



AGENDA

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
BOARD OF DIRECTORS
MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles**

Thursday, April 26, 2001 - 9:30 AM

Call to order:

Directors:

Yvonne Brathwaite Burke, Chair
Richard Riordan, Second Vice Chair
Michael Antonovich
Hal Bernson
John Fasana
Don Knabe
Jose Legaspi
Gloria Molina
Beatrice Proo
Frank Roberts
Jeff Walden
Zev Yaroslavsky
Tony V. Harris, Ex Officio

Chief Executive Officer - Julian Burke
Board Secretary - Michele Jackson
Ethics Officer - Karen Gorman
Inspector General - Arthur Sinai
General Counsel - County Counsel

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on **one agenda item** per meeting; and/or on **one** item of interest which is within the subject matter jurisdiction of the Metropolitan Transportation Authority. Each person will be allowed to speak for **one minute**.

The Board may limit the public input on any item, based on the number of people requesting to speak and the business of the Board. **A request to address the Board must be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.**

Public Comment will be heard at the end of each meeting. The public shall have the opportunity to comment for one minute on Agenda items before or during the Board or Committee's consideration of the item up to five minutes per item, or at the discretion of the Chair. *This requirement shall not apply if the opportunity for public comment on the item was previously provided by a Committee or other meeting at which a quorum was present and the item has not substantially changed since the committee hearing.* All requests for Public Comment must be submitted prior to the posted start time of each meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA or a Committee during the Public Comment period indicated on the Agenda. Individuals may speak no more than once during the Public Comment period. Public Comment will last a maximum of twenty minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired.

Each individual will have the opportunity to speak only once during the Public Comment period. The Public Comment period will last thirty minutes maximum in length. Speakers will be called in the order in which the speaker request forms are received until the thirty minute period has expired. The Chair may limit the public input on any item or the total amount of time allocated for public testimony based on the number of people requesting to speak and the business of the Board. **If you are a party to a specific item, you will be called upon to speak at the time that issue is being considered.**

In accordance with Government Code Section 54954.3(a) the Chair may from time to time dispense with public comment on items previously considered by a committee composed exclusively of Board members.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.

Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and

Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

A cordless microphone is available for those persons with mobility impairments who cannot access the public speaking area. Sign language interpreter services are available by giving notice at least three business days in advance of the meeting. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800)252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-2335 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.mta.net

TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA.

1. APPROVE Consent Calendar Items 2, 14, 15, 16, 22, 23, 24, 25, 30, 37, 38, 39, 42

COMMITTEE AUTHORITY ITEMS: 18 and 19

CONSENT CALENDAR:

2. APPROVE **Minutes** of Regular Board Meeting held March 22, 2001.

14. OPERATIONS COMMITTEE RECOMMENDED (3-0) award of contracts to the lowest responsive, responsible bidders for **non-revenue vehicles under Bid 01-0123** for a total contract value of \$2,047,808, inclusive of sales tax:
 - A. Reynolds Buick GMC for line item 1, 24 mini-passenger vans for a total contract value of \$505,915;
 - B. Downey Ford for line item 2, eight full-size passenger vans for a total contract value of \$185,310;
 - C. Ford West for line item 3, 25 full-size cargo vans for a total contract value of \$503,901; and
 - D. Ford West for line item 4, 40 full-size cargo vans with inverters for a total contract value of \$852,682.

15. OPERATIONS COMMITTEE RECOMMENDED (3-0) award of contracts to the lowest responsive, responsible bidders for **non-revenue vehicles under Bid 02-0106** for a total contract value of \$1,160,821, inclusive of sales tax:
 - A. Burch Ford for line items 2, 2a, 3, 4 and 4a, 43 trucks for a total contract value of \$1,058,318; and
 - B. Thorson Motor Center for line item 5, two trucks for a total contract value of \$102,503.

16. OPERATIONS COMMITTEE RECOMMENDED (3-0) execution of a three-year, non-competitive contract with the Los Angeles County Probation Department for **graffiti removal and abatement services** by juvenile and adult offender work crews for an amount not to exceed \$465,000.

22. FINANCE & BUDGET COMMITTEE RECOMMENDED (3-0):
 - A. execution of Amendment No. 11 to Contract No. PS 5110 0251 with PRICEWATERHOUSECOOPERS, LLP. (PWC) to conduct the **annual financial audit** for Public Transportation Service Corporation (PTSC), LACMTA Leasing Authority, PTSC-MTA Risk Management Authority (PRMA), Service Authority for Freeway Emergencies (SAFE), and State Transit Assistance Funds (STAF) for fiscal year ended June 30, 2001, for the amount of \$55,048; and
 - B. an amendment with PWC to conduct the annual financial audit for Public Transportation Service Corporation (PTSC), LACMTA Leasing Authority, PTSC-MTA Risk Management Authority (PRMA), Service Authority for Freeway Emergencies (SAFE), and State Transit Assistance Funds (STAF) for fiscal year ended June 30, 2002, for an amount to be negotiated but not to exceed \$57,923, for a total revised contract amount not to exceed \$1,336,640.

