



RECAP OF ACTIONS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING BOARD OF DIRECTORS

MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles

Thursday, October 23, 1997

Called to order:

Directors/Alternates Present:

Richard Riordan/Jaime de la Vega
Michael Bohlke
James Cragin/George Nakano
Richard Alatorre/Nate Holden
Michael Antonovich/Nick Patsaouras
Hal Bernson/Richard Alarcon
John Fasana/Beatrice La Pisto-Kirtley
Robert Arthur
Jackie Goldberg
Gloria Molina/Vivien Bonzo
Jenny Oropeza
Zev Yaroslavsky/Robert Abernethy
Larry Zarian/Jan Heidt
Tony V. Harris, Ex Officio

Interim Chief Executive Officer - Julian Burke
Board Secretary - Georgia Hamilton
Inspector General - Arthur Sinai
General Counsel - County Counsel

1. Consider approval of Consent Calendar Items **4-14**

APPROVED ITEMS 5 through 8, 11 through 14

9 Ayes, 4 Absent

2. Consider approval of **minutes** of September 25, 1997.

APPROVED

9 Ayes, 4 Absent

3. Chief Executive Officer's Report

Announced two Special Board Meetings to review the budget: November 13th at 9:30 a.m. to review the operating budget, and December 11th at 10:00 a.m. to review the capital budget.

Announced elimination of 170 non-revenue positions, actual reduction of employees, 83/85 positions to be effective prior to the November 13th Special Board meeting.

CONSENT CALENDAR ITEMS

4. **RIORDAN/BURKE** - Consider directing the CEO, or his (OPS2) designee, to report monthly to the Operations Committee on the **bus system performance**.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED

Director Alatorre requested a report prior to the November 13th Special Board meeting on how much has been spent over the last five years to "bail out" Operations and where the money came from.

Director Fasana asked staff to look at audits already done and determine if recommendations were ever implemented.

8 Ayes, 5 Absent

5. **ANTONOVICH/YAROSLAVSKY motion** - That the Board direct the Chief Executive Officer to establish an **MTA working group**, including the relevant departments such as Legal, Planning and Labor Relations to explore options for improving bus service in the San Fernando Valley and giving the Valley more control over its bus services. The working group should make presentations of its findings at the next San Fernando Valley Summit, and to the MTA Board in December.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

6. Consider award of contract to Plastech Transparencies, (OPS 4) Irwindale, the lowest responsive, responsible bidder for the procurement of 315 **bus window sets**, for the entire Flexible bus fleet, with an option to purchase 25 additional bus sets, for a total bid price of \$2,543,613.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

7. Consider adoption of Caltrans study to revise **Metro** (OPS 7) **Freeway Service Patrol** off-peak service hours, modify three peak-period service locations and add one new peak period service for an annual amount of \$3.3 million.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

8. Consider approval of:
(CC 3)
- A. payment of \$862,500 to the City of Los Angeles Department of Recreation and Parks in lieu of MTA final **restoration of the Barnsdall Park construction site;**
 - B. the City's offer of \$42,500 toward acquisition of Parcel B2-227-1 through the reduction in MTA total payments to the City for the seven (7) month extended occupancy at the Barnsdall site by that same amount; and
 - C. transfer of Parcel B2-227-1 to the City of Los Angeles upon completion of condemnation proceedings, at no additional cost to the City.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

9. Consider:
(CC 9)
- A. a **reduction** in the Authorization for Expenditure for Contract MC036 with Jacobs Engineering Group, Inc., Mott MacDonald Hatch, A.C.G. Environments (JMA) covering **Construction Management** Services for the East Side Extension in the amount of \$2,000,000 for a revised AFE of \$3,000,000; and
 - B. an increase in the Authorization for Expenditure to

Contract PM021 with Fluor Daniel, Inc. covering **Project Management Assistance services for the East Side Extension**, in the amount of \$2,000,000 for a revised AFE of \$4,360,000.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED

8 Ayes, 5 Absent

Conflict of Interest: Antonovich

10. Consider approval of:
(FB 1)

- A. **a reduction of the commission rate** paid to retail vendors for selling MTA passes (including reduced fare stamps) and tokens from \$.065 to \$0.45 per pass and from \$.065 to \$0.20 per bag of ten tokens effective November 1, 1997; and
- B. a commission rate to be paid to community-based non-profit organizations for selling MTA passes (including reduced fare stamps) and tokens on a cash-and-carry basis (pick-up, no credit, no returns) at \$0.50 per pass and \$0.25 per bag of ten tokens effective November 1, 1997.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED SUBSTITUTE MOTION BY ALATORRE, AS CLARIFIED BY CEO BURKE, TO AUTHORIZE AND DIRECT MANAGEMENT TO NEGOTIATE AND IMPLEMENT A REDUCTION IN COMMISSIONS PAYABLE, WITHOUT MATERIAL ADVERSE EFFECT ON THE ACCESSIBILITY OF TOKENS AND PASSES.

