



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, January 29, 1998 - 9:53 a.m.

Call to order:

Directors/Alternates Present:

Richard Riordan, Chair
Yvonne Brathwaite Burke, First Vice Chair
James Cragin, Second Vice Chair
Michael Antonovich
Hal Bernson
John Fasana
Don Knabe
Jose Legaspi
Gloria Molina
Jenny Oropeza
Zev Yaroslavsky
Larry Zarian
Tony V. Harris, Ex Officio

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

1. **APPROVED Consent Calendar** Items 9 through 13, 18 through 23, 28 through 30, 33, 39. Committee Authority items 6, 8, 36 and 37.

Item 24 was pulled from the Consent Calendar and subsequently approved on a separate vote.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi,

Molina, Oropeza, Riordan, Yaroslavsky, Zarian

Conflicts of Interest shown on individual items.

2. **APPROVED minutes** of Regular Board Meetings held November 20 and December 18 and Special Board Meeting held December 11, 1997 and January 14, 1998.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Molina, Oropeza, Riordan, Yaroslavsky, Zarian

3. **RECEIVED** report from the Chief Executive Officer regarding the following topics:

Funding Commitment

Update on efforts to preserve the State and Federal rail construction funding commitments for the Pasadena Blue (B) Line and the Eastside and Mid-Cities extension of the Red (A) Line.

State level:

There remains a CTC issue as to whether the previously programmed funds for the Pasadena, Eastside and Mid-Cities projects should be deobligated because of MTA's current inability to demonstrate the projects are "financially constrained". Discussions have occurred with the CTC staff, several CTC Commissioners, the California DOT, and various California legislators to address this issue.

The CTC is raising issues regarding MTA's '98 County TIP funding allocation. The Board approved \$207 million allocation for North Hollywood (so-called "local return") and certain State legislators are threatening immediate legislation to amend SB45 to require a "local share" percentage in the allocation of the County TIP. Such a requirement could jeopardize the North Hollywood Project.

Federal level:

Discussions continue with the FTA and the U.S. DOT. The areas of focus continue to relate to preserving funding contained in the MOS-3 Agreement, the release of FY98 Appropriations, the FY99 Appropriations and an ISTE A II strategy.

The Board requested the CEO to express MTA's support for the ATTB project to our federal and local partners. The CEO agreed to submit a letter, signed by our Board members, toward this end.

Local funding arrangements

Dialogue has begun with the Chairman of the Los Angeles City Council's

Transportation Committee regarding the \$200 million funding agreement which the MTA has with the City. This agreement needs to be renegotiated. The Board will be kept informed.

Conversion of agency ethanol fleet

Management is currently examining a multi-track conversion which will result in some of the current ethanol powered buses being reprogrammed to operate on methanol, and may result in a plan to convert some portion of the alcohol fleet to "clean diesel" and/or CNG. This plan will be brought forward in February for Board approval.

It is management's intent to deal with the cost and reliability issues of this alcohol fleet and to continue negotiating with those responsible to resolve the remaining warranty and liability issues.

The following requests were made by Board members:

- Director Bernson requested a maintenance and longevity record for ethanol and methanol.
- Director Burke requested to meet with staff regarding the May 8, 1997 Detroit Diesel letter covering an offer for conversion and provision for repairs.
- Director Cragin requested that when the CEO meets with our federal partners that MTA explore ISTEA funding scenarios for bus system improvement.
- Director Cragin requested that the CEO meet with CAC regarding the conversion of the alcohol fleet.

4. Chair's Report - **NONE**

NON-CONSENT

14. **APPROVED**

- A. Change order 46.00 for Change Notice 1.00, to Contract No. C0351, Kajima/Ray Wilson, JV, covering **modifications to the station ventilation system** by reducing the size of Blast Relief Shafts (BRS) No. 1 and No. 2 resulting in a credit of (\$462,216) for a revised contract amount of \$65,499,027; and
- B. a reduction in the Authorization for Expenditure (AFE) in the amount of (\$462,216) for a total revised AFE amount of \$70,489,135.

Directors voting: Antonovich, Burke, Cragin, Fasana, Molina, Oropeza, Zarian

Directors Conflicted: Alatorre (absent), Bernson, Knabe, Legaspi, Riordan, Yaroslavsky

15. **APPROVED** Change Order No. B281-CO-55.00 to Contract No. B281 with Kajima/Ray Wilson, Joint Venture, for variation in quantity of **reinforcing steel at the Hollywood/Vine Station**, on the Metro Red (A) Line, Vermont/Hollywood Corridor, in the amount of \$682,378 which increases the Total Contract Value to \$55,608,262.

