

MINUTES

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING BOARD OF DIRECTORS

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

Wednesday, November 20, 1996
Closed Session - 11:00 a.m.
Open Session - 1:00 p.m.

Called to order at 11:13 a.m.

Directors/Alternates Present:

Larry Zarian, Chair/Jan Heidt
Richard Riordan, First Vice Chair/Hal Bernson
Yvonne Brathwaite Burke, Second Vice Chair/Michael Bohlke
Nate Holden
Nick Patsaouras
James Cragin/Joseph Dawidziak
Deane Dana/Robert Arthur
John Fasana/Beatrice La Pisto-Kirtley
Vivien Bonzo
Jenny Oropeza
Carol Schatz/Richard Alarcon
Mel Wilson/Jackie Goldberg
Robert Abernethy
Brent Fulker, Ex Officio

Chief Executive Officer - Joseph E. Drew
Board Secretary - Helen M. Bolen
Inspector General - Arthur Sinai
General Counsel - County Counsel

1. CLOSED SESSION

A. Conference with Real Property Negotiator(s) concerning Price and/or Terms of Payment G.C. 54956.8:

1. Metro Red (A) Line, Segment 3
Parcel C3-252
Woman's Club of Hollywood
1749 North La Brea Avenue

Los Angeles

APPROVED Condemnation Settlement - \$200,000

2. Metro Red (A) Line, Segment 2
Parcel B2-212
Wells Fargo Bank
1528 North Vermont Avenue
Los Angeles

APPROVED Condemnation Settlement - \$300,000
Director Riordan indicated a conflict on this item.

- B. Conference with Legal Counsel on existing litigation pursuant to Government Code Section 54956.9(a):

1. Buffington v. SKK
U.S. District Court
Case No. 95-5250HLH(CTX)

APPROVED MTA joining in the lawsuit.

2. MTA v. SKK
Superior Court Case No. BC136559

NO REPORT

3. Hatzidakis v. MTA
Superior Court Case No. BC117600

4. Thomas v. MTA
BC118484

APPROVED settlement of \$302,000 for cases 3 and 4

- C. Conference with Legal Counsel regarding Significant exposure to litigation pursuant to Government Code Section 54956.9(b)

One Case - **NO REPORT**

2. Flag Salute

3. **RECEIVED** Public Comment

4. **APPROVED:**

- A. Minutes of:

1. Regular MTA Board Meeting held October 23, 1996
2. CAC meeting held October 23, 1996;

- B. Consent Calendar **ITEMS 15-17, 20-21, 24-26, 28, 29, 39 & 42** (Item 23 was pulled for discussion.)

5. Chair's Remarks

- A. **PRESENTED** to family of Director Raul R. Perez plaque and hard hat signed by Board Members.
- B. **PRESENTED** resolution to retiring Director Deane Dana who thanked current and former Board Members for their energy and commitment.
- C. **RECEIVED REPORT** on Closed Session Actions
- D. **RECEIVED** initial briefing on Organizational Assessment
- E. **INTRODUCED** Brent Fulker, CalTrans District 9 Ex-Officio appointee to the MTA Board.

6. Chief Executive Officer's Report

- A. **RECOGNIZED** Employees of the Month
- B. **ANNOUNCED** that a newly painted prototype bus was available for viewing in the Plaza.

7. Director Special Items

- A. **APPROVED AS AMENDED**, Burke Motion re establishment of a central, unified Procurement and Compliance Office. (Attachment 1)
- B. **APPROVED** Burke Motion requesting a report at the December 5, 1996 Long Range Plan Workshop explaining the systemic nature of the deficit. (Attachment 2)
- C. **APPROVED** Travel Authorization for Director Dawidziak.
- D. Director Bonzo reported that the Public Safety Committee of the City Council voted not to support the merger of the Transit Police with the LAPD/LASD. She offered a motion, seconded by Director Abernethy, requesting that a report from the CEO, detailing actions necessary to staff and equip the MTA Transit Police to their fully-budgeted level, be agendized for the December Board Meeting unless City Council approves the merger prior to that date.