9 Ayes, 3 Conflict, 1 Absent

Conflict of Interest: Antonovich, Molina/Bonzo, Burke/Bohlke

11. Consider approval to exercise the final option with (FB2) Simpson & Simpson, Los Angeles, effective September 15, 1997, covering **financial and compliance audits** of the Transportation Development Act (TDA), Proposition A and C, and the Federal Transportation Administration (FTA) funds provided to recipients in FY 1997 at a cost of \$290,300.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

12. **HEIDT** - That the board direct the CEO or designee to (EMC 2) report quarterly to the appropriate committee(s), and the full Board, on status and progress of the external

organizations. This written report shall summarize the roles and responsibilities of the organization and the status and progress of each external organizations, including transportation and air quality issues affecting MTA and the Los Angeles County region. Staff and/or Board appointee shall prepare the quarterly report and present its contents to the specified committee(s) as an information item. The Board appointee shall have the opportunity for Board direction on regional policy issues.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

13. **BURKE** - Consider dedicating a plaque at the (EMC 3) Wilmington/Imperial Metro Blue/Green (D) Line (D Line) Station to Ms. Rosa Parks.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

14. Consider:
(PP 2)
- A. rejection of all bids submitted for the **Metro Red (A) Line Pedestrian improvements**; and
 - B. authorization to reissue solicitations with revised specifications.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT

NON-CONSENT ITEMS

15. **ANTONOVICH** - Request MTA staff to immediately begin discussion with the Los Angeles Sheriff Department regarding the feasibility of **merging the MTA Transit Police Department with the Los Angeles Sheriff Department** in order to provide transit security throughout Los Angeles County.

(Carried over from August Board Meeting)

WITHDRAWN

16. Authorize:
- A. the execution of **contract for policing services** with the City of Los Angeles for five years with a first year cost not to exceed \$14,500,000.

- B. set up of a "mirror plan" to provide equivalent benefits in the event transferred personnel are not eligible for the City's old personnel plan.

APPROVED

10 Ayes, 2 Noes, 1 Absent

17. **BERNISON** - Approve meeting with representatives of the Southern California Regional Rail Authority and the Los Angeles City Department of Transportation to determine the feasibility of operating a **MetroLink service in the San Fernando Valley from Union Station to the Cities of Burbank and Glendale to Warner Center** to help meet the mobility needs of the residents and report back at the September Board meeting.

(Carried over from August Board Meeting)

APPROVED AS AMENDED: TAKE AN ADMINISTRATIVE LOOK AT BURBANK/CHANDLER ROUTE FOR METROLINK TYPE SERVICE AND ASK THE CEO TO DISCUSS WITH SCRRRA THE FEASIBILITY AND ECONOMICS OF BRINGING METROLINK EAST/WEST SERVICE TO THE SAN FERNANDO VALLEY AND REPORT BACK. ALSO AMENDED TO INCLUDE TAKING A LOOK AT OTHER OPPORTUNITIES, INCLUDING DMU TECHNOLOGY AND MEETING WITH 'COG' AS WELL AS SAN GABRIEL VALLEY TO FIND OPPORTUNITIES TO CREATE THE BEST REGIONAL TRANSIT SYSTEM.

12 Ayes, 1 Absent

18. Consider report on the status of the **New Service Program** (PP 4) mandated by the Consent Decree.

COMMITTEE RECOMMENDATION: APPROVE PILOT PROJECT AS MASTER PLAN, CONTINUE TO SEEK PUBLIC/PRIVATE PARTNERSHIPS AND RETURN TO THE BOARD WITH THE FINAL PRODUCT FOR FINANCING.

RECEIVED AND FILED

10 Ayes, 1 Conflict, 2 Absent

19. Adopt revised **MTA Rules and Procedures**. (EMC 1)

COMMITTEE RECOMMENDATION: APPROVE AS AMENDED, to include any amendments that may be necessitated by passage of AB 584 and amendment to section 1.8 to reflect director special items can go directly to the Board.

