



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 24, 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

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
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, APRIL 24, 2003

CONSENT ITEMS	COMMITTEE AUTHORITY ITEMS	NON CONSENT ITEMS	CLOSED SESSION
2	12	3	28 ✓
6	15	4	
7	16	9 ✓	
8	24	27 ✓	
13	25	34	
17 ✓	32 ✓	36 ✓	
18**	38	43 ✓	
19	39	45 ✓	
20	40	46 ✓	
26	41	47	
33 ✓			
35			
37** ✓			
42 ✓			
44 ✓			
** Requires 2/3 vote of the Board			

1. APPROVE Consent Calendar Items: 2, 6, 7, 8, 13, 17, 18**, 19, 20, 26, 33, 35, 37**, 42, and 44

NOTE COMMITTEE AUTHORITY ITEMS: 12, 15, 16, 24, 25, 32, 38, 39, 40, and 41

**REQUIRES 2/3 VOTE OF THE BOARD

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held March 27, 2003.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. approving the local scores for the Federal Transit Administration Section 5310 projects and authorize staff to include the applications recommended for **funding in the 2003-04 Regional Transportation Improvement Program**; and
 - B. executing and transmitting the Resolution and scoring recommendations to Caltrans.
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving a one-time waiver for the City of Redondo Beach of the **MTA Pass-Through Grant Program Policy's** restriction on assisting local agencies in obtaining Federal Section 5307 formula funds.

8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to enter into a Joint Development Agreement (JDA) and, subject to Developer meeting contingencies of the JDA, to enter into Ground Lease, Easement Agreement, and such other agreements necessary **to implement the Ground Lease with Wilshire Entertainment Center, LLC** (WEC) for the development of approximately 72,700 square feet of MTA-owned property located at the Metro Red Line Wilshire/Western Station.

13. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) approving a Resolution to permit the prime contractor of the **Metro Gold Line Eastside Extension** under the CO801 Stations, Trackwork and Systems Design-Build Contract **to enter into subcontracts for work** without having designated a subcontractor for such work in the original bid.

17. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) amending the **FY03 Budget** to appropriate an additional \$27.9 million to the Enterprise Fund budget.

18. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0):

- A. awarding a sole source, firm fixed-price contract, No. PS-9240-1367 to Oracle Corporation **for the upgrade of the Financial Information System** product suite to the Oracle E-business suite for an amount not to exceed \$478,344 effective May 1, 2003; and
- B. negotiating and awarding a separate sole source two-year Time and Material contract with Oracle Corporation to provide implementation services to support the upgrade to the E-business suite, for an amount not to exceed \$500,000.

19. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) award of a five-year, labor rate contract, Number PS 04-5110-01 to PricewaterhouseCoopers, LLP (PWC), **for the financial audit services of MTA** and component units beginning with Fiscal Year ending June 30, 2003, for an amount not to exceed \$1,596,367 inclusive of two one-year renewal options.

20. FINANCE AND BUDGET COMMITTEE RECOMMENDED (3-0) negotiation and award of **All Risk Property insurance** policy and Boiler and Machinery insurance policy for all MTA property for a cost not to exceed \$6,925,000 for a 12-month period effective May 10, 2003 to May 10, 2004.

26. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0):
 - A. delegating to the Chief Executive Officer the authority to approve all amendments **to renew annual software and hardware license and maintenance agreements;** and
 - B. approving revisions to the MTA Procurement Policy Manual.

33. OPERATIONS COMMITTEE RECOMMENDED (5-0):
 - A. approving results of public hearing held on April 1, 2003 concerning **FY 2004 Service Change Program for Metro Westside/Central;** and
 - B. adopting staff's recommended service adjustments to become effective June 22, 2003 or later.

35. OPERATIONS COMMITTEE RECOMMENDED (3-0) award of a five-year, fixed-labor rate, task-order contract No. PS 8310-1267, to LTK Engineering Services **for rail consulting services** for an amount not to exceed \$9,017,964, inclusive of a 5% contingency.

37. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed-price contract under Bid 03-0011 to the lowest responsive, responsible bidders **to provide vehicle parts to the Green Line, Gold Line and Red Line** for a total price of \$578,585, inclusive of sales tax as follows:

- A. Siemens Transportation Systems, Inc., for friction-brake and coupler light rail equipment for a total amount not to exceed \$201,566;
- B. WABCO Transit Division, for friction brake and coupler light rail equipment for a total amount not to exceed \$377,019;
- C. finding that MTA received one bid each for air comfort system equipment, line items 40 through 42, for heavy rail cars. Under Public Utilities Code section 130232, the bid has been rejected and the vehicle parts may be purchased at a lower price on the open market; and
- D. authorizing the purchase of air comfort system equipment pursuant to Public Utilities Code section 130233.

42. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approval of the following **actions to address State Budget impact** on Los Angeles County Transportation funding:

- A. adopting working priorities indicating those projects that can be funded based on current fund estimates. For those Freeway and Call for Projects projects that are deferred, make them the first priority for the next available funding, i.e., federal reauthorization, 2004 State Transportation Improvement Program (STIP), etc.;
- B. adopting the refined project priority setting criteria;
- C. requesting MTA's Technical Advisory Committee (TAC) to hold a meeting to allow Call for Project sponsors an opportunity to comment on their project(s) prioritization;
- D. approving the State Transportation Improvement Program (STIP) Amendment request;
- E. advancing MTA's 17% commitment to the Alameda Corridor East (ACE) for Phase 1 and pursuing existing Transportation Congestion Relief Program (TCRP) commitments through the legislative process; and
- F. directing the Chief Executive Officer to continue to develop ways to advance high priority, immediately "ready-to-go" projects using funds from both deobligated and "not ready-to-go" low priority projects.

44.

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
RECOMMENDED (3-0) AS AMENDED adoption of the
following positions on **state legislation**:

- A. AB 684 (Dutra) – would require that all smart card systems placed into contract after 2004 be equipped with a specified device to create interoperability of differing smart card technology and that these systems be equipped with this device as the equipment is upgraded or repaired. Require the establishment of a statewide task force to oversee the development of specifications and software to establish the technological requirements to establish interoperability of varying smart card technologies. ~~SEEK AMENDMENTS AND WORK WITH AUTHOR~~ **OPPOSE AND WORK WITH AUTHOR**
- B. AB 875 (Wyland) – would require, beginning in 2008, all funds generated by the state gas tax and sales tax on gas be apportioned by the California Transportation Commission (CTC) to the county in which those funds were generated and, also require the CTC to program these funds for freeway purposes. **OPPOSE**
- C. SB 157 (Bowen) would create the Streamlined Sales and Use Tax Agreement Act in the State of California, create a Board of Governors to represent California at the Agreement meetings and require that implementation of agreements reached by the project shall be done by separate legislation. **SUPPORT**
- D. SCA 7 (Murray) – would require that the loan repayment conditions for the State Transportation Fund and Public Transportation Account be applied to any loan that is made from motor vehicle fuel and vehicle-related revenues to any other fund or account in the State. **SUPPORT**

APPROVED UNDER COMMITTEE AUTHORITY

12. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) an increase in the Authorization for Expenditure (AFE) to Contract No. C2327, Los Angeles River Bridge Widening at Lankershim Boulevard, with Brutoco Engineering and Construction, Inc. on the Metro Red Line, Segment 3, North Hollywood Extension, **to close out the contract and provide funding to allow staff to execute already negotiated changes** that are within the Board delegated authority in the amount of \$81,724, increasing the total current AFE amount from \$6,502,718 to \$6,584,442.



15. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED report on **sales tax revenues for fiscal year 2003.**
16. FINANCE AND BUDGET COMMITTEE RECEIVED AND FILED report on **FY04 Metro Operations and Budget Key Performance Indicators.**
24. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECEIVED AND FILED quarterly report of **Management Audit Services.**
25. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECEIVED AND FILED **audit activities report** from the Office of Inspector General.

32.

OPERATIONS COMMITTEE RECEIVED AND FILED report on the **action plan to improve the rail fleet and station appearance and services to its commuters and approved ANTONOVICH MOTION for monthly update.**

38. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) award of a three-year, firm, fixed-price contract under Bid 03-0005 to Merrimac Energy Group, the lowest responsive, responsible bidder for **Lubricants** for an amount not to exceed \$591,853, inclusive of sales tax and two one-year options.

39. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) award of a 24-month firm, fixed-price requirement contracts under Bid 07-0202 to the lowest responsive, responsible bidders for **bus brake drums** for an amount not to exceed \$1,993,999, inclusive of sales tax to the following:

- A. Vehicle Maintenance Program for TMC, New Flyer, NABI, Flxible and Neoplan front and rear brake drums for a total contract value of \$1,428,155, inclusive of sales tax; and
- B. The KIC Group for New Flyer and Flxible front brake drums for a total contract value of \$565,844, inclusive of sales tax.

40. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY
(4-0):

- A. execution of an indefinite quantity/delivery type, multiple award agreement with Chromatic Lithographers, Dual Graphics, Graphic Press, Pacific Graphics, ~~Pacific Printing~~, and Peaks & Associates **for printing services** for a period of three years, effective April 24, 2003, with a cumulative total amount not to exceed \$700,000; and
- B. execution of task or contract work orders under these agreements for printing services.

41. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY
(4-0) award of a firm fixed-price contract under Bid No. 03-0019, to Motorola, Inc. **for the acquisition of radio transmission equipment** for a firm fixed-price of \$389,315.71 inclusive of sales tax.

NON-CONSENT:

3. Chief Executive Officer's Report

2

4. Chair's Report

2

9. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION DUE TO CONFLICTS authorizing the Chief Executive Officer to extend the term of the MTA's Exclusive Negotiation Agreement (ENA) with Urban Partners, LLC (Urban Partners) **for the proposed joint development of the Wilshire/Vermont Metro Red Line Station** site for an additional 60 days to July 4, 2003.