Director Abernethy suggested that consideration be given to the use of non-sworn and contract personnel.

Director Bernson called the motion premature and expressed the opinion that the full Council would support the merger.

Directors Fasana, Cragin and Wilson expressed support for Director Bonzo's motion and Director Fasana suggested considering the option of merging with the Sheriff's Department only.

PUBLIC HEARING

8. **CARRIED OVER TO DECEMBER BOARD** a Public Hearing and, if evidence warrants, adopt Resolution of Necessity authorizing commencement of an eminent domain action to acquire property located at 1817 East First Street in the City of Los Angeles, MTA Parcel ED-131 owned by Constantino and Alice Miguel, as trustees of the 1993 Miguel Family Trust.

GENERAL

9. **APPROVED ON A VOTE OF PRINCIPALS** the establishment of an off-peak base fare of \$0.75 on MTA Line 40 (Hawthorne Boulevard-Union Station), between the hours of 10 a.m. and 2 p.m. on weekdays only, commencing Monday, December 2, 1996, in accordance with the terms of the proposed Consent Decree approved by the Board of Directors on September 25, 1996.

REAL ESTATE & ASSET DEVELOPMENT COMMITTEE

10. **CARRIED OVER TO DECEMBER** approval of:
- A. a sublease agreement with Wells Fargo Bank as sublessor (land and building), and Sol and Irene Hess as Master Lessor (ground lease only), to sublease a Cash Counting Facility for a term of 12 years and five months, commencing December 1, 1996 and ending April 30, 2009, at an annual lease amount of approximately \$116,000; and
 - B. budget adjustments to increase total MTA grant monies by \$216,000 and total MTA expenditures by \$216,000, for no net impact.
 - C. a non competitive contract with Western Vault Security, Inc., for the refurbishment and installation of security equipment at the proposed new Cash Counting Facility, or the current facility, in an amount not to exceed \$216,000.

Director Riordan indicated a conflict on this item.

11. **CARRIED OVER TO DECEMBER** approval of:
- A. Lease negotiations and execution of a lease with Wells Fargo Bank and Equitable Life Insurance, for a not-to-exceed amount of \$3,961,266 for total estimated co-located project office costs, at 707 Wilshire Boulevard (the "707 Building") the top ranked location for the Co-Located Project Office;
 - B. Lease negotiations and execution of a lease with Bank of Nova Scotia at 818 West 7th Street (the "818 Building") the second-ranked location, for a not-to-exceed amount of \$4,439,221 for total estimated co-located project office costs, should favorable lease terms be unattainable with the top-ranked candidate location.

Director Riordan indicated a conflict on this item.

FINANCE, BUDGET AND EFFICIENCY COMMITTEE

12. **WITHDRAWN BY STAFF** approval of the proposed amendments to the Segment 3 Financial Contribution Agreement and Side Letter of Agreement with the City of Los Angeles as adopted by the City Council at its August 20, 1996 meeting.
13. **CARRIED OVER TO DECEMBER:**
- A. award of a contract to Cash Technologies, Inc., the lowest, responsive and responsible bidder under IFB No. 07-9601, covering the currency counting service for one year, at a cost not to exceed \$1,100,000; and
- B. exercise of two, six-month options available under the contract at the end of year one, at the election of the MTA for a total cost not to exceed \$1,100,000.
14. **WITHDRAWN BY STAFF** selection of the following firms to provide investment management services for the MTA's operating funds under RFP No. PS53200007:
- | | Portfolio
(\$ millions) | Maximum
Annual Fees |
|--------------------------|----------------------------|------------------------|
| Bank of America | \$75 | 0.10% |
| Pacific Investment Mgmt. | \$75 | 0.15% |
| Danson & Neuhar | \$25 | 0.1625% |
| LM Capital | \$40 | 0.18% |
| V.A. Reid | \$38 | 0.175% |
15. **APPROVED ON CONSENT** award of contracts to 14 qualified Certified Public Accountant (CPA) firms to perform on an as-needed basis:
- A. Financial, Performance, and Third-Party Contract audits for an amount not to exceed \$660,000 for the two year period December 2, 1996 to December 1, 1998; and
- B. Call-for-Projects close-out audits for an amount not to exceed \$1,000,000 for fiscal year 1997; under RFP PS2510-0071, which includes three one-year renewal options to extend the period of performance, for a total amount not-to-exceed \$1,660,000
- Directors Antonovich/Patsaouras and Alatorre indicated conflicts on this item
16. **APPROVED ON CONSENT** adoption of a resolution extending the expiration of the tax-exempt commercial paper program by an additional seven years, to January 31, 2006.
17. **APPROVED ON CONSENT:**
- A. selection of the following bank team to provide a \$350 million direct-pay letter of credit in support of the tax-exempt commercial paper program for a 3-year term, plus two one year options:

1. National Westminster Bank
 2. Canadian Imperial Bank of Commerce
 3. Bayerische Vereinsbank AG
- B. execution of the Letter of Credit, the Reimbursement Agreement and any other required documents/services such as counsel to MTA.

MARKETING AND PUBLIC RELATIONS AD HOC COMMITTEE

18. **WITHDRAWN BY STAFF** negotiation and execution of an extension of the current revenue contract with Transportation Displays Inc. (TDI) covering interior and exterior advertising on the MTA's fleet of buses.

Director Molina indicated a conflict on this item.

19. **WITHDRAWN BY STAFF** award of a fixed-price contract in the amount of \$189,934 to Michael Hertz Associates, New York, covering development of a comprehensive set of graphics standards for signage on MTA's passenger system.

OPERATIONS COMMITTEE

20. **APPROVED ON CONSENT** transfer of one surplus bus to the Los Angeles Police Department S.W.A.T. Team for training purposes.
21. **APPROVED ON CONSENT:**
- A. Rejection of the non-responsive bids submitted by H.B. Covey, Inc., Pomona, and Wayne Perry, Inc., Buena Park, for non-compliance with DBE requirements; and
 - B. award of a contract to Charles E. Thomas Co., Gardena, the lowest responsive, responsible bidder, for the Upgrade of Underground Storage Tank Monitoring Systems at Divisions 1, 2, and 12 for a fixed price of \$163,743.
22. **WITHDRAWN BY STAFF** award of a contract to Environmental Restoration, Inc., Cerritos, the lowest responsive, responsible bidder, for the Underground Tank Replacement at Division 10, for a fixed price of \$1,493,890.

PLANNING AND PROGRAMMING COMMITTEE

23. **APPROVED:**
- A. Award of a fixed-price contract with Ultrasystems Environmental Inc., Mission Viejo, CA, for the amount of \$754,851, to prepare a Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) for the Metro Red (A) Line Mid-City Segment which incorporates Wilton/Arlington alignment alternatives into the existing Administrative Draft;
 - B. Inclusion of an option in the fixed-price contract with

Ultrasystems Environmental Inc. for the amount of \$197,529, to prepare a Final SEIS/SEIR for the Metro Red (A) Line Mid-City Segment, to be exercised subject to successful completion of the Draft; and

- C. An increase in the Authorization for Expenditure (AFE) for Contract No. EN027, Enviro-Rail, of \$60,000 (Project No. 80087 only), for a revised AFE of \$510,000, to provide additional subsurface information on the feasibility of an underground extension just west of the Pico/San Vicente Station.

Directors Abernethy and Arthur voted 'No'. Directors Antonovich/Patsouras and Riordan/Bernson indicated conflicts on this item.

24. **APPROVED ON CONSENT:**

- A. Appointment of the FY 1998 Transportation Development Act (TDA) Article 8 Hearing Board; and
- B. Appointment of the Social Service Transportation Advisory Council (SSTAC) members for a two-year term.

25. **APPROVED ON CONSENT** adoption of the SB 146 Specific Plan for submission to the California Transportation Commission (CTC) in accordance with the requirements of SB 146.

