



MINUTES/PROCEEDINGS

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 28, 1999

Called to order at 9:55 A.M.

Directors Present:

Yvonne Brathwaite Burke, Chair  
James Cragin, First Vice Chair  
Richard Riordan, Second Vice Chair  
Michael Antonovich  
Hal Bernson  
John Fasana  
Don Knabe  
Gloria Molina  
Jenny Oropeza  
Frank Roberts  
Jaime de la Vega  
Zev Yaroslavsky  
Tony V. Harris, Ex Officio

Chief Executive Officer - Julian Burke  
Board Secretary - Michele Jackson  
Inspector General - Arthur Sinai  
General Counsel - County Counsel

Item 1

APPROVED Consent Calendar Items 2, 19, 24, 25, 29, 38, 39, 40, 41

ITEMS 8, 9, AND 10 WITHDRAWN FROM CONSENT CALENDAR.

NOTED ITEMS APPROVED UNDER COMMITTEE AUTHORITY: 15

Present	OROPEZA	YES
Present	FASANA	YES
Absent	MOLINA	
Present	ANTONOVICH	YES
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Absent	RIORDAN	
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	HARRIS	

Item 2

APPROVED ON CONSENT CALENDAR Minutes of Regular Board Meeting held on September 23, 1999.

Item 3

Chief Executive Officer's Report

- Presentation of Resolution to Audrey Noda, Manager of Government Relations who is leaving the agency.

Item 4

Chair's Report - NO REPORT.

Item 8

APPROVED execution of a five year license agreement with Southern California Edison Company ("SCE") for the lease of a seven acre site located in the City of Long Beach for the storage of system-wide rail material for a total payment of \$330,381.

Present	OROPEZA	YES
Present	FASANA	CON
Present	MOLINA	CON
Present	ANTONOVICH	YES
Absent	LEGASPI	.
Present	KNABE	CON
Present	BURKE	YES.
Present	CRAGIN	YES.
Present	RIORDAN	YES
Present	BERNSON	YES
Present	YAROSLAVSKY	CON
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	

Item 9

APPROVED award of contract to Municipal Resource Consultants (MRC) for sales tax audit and forecasting services for two years, with three-one year options.

Audit and revenue recovery services are on a contingency basis at the following rates:

Recoveries	Fee %
under \$6M	23%
\$6M -20M	17%
over \$20M	11%

Present	OROPEZA	YES
Present	FASANA	YES
Present	MOLINA	YES
Present	ANTONOVICH	CON
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	CON
Present	CRAGIN	YES
Present	RIORDAN	CON

Present	BERNSON	YES
Present	YAROSLAVSKY	CON
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	

Item 10

APPROVED

- A. execution of Revision No. 2 to Contract Work Order (CWO) No. 60 to Contract No. E0070 with the Engineering Management Consultant (EMC) for Project Management, Project Administration, and Project Control Services, for Segment 3, North Hollywood in the amount of \$835,107 which increases the total CWO value to \$2,855,244;
- B. an increase to the Project Authorization for Expenditure (AFE) in the amount of \$835,107 for a revised total AFE of \$97,684,904.

Present	OROPEZA	YES
Present	FASANA	YES
Present	MOLINA	CON
Present	ANTONOVICH	CON
Absent	LEGASPI	
Present	KNABE	CON
Present	BURKE	YES
Present	CRAGIN	YES
Present	RIORDAN	YES
Present	BERNSON	CON
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	

Item 13

RECEIVED AND FILED in closed session report on brake lining and drum procurement.

Absent	OROPEZA	
Present	FASANA	YES
Absent	MOLINA	

Absent	ANTONOVICH	
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Absent	RIORDAN	
Present	BERNSON	YES
Absent	YAROSLAVSKY	
Present	ROBERTS	YES

Item 15

APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed price contract to Valley Detroit Diesel Allison, City of Industry, the lowest responsive, responsible bidder for 100 new Allison Model V-731 transmission cases for an amount not to exceed \$523,343, inclusive of sales tax.