23. FINANCE & BUDGET COMMITTEE RECOMMENDED (3-0) adopting the Reimbursement Resolution that will allow the MTA to reimburse its cash account from future tax-exempt bond proceeds for **accelerated payments to the Alameda Corridor Transportation Authority** (ACTA).

24. FINANCE & BUDGET COMMITTEE RECOMMENDED (3-0) APPROVAL, AS CORRECTED:
- A. of an increase to the authorized dollar value for the **Programmers Bench to provide additional programming technical consulting services** for an amount not to exceed \$192,122, increasing the total bench value from \$2,125,000 to \$2,317,122; and
 - B. execution of an amendment to the existing contract Task Order No. 3 with Accuracy Performance and Reliability APR Consulting, Inc. Services (APR), one of the Programmers Bench contractors, to provide technical consulting services for the Transit Operating and Trends System (TOTS) Series/1 Migration Project, for a period of five months, for an amount not to exceed \$201,000, for a revised total task order value from \$120,000 to \$321,000.
25. FINANCE & BUDGET COMMITTEE RECOMMENDED (4-0):
- A. negotiation and execution of a “like kind exchange” **defeased lease transaction** for six MTA properties with Agilent Technologies, Inc. (Agilent), as the equity investor, and other documents as outlined;
 - B. payment of fees and transaction expenses not to exceed \$3.040 million; and
 - C. adoption of the attached resolution authorizing the “like kind exchange” defeased lease transaction for the six MTA properties.
30. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) ADOPTING the following positions on **Federal Legislation**:
- A. S. 217 (U.S. Senator Schumer) - Amend the Internal Revenue Code to increase the dollar limitation for all types of transportation fringe benefits from \$65 to \$175. **SUPPORT**
 - B. H.R. 318 (U.S. Representative McGovern) - Amend the Internal Revenue Code to increase the dollar limitation for all types of transportation fringe benefits from \$65 to \$175. **SUPPORT**

37. PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (4-0) execution of Amendment No. 8 to Contract No. 07H004, Project ID No. 350B with MK Centennial, to **expedite additional design work for the Route 10 HOV lane** between Route 57 and the San Bernardino County Line (SBCL) in the amount of \$65,500, increasing the total MTA contract value from \$8,734,568 to \$8,800,068.

38. PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) awarding a two-year, firm fixed-price contract to Booz, Allen & Hamilton for evaluation **of Regional Surface Transportation Improvement Projects** in the amount of \$457,387.

39. PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (3-0-1) APPROVAL, AS CORRECTED, to negotiate and execute contract amendments with the consultants listed below to **prepare FTA Section 5309 Reports and Requests to Enter Into Final Design Phase in support of the Eastside, Mid-City/Westside and San Fernando Corridor Studies**, for an aggregate amount not to exceed \$245,371:
 - A. amend the Eastside LRT Project, Contract PS-4350-0513, with Parsons Brinckerhoff, Quade & Douglas/ Jenkins/Gale/Martinez (PBQD/JGM) for an amount not to exceed \$134,051, revising the total contract value from \$3,539,605 to \$3,673,656;

 - B. amend the Mid-City/Westside Corridor Project, Contract PS-4350-0512, with Korve Engineering, for an amount not to exceed \$66,481, revising the total contract value from \$3,998,125 to ~~\$4,064,606~~ **\$4,220,942 to \$4,287,423**; and

 - C. amend the San Fernando Valley BRT Project, Contract PS-4320-0580, with Gruen Associates, for an amount not to exceed \$44,839, revising the total contract value from \$2,022,151 to \$2,066,990.

42. FINANCE & BUDGET COMMITTEE RECOMMENDED (4-0), SUBJECT TO RESOLUTION OF ANY PROTEST, execution of time and materials contract with Computer Business Programs (CBP) for Phase 2, Technical Support Services, on the project to **upgrade the MTA Financial Information System (FIS)** for a period of ten months for an amount not to exceed \$664,400.

