



**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, March 27, 2003 - 9:30 a.m.**

Call to order:

Directors:

Hal Bernson, Chair  
Zev Yaroslavsky, 1st Vice Chair  
Frank Roberts, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Yvonne Brathwaite Burke  
John Fasana  
James Hahn  
Paul Hudson  
Don Knabe  
Gloria Molina  
Pam O'Connor  
Beatrice Proo  
Allison Yoh  
Doug Failing, Ex Officio

Chief Executive Officer – Roger Snoble  
Board Secretary - Michele Jackson  
Ethics Officer - Karen Gorman  
Inspector General – William Waters  
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 agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 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. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

**In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.**

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. American Sign language interpreter services and agenda in Braille 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) 922-4880 (Records Management Department)

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

Internet Access to Agendas - [www.mta.net](http://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, 10, 18, 21, 22, 23, 24, (31), and 34

WITHDRAWN

NOTE COMMITTEE AUTHORITY ITEMS: 7, 8, 11, 12, 13, 14, 17, 28, 29, and 33

### CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held February 27, 2003 and Special Board Meeting held March 5, 2003.
10. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) execution of:
- A. **Overall** Master **Cooperative Agreement** with the State of California for Design and Construction of Bus and Rail Transit Projects;
  - B. **Design** Supplemental Cooperative Agreement with the State of California for the **101 Freeway Overcrossing at Union Station;** and
  - C. **Construction** Supplemental Cooperative Agreement with the State of California for the **101 Freeway Overcrossing at Union Station.**
18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) execution of an amendment to Contract No. PS5110-0478 with ProBusiness Services, Inc. **to provide payroll services** for an additional eight months in the amount of \$379,100, increasing the total contract value from \$2,653,872 to \$3,032,972.

21. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE  
RECOMMENDED (3-0) approval of REVISED BERNSON MOTION that MTA staff study the feasibility of a **parking lot observer program**, based on WMATA's program that assigns individuals who are on workers' compensation to be observers at MTA parking facilities **and key stations, and stops throughout the city** to monitor suspicious parking lot activity and report back in 30 days.

23. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE  
RECOMMENDED (3-0) funding the third year of:

A. Contract No. PS-2020-1051 with Dr. Eisenstein for **geotechnical and tunneling consulting** as a member of the Tunnel Advisory Panel for an amount not to exceed \$193,965 effective May 1, 2003; and

B. Contract No. PS-2020-1055 with Dr. Martin for geotechnical and tunneling consulting as a member of the Tunnel Advisory Panel for an amount not to exceed \$39,600 effective May 1, 2003.

24. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE  
RECOMMENDED (4-0) approving revisions to the **MTA Procurement Policy Manual** relating to awarding a contract.

31. OPERATIONS COMMITTEE RECOMMENDED (3-1-0) authorizing the Chief Executive Officer to enter into four-month (120 day) Exclusive Negotiation Agreement (ENA) with RAD Jefferson, LLC (RAD) **for a land exchange of MTA's Division 6 site in Venice**, California for a larger, more suitable West Los Angeles site to be acquired and developed as a new bus operating division.

*Withdrawn  
by staff*

34. CONSTRUCTION COMMITTEE RECOMMENDED (4-0) execution of the **Master Cooperative Agreement** that specifies the roles, responsibilities, and procedures which MTA and COUNTY will follow in planning, designing, constructing the Eastside Light Rail Transit Project.

**APPROVED UNDER COMMITTEE AUTHORITY**

7. PLANNING AND PROGRAMMING COMMITTEE RECEIVED AND FILED report on the **North County Combined Highway Corridor (Part I) (Study)**, which focuses on the **I-5 Golden State Freeway and the SR-14 Antelope Valley Freeways in the North County**.
8. PLANNING AND PROGRAMMING COMMITTEE RECEIVED AND FILED report on the progress towards completing the **North County Combined Highway Corridor Study**, which contains three major roadway segments along **State Route 138**.
11. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of the Mutual Release And Settlement Agreement and Change Order No. 78 to Contract No. B710, **Escalators/Elevators**, with Fujitec America, Inc. **to settle all outstanding claims, changes and closeout issues** on Metro Red Line Segment 2 Wilshire/Vermont Corridor, Segment 3 North Hollywood and Segment 3 Mid City Extensions in the amount of \$1,935,949, increasing the total contract value from \$27,027,889 to \$28,963,838.

12. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of Amendment No. 1 to Contract No. EN070 with Ultrasonics Environmental **to provide anticipated Environmental Compliance Services** through fiscal year 2004 for an amount not to exceed \$220,000 increasing the total contract value from \$1,400,000 to \$1,620,000.

13. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) AS CORRECTED execution of Amendment No. 3 to Contract EN069 with **CGI CH2Mhill Constructors, Inc., to provide continuing Environmental Waste Handling Services** for all transit and major capital projects in an amount not to exceed of \$3,850,000, increasing the total value from \$4,000,000 to \$7,850,000.

14. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of Change Order No. 43 to Contract No. P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. **to modify the electromagnetic interference monitoring system** for the 52 Light rail vehicles currently on order under the Contract, in the amount of \$283,153 increasing the total contract value from \$214,404,464 to \$214,687,617.

17. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED report recommending that (A) quarterly financial performance reports and (B) sales tax revenue updates be directly submitted to the Finance and Budget Committee as "**receive and file**" items.

28. OPERATIONS COMMITTEE RECEIVED AND FILED **Safety's First Program and Workers' Compensation** status report for the period covering October through December 2002.

29. OPERATIONS COMMITTEE RECEIVED AND FILED report for procurement action **to perform grouting on Metro Red Line tunnels** to stop water intrusion as an immediate remedial measure.
  
