROO		LABONGE	WONG
1	APPROVE CONSENT CALENDAR ITEMS: 2, 10, 11, 26, AND 27 ITEMS 6 AND 18 WERE REMOVED FROM CONSENT CALENDAR	APPROVED CONSENT CALENDAR	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y		Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD SEPTEMBER 23, 2004.	APPROVED ON CONSENT CALENDAR														
3	CHAIR'S REPORT	NONE														
4	CHIEF EXECUTIVE OFFICER'S REPORT	RECEIVED	P	A	A	A	A	P	P	P	A	P	P		A	

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



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6	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO ENTER INTO A SIX-MONTH EXCLUSIVE NEGOTIATION AGREEMENT WITH C. CHAVEZ/SOTO, LLC FOR THE DEVELOPMENT OF APPROXIMATELY 3.5 ACRES OF METRO-OWNED PROPERTIES LOCATED IN THE PROXIMITY OF THE INTERSECTION OF CESAR CHAVEZ BLVD. AND SOTO. ST.	CARRIED OVER TO DECEMBER 13 BOARD MEETING DUE TO CONFLICTS	P	C	P	P	C	C	P	C	P	A	P		C	



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ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	FASANA	BURKE	MOLINA	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	PROO		LABONGE	WONG
10	ADOPT THE FOLLOWING POSITIONS ON FEDERAL LEGISLATION: A. H.R. 5025 (ISTOOK) – A BILL MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005, AND FOR OTHER PURPOSES. WORK WITH AUTHOR	APPROVED ON CONSENT CALENDAR														



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ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	FASANA	BURKE	MOLINA	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	PROO		LABONGE	WONG
	B. S. 2806 (SHELBY) – A BILL MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF TRANSPORTATION AND TREASURY, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005 AND FOR OTHER PURPOSES. WORK WITH AUTHOR	APPROVED ON CONSENT CALENDAR														



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	C. H.R. 5082 (YOUNG) – THE PUBLIC TRANSPORTATION TERRORISM PREVENTION AND RESPONSE ACT OF 2004, AUTHORIZING THE U.S. SECRETARY OF TRANSPORTATION TO AWARD GRANTS TO PUBLIC TRANSPORTATION AGENCIES AND OVER-THE-ROAD BUS OPERATORS TO IMPROVE SECURITY, AND FOR OTHER PURPOSES. SUPPORT	APPROVED ON CONSENT CALENDAR														



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11	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE MODIFICATION NUMBER 4 TO CONTRACT NO. PS-5420-0653 WITH IMAGES IN FOIL, INC. FOR ADDITIONAL FARE MEDIA PASS AND STAMP PRODUCTION SERVICES FOR METRO PASSES AND STAMPS, REGIONAL TRANSIT PASSES AND STAMPS AND DAY PASSES IN THE AMOUNT OF \$260,189 REVISING THE TOTAL CONTRACT VALUE FROM \$5,442,137 TO \$5,702,326.	APPROVED ON CONSENT CALENDAR														



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ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDDLOW	FASANA	BURKE	MOLINA	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	PROO		LABONGE	WONG
12-A	CLOSED SESSION: A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – G.C. 54956.9 (A): A) REESE V. MTA BC304707	AUTHORIZED SETTLEMENT IN THE AMOUNT OF \$1.5 MILLION	Y	A	Y	Y	A	A	Y	A	Y	A	Y		Y	
	B) CITIZENS ORGANIZED FOR SMART TRANSIT V. MTA BS075103	NO REPORT														
12-B	B. CONFERENCE WITH LABOR NEGOTIATOR – G.C. 54957.6 AGENCY NEGOTIATORS: ROGER SNOBLE AND BRENDA DIEDERICHS EMPLOYEE ORGANIZATIONS: ATU	NO REPORT														



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12-C	<p>CONFERENCE REGARDING POTENTIAL THREATS TO PUBLIC SERVICES OR FACILITIES - G.C. 54957:</p> <p>WHILE THERE MAY BE NO IMMEDIATE THREAT, THIS IS TO PROVIDE THE BOARD WITH A CONFIDENTIAL UPDATE BY CAPTAIN FINKELSTEIN, CHIEF OF SECURITY AND LAW ENFORCEMENT, ON SECURITY RELATED MATTERS.</p>	NO REPORT													
12-D	<p>PERSONNEL MATTERS – G.C. 54957:</p> <p>PUBLIC EMPLOYEE PERFORMANCE EVALUATION – CHIEF EXECUTIVE OFFICER</p>	NO REPORT													

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



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18	RECEIVE AND FILE ORDINANCE ESTABLISHING PROCEDURES FOR PROCESSING CONSTRUCTION CHANGE ORDERS AT THE OCTOBER BOARD MEETING AND ADOPTING IT AT THE NEXT MEETING.	REFERRED TO NOVEMBER CONSTRUCTION COMMITTEE		Y	Y	AB	Y	Y	Y	Y	Y	A	Y		Y	