26. **APPROVED ON CONSENT:**

- A. Concurring with the Caltrans request to the California Transportation Commission (CTC) for \$8.1 million to rehabilitate historic properties within the Route 710 corridor in the cities of Los Angeles, South Pasadena, and Pasadena; and
- B. Requesting that CTC require Caltrans, to the extent allowed by law, to place in reserve all proceeds from the sale of excess properties and rents from properties owned by the State within the Route 710 corridor for future needs to rehabilitate properties within the corridor.

27. **CARRIED OVER TO DECEMBER** approval of an accelerated funding schedule of \$140 million of the MTA's \$359 million commitment to the Alameda Corridor Project to ensure a 2001 project completion date.

28. **APPROVED ON CONSENT:**

- A. a reduction in the fee structure for bicycle locker rentals to \$9 for three months, \$15 for six months, and \$25 for 12 months; and
- B. elimination of the bicycle boarding permit fee.

29. **APPROVED ON CONSENT:**

- A. the Addendum to the Final Environmental Impact Report for the Century-El Segundo Extension Rail Transit Project Del Norte Station;
 - B. adoption of the project changes for the Metro Green (D) Line (D Line and
 - C. issuance of a Notice of Determination.
30. **CARRIED OVER TO DECEMBER** the following actions for the Fiscal Year 1997-98 State Transit Capital Improvement (TCI) Program:
- A. Approve ten (10) project applications totaling \$18,575,590, listed in priority order for funding under the FY 1997-99 TCI Program:
 - 1. SCRRRA/MTA Safety Enhancements/Santa Clarita to Glendale - \$593,115
 - 2. City of Covina Grade-Crossing Safety Enhancements - \$410,475
 - 3. County of Los Angeles Vincent Grade/Acton Metrolink Station - \$1,936,000
 - 4. City of Santa Clarita Newhall Intermodal Transportation Center - \$1,762,000
 - 5. City of Covina Parking Access Enhancement Phase II - \$575,000
 - 6. MTA Chinatown Intermodal Improvements - \$400,000
 - 7. SCRRRA/MTA Inland Empire Maintenance Facility - \$2,000,000
 - 8. City of Commerce Telegraph Road Track Capacity Enhancement - \$1,599,000
 - 9. SCRRRA/MTA Purchase and Rehabilitation of GO Vehicles - \$5,300,000
 - 10. MTA/LADOT Pico/Rimpau Transit Center Parking Improvements - \$4,000,000
 - B. Adopt the MTA's Los Angeles County Regional Guideway Financial Plan (RGFP) totaling \$18,575,590 in TCI funds.

CONSTRUCTION COMMITTEE

31. Considered approval of a Cooperative Agreement between the City of Los Angeles and the Los Angeles Metropolitan Transportation Authority (MTA) to administer and operate a cleaning and graffiti abatement program for the Hollywood Construction Impact Program (HCIP) for the period of January 1, 1997 through June 30, 1998 at

a cost of \$500,000.

APPROVED SUBSTITUTE MOTION:

That the MTA continue on a month-to-month basis the existing security/cleaning contract(s), and provide additional needed services, in a total amount not to exceed \$250,000 through the end of this fiscal year. Staff to report back in 30 days regarding a scope of work and cost to do the necessary cleaning.

32. **APPROVED UNDER COMMITTEE AUTHORITY** cancellation and resolicitation of IFB No. EN060 for installation of storm drain/sanitary sewer cross connects on the Metro Red (A) Line, Segments 1 & 2A.
33. **APPROVED UNDER COMMITTEE AUTHORITY:**
- A. award of Contract No. B648B to Steiny & Company, the lowest responsive and responsible bidder for the communications Installation on the Vermont/Hollywood Corridor of the Metro Red (A) Line for a total contract value of the bid amount of \$2,693,054; and
 - B. an Authorization for Expenditure which provides an allowance of \$269,305 for any necessary changes and/or extra work, for a total AFE value of \$2,962,359.