Item 18

APPROVED

- A. an increase in the Authorization for Expenditure to Contract HO631 with MASS Electric Construction Co., Traction Power Systems Installation, to provide funding for pending changes that are within the Board delegated authority in the amount of \$771,339 increasing the current Segment 3 AFE to \$4,579,539;
- B. approve transfer of costs incurred on Segment 3 North Hollywood Extension relating to CN 11.01, to the Segment 2 project and backcharge against Contract (B795).

Present	OROPEZA	YES
Present	FASANA	YES
Absent	MOLINA	
Present	ANTONOVICH	YES
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Absent	RIORDAN	
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	HARRIS	

Item 19

APPROVED ON CONSENT CALENDAR an increase to the Authorization for Expenditure (AFE) for Contract EN031 with Metcalf & Eddy, Inc. in the amount of \$80,000 increasing the contract AFE to \$966,750 as follows:

- A. disposal of additional lead contaminated soils, asbestos abatement and environmental emergency response services for Metro Green Line future Maintenance-of-Way facility site in the amount of \$55,000; and
- B. disposal of remaining contaminated soil cuttings for the Metro Red Line Eastside Extension in the amount of \$25,000.

Item 23

APPROVED award of a multiparty contract to Landesbank Hessen-Thuringen Girozentrale (Helaba), Bank of America, Bayerische Hypo-und Vereinsbank AG, Credit Agricole Indosuez and Morgan Guaranty Trust Company of New York (the "Bank Group") for a letter of credit, legal fees and expenses related to tax-exempt commercial paper program for a period not to exceed three years commencing December 1999, for an amount not to exceed \$5,450,000

Present	OROPEZA	YES
Present	FASANA	YES
Absent	MOLINA	
Present	ANTONOVICH	CON
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Absent	RIORDAN	
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	HARRIS	

Item 24

APPROVED ON CONSENT CALENDAR execution of a 25 year easement agreement with Williams Communications covering construction, installation, commercial use, operation and maintenance of a fiber optic communications system along approximately 6,122 feet of the MTA's East Bank rail right of way for \$13,162 annually for the initial 25 year term (subject to cost of living adjustments every five years based on increases in the Consumer Price Index) plus a one-time initial payment of \$75,000; including an option to extend for four (4) additional 25 year terms. Payment for the 25 year extensions will be based on market rate as agreed to by the parties; or if the parties cannot agree to market, by binding arbitration.

Item 25

APPROVED ON CONSENT CALENDAR execution of a one-year lease extension with Lankershim Partners for the continued use of office/storage space at 4640 Lankershim Boulevard in North Hollywood for an annual payment of \$344,891, plus a prorata share of the building's operating expenses.

Item 29

APPROVED ON CONSENT CALENDAR adoption of policy changes to the MTA's DBE and SBE program that encompass greater participation on the part of small businesses and making changes in the Procurement Policies and Procedures Manual.

Item 34

APPROVED ITEM A ONLY.

Molina substitute motion to:

- A. remove the caveat that MTA's support for the Playa Vista Congestion Improvement projects be contingent upon Dreamworks/SKG locating in the Playa Vista Development and proceed with the implementation of the \$15.02 million STIP funded Phase 1, Route 1 and Route 90 projects;
- B. ~~submit a STIP amendment to the California Transportation Commission (CTC) to deobligate \$14.9 million in funds programmed by the MTA to the Route 1 (Lincoln Blvd.), Phase 2 and Local Road Improvement Projects; and reprogram these funds to eligible projects currently funded through the Call for Projects using Proposition C 25% local funds; and~~

Present	OROPEZA	YES
Present	FASANA	YES
Present	MOLINA	YES
Present	ANTONOVICH	YES
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Present	RIORDAN	YES
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	

ITEM 34

FAILED - ITEM C AS AMENDED.

