



RECAP

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING BOARD OF DIRECTORS

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

December 18, 1997

Called to order at: 9:40 a.m.

Directors/Alternates Present:

Jaime de la Vega
Yvonne Brathwaite Burke/Michael Bohlke, First Vice Chair
James Cragin/George Nakano, Second Vice Chair
Richard Alatorre/Nate Holden
Michael Antonovich/Nick Patsaouras
Hal Bernson
John Fasana/Beatrice La Pisto-Kirtley
Don Knabe/Robert Arthur
Jose Legaspi/Jackie Goldberg
Gloria Molina
Jenny Oropeza
Zev Yaroslavsky/Robert Abernethy
Larry Zarian/Jan Heidt
Tony V. Harris

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 15 through 23
Consent Calendar Addendum Items A through G

([Consent Calendar Addendum](#) - Items Approved Under Committee Authority)

APPROVED: Items 15 through 20, 22 and 23 of the consent calendar, Item #21 pulled for discussion; and items A-G of the Consent Calendar Addendum.

Directors voting - Bernson, Burke, Nakano, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega (Conflicts: Item #17) - Knabe, Fasana, Yaroslavsky

2. Consider approval of **minutes** of Special Board Meeting held November 13, 1997.

APPROVED

Directors voting - Bernson, Burke, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Alatorre, Cragin

3. Chief Executive Officer's Report

Thanked the employees for their support and extended holiday greetings. Adopted resolution for Rae James, departing Executive Officer, Customer Services & Communication.

NON-CONSENT ITEMS

4. **BERNSON** - Consider approving staff to work with the Department of Transportation (DOT), to determine which **Smart Shuttle routes** can be restructured to accommodate ridership on major bus corridors in which ~~weekend~~ service has been proposed for cancellation by the MTA and report back in 30 days.

APPROVED AS AMENDED: Use of mobility allowance to contract with LADOT or other entities to immediately replace cancelled service.

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

5. **BERNSON** - Receive report on funding designated by the State legislation for transit in the **San Fernando Valley** and commence an investigation on the whereabouts of the "Valley Trust Fund."

APPROVED AS AMENDED, to direct staff to prepare and present to the Inspector General within 30 days for his examination and to the Board within 60 days a

detailed report as to how funds designated as "The Valley Trust Fund" were computed, how and where they were deposited, a determination of the total of the funds accrued, including account numbers, remaining balance, if any, and identification of the accounts where the accrued interest may have been deposited.

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

6. **ALATORRE** - Consider direction to the CEO to prepare a study ~~prior to the Board's final consideration of the capital budget~~ on the feasibility of establishing a funding allocation policy to include:
- A. commencing with the adoption of the FY 1999 budget, establish a policy to allocate at least 40% of Proposition C Discretionary funds to fund capital projects, including payments of principal and interest on existing bonds for capital programs;
 - B. a determination of the amount of future bonding capacity for capital programs that will be achieved by the adoption of the aforementioned funding allocation formula;
 - C. commencing with the adoption of the FY 1999 budget, the establishment of a policy to allocate all Proposition A Rail Development funds to fund rail capital projects, including payments of principal and interest on existing bonds rail construction bonds; and
 - D. an assessment of the impact on other MTA programs resulting from the adoption of all these funding allocation formulas.
 - E. **Assessment to be made on the alternative uses of s funds for Countywide operations and services;**

APPROVED AS AMENDED to add item E - Staff to report back at the regular Board Meeting in January, 1998.

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

7. **ALARCON** - Consider approval for staff to begin discussion with LADOT and other transit agencies **as well as the city of San Fernando, Calabasas, Burbank, Glendale, Agoura Hills, Santa Clarita and the County Dept. of Public Works** to further evaluate the benefits of a transit zone in the San Fernando Valley and to determine: a) MTA's allocated costs for transit services in the San Fernando Valley, and b)

method used to determine the allocation of funds in the Fernando Valley.

APPROVED AS AMENDED

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

8. **YAROSLAVSKY/ANTONOVICH** - Response to Board request. Receive and file report on **San Fernando Valley service options.**

RECEIVED AND FILED (Staff to report back monthly)

Motion was presented by Director Patsouras that no MTA director or staff travel outside the US, at MTA expense, to inspect any busway in Brazil.

9. Consider authorizing the CEO to:
(PP 4)
- A. Enter into an **Exclusive Negotiation Agreement** between TrizecHahn Centers Management, Inc. and the LACMTA for a 180-day extension covering the development of **properties adjacent to Hollywood/Highland** Metro Red (A) Line Station;
 - B. Sign applications for development entitlements on the MTA-owned property at the Hollywood/Highland Station.

