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ITEMS 8, 9, AND 10 WITHDRAWN FROM CONSENT CALENDAR.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

<table>
<thead>
<tr>
<th>Recoveries</th>
<th>Fee %</th>
</tr>
</thead>
<tbody>
<tr>
<td>under $6M</td>
<td>23%</td>
</tr>
<tr>
<td>$6M - $20M</td>
<td>17%</td>
</tr>
<tr>
<td>over $20M</td>
<td>11%</td>
</tr>
</tbody>
</table>

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 (D) Line (D 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 (A) 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 Agicole 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   | YAROSLAWSKY | 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   | YAROSLAWSKY | NO |
| Present   | ROBERTS | YES |
| Present   | DE LA VEGA | NO |
| Present   | HARRIS  |     |

Director 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 CRAIN 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 CRAIN 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 (A) 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 and increase to the AFE 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 19600
   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
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.

Item 47

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

http://www.metro.net/board/recap/1999/min1028099.htm
| Present     | ANTONOVICH | YES    |
| Absent     | LEGASPI     |        |
| Present    | KNABE       | YES    |
| Present    | BURKE       | YES    |
| Present    | CRAGIN      | YES    |
| Present    | RIORDAN     | YES    |
| Present    | BERNSON     | YES    |
| Present    | YAROSLAWSKY | 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

[Return to Recap of Actions]