

# Agenda

## Regular Board Meeting Board of Directors

One Gateway Plaza  
3<sup>rd</sup> Floor Board Room

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### Call to Order

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### Directors

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

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### Officers

Roger Snoble, Chief Executive Officer  
Michele Jackson, Board Secretary  
Karen Gorman, Ethics Officer  
Karen Gorman, Acting 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:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. 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.

### **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.metro.net](http://www.metro.net)

TDD line (800) 252-9040



1. APPROVE **Consent Calendar** Items: 2, 5, 7, 8, 20, 21, 22, 23 and 24.

**CONSENT CALENDAR:**

2. APPROVE Minutes of **Regular Board Meeting** held April 24, 2008 and **Special Board Meeting** held May 5, 2008.
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (4-0) adopting the **final Multi-County Goods Movement Action Plan** for Los Angeles County and the Southern California region.
7. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) approving **revisions to the Immediate Needs Transportation Program** to improve program effectiveness resulting in a change in the expenditure ratio of bus tokens and taxi coupons to 50% bus tokens and 50% taxi coupons.
8. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to program \$105 million in **supplemental funding for the I-5 Carmenita Road Interchange Reconstruction project**, an increase in project funding from \$283.8 million to \$388.8 million.
20. OPERATIONS COMMITTEE RECOMMENDED (4-0) approving an increase in Contract Modification Authority (CMA) to Contract No. C0693 with **Balfour Beatty Rail, Inc. to provide funding for pending changes** in the amount of \$120,000, increasing the current CMA from \$100,000 to \$220,000.
21. OPERATIONS COMMITTEE RECOMMENDED (4-0) 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 FY09 for an amount not to exceed \$851,000.
22. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five-year fixed unit rate Contract No. PS68102137 to American Environmental Specialists, Inc. for **industrial hygiene and environmental safety services** for an amount not to exceed \$288,260, inclusive of three, one-year options, effective July 1, 2008.

23. OPERATIONS COMMITTEE RECOMMENDED (3-0-1) authorizing the Chief Executive Officer to:
  - A. award a five-year firm fixed price Contract No. OP31502132 to **Veolia Transportation for Contract Bus Service** for an amount not to exceed \$53,048,803 and provide for reimbursement of fuel costs for the five-year period for an amount not to exceed \$11,281,251, for a total contract amount not to exceed \$64,330,054, effective August 3, 2008; and
  - B. execute future contract modifications to Contract No. OP31502132 up to an amount not to exceed \$3,216,502 (five percent of total contract value) for unanticipated fuel or other costs, and the potential need for additional Revenue Service Hours.
  
24. OPERATIONS COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to execute Amendment No. 6 to Contract No. OP31201022 with Goodyear Tire & Rubber Co. to allow for **payment of tire run-out charges** for an extended period beyond the Board-approved Amendment No. 5 to cover the remaining useful life of Goodyear tires currently installed on our buses for an amount not to exceed \$600,000, increasing the Total Contract Value from \$25,405,136 to \$26,005,136.

**NON-CONSENT:**

3. Chair's Report.
  
4. Chief Executive Officer's Report.
  - Presentation of Resolution to Eastside LRT Constructors.
  
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) **AS AMENDED:**
  - A. approving programming of \$58,901,200 in Proposition C 10% local sales tax funds as the Los Angeles County Metropolitan Transportation Authority (LACMTA) share (consisting of \$37,301,200 for operations, \$15,600,000 for rehabilitation and renovation, and \$6,000,000 for capital) of the **Southern California Regional Rail Authority (SCRRA) Fiscal Year (FY) 2008-09 Preliminary Budget for Metrolink**, consistent with a Board-approved FY09 LACMTA Budget. The \$58,901,200 includes \$53,067,940 of funding from the FY09 LACMTA Budget and \$5,833,260 in prior year surplus subsidy; (continued on next page)

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- B. approving the re-programming of the remaining \$2,959,480 in Proposition C 10% local sales tax funding from prior year SCRRA operating subsidy to Metrolink capital projects;
- C. approving the capital projects; and
- D. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements between LACMTA and SCRRA for funding approved.