C. direct staff to report back in 30 days on the possible eligible uses for these funds. This should include ~~but not be limited to~~ unfunded projects in the 1999 Call for Projects, AND bus capital purchases per the consent decree. ~~and the MTA's funding match for the Alameda Corridor~~

Present	OROPEZA	YES
Present	FASANA	YES
Present	MOLINA	YES
Present	ANTONOVICH	NO
Absent	LEGASPI	
Present	KNABE	ABS
Present	BURKE	ABS
Present	CRAGIN	YES
Present	RIORDAN	NO
Present	BERNSON	NO
Present	YAROSLAVSKY	NO
Present	ROBERTS	YES
Present	DE LA VEGA	NO
Present	HARRIS	



Mayor Riordan announced the appointment of Jaime De La Vega, from the private sector, to the Board of Directors.

Director Fasana requested an overview of Level F intersections in other counties.

Item 35

FAILED - Yaroslavsky amendment to Riordan/Knabe substitute motion.

MTA IMMEDIATELY DEOBLIGATE THE REMAINING \$30 MILLION IN STATE STIP FUNDS PREVIOUSLY ALLOCATED TO THE PLAYA VISTA IMPROVEMENT PROJECT AND USE THESE FUNDS TO PURCHASE ADDITIONAL BUSES.

Present	OROPEZA	NO
Present	FASANA	NO
Present	MOLINA	YES
Present	ANTONOVICH	NO
Absent	LEGASPI	
Present	KNABE	NO
Present	BURKE	NO
Present	CRAGIN	NO
Present	RIORDAN	NO
Present	BERNSON	NO
Present	YAROSLAVSKY	YES
Present	ROBERTS	NO
Present	DE LA VEGA	NO
Present	HARRIS	

APPROVED Knabe/Riordan substitute motion for items 34, 35 & 36:

that the MTA Board reaffirm its \$30 million commitment to fund both the Phase 1 and Phase 2 Route 1 and Route 90 Street Improvements as approved in the 1996 State Transportation Improvement Program; and

FURTHER APPROVED that the MTA Board remove the caveat that MTA's support for the Playa Vista Congestion Improvement projects be contingent upon Dreamworks/SKG locating in the Playa Vista Development.

Present	OROPEZA	NO
Present	FASANA	NO
Present	MOLINA	NO
Present	ANTONOVICH	NO

Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Present	RIORDAN	YES
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	NO
Present	DE LA VEGA	YES
Present	HARRIS	

Item 36

SEE Knabe/Riordan substitute motion above.

- A. ~~reprogram the remainder of the \$30 million for the Route 1 and Route 90 Dreamworks access Improvement projects to the 1999 TIP Call for Projects; and~~
- B. ~~to allocate sufficient funds when reprogramming the remaining \$30 million for Caltrans to close out projects associated with the Route 1 and Route 90 Dreamworks access improvement projects.~~

Item 38

APPROVED ON CONSENT CALENDAR.

- A. establishing capital reserve accounts from Proposition A and C Local Return funds for the cities of Arcadia, Lawndale, Pico Rivera; and
- B. an amendment for the Municipal Area Express (MAX) agencies capital reserve account, to include the City of Lomita and provide additional funding (an increase of \$230,300); contributing MAX agencies consist of the cities of Torrance, Los Angeles, Lawndale, El Segundo, Rancho Palos Verdes, Lomita, and the County of Los Angeles.

Item 39

APPROVED ON CONSENT CALENDAR execution of Change Order with Urban Transportation Associates (UTA), Cincinnati, Ohio, for data collection analysis, reporting services and operational lease of Automatic Passenger Counter Systems for an additional two year period commencing November 1, 1999, in the amount of \$947,207, for a total contract amount of \$1,475,897.

Item 40

APPROVED ON CONSENT CALENDAR appointment of a Hearing Officer and scheduling of a public hearing for Wednesday, December 1, 1999 at 10:00 AM to receive input on the MTA Americans with Disabilities Act (ADA) Paratransit Plan Update for 2000.

Item 41

APPROVED ON CONSENT CALENDAR an increase in the Authorization for Expenditure (AFE) for Contract MC022 with Kabler Construction Services, Construction Management Services, for a Limited Notice to Proceed for Metro Red Line, Segment 1, in the amount of in an amount not to exceed \$200,000 for a total AFE of \$911,671.

