

MINUTES

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 10:02 A.M.

Directors Present:

Frank Roberts, Chair
James Hahn, 1st Vice Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Bonnie Lowenthal
Pam O'Connor
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



Metropolitan Transportation Authority

Metro

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. APPROVED Consent Calendar Items: 2, 8, 9, 10, 14, 15, 28**, 29, 30, 31, and 32.

**REQUIRES 2/3 VOTE OF THE BOARD

NOTED **Committee Authority** Items: 34, 35, 36, and 37.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Special Board Meetings held May 9 and May 25, 2005, and Regular Board Meeting held May 26, 2005.

3. RECEIVED Chair’s Report.

- Presented resolution to outgoing Director Hahn.
- Presented resolution to retiring Assistant Board Secretary, Sharon Sterling.
- Announced adjournment in memory of Gary Clark, Deputy Executive Officer, Board and Government Relations and Derek Hanway, Burbank Finance Director.

4. RECEIVED Chief Executive Officer’s Report.

- Mr. Snoble announced that Gary Clark, Metro Government Relations DEO, passed away while sleeping yesterday morning. He expressed condolences, on behalf of the Board and staff, to his family and loved ones. Mr. Clark played an important role in both the agency and community and has had many great accomplishments. Years ago, he and Mr. Snoble worked together at the California Public Transit Association when Mr. Snoble served as the chairman. Mr. Clark was also an active member of the American Public Transit Association Legislative Committee. He served as choir director for Long Beach Grace United Methodist Church for 13 years, and was a member of the church’s Board of Trustees. Mr. Snoble announced that services will be held Wednesday, June 29th at 2:00 P.M. at Grace United Methodist Church. In lieu of flowers donations are welcome to the Malcolm C. Todd Cancer Institute or to the Community Center of Long Beach.

- Governors and state legislators continuing discussion on the state budget. Agency hopeful that budget will be resolved shortly and that efforts to preserve Prop 42 funds will continue.
- SB 851, procurement bill led by Senator Murray, was passed by Senate Assembly Local Government Committee yesterday and will be heard at Assembly Transportation Committee next Monday, where it will likely be amended.
- SB 760, measure to impose an additional fee on cargo containers at the Ports of Long Beach and Los Angeles, was passed by Assembly Transportation Committee on Tuesday. Measure will be heard at the Assembly Natural Resources Committee next Monday. Agency took a position of support with amendments and is continuing to work with the author.
- Full House Committee on Appropriations cleared \$67 billion spending for Department of Transportation. While this does not currently include earmarks, full funding grant agreements are generally honored. Agency will continue to monitor its earmark of \$80 million for Gold Line Eastside Extension project.
- Debate continues between Administration and House/Senate over amount of funding for reauthorization bill.
- Presented commemorative book to outgoing Chair Roberts.

Mr. Snoble noted that staff created a special book that has been signed by the Board Members. He commended Chair Roberts for his efforts in dealing with a difficult budget, and expressed appreciation for his leadership and support. Chair Roberts thanked the Board and said it was an honor and a privilege to have served.

8. APPROVED ON CONSENT CALENDAR establishing a **Capital Reserve Account for the City of South Gate** from \$1,500,000 of their Proposition C 20% Local Return funds, so that allocated funding may be used to finance the Otis Street Pavement Rehabilitation project for an extra three years.

9. APPROVED ON CONSENT CALENDAR adopting:
- A. findings and recommendations for using **FY 2005-06 Transportation Development Act (TDA) Article 8 fund estimates** totaling \$16,744,953 as follows:
 - 1. 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 \$108,098 and \$5,092,946 for Avalon and Santa Clarita, respectively.
 - 2. 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 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 purposes. The allocations for the Antelope Valley are \$3,990,350 and \$4,055,208 (Lancaster and Palmdale, respectively). The allocation for Los Angeles County Unincorporated is \$3,498,351.
 - B. a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Los Angeles County Metropolitan Transportation Authority (Metro) service area.

10. APPROVED ON CONSENT CALENDAR:
- A. methodologies and assumptions, including all changes and adjustments, used for the **Fiscal Year (FY) 2006 Transit Fund Allocations**, as determined by staff in accordance with federal, state and local requirements, as well as our policies and guidelines and prior Board actions; and
 - B. \$1.1 billion in FY 2006 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators, and Metro Operations. These allocations include the following:
 - 1. \$525.2 million in Transportation Development Act (TDA) Article 4, TDA interest, State Transportation Assistance (STA), STA Interest and Proposition A 40% Discretionary fund allocations;

2. \$28.9 million in Proposition C 40% Discretionary fund allocations for the Bus Service Improvement Program, Foothill Mitigation Program, the Transit Service Expansion Program and the Base Service Restructuring Program;
3. \$16.9 million in Proposition C 40% Discretionary fund allocations for the Municipal Operator Service Improvement Program;
4. \$16.7 million in TDA Article 8 fund allocations;
5. \$275.3 million in Proposition A and Proposition C Local Return and TDA Article 3 fund allocations;
6. \$11.8 million in Proposition A Incentive Program fund allocations;
7. \$27.5 million in Proposition C 5% Security fund allocations; and
8. \$201.1 million in Federal Transit Act Section 5307 Urban Formula capital fund allocations.