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19	CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED BY MOLINA/BURKE (3-0-1) EXECUTION OF CONTRACT MODIFICATION NO. 37 TO CONTRACT NO. C0675 DESIGN/BUILD WITH SHIMMICK CONSTRUCTION CO., INC/OBAYASHI CORP., J. V., TO FURNISH AND INSTALL A STORM DRAINAGE SYSTEM BETWEEN TYRONE AVENUE AND HAZELTINE AVENUE FOR THE METRO ORANGE LINE PROJECT IN THE AMOUNT OF \$1,299,825 (WHICH INCORPORATES CHANGE ORDERS 47.00 AND 47.01 PREVIOUSLY ISSUED IN AN AMOUNT NOT-TO-EXCEED \$980,000). THIS ACTION IS WITHIN THE CURRENT BOARD-AUTHORIZED TOTAL CONTRACT AUTHORITY OF \$168,059,040.	APPROVED	N	Y	Y	Y	A	C	Y	A	Y	A	Y		Y	

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



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	AMENDMENT: TO ALLOW STAFF TIME TO NEGOTIATE WITH THE CITY OF LOS ANGELES REGARDING REIMBURSEMENT OF STORM DRAINAGE COST.															



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20	CONSTRUCTION COMMITTEE RECOMMENDED (3-0-1) AS AMENDED BY BURKE AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A RECOVERY AGREEMENT TO CONTRACT NO. 0675 DESIGN/BUILD WITH SHIMMICK CONSTRUCTION CO., INC/OBAYASHI CORPORATION J.V. (SOJV) TO RECOVER SCHEDULE DELAYS AND SETTLE TIME RELATED CLAIMS IN LIEU OF COMPENSABLE TIME EXTENSIONS FOR THE METRO ORANGE LINE PROJECT FOR AN AMOUNT NOT TO EXCEED \$7.9 MILLION.	CARRIED OVER TO DECEMBER 13 BOARD MEETING	Y	Y	Y	Y	Y	C	Y	C	Y	A	Y		Y	

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



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	AMENDMENT: TO REQUIRE BEST EFFORTS IN LIEU OF EXEMPTION OF DBE REQUIREMENTS ON RECOVERY WORK.															
26	CONSIDER AUTHORIZING MTA SECURITY OFFICERS, CONSISTENT WITH APPROPRIATE FEDERAL, STATE AND LOCAL LAWS, TO ISSUE PARKING CITATIONS FOR VIOLATIONS OCCURRING ON MTA PROPERTY.	APPROVED ON CONSENT CALENDAR														



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27	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE MODIFICATION NO. 25 TO CONTRACT NO. OP-02-4610-10 WITH CUBIC TRANSPORTATION SYSTEMS, INC. TO PROVIDE THE MUNICIPAL OPERATORS /UFS REGIONAL CENTRAL DATA COMPUTER SYSTEM FOR AN AMOUNT NOT TO EXCEED \$6.1 MILLION INCREASING THE TOTAL CONTRACT VALUE FROM \$92,849,312 TO \$98,949,312.	APPROVED ON CONSENT CALENDAR						C							C	



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28	MOLINA MOTION – THAT THE BOARD DIRECT MTA STAFF TO WORK WITH METROLINK BOARD MEMBERS AND STAFF TO IDENTIFY A PLAN THAT WOULD INCREASE INSPECTIONS OF THE COMMUTER RAIL LINES USING ULTRASONIC TECHNOLOGY AND OTHER TECHNIQUES THAT WOULD IDENTIFY FATIGUED RAIL TRACKS AND REPORT BACK TO THE BOARD WITHIN 30 DAYS;	APPROVED	Y	A	Y	Y	A	Y	Y	A	Y	A	Y		Y	



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28	FURTHER MOVE, THAT THE BOARD DIRECT COUNTY COUNSEL TO REQUEST THE COMMERCIAL RAIL OPERATORS AND THE NATIONAL TRANSPORTATION SAFETY BOARD TO SUBMIT TO THE BOARD A SAFETY PLAN AND STATUS REPORT ON THEIR INSPECTION OF RAILROAD TRACKS IN LOS ANGELES COUNTY.															
29	CONSIDER MTA RESPONSE TO WRIT OF MANDATE IN CITIZENS ORGANIZED FOR SMART TRANSIT V MTA, LOS ANGELES SUPERIOR COURT CASE NUMBER BS075103.	APPROVED	Y	A	Y	Y	A	Y	Y	A	Y	A	Y		Y	

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



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30	AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH THE TRANSPORTATION COMMUNICATIONS UNION ("TCU"), EFFECTIVE JULY 1, 2003.	APPROVED	Y	A	Y	Y	A	Y	Y	A	Y	A	Y		Y	
31	ADDED TO THE AGENDA BY A 2/3 VOTE OF THE BOARD VILLARAIGOSA MOTION: THAT STAFF PREPARE AND IMPLEMENT A PLAN TO OFFER RIDERS FREE RIDES ON MTA BUSES AND TRAINS TO THEIR POLLING PLACE AND BACK WHO SHOW PROOF OF INTENT TO VOTE OR PROOF OF HAVING VOTED ON ELECTION DAY, NOVEMBER 2, 2004;	FAILED	N	Y	N	N	A	AB	N	A	N	A	N		N	

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



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	AND THAT THIS PLAN ALSO INCLUDE RETENTION OF FULL SERVICE AND, WHEN POSSIBLE, PROVISION OF ENHANCED SERVICE DURING THE EVENING OFF-PEAK PERIOD UNTIL THE POLLS CLOSE TO ACCOMMODATE VOTERS DURING A TRADITIONALLY HIGH-TURNOUT PART OF ELECTION DAY.															