



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, June 26, 2003 - 9:30 a.m.

Call to order:

Directors:

- ✓ Hal Bernson, Chair
- ✓ Zev Yaroslavsky, 1st Vice Chair
- ✓ Frank Roberts, 2nd 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

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
TDD line (800) 252-9040

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



SUMMARY OF AGENDA ITEMS

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, JUNE 26, 2003

2	15	3	17
6	19	4	
7	33	5	
9	34	8	
10	41	14	
11		16	
20		29** withdrawal	
21		39	
27		42	
28		43	
35		44	
36		45	
37		46	
38		47	
40			
** Requires 2/3 vote of the Board			

1. APPROVE Consent Calendar Items: 2, 6, 7, 9, 10, 11, 20, 21, 27, 28, 35, 36, 37, 38 and 40

NOTE COMMITTEE AUTHORITY ITEMS: 15, 19, 33, 34 and 41

CONSENT CALENDAR

2. APPROVE **Minutes** of Special Board Meeting held May 12, 2003 and Regular Board Meeting held May 22, 2003.
- 6.) PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the **Conceptual Development Guidelines** for the MTA's Metro Red Line's Vermont/Sunset, Vermont/Santa Monica, and Vermont/Beverly Stations joint development sites.
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0):
 - A. approving the **Route 138 Corridor State Transportation Improvement Program (STIP) Amendment** request; and
 - B. requiring Caltrans District 7 to submit future STIP amendment requests affecting Los Angeles County Regional Improvement Program (RIP) funds to the MTA before the due dates established for such amendments by Caltrans Headquarters.
9. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) approval of **Capital Reserve Accounts** for the Cities of Arcadia, Irwindale, Industry, Lomita, Malibu, Montebello, Pico Rivera, Rosemead and Whittier from Proposition A and Proposition C Local Return funds, so that funding may be used to finance projects.

10. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting findings, recommendations and a resolution for FY 2003-04 TDA Article 8 funds as follows:**

- A. Findings and recommendations for using FY 2003-04 TDA Article 8 fund estimates totaling \$14,939,685;
- 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. The allocations are \$91,944 and \$4,534,208 for Avalon and Santa Clarita, respectively;
 - 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 Propositions 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 projects. The allocations for the Antelope Valley are \$3,525,970 and \$3,543,155 (Lancaster and Palmdale, respectively). The allocation for Los Angeles County Unincorporated is \$3,244,408.
- B. The resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the MTA service area.

11. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) and FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) approval of the following transit fund allocations totaling approximately \$1 billion to Los Angeles County Transit Operators and Cities for Fiscal Year 2004:**

- A. Transportation Development Act (TDA), TDA interest, State Transportation Assistance (STA), STA interest and Proposition A Discretionary fund allocations;

- B. Proposition C 40% allocation for the Bus Service Improvement Program (BSIP), Foothill Mitigation Program, the Transit Service Expansion Program and the Base Restructuring Program;
- C. Proposition A and Proposition C Interest allocations;
- D. Proposition C 40% Municipal Operator Service Improvement Program allocation;
- E. TDA Article 8 Fund allocation;
- F. Propositions A & C Local Return and TDA Article 3 allocations. Lapsed TDA Article 3 funds (in the amount of \$29,215) have been reallocated to cities receiving less than \$5,000. This redistribution methodology has been approved by the Street & Freeway Subcommittee and the Technical Advisory Committee;
- G. Proposition A Incentive Program allocation;
- H. Proposition C 5% Security Fund allocation; and
- I. Federal Transit Act Section 5307 Capital Fund allocation.

20. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to appoint Citigroup Global Markets, Inc. (previously Salomon Smith Barney) as the senior managing underwriter, with co-managers Goldman Sachs & Co., E. J. De La Rosa & Co. and Backstrom McCarley Berry & Co. **to price and deliver the General Revenue Refunding Bonds, Series 2003-A in a negotiated bond sale.**

21. FINANCE AND BUDGET COMMITTEE RECOMMENDED (5-0) adopting a resolution authorizing the Chief Executive Officer and other Authorized Officers under the resolution **to annually transfer amounts from the Surplus Account** of the A1 Bonds to a defeasance account held by the bond trustee to retire a portion of the outstanding bonds.

27. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) adopting the **Transitional Duty and Safety Patrol Program**.
28. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0):
- A. adopting the proposed **MTA Interest Rate Swap Policy**;
 - B. re-affirming the Debt Policy refunding targets.
35. OPERATIONS COMMITTEE RECOMMENDED (3-0) award of a five-year firm fixed-unit rate variable quantity contract No. OP3000646, to Aramark Uniform and Career Apparel Inc. **to provide uniform rental services** for an amount not to exceed \$2,052,813, inclusive of two one-year options and 10% contingency, effective July 1, 2003.
36. OPERATIONS COMMITTEE RECOMMENDED (3-0) award of a ten-year contract No. PS03644022, to Iron Mountain Records Management, Inc. **for inactive records storage and maintenance** for an amount not to exceed \$3,782,608 inclusive of five one-year options, effective August 1, 2003.
37. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a five-year, **indefinite quantity/delivery contract to MCM Integrated Systems for Gateway security system maintenance, repair, and upgrades** for an amount not to exceed \$572,000, inclusive of an annual CPI increase, effective July 1, 2003.

38. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute an agreement with the California Highway Patrol **to provide field officer and dispatch support** to the Los Angeles County Metro Freeway Service Patrol during FY04 for an amount not to exceed \$500,000.

40. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) adopting the following positions on **state legislation:**

A. AB 531 (Kehoe) - would create the Community Infrastructure and Economic Development Bond Act which would authorize voters to consider a \$10 billion General Obligation Bond on the November 2004 ballot. **NEUTRAL**

B. SB 314 (Murray) - would authorize the MTA, upon voter approval, to impose an additional 0.5% transaction and use tax for 5 years or less. **SUPPORT WITH AMENDMENTS**

C. SB 321 (Torlakson) - would create the Invest in California Infrastructure Bond Act which would authorize voters to consider a \$15 billion General Obligation Bond on the November 2004 ballot. **NEUTRAL**

APPROVED UNDER COMMITTEE AUTHORITY

15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of Change Order No. 142 to Contract No. C0326, **Universal City Station Freeway Overcrossing and Site Restoration**, with Brutoco Engineering and Construction, Inc. (BEC), to pay for increases in asphalt concrete pavement amounting to \$280,883 and take a credit for decreases in asphalt concrete pavement amounting to \$232,520 for a final quantity adjustment of asphalt concrete pavement in the amount of \$48,363, increasing the total contract value from \$35,816,018 to \$35,864,381.

19. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED **FY03 Third Quarter Financial Performance Report**.

33. OPERATIONS COMMITTEE RECEIVED AND FILED **Safety's First Program and Worker's Compensation** Status Report for the period covering January through March 2003.

34. OPERATIONS COMMITTEE RECEIVED AND FILED report on the status of **El Monte Station improvements**.

41. OPERATIONS COMMITTEE RECEIVED AND FILED report on the sewer line located on the proposed **Division 6 Land Exchange** replacement property at Jefferson and La Cienega in the City of Los Angeles.

NON-CONSENT:

- ~~3.~~ Chief Executive Officer's Report

- ~~4.~~ Chair's Report

- ~~5.~~ ANTONOVICH MOTION AS AMENDED BY BURKE directing staff to report back in 60 days on a **comprehensive rail program** which prioritizes MTA's next phase of rail projects and include an **indication of the possibility of alternative technologies with comparative costs**.

8. **PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) AS AMENDED BY BERNSON AND FASANA supporting the recommendations of the US-101 Corridor Study Steering Committee** and directing staff to take the following implementing actions:

- A. include the potential short and mid-range mobility improvement projects in the appropriate subregional section(s) of the MTA Short Range Transportation Plan (SRTP) subject to further community review and refinement, and modification by the affected agencies. Assist the sponsoring agencies in seeking funds for those projects through future MTA Call for Projects and other funding programs;
- B. include analysis of the US-101 freeway as a "Congested Corridor" in the next update of the MTA SRTP;
- C. continue to include the US-101 freeway improvements in the Strategic Element of the MTA Long Range Transportation Plan so that a long-range multi-modal transportation vision, including transit options, can be better defined and funded; and
- D. support Countywide and regional inter-agency coordination efforts in pursuit of innovative land use policies that would effectively promote smart growth, prevent and mitigate traffic congestion, and improve quality of life in Los Angeles County.

FASANA AMENDMENT to add:

- E. **Continuation of US-101 Corridor Study Steering Committee process.**

BERNSON AMENDMENT: Under no circumstances do we back off for the need of improving these Corridors with additional capacity, as well as the off-ramp that was proposed in the initial stage.

14. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:

- A. execution of Change Order No. 138 to Contract No. C0326, **Universal City Station Freeway Overcrossing and Site Restoration**, with Brutoco Engineering and Construction, Inc. (BEC) and increase the funding to pay for extended overhead costs for compensable delays to the contract completion date between September 2001 and May 2002, in the amount of \$1,368,977, increasing the total contract value from \$35,816,018 to \$37,202,995; and
- B. an increase in the Authorization for Expenditure to Contract No. C0326 to provide funding for Change Order No. 138 in the amount of \$1,386,977, increasing the total current Contract No. C0326 AFE amount from \$36,908,516 to \$38,295,493.