COMMITTEE RECOMMENDATION: APPROVED AS AMENDED; DESIGN IS SUBJECT TO APPROVAL OF MTA AND COUNCIL (DISTRICT 13-CITY OF LA)

APPROVED COMMITTEE RECOMMENDATION

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina Conflict, Yaroslavsky

10. Consider award of contracts covering services in association with **federal legislative advocacy support** for a total cost of \$332,314 the year ending December 31, 1998:
(EMC
3)

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|---|-----------|
| MARC Asso. & Cliff Madison Govt. Rels. | \$100,402 |
| American Continental Group | 90,152 |
| The Jefferson Group | 72,650 |
| Palumbo & Cerrell, Inc. | 69,110 |

COMMITTEE RECOMMENDATION: CEO is authorized to extend current contracts up to 60 days and requested to make an evaluation of the "best people" for our legislative representation based upon the legislative plan and to work with the Executive Management Committee to submit a final recommendation to the Board through Executive Management Committee.

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| APPROVED COMMITTEE RECOMMENDATION |
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Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

11. Consider award of contracts covering services in
(EMC association with **state legislative advocacy support** for a
4) total cost of \$193,500 the year ending December 31, 1998:

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|---|----------|
| Capital Representation Group | \$70,300 |
| Nielsen, Merksamer, Parrinello & Naylor | 57,130 |
| JEA & Associates | 40,850 |
| Nossaman, Guthner, Knox & Elliot | 25,250 |

COMMITTEE RECOMMENDATION: CEO is authorized to extend current contracts up to 60 days and requested to make an evaluation of the "best people" for our legislative representation based upon the legislative plan and to work with the Executive Management Committee to submit a final recommendation to the Board through Executive Management Committee.

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| APPROVED COMMITTEE RECOMMENDATION |
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Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Zarian, Knabe, Fasana, Antonovich, Molina ; 2 Conflict (Yaroslavsky, Riordan)

12. Consider an increase to the Authorization for Expenditure to Contracts EN032, International Technology Corporation, EN030, CH2MHILL and EN031, Metcalf & Eddy, Inc., the current panel of environmental waste services, covering **removal and disposal of hazardous substance contamination on the East Side Extension** in the amount of ~~\$2,360,000~~ \$300,000 for a total AFE in the amount of ~~\$4,205,000~~ \$2,145,000

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| APPROVED AS CORRECTED |
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Directors Voting: Bernson, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, Knabe, Fasana, Antonovich, Molina; 1 Absent (Burke); 1 Conflict (Riordan)

13. Consider approval of:
- A. Change Order No. 93 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV, in the amount of \$619,175 which includes costs for 'future work' deferred by the Board and covers a portion of the settlement of Claim No. 6 as recommended by the Dispute Review Board; and
 - B. an increase to the Authorization for Expenditure in the amount of \$619,175 for a revised AFE in the amount of \$167,158,974.

APPROVED

Directors Voting: Bernson, Cragin, Knabe, Fasana, Oropeza, Yaroslavsky, Zarian, de la Vega, Knabe, Fasana, Antonovich, Molina

14. Consider approving the sale of property located at 5557 St. Elmo Walk, Long Beach for approximately \$248,000 net proceeds as settlement in full of the mortgage loan.

APPROVED

Directors Voting: Bernson, Burke, Cragin, Knabe, Fasana, Oropeza, Zarian, de la Vega, Knabe, Fasana, Antonovich; 1 No Yaroslavsky

CONSENT CALENDAR ITEMS

15. Consider:
(FB 1)
- A. adoption of the revised **MTA Investment Policy**; and
 - B. delegation of authority to invest MTA funds to the MTA Treasurer, for a one year period, pursuant to California Government Code Section 53607.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT CALENDAR

16. Consider approval of an increase in the contract spending
(FB 2) limit for the **Audit Pool Contract** RFP No. PS2510-0071 in force until December 1, 1998, in an amount not to exceed \$500,000 for the outsourcing of Financial, Performance and Third Party Contract audits.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT CALENDAR

17. Authorize the execution of a ten-year **license agreement**
(FB 3) **with Southern California Edison Company** (SCE) and approval of rental payments in the amount of \$358,455 over the ten-year term for the continuing usage of the Marine Station parking facility for the Metro Green (D) Line (D Line) Project.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT CALENDAR

18. Consider amending the **Measures and Public Hearing**
(PP 1) **Procedures for Major Service or Fare Changes.**

COMMITTEE RECOMMENDATION: APPROVE**APPROVED ON CONSENT CALENDAR**

19. Consider:

(PP 3)

- A. appointing the **TDA Article 8 Hearing Board** to conduct unmet transit needs hearings in those eligible areas outside the MTA service area;
- B. appointing members to a three-year term to fill vacant positions on the FY 1998-99 Social Service Transportation Advisory Council (SSTAC) and extend the term by one year, through FY 1999-2000, for returning members; and
- C. authorizing the CEO, or his designee, to annually appoint the TDA Article 8 Hearing Board and to fill vacancies on the SSTAC.

COMMITTEE RECOMMENDATION: APPROVE**APPROVED ON CONSENT CALENDAR**20. Consider addition of **Directors' Special Items** to future Board Meeting Agendas.