APPROVED AS AMENDED: ALSO INCLUDE AMENDMENTS TO SECTION 1.4 TO STATE THAT ALL CONTRACTUAL ITEMS APPROVED BY THE COMMITTEE UNDER THE

DELEGATION OF MTA BOARD AUTHORITY SHALL BE BROUGHT FORWARD TO THE FULL MTA BOARD IN THE FORM OF AN AGENDA ADDENDUM TO THE FULL BOARD CONSENT CALENDAR AS A "CONSENT CALENDAR - COMMITTEE APPROVALS" AND ORDINARILY APPROVED BY THE FULL BOARD AS PART OF THE CONSENT CALENDAR BY REFERENCE; AND, SECTION 1.8 TO STATE THAT A DIRECTOR MAY REQUEST AN ITEM TO BE PULLED FROM THE CONSENT CALENDAR - COMMITTEE APPROVALS, (AS DESCRIBED ABOVE IN 'AMENDED' SECTION 1.4) PURSUANT TO SECTION 1.9, AND HELD FOR DISCUSSION BY THE FULL BOARD AND POSSIBLE FURTHER ACTION BY THE BOARD. SUCH A REQUEST IS RESTRICTED TO PRINCIPAL BOARD MEMBERS ONLY.

8 Ayes, 3 Noes, 1 Abstain, 1 Absent

20. Authorize the cancellation and commutation of the existing **Project Professional Liability Insurance** Program and use of refunded premiums to purchase a new fully-insured program for Professional Liability Insurance.

APPROVED REVISED STAFF RECOMMENDATION FOR RESTRUCTURE AND COMMUTATION OF THE EXISTING PROJECT PROFESSIONAL LIABILITY INSURANCE PROGRAM INTO A FULLY INSURED PROGRAM, SUBJECT TO CEO'S FINAL REVIEW IN WHICH BOARD MEMBERS WILL BE INVITED TO PARTICIPATE.

Staff to provide written response to questions regarding return of premium.

10 Ayes, 3 Absent

21. Consider **options for mitigating the bus seating capacity loss** (OPS 5) and meeting service requirements should the Board exercise the low-floor option in the pending bus procurement.

COMMITTEE RECOMMENDATION: FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION TO ALLOW THE CEO ADEQUATE TIME TO RULE ON PROTESTS.

WITHDRAWN

22. Consider:
(OPS 10)

- A. adoption of a maximum subsidy per passenger standard for MTA funded shuttles and apply the standard to **shuttle projects** funded through the 1997 Call for Projects; and
- B. working to apply the standards to shuttles funded under other MTA direct or discretionary funding programs, and working with affected operators to implement standards and develop performance monitoring standards.

OPERATIONS COMMITTEE RECOMMENDATION: APPROVE ITEM 'A' AND CARRY ITEM 'B' TO THE FULL BOARD TO RECEIVE INPUT FROM

OTHER OPERATORS

PLANNING & PROGRAMMING COMMITTEE RECOMMENDATION: SAME
EXCEPT CARRY OVER ITEM 'B' FOR 2 MONTHS

APPROVED ITEM 'A' AND CARRIED OVER ITEM 'B' FOR TWO (2) MONTHS

10 Ayes, 3 Absent

23. **MOLINA** - Discussion of **Safety Report** prepared by Behavioral Science Technology, Inc.

CARRIED OVER

CEO Burke to provide a written series of actions already taken.

24. Consider:
(CC 2)
- A. Change Notice No. 132 with Traylor Bros./Frontier-Kemper, JV, covering **settlement of Claim #6** in an amount not to exceed \$5,185,152, for a revised total contract of \$159,127,135;
 - B. An increase in the Authorization for Expenditure (AFE) in the amount of \$5,185,152 for a total revised AFE of \$167,440,828; and
 - C. approval for staff to execute subsequent negotiated change order if it is within the amount approved above for Change Notice No. 132.

COMMITTEE RECOMMENDATION: APPROVE
PRINCIPALS ONLY

APPROVED, AS AMENDED: REDUCED THE SETTLEMENT AND AFE AMOUNT TO \$3,984,123 AND STAFF TO RETURN WHEN A FINAL SCOPE, AUDITED COST PROPOSAL AND NEGOTIATED PRICE FOR THE FUTURE WORK ARE FINAL.

