

MINUTES

**Regular Board Meeting
Board of Directors**

**One Gateway Plaza
3rd Floor Board Room**

Called to Order at 9:45 a.m.

Directors Present:

- Gloria Molina, Chair
- Pam O'Connor, 1st Vice Chair
- Antonio Villaraigosa, 2nd Vice Chair
- Mike Antonovich
- Yvonne B. Burke
- John Fasana
- David Fleming
- Richard Katz
- Don Knabe
- 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

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

1. APPROVED **Consent Calendar** Items: 2, 5, 6, 7, 8, 13, 16, 18, 19, 24, 26, 31, 32, 33, 40, 41, 44, 45, 46, 47, 48, 52A and 52C-E.

Items 17, 20, 30, 34, 42 and 52B were removed from Consent Calendar.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held April 30, 2007 and Special Board Meeting held May 24, 2007.

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

- Announced that a plaque has been placed on Patsaouras Plaza honoring the memory of Jaime Pasillas, who was killed during construction of the Red Line over ten years ago. Chair Molina also had the opportunity to honor Mr. Pasillas during a presentation on Father's Day.
- Metro won first place during the 2007 APTA International Bus Roadeo for the maintenance competition and brought home the Grand Champion award with the highest combined scores of maintenance and operations teams. Metro won first place for the Maintainer's competition and placed third in the combined team competition at the APTA International Rail Roadeo. This is the first time that the first place winner of the Maintainer's competition of the Bus Roadeo and Rail Roadeo have hailed from the same transit agency.
- Presented Resolutions to APTA Bus and Rail Roadeo Winners.

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

- Commended Chair Molina for her accomplishments during the year. These include but are not limited to: receiving the agency of the year award from APTA, working with staff to convene the agency's first Goods Movement workshop, emphasizing safety issues in the construction of the Gold Line Eastside Extension project, overseeing completion of tunnel excavation on the Eastside Extension, and presiding over a successful fare restructuring public hearing.
- Presented Chair with Memory Book commemorating her achievements.
- Directors expressed appreciation for the Chair's guidance and leadership.

5. APPROVED ON CONSENT CALENDAR:

- A. programming of \$14 million in **Proposition A Incentive Reserve funds to Fiscal Year 2008 Mini Call** for Locally Funded Transit Operator Vehicle Replacement Projects; and
- B. authorizing the Chief Executive Officer to negotiate and execute funding agreements with project sponsors.

6. APPROVED ON CONSENT CALENDAR:

- A. establishing **Proposition A and Proposition C Local Return funded Capital Reserve Accounts** for local jurisdiction projects;
- B. extensions for existing Local Return Capital Reserve Accounts as prescribed in their Memoranda of Understanding for an additional three years for the Cities of Hermosa Beach and Pasadena; and
- C. negotiation and execution by the Chief Executive Officer of all necessary agreements between Metro and the Cities for their Capital Reserve Accounts as approved.

7. APPROVED ON CONSENT CALENDAR:

- A. a \$48,147,200 financial contribution of Proposition C 10% local sales tax funding from the Los Angeles County Metropolitan Transportation Authority (Metro) to the **Southern California Regional Rail Authority (SCRRA) FY 2007-08 Preliminary Budget for Metrolink**, consistent with a Board-approved FY 2007-08 Metro Budget;
- B. the reprogramming of \$4,898,900 in Proposition C 10% local sales tax funding from the FY 2005-06 SCRRA subsidy to Metrolink projects;
- C. a two-year time extension for the Eastern Maintenance Facility project; and
- D. negotiation and execution by the Chief Executive Officer of all necessary agreements between Metro and the SCRRA for funding approved.

8. APPROVED ON CONSENT CALENDAR:
 - A. directing staff to procure a contract for specialized consultant expertise to develop a **Los Angeles County Bus Speed and Street Design Improvement Plan**; and
 - B. amending the FY08 budget in the amount of \$250,000, which will be funded from Proposition A, C, and TDA Administration Funds.

9. CARRIED OVER authorizing the Chief Executive Officer to award and execute **as amended without requested FTE's**:
 - A. a cost plus fixed fee Contract No. PS4340-1939 to URS Corporation to provide professional services not to exceed \$22,700,000 to prepare an **EIR/EIS and engineering Project Report for the I-710 Corridor Project** (Project) from SR-60 to the Ports of Long Beach and Los Angeles, subject to execution of Funding Agreements with the funding partners;
 - B. a firm fixed price Contract No. PS4340-1940 to Moore Iacafano Goltsman to provide professional services not to exceed \$1,779,000 for the Facilitation of Community Participation, subject to execution of Funding Agreements with the funding partners;
 - C. contract modifications for up to \$2,521,000 to cover the cost of any potentially unforeseen issues that may arise during the environmental, engineering and community participation phase; and
 - D. amendment to the FY08 Budget in the amount of \$7 million and addition of a total of 1.1 FTE's for Communication, and Construction Departments of which \$1.4 million will cover Metro's share of the cost and \$5.6 million will be reimbursed from the funding partners per the Funding Agreements.

10. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Eastside Phase II Transit Corridor Project**:
 - A. a firm fixed price Contract No. PS-4320-2003 to Camp Dresser & McKee/DMJM Harris Joint Venture (CDM/DMJM Harris) to provide professional services for an amount not to exceed \$2,203,584 for an Alternative Analysis for the Eastside Phase II Transit Corridor Project, with options for environmental clearance;
 - B. a firm fixed price Contract No. PS-4320-2006 to Arellano Associates to provide professional services for an amount not to exceed \$358,428 for facilitation of community participation;
 - C. contract modifications for up to \$240,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
 - D. amending the FY08 Budget in the amount of \$1,733,000 and add a total of 1.25 FTE's for the Communications, Construction and Planning Departments.

11. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Westside Extension Transit Corridor**:
 - A. a firm fixed price Contract No. PS 4350-2000 to PB Americas, Inc. to provide professional services in the amount of \$3,654,061 for alternatives analysis, tunnel feasibility assessment and conceptual engineering with options for future preliminary engineering and environmental clearance;
 - B. a firm fixed price Contract No. PS4350-1995 to The Robert Group to provide professional services in the amount of \$650,394 for facilitation of community participation in support of the above contract with options for future phases;
 - C. contract modifications for up to \$600,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
 - D. amending the FY08 Budget by adding \$3.0 million to the STIP-PPM fund to cover the portion of the work to be completed in FY08 plus the addition of a combined total of 1.7 FTEs to Construction, Communications, and Planning Departments.

12. **APPROVED as amended to include the requested FTE's** authorizing the Chief Executive Officer to award and execute the following contracts for the **Regional Light Rail Connector Downtown (Regional Connector)**:
 - A. a firm fixed price Contract No. PS 4320-1985 to Camp Dresser & McKee Inc. (CDM) to provide professional services for an amount not to exceed \$2,091,696 for an Alternatives Analysis for the Regional Connector with options for environmental clearance;
 - B. a firm fixed price Contract No. PS-4320-1988 to Robert Group to provide professional services for an amount not to exceed \$192,269 for facilitation of community participation;
 - C. contract modifications for up to \$240,000 to cover the cost of any potentially unforeseen issues that may arise during the above phases; and
 - D. amending the FY08 Budget by adding \$1,967,000 to the STIP-PPM fund to cover the portion of the work to be completed in FY08; and adding a combined total of 1.45 FTE's for the Communications, Construction and Planning Departments.

13. **APPROVED ON CONSENT CALENDAR** authorizing the Chief Executive Officer to execute Amendment No. 1 to Contract No. 4320-1699 with Jones and Stokes for the preparation of the **Project Report for the State Route 2 (Glendale Freeway) Terminus** for a period of one year for the (amount not to exceed/firm fixed price of) \$472,281, increasing the total contract value from \$1,076,018 to \$1,548,299.

16. **APPROVED ON CONSENT CALENDAR**:
 - A. receiving and filing report summarizing the proposed **Metro Energy and Sustainability Policy**; and
 - B. adopting the proposed Metro Energy and Sustainability Policy.

17. **CARRIED OVER** ratifying the Chief Executive Officer's purchase of **All Risk Property insurance policies and a Boiler and Machinery insurance policy for all Metro property** for a combined cost not to exceed \$3.2 million for the 12-month period effective May 10, 2007 through May 9, 2008.

18. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a five-year, fixed rate Contract No. PS 0740161979 to Los Angeles Federal Armored Services, Inc., for the **sale of currency** for an amount not to exceed \$7,800,000, inclusive of four one-year options, effective July 1, 2007.