APPROVED UNDER COMMITTEE AUTHORITY – Items 18 and 19

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0-1) contract modifications to Contract E0070, Engineering Design Services, with Engineering Management Consultants, on the Metro Red Line, North Hollywood Extension, Segment 3, as follows:
 - A. execution of Change Order No. 15, for **design support during construction services** for Contract C2327, L.A. River Bridge Widening, for an amount not to exceed \$243,803;
 - B. execution of Change Order No. 16, for additional design support during construction services for Contract C0326, 101 Freeway Overcrossing, for an amount not to exceed \$521,259 increasing the cumulative contract work order value from \$100,166,746 to \$100,931,808; and
 - C. an increase in the Authorization for Expenditure (AFE) to provide funding for Change Order No. 16 in the amount of \$521,259, increasing the current Segment 3 AFE amount from \$100,929,769 to \$101,931,808.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (5-0):
 - A. extending Contract No. E0110 (Contract), Systems Engineering & Analysis, with Booz-Allen & Hamilton, Inc. (BAH), from May 1 through December 31, 2001, **to provide systems engineering and analysis** for Metro Rail Projects, for an amount not to exceed (NTE) \$973,999, increasing the total contract value from \$5,706,980 to \$6,680,979;
 - B. an increase in Authorization for Expenditure (AFE) to Contract No. E0110 for the Metro Green Line for CWO No. 303, Project 800023, to provide funding to extend the Contract for an amount NTE \$407,258, increasing the current Green Line AFE from \$586,588 to \$933,846;
 - C. an increase in AFE to Contract No. E0110 for System Safety Enhancements for CWO No. 304, Project 800089, to provide funding to extend the Contract for an amount NTE \$158,156, increasing the current System Safety Enhancements AFE from \$498,861 to \$657,017; and

- D. an increase to AFE for Contract No. E0110 for Systemwide Support for CWO No. 306, Project 800275, to provide funding to extend the Contract for an amount not to exceed \$72,057, increasing the current Systemwide AFE from \$976,024 to \$1,048,081.

NON-CONSENT ITEMS

3. Chief Executive Officer's Report

4. Chair's Report
 - Present Resolution to outgoing Director Cragin.
 - Present Resolution to Carey Peck.

5. Consider **election of First Vice Chair.**

6. RECEIVE report from the Independent Citizens' Advisory and Oversight Committee regarding the **Propositions A & C Audit - FY 2000 Public Hearing.**

7. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
 - A. execution of five-year multiple award agreements with three firms, J. L. Patterson, Inc., TEC Management Consultants, Inc and Carter-Burgess, Inc. to provide **Construction Management Services** for MTA Capital Improvement Projects with a cumulative total amount not to exceed \$4,000,000 inclusive of three one-year options; and
 - B. issuance of Task Orders under these agreements for Construction Management Services.

(Carried over from March Board Meeting)

8. CONSIDER:
 - A. creation of an **ongoing Municipal Operator Bus Service Improvement Program** beginning in FY 02 to improve service to the transit dependent countywide by reducing overcrowding and expanding services;
 - B. authorizing the Chief Executive Officer, or his designee, to execute funding agreements with the Municipal Operators, which will include the joint agreement that for the duration of the program neither the MTA nor the Municipal Operators will pursue legislation, legal or other actions to alter the funding sources currently subject to formula allocations;
 - C. programming \$15 million of Proposition C 40% funds for FY 2002 to fund the first year of the Program. Funding of \$15 million of Prop C 40% funds will be programmed in each of the following four years for a total of \$75 million, plus 3% cumulative annual increases; and
 - D. supporting a joint draft amendment to AB974 to incorporate the terms of this agreement between the MTA and the Municipal Operators.

9. APPROVE Resolution adopting the **2001 Long Range Transportation Plan** for Los Angeles County.

10. AUTHORIZE the Chief Executive Officer to execute the **Betterment Agreement** between the Los Angeles to Pasadena Metro Blue Line Construction Authority and the Los Angeles County Metropolitan Transportation Authority to **replace the traction power disconnects with circuit breakers** in the amount of \$606,760.

28. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED TO THE FULL BOARD oral monthly status report on **Pasadena Blue Line Joint Powers Authority**.

31. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) APPROVAL, AS AMENDED:
- A. execution of Contract No. PS-2020-1051, a non-competitive contract with Dr. Eisenstein, for **geotechnical and tunneling consulting** as a member of the Tunnel Advisory Panel for **60 DAYS AT THE RATE OF \$137.50 PER HOUR;** the two year base contract for an amount not to exceed \$387,930;
 - B. exercise the three one year options to Contract No. PS 2020 1051 with Dr. Eisenstein for an amount not to exceed \$581,895, for a total five year contract amount not to exceed \$969,826;
 - C. execution of Contract No. PS-2020-1055, a non-competitive contract with Dr. Martin, for geotechnical and tunneling consulting as a member of the Tunnel Advisory panel for **60 DAYS AT THE RATE OF \$137.50 PER HOUR;** the two year base contract for an amount not to exceed \$79,200; and
 - D. exercise the three one year options to Contract PS 2020 1055 with Dr. Martin for an amount not to exceed \$118,800 for a total five year contract amount not to exceed \$198,000.
36. PLANNING & PROGRAMMING COMMITTEE RECOMMENDED (4-0) APPROVAL, SUBJECT TO POTENTIAL CHANGE TO BE CONSIDERED AT THE BOARD MEETING, OF:
- A. local scores for the Federal Transit Administration (FTA) Section 5310 projects; authorizing staff to include the applications recommended for funding in the **2001-02-Regional Transportation Improvement Program** (RTIP); and
 - B. execution and transmission of the Resolution and scoring recommendations to Caltrans.

41. CONSTRUCTION COMMITTEE RECOMMENDED (5-0), AS AMENDED, SUBJECT TO DEFINITIZING COST AND CONTRACT TERM AT THE BOARD MEETING:
- A. awarding Contract No. PM022 to URS Corporation the most technically qualified and lowest priced Proposer, to provide **Project Management Assistance (PMA) services** for three years, to support the Eastside Corridor Light Rail Project, San Fernando Valley Rapid Bus Project, Mid-City Wilshire Rapid Bus Project, Segment 3 Close-Out, Capital Improvement Projects and Programwide Projects;
 - B. awarding a secondary contract, to Carter & Burgess Inc., the second most technically qualified and lowest priced firm, to provide PMA services in any instance where URS would have an organizational conflict of interest, as determined by the MTA, in the performance of Contract No. PM022 for a total cumulative contract value (primary and secondary) not to exceed \$13,287,779; and
 - C. negotiating and issuing specific Contract Work Orders (CWOs) under this contract for necessary PMA services.
43. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (3-0) TAKING THE FOLLOWING POSITIONS ON **State Legislation**:
- A. SB 829 (Karnette) – would permanently dedicate the sales tax on gasoline for transportation purposes and split the revenue equally between STIP, local streets and roads, and the Public Transportation Account. **SUPPORT WITH AMENDMENTS**
 - B. AB 227 (Longville) – would sunset the Governor’s Transportation Congestion Relief Program after six years and permanently allocate the sales tax to the Transportation Investment Fund. **SUPPORT IF AMENDED**
 - C. ACA 9 (Dutra) – is a constitutional amendment that would dedicate the sales tax on gasoline beyond 2006. **SUPPORT**
 - D. SCA 3 (Karnette) – is a constitutional amendment which would relax the limitations of Article XIX of the Constitution and allow gas tax revenues to be used for additional mass transportation purposes. **SUPPORT**
 - E. AB 1396 (Longville) – would create an annual \$100 million Passenger Rail Improvement, Safety and Modernization Program. **SUPPORT**

- F. SB 547 (Figueroa) – would provide a tax credit to employers that provide subsidized transit passes to their employees. **SUPPORT**
 - G. AB 984 (Papan) – would allow transit agencies to enter into lease-leaseback arrangements with private companies. Allowing transit agencies to gain additional revenue at no cost to the state. **SUPPORT**
 - H. AB 1079 (Oropeza) – requires every bus operated by a public agency to be equipped with a 2-way communication device for emergency purposes. **SUPPORT**
 - I. **SB 919 (Polanco) – would prohibit advertising displays on land owned or operated by the MTA. Only existing advertising that is already in place as of March 1, 2001, would be exempt from this prohibition. OPPOSE**
- (NOT CONSIDERED BY THE COMMITTEE)**
- J. **AB 1220 (Pavley) - would restart a Caltrans program that would create park and ride facilities to complement the MTA's Rapid Bus service. SUPPORT WITH AMENDMENTS**

44. **CLOSED SESSION:**

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

1. Capelli v. MTA, Case No. EC 029936
2. Toto v. MTA, Case No. EC 028939
3. Wallace v. MTA, Case No. BC 171005
4. Tutor-Saliba-Perini v. MTA, Case No. BC 123559
5. Argonaut v. MTA, Case No. BC 171636*
6. EMC v. MTA, Case No. BC 207617*
7. Gerlinger v. Parsons-Dillingham, Case No. BC 150298*
8. Obayashi v. MTA, Case No. EC 024692*

* Update only

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

Three cases.

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

Agency Negotiators: Julian Burke and Brenda Diederichs
Employee Organizations: AFSCME, Teamsters, and Engineers and
Architects Association

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN
BOARD'S SUBJECT MATTER JURISDICTION

ADJOURNMENT