

Agenda

Regular Board Meeting
Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Call to Order

Directors

Antonio Villaraigosa, Chair
Gloria Molina, 1st Vice Chair
Pam O'Connor, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
Don Knabe
Bonnie Lowenthal
Ara J. Najarian
Bernard Parks
Zev Yaroslavsky
Doug Failing, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
William Waters, Inspector General
County Counsel, General Counsel



Metro

Los Angeles County
Metropolitan Transportation Authority

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

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPPFUL PHONE NUMBERS

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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, 6, 7, 8, 13, 14, 15, 25, 26, 36, 37 and 39.

CONSENT CALENDAR

2. APPROVE **Minutes** of Regular Board Meeting held May 25, 2006.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) adopting the following two **bicycle planning documents**:
 - A. [Metro Bicycle Transportation Strategic Plan](#)
 - B. [Bicycle Transportation Account Compliance Document](#)
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. approving three-year extensions to the term limits of the Memoranda of Understanding that established the **Local Return Capital Reserve Accounts** for the Cities of Arcadia, Montebello, Pico Rivera, Pomona and San Gabriel for capital projects and amounts of Proposition A and Proposition C Local Return funds; and
 - B. authorizing the Chief Executive Officer, or his designee to negotiate and execute all necessary amendments that would extend the term limits of the MOUs between Metro and the cities for their Local Return Capital Reserve Accounts as approved.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):
 - A. establishing **Capital Reserve Accounts** for the City of Inglewood for \$3,000,000; the City of South Gate for \$620,000; the City of Temple City for \$5,000,000, and the City of West Covina for \$3,500,000 from their Proposition C 20% Local Return funds, so that their funds may be used to finance improvement projects on streets heavily used by transit; and
 - B. authorizing the Chief Executive Officer, or his designee, to negotiate and execute all necessary agreements between Metro and the cities for their Capital Reserve Accounts as approved.

13. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (3-0) AS CORRECTED approving the following nominee for membership on the **San Fernando Valley Service Sector Governance Council**:
- Brad Rosenheim – Re-appointment
Appointed by: Las Virgenes-Malibu Council of Governments
Term ending: ~~July~~ APRIL 2009
14. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0):
- A. adopting the updates to the **Debt Policy**;
 - B. adopting the updates to the **Rate Swap Policy**; and
 - C. **receiving and filing the Annual Report on Interest Rate Swaps.**
15. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) approving the **FASANA MOTION** that the Board of Directors, to ensure equity of compensation for non-represented employees consistent with Board policy, is adjusting the non-represented pay ranges by 10% to partially mitigate the impact of previous years when inflationary pay range adjustments were not made.
25. CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute Contract Modification No. 1.00 to Contract No. C0739, Canoga Station/Park-and-Ride with Sully-Miller Contracting Company, for the **deletion of Parking Lot B** in the credit amount of \$1,190,000, decreasing the total contract price from \$13,732,500 to \$12,542,500.
26. CONSTRUCTION COMMITTEE RECOMMENDED (3-0):
- A. Authorizing the Chief Executive Officer to:
 - 1) negotiate and execute a two-year indefinite quantity/indefinite delivery contract with three one year options, to Jones and Stokes Associates, for **Environmental Compliance Services** on Contract Work Orders, for an initial amount not to exceed \$2.275 million for fiscal years 2007 and 2008;

- 2) negotiate and execute Contract Work Orders and changes within the Board approved contract value; and
 - 3) exercise each of the three option years no later than thirty (30) days prior to the option expiration date.
- B. Should staff be unable to conclude negotiations with Jones and Stokes Associates, staff requests authority to negotiate with the next qualified proposer.

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

- A. amending the **FY07 budget** to lower expenditures by \$16.3 million for the following projects or programs:
1. reducing the Sheriff's contract by \$1.5 million to take advantage of projected vacancy savings;
 2. reducing insurance expense by \$800,000 to reflect savings realized on renewal of property policies;
 3. reducing pension expense by \$1.0 million to reflect updated actuarial assessment;
 4. reducing the tire lease contract by \$2.0 million by substituting lower-cost acceptable tires;
 5. deferring \$1.0 million of expenses for the Union Division capital project (CP#202001) to FY08; and
 6. reducing the annual cash flow projection by \$10 million for the Light Rail Vehicle Fleet Enhancement project (CP#800151).
- B. directing staff to develop a proposal for an operating reserve policy for the region of 5% of the total monies subject to the formula allocation procedure beginning in FY08.

37. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to:
- A. exercise the first of two option years related to **Memorandum of Understanding No. TCP2610LASD with Los Angeles County Sheriff's Department for Transit Community Policing Services**; and
 - B. execute Modification No. 7 to provide funding for FY07 transit community policing services for an amount not to exceed \$59,480,120 revising the total contract value from \$164,252,291 to \$223,732,411 for the period July 1, 2006 through June 30, 2007.
39. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED (5-0) adopting the following **positions on State Legislation**:
- A. AB 2495 (NUNEZ) - Would provide for legislative appointments to the California Transportation Commission. **SUPPORT.**
 - B. Prop 1A - Transportation Funding Protection Legislative Constitutional Amendment. **SUPPORT.**
 - C. Prop 1B – The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. **SUPPORT.**

NON-CONSENT:

- 3. Chair's Report
- 4. Chief Executive Officer's Report
- 5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) **AS AMENDED BY LOWENTHAL/BURKE AND KATZ:**
 - A. adopting the Alternative Analysis for the **I-5/I-710 Interchange** (East Los Angeles Mini-Study) including Tier I Community Advisory Committee comments from East Los Angeles and City of Commerce and incorporate into the I-710 Major Corridor Study's Locally Preferred Strategy adopted by the Board on January 27, 2005;

- B. authorizing the Chief Executive Officer to proceed with the environmental (EIR/EIS) phase of the project pursuant to the Major Corridor Study's Locally Preferred Strategy; and
- C. authorizing the Chief Executive Officer or his designee to negotiate and execute funding contracts or agreements as needed with agencies that have committed to provide funds for the conduct of the EIR/EIS.

LOWENTHAL/BURKE AMENDMENT that the Board adopt the staff recommendations and further instruct staff, in consultation with the CTC's CEO committee, to take the following actions:

1. To further explore the nature, development, and role of a single-purpose agency or agencies to fund this and other projects;
2. To investigate the applicability of the funding model used in Oregon, whereby private investment was used to help fund the initial project development work;
3. To investigate the conditions for applying for and obtaining pre-deployment funding from the TIFIA program to support early work on the 710 project; and
4. Bring an update to the Board in August, 2006

KATZ AMENDMENT that the MTA Board direct the CEO to present the following recommendations to the I-710 Executive Committee and the I-710 Project Committee for consideration in the development of the I-710 Environmental process:

1. Provide for future freight mobility and air quality improvement by fully examining an alternative that uses advanced technology for the movement of goods.
2. Ensure that public and community participation includes a "Tier 2-like" stakeholder advisory committee(s) for the I-710 Corridor project, that the committee(s) convenes quarterly at minimum and includes, representatives of the affected residential, business, and environmental communities and other groups.
3. Request that the Executive Committee submit to the MTA Planning and Programming Committee a quarterly status update of the "Compendium of Existing and Proposed Near-Term Air Quality Improvement Strategies for the I-710 Corridor", Exhibit 2 (March 2006).

4. Allocate \$75,000 from the fiscal year 2006-2007 “Proposition A, C, TDA Administration” fund balance to the Gateway Council of Governments to complete the “short-term air quality plan” that addresses near-term mitigations of emissions.

27. CONSIDER:

- A. finding that procurement under Public Utilities Code § 130232 does not constitute a method of procurement adequate to meet Metro’s needs and that the procurement of the DriveCam units qualifies under Public Utilities Code § 130236 for prototype equipment in an amount sufficient to conduct and evaluate operational testing without further observance of any provisions in this article regarding contracts, bids, advertisements, or notice; and
- B. authorizing the Chief Executive Officer to execute a firm fixed-price contract to DriveCam, Inc. for **purchase of 220 DriveCam Video Systems** with associated spares for a total price not to exceed \$281,000 inclusive of sales tax.

REQUIRES 2/3 VOTE OF THE BOARD

28. INCREASE the **Life-of-Project Budget for the Division 7 Facility Improvements Project** by \$1,539,000, increasing the Life-of-Project budget from \$3,561,000 to \$5,100,000.
29. AUTHORIZE the Chief Executive Officer to execute an agreement with the California Highway Patrol (CHP) **to provide field officer and dispatch support to the Los Angeles County Metro Freeway Service Patrol** during FY07 for an amount not to exceed \$800,000.
30. AUTHORIZE the Chief Executive Officer to award a five-year, unit rate, Contract No. PS06064105, to American Reclamation, Inc. **for Integrated Waste Management Services**, for an amount not to exceed \$5,322,229, effective July 1, 2006.

38. EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE RECOMMENDED:

- A. amending the Board-approved policy on **Metro System Advertising (COM 6)** to permit additional revenue-generating programs; and

AS AMENDED BY VILLARAIGOSA (5-0) that the MTA Board adopt the CEO recommendation with the following amendments:

1. Pursue additional advertising revenue:
 - A. Direct the CEO to immediately implement pilot programs for the following items in Attachment B
 - B-2 Expand vending contracts
 - B-3 Product promotions, placement and sampling
 - B-4 Website and WiFi (including Gateway building)
 - B-5 Wholesale service sponsors
 - B-6 Product licensing
 - B-7 Facility naming
 - B. Establish a combined minimum revenue target of \$10 million for fiscal year 2006-2007 for all pilot programs (B-2 through B-7)
2. Direct the CEO to establish a revised revenue sharing agreement whereby MTA receives at least 65% of all advertising revenue for all new and future contracts; and
3. Direct the CEO to report back quarterly to EMAC with revenue update.

- B. authorizing the Chief Executive Officer to immediately implement pilot programs as available based on the concepts.