19. APPROVED ON CONSENT CALENDAR appointing the following firms to participate in **Metro's Municipal Finance Counsel Pool** for a period of five years:
 1. Fulbright & Jaworski LLP
 2. Hawkins, Delafield & Wood LLP
 3. Kutak Rock LLP
 4. Law Offices of Samuel Norber
 5. Nixon Peabody LLP
 6. Nossaman, Guthner, Knox & Elliott LLP
 7. Orrick, Herrington & Sutcliffe LLP
 8. Quateman LLP
 9. Robinson and Pearman LLP
 10. Squire, Sanders and Dempsey LLP

20. APPROVED AS AMENDED:
 - A. **adopting the proposed Fiscal Year 2008 (FY08) budget** as presented in the proposed budget document and modified by the actions in Attachment A of the Board report;
 - B. the life-of-project budgets for all new capital projects in the proposed budget with a life-of-project budget greater than \$5 million;
 - C. the total budgeted salaries and benefits for each union/non-contract group as required by the Position Authorization and Compensation policy;
 - D. the non-represented employee salary schedule adjusted for the annual inflationary increase as required by the Position Authorization and Compensation policy;
 - E. the safety and security budget as required by the Financial Stability policy adopted by the Board in January 2007; and
 - F. amending the proposed budget to add 8 FTE's and \$1 million for implementation of TAP operations to be funded with General Fund reserves.
(SEE NEXT PAGE FOR AMENDMENTS)

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Fasana, Antonovich, Katz and Fleming Amendment that the Metro Board direct the CEO, within the framework of the FY07-FY08 budget to:

1. work with Caltrans and other agencies as appropriate to develop a detailed operating plan with at least three options for implementing congestion pricing in Los Angeles County by 2010. The plan should provide revenue projections, environmental effects, mobility impacts, legislative requirements, and technical feasibility; and
2. return to the Board every quarter with status updates and any policy issues requiring additional direction.

Molina and Fasana Amendment that the Board:

1. amend the FY08 budget to include \$975,000 to fund the implementation of "incident based recording technology" on all buses agency wide, including contract services;
2. direct staff to establish key performance indicators for the program and report back to the Board within 120 days of implementation and on regular intervals as to the efficacy of the program; and
3. direct staff to report back to the Board in 60 days on steps necessary to establish a specialized bus accident investigation unit to be responsible for investigating and preparing reports of incidents involving Metro buses. This unit shall be staffed by certified accident investigators. The report should include qualifications and number of employees needed and the structure of the department with associated costs.

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APPROVED UNDER RECONSIDERATION **Burke Motion** that the MTA Board of Directors instruct the Chief Executive Officer:

1. to fund a one-time continuation of the Line 442 for the period of one year at FY07 service levels;
2. through the allocation of \$332,000 in funding from the general fund balance described in the sub-category labeled "general" on page 34, line 37 in the proposed FY08 budget "yellow book"; and
3. that the line be marketed in an effort to increase ridership and that staff report back to the Board on a quarterly basis to provide ridership reports and updates on marketing efforts.

Further move that future funding consideration beyond FY08 will be contingent upon increasing the average ridership on Line 442 to the level of 60% capacity.

24. APPROVED ON CONSENT CALENDAR adopting the following **position on Federal Legislation**:

H.R. 1475 (McGovern) - A bill that amends the Internal Revenue Code to create parity between the parking and transit portions of the transportation tax benefit.
SUPPORT.

26. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:

- A. exercise the second of two option years related to Memorandum of Understanding (MOU) No. TCP2610LASD; and
- B. execute Modification No. 11 to MOU TCP2610LASD to **provide funding for FY08 transit community policing services** for an amount not to exceed \$62,524,538.52 for the period July 1, 2007 through June 30, 2008, revising the total contract value from \$223,892,411 to \$286,416,950.

27. FAILED:

- A. establishing a life-of-project budget for the **UFS/TAP barrier gate analysis** in the amount of \$999,663 and include the project in the FY08 capital program budget;
- B. amending the FY08 budget to add in \$999,663 of expenditures and \$999,663 of Prop A 35% revenues for the gating project;
- C. authorizing the Chief Executive Officer to execute Contract Modification No. 9 to Booz Allen Hamilton, Contract PS-4610-1026, to complete the Metro Gating Study for an amount not to exceed \$400,000, increasing the total contract value from \$9,025,250 to \$9,425,250; and
- D. monitoring progress of pending Proposition 1B funding.

28. CARRIED OVER authorizing the Chief Executive Officer to award Contract No. PS0771401971, a five-year firm fixed price revenue contract inclusive of three one-year options effective January 1, 2008, to CBS Outdoor Group Incorporated for a license **to sell and display the following on the Metro Rail system:**

- A. Standard Exterior Rail Car Advertising, for a firm fixed revenue price of \$2,494,000 inclusive of three one-year options;
- B. Wrapped Exterior Rail Car Advertising, for a firm fixed revenue price of \$2,668,000 inclusive of three one-year options;
- C. Subway Station Prominence Displays, for a firm fixed revenue price of \$3,712,000 inclusive of three one-year options; and
- D. Rail Station Back-lit Cases and Interior Rail Car Frame Advertising, for a firm fixed revenue price of \$2,726,000 inclusive of three one-year options;

For a total revenue amount to Metro of \$11,600,000.