14. APPROVED ON CONSENT CALENDAR adopting the following position on **State Legislation**:

SUPPORT AB 267 (Daucher) – Would expand the process by which local agencies may be reimbursed by the California Transportation Commission for advancement of local funds for state funded projects.

15. ADOPTED ON CONSENT CALENDAR:

- A. updates to the **Debt Policy**;
- B. updates to the **Rate Swap Policy**; and
- C. RECEIVED AND FILED the Annual Report on Interest Rate Swaps.

16. CLOSED SESSION:

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

1. Medina v. MTA BC315080

APPROVED settlement in the amount of \$2.6 million.

2. Kajima/Ray Wilson v. MTA B170003

NO REPORT.

3. Labor/Community Strategy Center v. MTA CV 94-5936

NO REPORT.

4. Clear Channel Outdoor, Inc. v. MTA BC 286040

NO REPORT.

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

One case.

NO REPORT.

C. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation – Chief Executive Officer

NO REPORT.

21. APPROVED AS AMENDED authorizing the Chief Executive Officer to negotiate and award **Excess Liability insurance policies**, excluding terrorism and major construction risks, at a cost not to exceed \$5,650,000 for a 12-month period effective August 1, 2005 through July 31, 2006 and DIRECTED staff to identify the underwriters, their segment of coverage, and the price before the July meetings.

22. ADOPTED a resolution and APPROVED documents on file with the Board Secretary authorizing the Chief Executive Officer to **price by negotiated sale, and deliver up to \$300 million of bonds** in one or more series in a combined issuance of variable rate and fixed rate bonds.

23. APPOINTED Goldman Sachs & Co., Morgan Stanley, Merrill Lynch, and De La Rosa & Co. as **co-senior managing underwriters and remarketing agents** for one or more series of auction rate securities.

28. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
 - A. finding that there is only a single source of procurement for Advanced Transportation Management System (ATMS) equipment suites and purchase is for the sole purpose of duplicating equipment already in use. The Board hereby authorizes purchase of ATMS equipment pursuant to Public Utilities Code section 130237; and

 - B. authorizing the Chief Executive Officer to negotiate and execute a one year, firm fixed price Contract OP31501711 with Motorola, Inc. for the purchase of **102 ATMS equipment suites** for Contracted Bus Services, including installation, and ATMS equipment suites for 2 non-revenue vehicles including installation, for an amount not to exceed \$2,000,000, effective July 1, 2005.

29. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute **twenty contract amendments for a total amount not to exceed \$3,526,122, inclusive of a 7% contingency, for the Metro Freeway Service Patrol (FSP) program:**

| No. | Beat | Contract | Contractor | Affected Contract Period | Total Cost w/ 7% Contingency |
|-------------------------------------|------|-----------|-----------------------|--------------------------|------------------------------|
| 1 | 11 | FSP02A-11 | Hadley Towing | 07/01/05-09/30/05 | \$11,128 |
| 2 | 11 | FSP05A-11 | Hadley Towing | 10/01/05-09/30/08 | \$136,207 |
| 3 | 15 | FSP04-15 | Kenny's Auto | 07/01/05-09/30/07 | \$93,422 |
| 4 | 21 | FSP02-21 | California Coach | 07/01/05-09/30/05 | \$27,304 |
| 5 | 21 | FSP05A-21 | California Coach | 10/01/05-09/30/08 | \$406,254 |
| 6 | 24 | FSP05-24 | Jon's Towing | 07/01/05-12/31/07 | \$273,101 |
| 7 | 26 | FSP04-26 | ABA Towing | 07/01/05-10/31/07 | \$238,043 |
| 8 | 28 | FSP02-28 | California Coach | 07/01/05-09/30/05 | \$27,341 |
| 9 | 28 | FSP05A-28 | Navarro's Towing | 10/01/05-09/30/08 | \$363,051 |
| 10 | 30 | FSP05A-30 | Frank Scotto Towing | 07/01/05-06/30/08 | \$127,874 |
| 11 | 33 | FSP02-33 | TG Towing | 07/01/05-07/31/05 | \$8,291 |
| 12 | 33 | FSP05A-33 | TG Towing | 08/01/05-07/31/08 | \$314,400 |
| 13 | 34 | FSP02-34 | TG Towing | 07/01/05-07/31/05 | \$8,104 |
| 14 | 34 | FSP05A-34 | TG Towing | 08/01/05-07/31/08 | \$300,713 |
| 15 | 35 | FSP03A-35 | Girard & Peterson | 07/01/05-06/30/07 | \$166,903 |
| 16 | 37 | FSP02-37 | Navarro's Towing | 07/01/05-07/31/05 | \$3,189 |
| 17 | 37 | FSP05A-37 | Hadley Towing | 08/01/05-07/31/08 | \$133,536 |
| 18 | 38 | FSP04-38 | Bob & Dave's | 07/01/05-10/31/07 | \$270,248 |
| 19 | 41 | FSP04-41 | Hollywood Car Carrier | 07/01/05-10/31/07 | \$448,919 |
| 20 | 44 | FSP04-44 | Bob & Dave's | 07/01/05-08/31/06 | \$168,095 |
| Total Cost with Contingency: | | | | | \$3,526,122 |

30. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year, indefinite delivery, indefinite quantity contract beginning September 1, 2005 under IFB No. PS05642018, with Ricoh Business Systems, the lowest responsive and responsible bidder for the **lease and maintenance of multi-function devices** for an amount not to exceed \$2,035,810.79.

31. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute an amendment to Contract No. OP-02-4610-10 with Cubic Transportation Systems, Inc. to provide **Universal Fare System equipment for the use on the Metro Gold Line Eastside Extension Project** for an amount not to exceed \$3,808,722 increasing the total contract value from \$98,206,431 to \$102,015,153.

32. APPROVED ON CONSENT CALENDAR:
 - A. increasing the Automated Guideway Vehicles life-of-project budget, CP 202000, by \$184,706 increasing the life-of-project budget from \$1,600,000 to \$1,784,706; and
 - B. authorizing the Chief Executive Officer to award a firm fixed price contract under RFP No. OP33431614 with HK Systems, Inc. for **Automated Guideway Vehicles and Programmable Logic Control Upgrade** for a firm fixed price not to exceed \$1,713,567, inclusive of sales tax.

34. AUTHORIZED, UNDER OPERATIONS COMMITTEE AUTHORITY, 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 FY06 for an amount not to exceed \$800,000.

35. AUTHORIZED, UNDER OPERATIONS COMMITTEE AUTHORITY, the Chief Executive Officer to award a five-year fixed unit rate and time and materials Contract No. OP33441661 to Southern California Overhead Door Company, to **provide roll-up doors maintenance and installation services** for Metro bus and rail transit facilities for an amount not to exceed \$1,210,300, inclusive of two one-year options effective July 1, 2005.

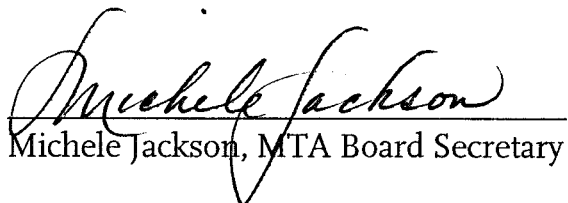
36. AUTHORIZED, UNDER OPERATIONS COMMITTEE AUTHORITY, the Chief Executive Officer to execute contract modification to Contract No. C0718 with Pinner Construction Company to **replace hoists at bus maintenance facilities** for an amount not to exceed \$450,000, increasing the total contract value from \$5,710,000 to \$6,160,000.

37. AUTHORIZED, UNDER OPERATIONS COMMITTEE AUTHORITY, the Chief Executive Officer to award a four-month, non-competitive firm fixed price Contract No. OP33201598, to GE Infrastructure Security for the removal of obsolete Digital Video Recorders-1 and the **installation of Digital Video Recorders-3 on 130-Neoplan Buses at Division 18** for an amount not to exceed \$667,162 inclusive of a \$50,000 contingency for replacement of malfunctioning equipment as needed, effective July 1, 2005.
38. APPROVED the following nominees for membership on the **San Gabriel Valley Sector Governance Council**:
- Henry Lopez: City of San Gabriel (reappointment)
 - David Spence: San Gabriel Valley Council of Governments (reappointment)
39. ELECTED Director Pam O'Connor as 2nd Vice Chair.

RECEIVED public comment.

ADJOURNED in memory of Gary Clark, Deputy Executive Officer, Board and Government Relations, and Derek Hanway, Burbank Finance Director.

Prepared by: Michele Chau
Recording Secretary


Michele Jackson, MTA Board Secretary