

Thursday, October 23, 2008 9:30 A.M.

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# MINUTES

**Regular Board Meeting  
Board of Directors**

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

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Called to Order at 9:52 a.m.

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Directors Present:

Antonio Villaraigosa, Chair  
Ara J. Najarian, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Yvonne B. Burke  
John Fasana  
David Fleming  
Richard Katz  
Gloria Molina  
Zev Yaroslavsky

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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

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

1. APPROVED **Consent Calendar** Items: 2, 5, 6, 21, 22, 23, 24, 25, 26, 28 and 29.

Item 9 was removed from Consent Calendar.

2. APPROVED ON CONSENT CALENDAR Minutes of **Regular Board Meeting** held September 25, 2008.

3. RECEIVED **Chair's Report**.

- Presented Resolutions to Directors Burke and Lowenthal.

4. RECEIVED **Chief Executive Officer's Report**.

- Acknowledged the contributions made by Directors Burke and Lowenthal over the years.
- Reported that the Division 9 San Gabriel Valley Sector office building received a Leadership in Energy and Environmental Design (LEED) Gold certification.

5. APPROVED ON CONSENT CALENDAR:

- A. authorizing the Chief Executive Officer to exercise option to renew Contract No. PS44301997 with Vasquez and Company, LLP to perform **financial and compliance audits of programs, jurisdictions and agencies** for fiscal year (FY) 2007-08 and FY 2008-09 for an amount not to exceed \$951,589 for both years; and

- B. executing Contract Modification Authority under Contract No. PS44301997 to provide funding for an additional amount of up to \$50,000 to cover any unforeseen changes in the scope of work that may be required in the performance of these audits.

6. APPROVED ON CONSENT CALENDAR:

- A. amending the Funding Agreement (#PSTUDYSFN) with the City of Los Angeles Department of Transportation for the **Eastern San Fernando Valley North/South Bus Speed Improvements project** to transfer \$200,000 from Preliminary Engineering (PE) to Analysis for identification and analysis of proposed bus speed improvements along Van Nuys, Lankershim, Reseda and Sepulveda Boulevards; and
- B. authorizing the Chief Executive Officer to make additional transfers, if necessary, between the Analysis and PE within the total grant amount.

9. APPROVED:

- A. the **updated Defeased Lease Policy**; and
- B. authorizing the Chief Executive Officer to execute letters to elected and other governmental officials in support of legislative or regulatory actions that would protect our financial interests and those of the public transit industry.

10. RECEIVED AND FILED the **summary of the FY09 Ten-Year Forecast for the Enterprise Fund (bus and rail operating and capital forecast)**.

FAILED:

**SUBSTITUTE MOTION** to receive and file **Molina Motion** to direct the Chief Executive Officer to:

1. Stop the Measure R Informational Campaign;
2. Seek reimbursement from the Measure R Campaign for any funds already spent by Metro on the Information Campaign; and
3. Redirect reimbursed/unspent Measure R Informational Campaign funds to Metro's share of the Positive Train Control improvements for Metrolink.

FAILED:

**Molina Amendment** to stop the Measure R spending and report back on the ability to seek reimbursement for any funds already spent by Metro on the information campaign.

14. APPROVED AS AMENDED authorizing the Chief Executive Officer to enter into direct contract negotiations with the Los Angeles Sheriff's Department Transit Services Bureau for **transit community policing services**.

**Antonovich Amendment** that the Metro Board instructs the CEO to do the following:

- 1) Make a joint presentation with the Los Angeles Sheriff's Department to the full Board in December 2008 that examines and evaluates the totality of Metro's safety and security expenditures, policies and priorities – both current and proposed. This presentation will include pros and cons and analysis that takes into account, but is not limited to, the following items:
  - Increasing efficiency of current and proposed resources
  - Increasing effectiveness of current and proposed resources
  - New capital improvements that could improve efficiency or effectiveness
  - Consolidation, coordination and/or integration of information flow and command
  - Emergency management and responsiveness
  - Complete breakdowns of all costs associated with different types of security provision, including sworn vs. unsworn officers, armed vs. unarmed officers, liability, sunk costs, overtime, etc.
  - Line authority and related issues
  - Long term versus short term models for Metro security
  - Coordination with future gating and TAP program implementation
  
- 2) Provide for enough flexibility in the negotiation of the Scope of Work for the new transit community policing services contract to allow for innovation, alternative service delivery and other similar considerations that arise through Board direction as a result of this briefing or through the negotiation process.

19. CARRIED OVER:

- A. increasing the Life-Of-Project Budget for Project 800288 (Metro Gold Line Eastside Extension Enhancements and Mitigations) in the amount of \$8,700,000, increasing the previously authorized amount of \$42,703,000 to \$51,403,000; and
- B. authorizing the Chief Executive Officer to:
  - 1. execute Contract CO893 for the **Pomona/Atlantic Parking Structure** with the lowest responsive and responsible bidder; and
  - 2. execute contract modifications for this contract for an amount not to exceed \$1,650,000.

21. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. 09-0003 with Union Switch & Signal, Inc., the single bidder for **Automatic Train Protection and Train to Wayside Communication spare parts for the P2550 Rail Car Fleet**, for an amount not to exceed \$522,476.

22. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a firm fixed price contract under IFB OP-3434-2193 with Longo Toyota, the lowest responsive and responsible bidder, for **31 midsize utility hybrid vehicles** for an amount not to exceed \$1,113,632, inclusive of sales tax.

23. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a firm fixed price contract under IFB OP-3434-2192 with Theodore Robins Ford, the lowest responsive and responsible bidder, for **19 full-size twelve-passenger vans** for an amount not to exceed \$500,865, inclusive of sales tax.

24. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 09-0008 to Gillig Corporation, LLC, the lowest responsive, responsible bidder for the procurement of **200 bus – rear axle planetary final drive assembly kits** for an amount not to exceed \$778,509, inclusive of sales tax and a one-year option.

25. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year firm fixed price Contract No. PS0864302173 to Mitsubishi Electric & Electronics USA, Inc., Elevator and Escalator Division for Gateway Headquarters building **elevators and escalators services** for an amount not to exceed \$2,098,317, inclusive of two one-year options, effective December 1, 2008.
  
26. APPROVED ON CONSENT CALENDAR **service changes to Tier 1 bus lines 33/333 (Downtown LA – Santa Monica via Venice Blvd.)** scheduled to be implemented in December 2008.
  
28. APPROVED ON CONSENT CALENDAR **revised** FASANA MOTION that Metro Management and Audit Services; Office of the Inspector General; Los Angeles Sheriff Dept-Transit Service Bureau; Metro System Safety and Security; Metro Operations, Metro TAP project; and Metro Marketing-Pass Sales report back at the next meeting of the Board of Directors **within sixty days** on lessons learned to date, difficulties securing fare media, findings and recommendations of any audits completed to date, and **potential controls to protect fare media**.
  
29. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to enter into a twelve month service agreement to **introduce a dual Visa payWave - TAP smart card** for a 12 month pilot program.
  
32. CARRIED OVER authorizing the Chief Executive Officer to **renew group insurance policies** covering Non-Contract, AFSCME, and Expo employees for a one-year period beginning January 1, 2009.
  
33. APPROVED AS REVISED:
  - A. ~~finding that there is only a single source of procurement for repair of a Siemens P2000 Light Rail Vehicle and purchase is for the sole purpose to repair Metro Gold Line Car 243 already in use. The Board hereby authorizes repair of Rail Car 243 pursuant to Public Utilities Code § 130237; and~~

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- B. authorizing ~~authorize~~ **AUTHORIZE** the CEO to award a single source firm fixed price ~~service~~ contract to Siemens Transportation Systems, Inc. to repair Metro Gold Line Car 243 for an amount not to exceed \$250,000, which represents Metro's insurance deductible portion.

~~(REQUIRES A 2/3 VOTE OF THE BOARD)~~

34. APPROVED AS AMENDED:

- A. programming up to \$5 million from potential unused FY 07-08 surplus subsidy to the Southern California Regional Rail Authority (SCRRA) and/or from our unprogrammed Proposition C 10% fund balance to implement **Automatic Train Stop and/or other collision avoidance systems** on the commuter rail system in the County of Los Angeles;
- B. amending the FY 08-09 Los Angeles County Metropolitan Transportation Authority Budget, if necessary, to include up to \$5 million in Proposition C 10% funds;
- C. authorizing the Chief Executive Officer to enter into the necessary agreements to implement Recommendation A above; and
- D. receiving and filing this report addressing the Board's September 25, 2008 Joint Motion.

**Molina Amendment** that the Board of Directors instruct the CEO to take the necessary steps to seek approval to install four quadrant gates along all at-grade intersection crossings along the eastside extension. The CEO shall provide monthly status reports at the Construction Committee meeting. The first report shall include a detailed plan outlining all the necessary steps for obtaining the Public Utility Commission's approval of the gates along with the estimated timeline for such approval and an estimate cost.

Further move that the Board request that the CEO work with the Los Angeles County Department of Public Works to design and install red light photo enforcement cameras at all four approaches on all at-grade intersection crossings along the eastside extension.

Finally, move that the Board request that the CEO extend the planned deployment of Rail Ambassadors along the line by three months so that there is coverage for a total of six months: three months during pre-revenue testing and the first three months of revenue operations.

35. CARRIED OVER - FLEMING MOTION that the Los Angeles County Metropolitan Transportation Authority Board direct the CEO to provide \$135,000 to **Fixing Angelinos Stuck in Traffic (FAST)** for its first 12 months of operation. This Metro contribution will be matched by \$265,000 for the first year through FAST board membership and other sources.

36. CLOSED SESSION:

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

1. Eleanor Russell (Micaela N. Bastianelli, by and through her Guardian Ad Litem, Nicol Bastianelli), et al. v. LACMTA, Case No. BC363479 (consolidated with BC371820)

CARRIED OVER

2. The Estate of Marina Lobyanik, by and through her Successor-in-Interest, Barbara Altman, et al. v. LACMTA, Case No. BC379117

CARRIED OVER

B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(c):

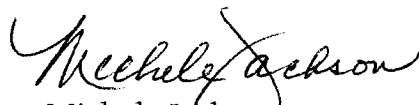
1. Initiation of Litigation (One case)

CARRIED OVER

RECEIVED public comment.

ADJOURNED at 12:47 p.m.

Prepared by: Michele Chau  
Board Specialist

  
Michele Jackson  
Metro Board Secretary