2/27/12

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
FORWARDED TO THE FULL BOARD REVISED **BERNSON
MOTION** that the MTA Board amend the Board of Directors
Rules and Procedures to provide no more than two
opportunities for members of the public to comment during any
MTA Board/Committee meeting **and Committee Chair has
discretion to waive rule.**

34. OPERATIONS COMMITTEE FORWARDED TO THE FULL
BOARD WITHOUT RECOMMENDATION PENDING
ADDITIONAL DATA IN RESPONSE TO QUESTIONS ASKED ON:

- A. adopting the Pasadena Gold Line and Eastside Extension
Light Rail Vehicle Projects 800088 and 800151 Budgets
for the value of \$191,222,902;
- B. awarding a five-year, firm, fixed-price contract No. P2550,
to Ansaldobreda, S.P.A., **for the manufacturing and
delivery of 50 light rail vehicles** (LRV), for an amount of
\$158,738,671 for the base contract buy, exclusive of two
50-LRV options; and
- C. executing change orders for this procurement in the
amount up to \$1,000,000 per change order with
cumulative change orders not to exceed 10% of the
current approved contract value.

36. OPERATIONS COMMITTEE RECOMMENDED (4-0) APPROVAL AS AMENDED BY DIRECTOR ANTONOVICH TO AUTHORIZE the Chief Executive Officer:

- A. **to award a Metro Freeway Service Patrol contract to South Coast Towing of Los Angeles for Beat No. 2, in the amount of \$1,281,904 with a contract period of performance from August 1, 2003 through July 31, 2006.**
- B. to negotiate and execute ~~20~~ **19** amendments for the Metro Freeway Service Patrol in an amount not to exceed ~~\$4,564,300~~ **\$4,309,500**, including contingencies, to extend the periods of performance for all Contractors for a duration of up to 10 months.

Beat	Contractor	Current Contract Amount	Not to Exceed Contract Increase	Not to Exceed Amount
2	South Coast Towing	\$992,130	\$254,800	\$1,246,930
3	A1's Towing	\$989,055	\$72,800	\$1,061,855
4	A1's Towing	\$1,235,306	\$136,500	\$1,371,806
6	LA's Bestway	\$998,322	\$291,200	\$1,289,522
8	A1's Towing	\$973,369	\$145,600	\$1,118,969
10	Girard & Peterson	\$1,098,475	\$322,400	\$1,420,875
22	Girard & Peterson	\$1,005,922	\$260,000	\$1,265,922
35	Girard & Peterson	\$911,429	\$234,000	\$1,145,429
39	LA's Bestway	\$955,158	\$351,000	\$1,306,158
40	J&M Towing	\$1,186,358	\$362,700	\$1,549,058
12	Bob & Dave's Towing	\$962,630	\$210,600	\$1,173,230
14	Kenny's Auto	\$1,097,535	\$226,200	\$1,323,735
15	Kenny's Auto	\$870,053	\$130,000	\$1,000,053
16	Bob & Dave's Towing	\$1,191,604	\$234,000	\$1,425,604
18	J&M Towing	\$1,430,910	\$312,000	\$1,742,910
19	Dale's Toe	\$1,360,388	\$227,500	\$1,587,888
20	Dale's Toe	\$974,343	\$202,800	\$1,177,143
23	Navarro's Towing	\$1,058,556	\$254,800	\$1,313,356
26	Kenny's Auto	\$728,257	\$156,000	\$884,257
38	Bob & Dave's Towing	\$795,040	\$179,400	\$974,440
Total			\$4,309,500	

43. CONSTRUCTION COMMITTEE RECOMMENDED (3-0)
approval of **YAROSLAVSKY MOTION** that the MTA rename the MTA Metro Rapid Transitway the San Fernando Valley **METRO Transitway-Rapidway** project and take all appropriate steps to reflect this change.

45. APPROVE negotiation and award of **Builder's Risk and Contractor's Pollution Liability Insurance** policies for the San Fernando Valley Metro Rapidway and San Fernando Valley Bikeway project for an amount not to exceed \$1,123,673 for Builder's Risk and \$235,717 for Contractor's Pollution Liability.

46. CONSIDER:

- A. receipt and filing of response to BERNSON MOTION that MTA staff study the feasibility of a **parking lot observer program** based on Washington Metropolitan Area Transit Authority's (WMATA) Program that assigns individuals who are on workers' compensation to be observers at parking facilities, key stations and stops throughout the ~~city~~ to monitor and report suspicious activity; and
- B. direct staff to report back with a comprehensive Transitional Duty Safety Patrol Program and implementation plan.

47. ADOPT the following position on **state legislation**:

AB 1720 (Nunez) – would make legislative findings regarding the condition of the Maintenance Employees Health and Welfare Fund (Fund) and require the MTA to transfer State Transit Assistance (STA) funds to the Fund. **OPPOSE**

28. CLOSED SESSION:

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

Keda Studios v. MTA BC241284

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

Negotiator: Velma Marshall
Property Address: 100 Sunset Avenue
Venice, CA

- 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