10 Ayes, 3 Absent

25. Consider changes:
(CC 10)
- A. approval of Work Authorization Change Notice 142, ~~146 and 147 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV, covering phased turnover of the crossover area from Contractor C0311 to C0321 in order to mitigate compensable delays in an amount not to exceed \$300,000~~ **for milestone schedule revision;**
 - B. ~~an increase to the Authorization for Expenditure in the amount of \$300,000 for a total revised AFE of \$162,555,676~~ Work Authorization Change Notices 146 and 147 to Contract C0311 with Traylor Bros./Frontier-

Kemper, JV, covering **phased turnover of the crossover area** from Contractor C0311 to C0321 in order to mitigate compensable delays in an amount not to exceed \$300,000;

- C. ~~authorizing staff to execute subsequent negotiated Change Order 89, if it is within the amount approved above an increase to the Authorization for Expenditure (AFE) in the amount of \$300,000 for a total revised AFE amount of \$162,555,676.~~

COMMITTEE RECOMMENDATION: APPROVE AS CORRECTED

APPROVED

8 Ayes, 5 Absent

26. Consider:
(CC 6)

- A. award of contract to Herzog Contracting Corporation, covering **track work installation** on the Metro Red (A) Line, North Hollywood Corridor, Segment 3, in the amount of \$20,408,856; and
- B. an Authorization for Expenditure (AFE), including contingency of \$2,040,886 for potential changes, for a total AFE value of \$22,449,741.

COMMITTEE RECOMMENDATION: APPROVE
PRINCIPALS ONLY

APPROVED

8 Ayes, 5 Absent

27. Consider:
(CC 11)

- A. Amendment No. 1 to Contract Work Order No. 64, **Design Support** During Construction Services, in the amount of \$1,899,164, which increases the total CWO to \$3,199,126;
- B. Amendment No. 1 to Contract Work Order No. 65, **Design Services**, in the amount of 8,863, which increases the total CWO to \$107,927;
- C. Amendment No. 1 to Contract Work Order No. 66, **Rail Activation/Start-Up Support**, in the amount of \$554,794, which increases the total CWO to \$654,539;
- D. Amendment No. 1 to Contract Work Order No. 67, **Project Management/Administration**, in the amount of \$791,549, which increases the total CWO to \$1,091,408; and

- E. an increase in the Authorization for Expenditure for Contract E0070 with **Engineering Management Consultant**, in the amount of \$3,228,859, which includes an allowance of \$325,437 to be applied to other potential changes within staff authority, for a revised AFE of \$98,889,656.

**COMMITTEE RECOMMENDATION: APPROVE
PRINCIPALS ONLY**

WITHDRAWN

Conflict of Interest: Antonovich, Arthur

CLOSED SESSION

General Counsel Kelsey announced that the Labor/Community Strategy Center V. MTA, U.S. District Court, Case No. CV945936 TJH would be discussed in Closed Session pursuant to Government Code Section 54956.9(a).

NO REPORT WAS MADE

- 28. Conference with real property negotiators concerning price and/or terms of sale - G.C. 54956.8:
 - A. Metro Red (A) Line - Segment 3 - Parcel C3-788
Columbia Group, Ltd., a California Limited Partnership

APPROVAL OF LITIGATION SETTLEMENT

APPROVED SETTLEMENT IN THE AMOUNT OF \$490,000

- B. Pasadena Blue (B) Line - Parcel PA-048
14507 Associates, a California General Partnership

APPROVAL OF LITIGATION SETTLEMENT

APPROVED SETTLEMENT IN THE AMOUNT OF \$108,000

- 29. Conference with Labor Negotiator - G.C. 54957.6

Agency Negotiator - Raman Raj

Employee Organization: Amalgamated Transit Union
Transit Police Officers Association

NO REPORT WAS MADE

**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 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 Board subsequent to the posting of the agenda.

NONE

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST
WITHIN THE BOARD'S SUBJECT MATTER JURISDICTION

RECEIVED PUBLIC COMMENT

30. **ALARCON** - Consider an RFP process for public/private partnership for CNG fleet and facilities service and report back to the November Operations Committee.

APPROVED

8 Ayes, 5 Absent

31. **ANTONOVICH** - Consider rescinding action of the Construction Committee taken at the October Committee meeting and refer this item back to the Procurement, Audit and Construction Divisions so that audit findings can be incorporated into negotiations prior to returning to the Construction Committee for approval.

APPROVED

8 Ayes, 5 Absent

ADJOURN IN MEMORY OF KENNETH HAHN