16. CONSTRUCTION COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:

- A. an increase to the life of the project budget for **Project 800115, Universal City Site Enhancements Project**, from \$3,355,090 to \$6,970,790 and amend the FY04 Capital Budget to authorize and FY04 expenditure of \$3,615,700, an increase of \$1,092,700, for additional site and traffic improvements and related design, construction management, MTA Project Administration and Third Party Administration costs as described in Recommendations B and C below;
- B. negotiation and execution of Contract Modification No. 12 to Contract No. C0324, Universal City Station Site Improvements, with Brutoco Engineering and Construction, Inc. (BEC), to pay for the widening of Lankershim Boulevard at Campo de Cahuenga City Park, in an amount not to exceed \$1,400,000; and

- C. an increase in contract authorization for Contract Modifications to Contract C0324, Universal City Station Site Improvements to fund both Recommendation B above and potential contract modifications of \$780,000.

29. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
FORWARDED TO THE FULL BOARD WITHOUT
RECOMMENDATION:

- A. finding that there is only a single source of **procurement for the supplies, equipment, and materials** and that the purchase is for the sole purpose of duplicating or replacing inventory items already in use, pursuant to Public Utilities Code 130237;
- B. delegating to the Chief Executive Officer contracting authority for approving contract awards, or rejecting all bidders for inventory procurements; and
- C. approving revisions to the MTA Procurement Policy Manual.

REQUIRES 2/3 VOTE OF THE BOARD

39. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS authorizing the Chief Executive Officer to negotiate a cost neutral Scope of Work change to Contract No. PS-4340-0667 with the Consultant, Parsons, Brinckerhoff, Quade and Douglas (PBQD) for the **I-710 Major Corridor Study** to accommodate the MTA May 2003 Board action.

FASANA MOTION to include request for staff to return to Board with proposal and cost estimate to evaluate financial, economic, and environmental impacts of expansion of the Ports of Los Angeles and Long Beach on the Los Angeles County region, and determine various corridors for goods movement that include routes 5, 10, 60, 91, 138, and 210 in addition to the 710.

42. PRESENTATION OF **MTA's graphic schemes.**

43. AUTHORIZE a special **two-day free fare promotion** for the grand opening weekend of the Metro Gold Line, which is tentatively set for Saturday, July 26 and Sunday, July 27, 2003.

44. AUTHORIZE the Chief Executive Officer to:

- A. enter into a Joint Development Agreement (JDA) with Legacy Partners and Gatehouse Capital for development of approximately 2.8 acres of MTA-owned properties plus 1.47 acres of additional parcels at the **Metro Red Line Hollywood and Vine Station**; and
- B. subject to Developer meeting contingencies of the JDA, enter into Ground Lease(s), Easement Agreement, and such other agreements necessary to implement the Ground Lease(s).

45. DISCUSSION of options related to operational control of **transit parking at the Del Mar Station.**

46. Authorize the Chief Executive Officer to include **Paid Parking at the Metro Gold Line Sierra Madre Villa Parking structure** as part of the Paid Permit Parking Pilot Project.

47. CONSIDER the San Gabriel Valley Council of Governments' recommendation to nominate the following public representatives to serve on the **San Gabriel Valley Service Sector Council**:

1. Bruce Herd
2. Henry Lopez

17. CLOSED SESSION:

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

Negotiator: Velma Marshall

1. **Eastside Metro Gold Line Project**

Parcel No.	Owner	Acquisition
ES-504	Catellus Development Corporation	Permanent Easement
		Temporary Construction Easements (2)

2.

Parcel No.	Owner	Acquisition
ES-505	Exxon/Mobil Corporation	Real Prop - Fee
	Exxon Mobil Corporation and Henry Hahn dba Alameda Mobil	Improvements pertaining to Realty
	Exxon Mobil Corporation	Removal cost of underground storage tanks

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

1. Flores v. MTA BC 276051

2. Wilson v. MTABC 252888

C. Conference with Legal Counsel-Anticipated Litigation – G.C. 54956.9(b)

(One case)

D. Conference with Legal Counsel-Anticipated Litigation – G.C. 54956.9(c)

(Two cases)

E. Conference with Labor Negotiator – G.C. 54957.6:

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: Amalgamated Transit Union,
Transportation Communications Union, United
Transportation Union, 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