(EMC 2)

COMMITTEE RECOMMENDATION: APPROVE, encourage use of 72 hour notice.**APPROVED ON CONSENT CALENDAR**

21. Consider:

(CC 5)

- A. Revision No. 1 to Contract Work Order No. 47 to Contract E0070 with Engineering Management Consultant covering final design services on the **East Side Extension project adding a testing program for precast concrete tunnel liner and gaskets** in the negotiated/audited amount of \$327,507 extending the period of performance to June 30, 1998;
- B. an increase to the Authorization for Expenditure in the amount of \$328,000 increasing the AFE to \$5,408,000.

COMMITTEE RECOMMENDATION: APPROVE

MOTION to approve staff recommendation - FAILED
MOTION to carry over to January - FAILED
NO ACTION TAKEN

FAILED BY THE FOLLOWING ROLL CALL VOTE:

Ayes: Bernson, Bohlke, Cragin, Lapisto-Kirtley, de la Vega

Noes: Legaspi, Oropeza, Heidt

Abstain: Patsouras

Absent: Alatorre, Molina

22. Consider approval of a contract amendment with Neoplan USA Corporation covering **various changes to the contract for 250** buses detailed in Contract Amendment No. 1, for a net decrease of \$2,309,718.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT CALENDAR

23. Consider approval of request from the Los Angeles County Sheriff's Department to **transfer one surplus bus** (#8698) for the purpose of training personnel.

COMMITTEE RECOMMENDATION: APPROVE

APPROVED ON CONSENT CALENDAR

CLOSED SESSION

24. Conference with real property negotiators concerning price and/or terms of sale - G.C. 54956.8:

Parcel AS-348
Rosecrans Overpass Project
Owners - Yon Kyu Kim and Ki Sook Kim

APPROVED LITIGATION SETTLEMENT \$585, 000

25. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9

A. Nestlerode v. MTA
Superior Court Case No. Y4C018577

APPROVED SETTLEMENT OF \$25,000

B. Lin v. MTA
Superior Court Case No. BC 155802

APPROVED SETTLEMENT IN THE AMOUNT OF \$250,000

C. Lowry v. MTA
Superior Court Case No. BC 162555

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| APPROVED SETTLEMENT OF \$400,000 |
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26. Conference with Legal Counsel - Existing
Litigation - G.C. 54956.9 (a)

Wiltern Associates v. MTA
LASC Case No. BC113523

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| NO REPORT |
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RECEIVED PUBLIC COMMENT

Director Oropeza requested a report on the cost of providing MTA Bus information 7 days a week.

Meeting was adjourned at 1:30 p.m.

CONSENT CALENDAR ADDENDUM
COMMITTEE APPROVALS

THE FOLLOWING ITEMS WERE APPROVED UNDER COMMITTEE AUTHORITY.

Construction Committee

- A. Consider approval of Change Order No. 95 to Contract No. C0311 with Traylor Bros./Frontier-Kemper, JV, for **credit amount of \$310,000** for relocation of the track level rooms and crosspassage #49 for tunnel line section to Universal City reducing the contract amount to \$154,265,400 and the AFE to \$166,229,799.

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

- B. Consider approval of Change Order No. 21 to Contract No. B641 with Amelco Electronics, Inc., covering **design, procurement, installation and testing of on-frequency repeaters** at the Segment 2 stations and the Central Control Facility in the amount of \$237,383.

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

- C. Consider approval of **cancellation and re-solicitation of Invitation for Bid No. C0361** covering the Maintenance of Way Facility as a design/build project for the Metro Green (D) Line (D Line).

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

Operations Committee

- D. Consider award of a three-year contract to City Terrace Services, Los Angeles, covering **Metro Freeway Service Patrol towing** for Beat 25 commencing March 31, 1998 in the amount of \$1,117,500.

COMMITTEE AUTHORITY, 4/5 VOTE

- E. Consider the following actions covering **modifications to existing buildings at the Regional Rebuild Center**:
- A. rescind previous action by the Board to reject all bids; and
- B. award a contract to Mallcraft, Inc., Pasadena, the lowest responsive, responsible bidder, covering **modifications to existing buildings at the Regional Rebuild Center** for a fixed price of \$1,627,000.

COMMITTEE AUTHORITY, 4/5 VOTE

- F. Consider award of contracts to the lowest responsive, responsible bidders covering a 12 month supply of **hand products** for a total bid price of \$415,211:

| | | |
|--------------------------------|-----------|----------------|
| A. Unisource | \$ 20,853 | Items 1, 6 & 7 |
| B. Gale Supply Co. | 349,802 | Items 2, 3 & 5 |
| C. Clean Source | 31,724 | Item 4 |
| D. Easterday Janitorial Supply | 12,832 | Items 8 & 9 |

COMMITTEE AUTHORITY, 4/5 VOTE

- G. Consider award of contract to Westinghouse Air Brake Co., the lowest responsive, responsible bidder covering **overhaul of 108 couplers for the Metro Blue (B) Line Light Rail vehicles** for a fixed price of \$388,726, and an option to **overhaul an additional 30 couplers for the Metro Green (D) Line (D Line) Light Rail vehicles** for a fixed price of \$107,979.

COMMITTEE AUTHORITY, 4/5 VOTE