Item 42 CLOSED SESSION

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

- 1. Tutor Saliba Perini v. MTA, Case BC 193559

APPROVED settlement of \$2,286,971

- 2. Sanders v. MTA, Case POM207-270;

APPROVED settlement of \$120,000

- 3. Batiste v. MTA, Case 89LA0600-452

APPROVED confidential settlement.

- 4. Labor/Community Strategy Center v. MTA, Case CV 94-5936TJH

NO ACTION TAKEN.

- 5. Anguiano v. MTA, Case BC 196000

CARRIED OVER.

Absent	OROPEZA	
Present	FASANA	YES
Absent	MOLINA	
Absent	ANTONOVICH	

Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Absent	RIORDAN	
Present	BERNSON	YES
Absent	YAROSLAVSKY	
Present	ROBERTS	YES
Present	DE LA VEGA	YES

B. Conference with Labor Negotiator - G.C. 54956.8

Negotiator: Tom Webb

Employee Organization: AFSCME

NO REPORT.

Absent	OROPEZA
Present	FASANA
Absent	MOLINA
Absent	ANTONOVICH
Absent	LEGASPI
Present	KNABE
Present	BURKE
Present	CRAGIN
Absent	RIORDAN
Present	BERNSON
Absent	YAROSLAVSKY
Present	ROBERTS
Present	DE LA VEGA

Item 44

WITHDRAWN - Cragin Motion.

- A. that no change be made to the formula for allocation of Federal Section 5307 Capital funds or in the way these funds are allocated for two years;
- B. that Proposition C 40% funds be allocated for FY 1999-00 and FY2000-2001 to the included and eligible municipal operators pursuant to the formula allocation procedure. This allocation is based on the Consent Decree funding allocated to MTA Operations up to an amount not to exceed \$15 million per year. These allocations are in addition to the existing Proposition C 40% funded programs.

Item 45

DISCUSSED AND CLARIFIED.

ROBERTS Request for discussion and clarification of the contractual language for funding agreements with outside agencies.

Absent	OROPEZA
Present	FASANA
Absent	MOLINA
Present	ANTONOVICH
Absent	LEGASPI
Present	KNABE
Present	BURKE
Present	CRAGIN
Present	RIORDAN
Present	BERNSON
Present	YAROSLAVSKY
Present	ROBERTS
Present	DE LA VEGA
Present	HARRIS

Item 46

APPROVED AS AMENDED.

- A. MTA staff develop a criteria for ranking the soundwalls on the Post 1989 list that includes such factors as noise levels, freeway proximity to schools and residences, extenuating circumstances (such as soundwalls already erected on one side of the freeway) HOV lanes, as well as other appropriate criteria;
- B. MTA consult with Caltrans to develop the criteria for ranking these soundwalls;
- C. MTA staff to return to the **JANUARY PLANNING AND PROGRAMMING COMMITTEE** with the proposed criteria for ranking these soundwalls and a preliminary ranking of the projects on the Post 1989 soundwall list; and
- D. the \$35 million that the MTA has already identified as available to fund soundwalls should be preserved for the soundwall program and should not be obligated to any other projects.

Present	OROPEZA	YES
Present	FASANA	YES
Absent	MOLINA	
Present	ANTONOVICH	YES
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Present	RIORDAN	YES
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	


Item 47

RECEIVED AND FILED staff's report on identification of bus shelters at Metro Red Line Segment 2 and Segment 3 stations.

Present	OROPEZA	YES
Present	FASANA	YES
Absent	MOLINA	
Present	ANTONOVICH	YES
Absent	LEGASPI	
Present	KNABE	YES
Present	BURKE	YES
Present	CRAGIN	YES
Present	RIORDAN	YES
Present	BERNSON	YES
Present	YAROSLAVSKY	YES
Present	ROBERTS	YES
Present	DE LA VEGA	YES
Present	HARRIS	

Received Public Comment.

Prepared by: Christina Lumba-Gamboa  
Recording Secretary

  
Michele Jackson  
Board Secretary