AS AMENDED BY KATZ (4-0-1) that the Board:

1. Amend the CEO recommendation to establish a combined minimum revenue target of \$4 million for fiscal year 2006-2007 for all pilot programs (A-1 through A-5); and

2. Direct the CEO and County Counsel to amend the current bus advertising contract to allow the current contractor and future bidders to submit bids to “wrap” up to 25% of the MTA’s bus fleet, subject to final Board approval.

40. APPROVE the following nominees for membership on the **San Gabriel Valley Service Sector Governance Council:**

Bart Doyle – Re-appointment
Appointed by: Supervisor Michael Antonovich
Term ending: June 2009

David Spence – Re-appointment
Appointed by: San Gabriel Valley Council of Governments
Term ending: June 2009

Bruce Heard – Re-appointment
Appointed by: San Gabriel Valley Governance Council
Term ending: June 2009

41. APPROVE the following nominees for membership on the **Gateway Cities Service Sector Governance Council:**

JoAnn Eros-Delgado – Re-appointment
Appointed by: Gateway Cities Council of Governments
Term ending: June 2009

Cynde Soto – Re-appointment
Appointed by: Gateway Cities Council of Governments
Term ending: June 2009

42. CONSIDER:

- A. holding a public hearing on the proposed **Resolution of Necessity for the acquisition of Parcels ES-667** for the Metro Gold Line Eastside Extension Project; and
- B. adopting the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire fee simple title to LACMTA Parcel ES-667.

43. CONSIDER **amending the FY07 budget** by adding up to \$2.3 million for recommendations A-L, which includes six additional FTE's for the following programs and projects:
- A. addition of one FTE and \$100,000 for Countywide Planning to initiate the major investment study for the extension of the Metro Red Line to the west side of Los Angeles;
 - B. addition of one FTE and \$100,000 for Countywide Planning to initiate the major investment study for the light rail regional connector in downtown Los Angeles;
 - C. addition of one FTE and \$100,000 for Countywide Planning to initiate a major investment study for the Harbor subdivision right-of-way from downtown Los Angeles to Los Angeles International Airport and Wilmington;
 - D. addition of one FTE and \$150,000 for Countywide Planning to study environmental issues and conduct further design on the I-710 North extension;
 - E. addition of one FTE for Countywide Planning to provide additional technical support on the Goods Movement Action Plan;
 - F. addition of one FTE for Countywide Planning to increase monitoring and administrative responsibilities associated with SAFETEA-LU;

The following programs and projects do not require FTE additions:

- G. addition of \$250,000 for Countywide Planning to provide a funding contribution to the Gateway Cities COG, Caltrans, and SCAG to initiate a major corridor study of the SR-91/I-605 corridor;
- H. addition of \$80,000 for Countywide Planning to provide a funding contribution to the South Bay COG to continue Phase III of the research on Mixed-Use Centers and Transit Corridors Demand Study;
- I. addition of \$125,000 for Countywide Planning to conduct a joint study with OCTA to develop, evaluate and recommend transportation improvements focused on issues at the LA/OC border;

- J. addition of \$150,000 for Countywide Planning to provide a funding contribution to the City of Los Angeles to prepare a study on the I-10 South Master Plan;
- K. addition of \$120,000 for Countywide Planning to prepare twelve Bicycle Transit Bike Access hub plans; and
- L. addition of \$500,000 for Procurement to conduct a disparity study to determine the presence of discrimination, or its effects, as required by the Department of Transportation.

44. CONSIDER:

- A. authorizing the Chief Executive Officer to finalize and execute an **Exchange Agreement with Escrow Instructions, Funding and Reimbursement Agreement and Development Agreement (“Agreement”) between the Los Angeles County Metropolitan Transportation Authority and the Los Angeles Unified School District (LAUSD)** to allow the exchange of properties required for the construction of the Indiana Street LRT Station of the Metro Gold Line Eastside Extension Project on a portion of LAUSD Property which is currently the Ramona Opportunity High School site;
- B. authorizing the Chief Executive Officer to include language in the Agreement that will allow both parties to proceed with the acquisition activities and allow LAUSD to obtain construction bids for the new construction and rebuilding of Ramona Opportunity High School so that an updated Total Project Cost estimate can be presented to the Metro Board as a condition that it must be approved, prior to the close of Escrow and the award of a LAUSD construction contract; and
- C. extending the time period which was stipulated in the approved May 3, 2006 Metro Board action, to allow an additional 30 days beyond July 3, 2006, for the LAUSD Board of Education to approve the Agreement.

45. RECEIVE annual oral report from **Service Sector Governance Councils** on sector progress.

46. ELECTION of **Board Officers**.

23. **CLOSED SESSION:**

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

Agency Negotiator: John Catoe and Brenda Diederichs
Employee Organizations: ATU, UTU, TCU

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

Negotiator: Velma Marshall

APPROVE **Just Compensation** for the following parcels required for the Exposition Metro Line Light Rail Project.

Parcel No.	Owner
WE-616	LaCienega Jefferson, LLC
D-120	University of Southern California

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

Clear Channel Outdoor, Inc. v. MTA Case No. BC286040

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 Committee or 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 Committee subsequent to the posting of the agenda.

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

ADJOURNMENT