Directors voting: Antonovich, Burke, Cragin, Fasana, Legaspi, Molina, Oropeza, Zarian

Directors Conflicted: Alatorre (absent), Bernson, Knabe, Riordan, Yaroslavsky

40. **RECEIVED AND FILED** report on the **options for the allocation of Proposition 116 and Surface Transportation Program Funds for the North Hollywood Project.**

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Molina, Oropeza, Riordan, Yaroslavsky, Zarian

41. **RECEIVED AND FILED** report identifying funds, other than state money, if possible, to complete the **North Hollywood Metro Rail Project.**

RECONSIDERED ITEM AND APPROVED MOTION BY DIRECTOR ANTONOVICH, AS AMENDED:

DIRECTED THE CEO TO REPLENISH THE MTA 1998 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP), AS FUNDS BECOME AVAILABLE, SUBJECT TO BOARD APPROVAL, WITH FUNDS WHICH COULD HAVE BEEN USED FOR THE COMPLETION OF THE NORTH HOLLYWOOD METRO RAIL PROJECT, BUT WERE NOT IMMEDIATELY AVAILABLE.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Molina, Oropeza, Riordan, Yaroslavsky, Zarian

42. **WITHDRAWN - FASANA motion** to consider fully funding the **MTA Carpool Lane** list by reducing the funding for the North Hollywood Red (A) Line shortfall by a like amount contingent upon the state funding the 1989 Soundwall Retrofit Projects off the top of the State Highway Account.

APPROVED MOTION BY DIRECTOR FASANA TO SUPPORT THE MURRAY BILL, AB 1686, relating to soundwalls.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Molina, Oropeza, Riordan, Yaroslavsky, Zarian

43. **APPROVED REVISED STAFF RECOMMENDATION TO ADOPT** up to \$384.2 million project recommendations for the **Interregional Transportation Improvement Program**.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Oropeza, Riordan, Yaroslavsky, Zarian

44. **RECEIVED AND FILED** report on **alternative approaches to bus and rail service delivery**.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Oropeza, Riordan, Yaroslavsky, Zarian

45. **RECEIVED COMMENTS from Director Zarian** on recent editorial regarding the MTA rail construction decisions. He characterized the article as incorrect and unfair adding that he hopes to respond in the LA Times. Director Riordan asked to be party to that response.

46. **RECEIVED AND FILED** report on the **funding allocation policies for Proposition C 40% Discretionary and Proposition A 35% rail development funds**.

47. **APPROVED:**

- 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.

Directors voting: Cragin, *Knabe, Fasana, Legaspi, *Molina, Oropeza, Zarian

Directors Conflicted: Antonovich, Alatorre (absent), Bernson, Burke, Knabe, Molina, Riordan, Yaroslavsky

*Selected by Lottery in accordance with Rule of Necessity provision that allows for establishment of a quorum in the event there are multiple conflicts

CONSENT CALENDAR

9. **APPROVED ON CONSENT CALENDAR:**

- A. Change Order No. 31 to Contract No. C0311 with Traylor Bros./Frontier-Kemper, JV in the amount of \$912,837, to **construct the sound enclosure and associated support equipment at the La Brea Shaft site;** and
- B. an increase to the Authorization for Expenditure (AFE) in the amount of \$912,837 for the revised total AFE of \$167,452,636

Conflict of Interest: Knabe, Bernson, Riordan

10. **APPROVED ON CONSENT CALENDAR REJECTION** of non-responsive bids for Contract H0122 **Closed Circuit Television** Procurement for the Metro Red (A) Line, North Hollywood Extension, Segment 3 and authorize **Re-bidding of contract.**

Conflict of Interest: Bernson

11. **APPROVED ON CONSENT CALENDAR** an increase to the Authorization for Expenditure (AFE) for Contract No. B241, Vermont/Beverly Station with Tutor/Saliba-Perini, J.V., to provide **funding for pending changes** that are within Board-delegated authority, in the amount of \$158,300, increasing the current AFE amount to \$46,103,734.

Conflict of Interest: Antonovich, