

MINUTES

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Called to Order at 9:41 a.m.

Directors Present:

Pam O'Connor, Chair
Antonio Villaraigosa, 1st Vice Chair
Don Knabe, 2nd Vice Chair
Michael Antonovich
Yvonne B. Burke
John Fasana
David Fleming
Richard Katz
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
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, 6, 7, 8, 9, 14, 15, 16, 24, 31 and 45.
2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held February 28, 2008.
3. RECEIVED Chair's Report.
 - Announced that there will be a live phone-in program this evening at 8:00 p.m. Members of the public can call with questions about the Long Range Transportation Plan. The program will be shown on L.A. channel 36 and city of Santa Monica channel 16.
4. RECEIVED Chief Executive Officer's Report.
 - Staff provided an update on financial markets.
6. APPROVED ON CONSENT CALENDAR:
 - A. revised fiscal year 2008 **State Transit Assistance (STA) and Proposition A Growth Over Inflation/Proposition C 40% Discretionary formula equivalent fund allocations** so that they may be disbursed to Los Angeles County transit operators;
 - B. amending the FY08 budget to add in \$5,384,720 in STA funds and \$1,209,225 Prop A 40% Discretionary funds;
 - C. adopting a revised Transportation Development Act/STA Resolution designating STA fund allocation compliance to the terms and conditions of the allocation; and
 - D. authorizing the Chief Executive Officer to negotiate and execute all necessary agreements for funding approved.

7. APPROVED ON CONSENT CALENDAR:
 - A. programming of \$54.4 million in **Los Angeles County Metropolitan Transportation Authority funds** to help Caltrans meet a \$153.1 million support costs shortfall for highway construction projects, contingent on Caltrans securing programming from the California Transportation Commission for the remaining \$98.7 million from off-the-top grandfathered funds and Interregional Improvement Program funds; and
 - B. authorizing the Chief Executive Officer to negotiate and execute agreements and/or amendments with Caltrans as needed to address approved programming.

8. APPROVED ON CONSENT CALENDAR:
 - A. the implementation of a **new Annual EZ transit pass for distribution through employers**;
 - B. the inclusion of the Los Angeles International Airport (LAX) FlyAway bus service into the EZ transit pass program, with a special discount arrangement for LAX employees; and
 - C. authorizing the Chief Executive Officer to amend the agreements between the Los Angeles County Metropolitan Transportation Authority and the participating EZ transit pass operators to implement these program changes.

9. APPROVED ON CONSENT CALENDAR adopting the **Southern California Consensus Trade Corridor Improvement Fund Working Group Project List**.

14. APPROVED ON CONSENT CALENDAR:

- A. finding that it is in our best interest to proceed with development of an approximately 20.2-acre portion of **Taylor Yard Parcel C** for residential and retail purposes in substantial accordance with key terms and conditions set forth; and
- B. authorizing the Chief Executive Officer to: a) enter into a Joint Development Agreement (JDA) with McCormack Baron Salazar, Inc., or one or more development entities controlled and managed by McCormack Baron Salazar, Inc. and reasonably approved by us (individually and collectively, MBS), covering the Development; b) extend the term of the JDA in accordance with the terms set forth; c) enter into and execute ground leases and other related documents and agreements with MBS relating to the Development and the Development Site, d) execute dedications and other grants of real property rights of portions of the Development Site for public utility and street purposes related to the Development, and e) credit up to \$800,000 in rent payments or other amounts due from MBS to offset costs incurred by MBS to clean-up and remediate hazardous materials from the Development Site, all in substantial accordance with the key terms and conditions set forth and the terms and conditions of the JDA.

DIRECTED staff to assure that the contract includes LEED silver certification.

15. APPROVED ON CONSENT CALENDAR authorizing the execution of a **lease amendment with Camille's Inc.**, dba Denny's Restaurant, to extend the term of the lease for five years, with an option for an additional five years, commencing February 1, 2009, and to increase the monthly rental amount to \$18,000 per month effective February 1, 2009.

16. APPROVED ON CONSENT CALENDAR awarding a three-year contract to:

- A. Bank of America N.A. to provide a **\$150 million line of credit** for an amount not to exceed \$1,700,000, including legal fees and other related expenses; and
- B. Dexia Credit Local to provide a \$150 million line of credit for an amount not to exceed \$1,600,000, including legal fees and other related expenses.

24. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:
- A. exercise a negotiated six month extension to Memorandum of Understanding No. TCP2610LASD with the Los Angeles Sheriff's Department for **transit community policing services**; and
 - B. execute Modification No. 12 MOU TCP2610LASD to provide funding for FY09 transit community policing services for an amount not to exceed \$31,860,969 for the period July 1, 2008 through December 31, 2008, revising the total contract value from \$286,416,950 to \$318,277,919.
31. APPROVED ON CONSENT CALENDAR:
- A. the real estate purchase agreement with Evergreen Memorial, Inc. in the amount of \$461,996 for the **purchase of a re-interment site** at Evergreen Cemetery; and
 - B. a sole-source contract with Felipe Bagues Mortuary, Inc. for re-interment services in the amount of \$178,000.
34. AUTHORIZED the Chief Executive Officer to award a 24-month firm fixed price contract under Bid Number 08-0005 with Siemens Transportation Systems, Inc., the lowest responsive, responsible bidder for 320 **steel tires** for an amount not to exceed \$459,200.
36. CARRIED OVER DUE TO CONFLICTS authorizing the Chief Executive Officer to:
- A. award five-year **Bench Contracts**, Contract No. OP39602112-01-1 to Booz Allen Hamilton, Inc., OP39602112-01-2 to PB Americas, Inc., and OP39602112-01-3 to LTK Engineering Services and ~~PB Americas, Inc.~~ for non-architectural and engineering services for an amount not to exceed a cumulative value of \$10,000,000, inclusive of two one-year options, effective April 1, 2008;

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- B. award five-year Bench Contracts, Contract No. OP39602112-02-1 to ~~DMJM Harris, Inc.~~, PB Americas, Inc., and OP39602112-02-2 to SYSTRA Consulting Inc., and OP39602112-02-3 to DMJM Harris, Inc. for architectural and engineering services for an amount not to exceed a cumulative value of \$10,000,000 , inclusive of two one-year options, effective April 1, 2008; and
- C. execute Task Work Orders under the individual Bench Contracts for up to \$1,000,000 per Task Order.

37. ADOPTED and AUTHORIZED implementation of a plan to commemorate “Rosa Parks Human Rights Day” on an annual basis.

Directed staff to coordinate with the City, County, Caltrans and municipal operators.

38. RECEIVED AND FILED a report from staff identifying the **extent of service changes** completed during 2007 and planned for 2008 and 2009; and

APPROVED Villaraigosa-Parks-Burke Motion **as amended** by Lowenthal, Knabe, Najarian and Fasana that the MTA Board direct the CEO to report back to the April 2008 Operations Committee meeting with the following additional information for the areas surrounding the proposed Tier 1, 2 and 3 bus service reductions and line eliminations:

1. Violent crime statistics (crime rates, including differences by time day), as well as high crime areas, gang reduction zones (GRZ), gang injunction areas, and CLEAR sites
2. Identification of the percentage of the population that is transit dependent
3. Identification of alternative bus/rail services available
4. Identification of additional walk/bike distance to access these alternative services
5. Additional wait and/or transfer time for these alternative services
6. Alternatives to canceling owl service as well as service segments that leave areas of the region uncovered by transit (Continued on next page)

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FURTHER MOVE that the MTA Board direct the CEO to generate an alternative proposal – in addition to the current proposed June 2008 service changes – for Board consideration at the April 2008 Operations Committee and MTA Board Meeting that reduces the same number of service hours within each Sector without reducing or eliminating vital bus service in high crime/gang and transit dependent areas, including access to local hospitals.

FURTHER MOVE that the MTA Board direct the CEO to establish a formal consultation process with municipal and local operators for all future proposed MTA service changes (cuts, etc.) as they are being developed, including a written notification and details to each affected municipal and local operator with the final MTA staff recommendations at least ten business days before the governance council public hearing or MTA Board meeting where the issue is scheduled to be discussed.

45. APPROVED ON CONSENT CALENDAR adopting the **following positions on State Legislation:**

- A. **SB 344 (Machado)** – Would provide State and local entities with the ability to repurchase some or all of their outstanding bonds without extinguishing their debt. **SUPPORT**
- B. **AB 2009 (Hernandez and Huff)** – Would create an exemption from the imposition of utility user tax for compressed natural gas used to fuel public transit vehicles. **SUPPORT**
- C. **AB 2195 (Brownley)** – Would transfer the regulation of public transit guidelines grade crossing approval process from the Public Utilities Commission (PUC) to the Department of Transportation (Caltrans). **SUPPORT - WORK WITH AUTHOR**

46. ADOPTED the following **positions on State Legislation:**

- A. **AB 1815 (Feuer)** – Would create the California Transportation Infrastructure Funding Task Force. **SUPPORT**
- B. **AB 1836 (Feuer)** – Would eliminate the voter approval requirement for establishing Infrastructure Financing Districts. **SUPPORT**
- C. **AB 2558 (Feuer)** – Would authorize Metro to implement a greenhouse gas mitigation fee and would require that the revenue be used for public transit and congestion management projects and programs. **SUPPORT**

47. CLOSED SESSION:

- A. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(b):

Significant exposure to litigation (5 cases)

NO REPORT.

- B. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation

➤ Acting Inspector General

NO REPORT.

RECEIVED public comment.

ADJOURNED in memory of Thom Pelk, former Division 2 Transportation Manager, who lost his battle with cancer.

Prepared by: Michele Chau
Board Specialist


Michele Jackson, Metro Board Secretary



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, MARCH 27, 2008

		DIRECTORS VOTING													
ATTENDANCE		P	P	P	P	P	P	P	P	P	P	P	P		
ITEM NO.	SUBJECT ITEM	FLEMING	FASANA	YAROSLAVSKY	MOLINA	PARKS	KNABE	O'CONNOR (CHAIR)	VILLARAIGOSA	BURKE	NAJARIAN	ANTONOVICH	LOWENTHAL	KATZ	FAILING
1	APPROVE CONSENT CALENDAR ITEMS: 2, 6, 7, 8, 9, 14, 15, 16, 24, 31 AND 45.	Y	Y	Y	A	Y	Y	Y	A	Y	Y	A	Y	Y	
2	APPROVE MINUTES OF REGULAR BOARD MEETING HELD FEBRUARY 28, 2008.														
3	CHAIR'S REPORT.	P	P	P	A	P	P	P	A	P	P	P	P	P	