**Najarian Amendment that Metro approve the Long Range Transportation Plan \$50.1 million allocation**, provide a one-time funding of \$780,000 for the EZ Pass subsidy increase, and approve the use of \$8.8 million in prior years' subsidy for operating and capital needs, for a total of \$59.7 million. Further move that Metro adopt the 50% resident formula for allocating both direct and indirect operating costs for Metrolink as recommended in the cost/benefit analysis and direct the CEO to work with the other Metrolink JPA members to adjust the Metro formula for the FY 09/10 allocation.

11. FINANCE AND BUDGET COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION AS AMENDED:

- A. adopting the **proposed Fiscal Year 2009 (FY 09) budget** as presented in the ~~proposed~~ budget document (**provided as a separate transmittal) which also includes a \$6 million reserve for safety and security-related emergencies;**
- B. approving the life-of-project budgets for all new capital projects ~~in the proposed budget~~ as presented in the proposed budget document;
- C. approving the total budgeted salaries and benefits for each union/non-contract group as required by the Position Authorization and Compensation policy;
- D. approving the non-represented employee salary schedule adjusted for the annual inflationary increase as required by the Position Authorization and Compensation policy;
- E. approving the safety and security budget as required by the Financial Stability Policy adopted by the Board in January 2008;

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- F. approving a bus operating reserve of \$20 million funded from the General Fund reserves — CNG Fuel Credits, to be used for bus-related emergencies as approved by the Board; amending the proposed budget to add 256,000 revenue service hours to Metro Bus Operations funded with \$20.5 million of CNG Fuel Credits;
- G. approving a safety and security reserve of \$6 million funded from Prop C-5% security fund balance, to be used for safety or security-related emergencies, or as local match for homeland security grants as approved by the Board; amending the proposed budget to add \$100,000 to the Safety and Security department funded by a Homeland Security grant to provide regional transit security awareness training;
- H. amending the proposed budget to add ~~3 FTE's~~ 1 FTE to Construction and 1 FTE to Countywide Planning and ~~\$500,000~~ \$250,000 for sustainability activities to be funded with General Fund revenues;
- I. amending the proposed budget to add \$100,000 to the Safety and Security department to provide funding for a homeland security grant to provide regional transit security awareness training; and amending the proposed budget to add 1 FTE to Construction to manage the I-405 Sepulveda Pass Widening Project (HOV) funded with revenues received from State and Federal Grants;
- J. approving the reclassifications and salary upgrades as detailed in Attachment D of the report. amending the proposed budget to add 1 FTE to Communications and \$500,000 to the Eastside Extension Enhancements Project for the Safety Education and Outreach program, increasing the life-of-project budget by \$617,000 from \$42,000,000 to \$42,617,000 and funding the additional expense with STA Population share – Rail funds;
- K. amending the Position Authorization and Compensation Policy authorizing the Chief Executive Officer to approve all non-contract salaries up to \$200,000 for new hires, reclassifications, salary equities and adjustments and the creation of new non-contract classifications; and
- ~~L. approving the salary for one Service Sector General Manager effective July 1, 2008. reclassifications and salary equity adjustments as detailed in Attachment F of the Board report.~~

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**Antonovich Amendment** that the Board of Directors instruct the CEO to increase to \$500,000 the allocation to the Service Sector communications fund in the FY 08-09 budget in a cost-neutral manner from the overall Communications Budget.

27. FASANA MOTION that Metro staff explore and present to this Board at the next Board meeting a **transit project performance analysis** that includes consideration of the environmental benefits of a transit project, both in terms of overall benefits and time to realize such benefits.
28. RECEIVE AND FILE report on **Access Services Incorporated's implementation of audit recommendations and timeline.**
29. **CLOSED SESSION:**
  - A. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation

    - Inspector General
    - Chief Executive Officer
  - B. Conference with Labor Negotiator - G.C. 54957.6:

Agency Negotiator: Carolyn Flowers  
Employee Organization: AFSCME

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