33. PLANNING AND PROGRAMMING COMMITTEE RECEIVED AND FILED report on methodology used to select projects for deferral in the **STIP amendment request (excluding project priority list not adopted by the Board)** approved by the MTA Board at its February 5, 2003 meeting.

NON-CONSENT:

3. Chair's Report
  
4. Chief Executive Officer's Report
  
22. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION adoption of the following positions on **state legislation:**
  - A. ACR 40 (Dymally) - Would create the Compton Planning and Transportation Task Force. **WORK WITH AUTHOR**
  
  - B. AB 557 (Lowenthal) - Would grant a right-of-way to a transit bus under specified conditions. Expand this program statewide and establish the right-of-way as a permanent provision in State Law. **SUPPORT**
  
  - C. AB 1500 (Diaz and Pavley) - Would create the Petroleum Pollution Cleanup and Prevention Act. The bill would levy a \$1 charge on each barrel of petroleum delivered to a refinery in California and would dedicate those funds to various petroleum pollution remediation programs and to public transit. **SUPPORT**



- Work with Author*
- D. AB 1652 (Nakano) - Would add two City Selection Committee members to the MTA Board. Require the City Selection Committee to define the six sectors from which the new members would be selected. **OPPOSE**
  - E. SB 504 (Kuehl) - Would create the Santa Monica Metro Line construction Authority and transfer authority for construction of a light rail line along the Exposition Right-of-Way to the new Authority. **OPPOSE, WORK WITH AUTHOR**
  - F. SB 541 (Torlakson) - Would provide for increases to the State Gas Tax based on inflation and would require an additional increase to the Traffic Congestion Relief Program under specified conditions. **SUPPORT**
  - G. SB 760 (Scott) - Would delete the sunset provision of January 1, 2004 thereby making the sales tax exemption permanent. **SUPPORT**
  - H. SB 795 (Karnette) - Clarify that the Freeway Service Patrol program (FSP) is an eligible use of excess funds. Clarify the ability of local agencies to place Call Boxes on county roads. **SUPPORT**
  - I. SB 981 (Soto and Romero) - Would create the Petroleum Pollution Cleanup and Prevention Act similar to AB 1500. **SUPPORT, WORK WITH AUTHOR**

30. OPERATIONS COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION PENDING ADDITIONAL DATA:

- A. award of a five-year, fixed unit rate contract, No. PS26101151A, to Intercon Security Systems **for private security services** in an amount not to exceed \$8,927,990 inclusive of four one-year options, effective July 1, 2003; and
- B. award of a five-year, fixed unit rate contract No. PS26101151B, to U.S. Guards Company **for private security services** in an amount not to exceed \$10,510,127 inclusive of four one-year options, effective July 1, 2003.

32. OPERATIONS COMMITTEE RECOMMENDED (4-0) approval of **ANTONOVICH MOTION AS AMENDED BY ROBERTS** that the Executive Director of the MTA be directed to immediately review the following complaints:

- A. the MTA's rail system's escalators, elevators, and ticket vending machines are frequently out of order;
- B. service attendants are not available to assist the disabled passengers; and
- C. the condition of the Blue Line rail cars appears rundown with graffiti-etched windows;

and report back to the Committee in 30 days with an action plan to improve the rail fleet's appearance and service to its commuters.

**Amendment:** It has been brought to my attention that the MTA Red Line station escalators and elevators are frequently out of order, and that there is a cleanliness issue at several stations.

I, THEREFORE, MOVE that in addition to reviewing the Blue Line complaints, that this Committee directs the Executive Officer to expand Director Antonovich's motion to include the Red Line stations in the action plan.

35. RECEIVE AND FILE report on **Service Sector costs**.

(Carried over from February 27, 2003 Board meeting)

36. RECEIVE AND FILE report on the **impact analysis for the June 2003 Service Change Programs** for the San Gabriel Valley, Gateway Cities, and San Fernando Valley Sectors.

37. RECEIVE update on responses to questions raised at the March 5, 2003 Special Board meeting regarding **discount fare program** administration and the proposed fare restructuring.

38. APPROVE an **AB3090 repayment plan**, which includes a repayment schedule and estimated interest costs, for the Metro Gold Line Eastside Extension, the San Fernando Valley East-West Metro Rapid Transit (MRT), and Articulated Bus Procurement projects.
39. APPROVE the corrected legal description for Parcel ES-551 that was included in the Resolution of Necessity adopted by the Board of Directors authorizing the commencement of an eminent domain action to acquire the parcel for the **Eastside Light Rail Project - 1<sup>st</sup>/Soto Street Station**.
40. APPROVE Las Virgenes Malibu Council of Governments nominee Brad Rosenheim to replace Agoura Hills Mayor, Jeff Reinhardt to serve on the **San Fernando Valley Sector Governance Council**.

15. CLOSED SESSION:

- A. Conference with Real Property Negotiators concerning Price and/or Terms of Payment (G.C.54956.8)

Negotiator: Velma Marshall

San Fernando Valley East-West Bus Rapid Transit Project

| Parcel No. | Owner   | Address                              |
|------------|---|--------------------------------------|
| 301        | Los Angeles<br>Community College<br>District (Pierce College) | Victory Blvd. and Winnetka<br>Avenue |

B. Conference with Legal Counsel-Existing Litigation - G.C. 54956.9  
(a):

1. Morales v. MTA BC263505
2. Carrington v. MTA VC035729
3. Livingston v. MTA BC276025
4. Jacobs v. MTA BC262200
5. Torres v. MTA VC033955
6. Moore v. MTA BC277037
7. Labor/Community Strategy Center v. MTA CV94-5936 TJH

C. Conference with Labor Negotiator - G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda  
Diederichs

Employee Organizations: ATU, TCU, UTU 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