ALSO APPROVED motion by Director Patsouras as amended.
(Attachment 3)

34. **APPROVED AS AMENDED UNDER COMMITTEE AUTHORITY:**
- A. Amendment No. 11 to Contract Work Order (CWO) No. 4 to Contract No. E0070 with the Engineering Management Consultant to incorporate Consultant Change Notice (CCN) 400.01 for design and engineering additions for the Metro Red (A) Line North Hollywood corridor in the amount of \$414,689 which increases the total of CWO No. 4 value to \$78,968,637; and
 - B. An increase in the Authorization for Expenditure (AFE) in the amount of \$414,689 for a revised total AFE amount of \$80,583,170.

Directors Antonovich/Patsouras indicated a conflict on this item.

35. **APPROVED UNDER COMMITTEE AUTHORITY:**
- A. Amendment No. 1 to Contract No. MC025 with U.S. Public Technologies, Inc. for the installation of photo enforcement equipment at 12 additional Metro Blue (B) Line Grade Crossings in the amount of \$290,969, increasing the Total Contract Value to \$2,284,808; and
 - B. An increase to the AFE in the amount of \$211,432 for a revised total AFE amount of \$2,404,655.

36. **CARRIED OVER TO DECEMBER** approval of Change Order No. B610-CO-23.00 to Contract No. B610 with Morrison Knudsen to compensate for trackwork installation delays in the Wilshire Tunnels on the Metro Red (A) Line, Wilshire Corridor for the amount of \$349,836, increasing the Total Contract Value to \$20,764,915.

COMMITTEE AUTHORITY

37. **APPROVED:**

- A. Award of Contract Work Order No. 42 to Contract No. E0070 with the Engineering Management Consultant (EMC) for continuation of final design services for Union and Sierra Madre Villa Stations on the PBL in the not to exceed amount of \$945,000; and
- B. An increase to the Authorization for Expenditure (AFE) in the amount of \$945,000 for a revised total of \$101,537,714.

Directors Antonovich/Patsouras indicated a conflict on this item.

38. **APPROVED:**

- A. EMC CWO 45 Amendment No. 1 in the amount of \$189,778 covering environmental mitigation tasks ~~'A45'~~, 'B45' and 'B69' for Segment 1 (with authorization for payment).
- B. ~~an increase of \$163,745 to the AFE.~~

Directors Antonovich/Patsouras indicated a conflict on this item.

39. **APPROVED ON CONSENT** an increase to the Authorization for Expenditure (AFE) for Contract No. B646, Fire and Emergency Management Systems, with Syseca Inc., to fund in-process merited change orders on the Metro Red (A) Line, Wilshire and Vermont Corridors, in the amount of \$635,000, for a revised total AFE amount of \$4,067,050.

40. **CARRIED OVER TO DECEMBER** approval of Amendment No. 1 to Contract No. E0070 with the Engineering Management Consultant (EMC) for program wide system activities, project preliminary design, final design, design services during construction and support during system start up.

Directors Antonovich/Patsouras indicated a conflict on this item.

41. **CARRIED OVER TO DECEMBER** approval of:

- A. Amendment No. 11 to Contract Work Order (CWO) No. 5 to Contract No. E0070 with the Engineering Management consultant for engineering services for the Programwide Metro Rail Projects in the amount of \$2,195,664 for a total CWO value of \$28,201,552; and

- B. an increase in the Authorization for Expenditure (AFE) of \$4,695,664 for a revised total AFE of \$30,701,552.

Directors Antonovich/Patsaouras indicated a conflict on this item.

42. **APPROVED ON CONSENT:**

- A. award of Contract Work Order (CWO) No. 6 to Contract No. E0090 with LTK Engineering Services for management of the Metro Red (A) Line Option 2 Vehicle Procurement (Contract No. A650) for the North Hollywood Corridor and the East Side Extension, in the amount of \$1,870,176, which increases the total contract value to \$6,447,516; and
- B. an increase in the Authorization for Expenditure (AFE) in the amount of \$1,480,057, for a revised total AFE amount of \$8,268,022.

43. Items not on the posted agenda - **NONE**

ADJOURNED at 3 p.m. in memory of Director Raul R. Perez

Prepared by: Michele Jackson

JANNE NIELSON
ASSISTANT MTA SECRETARY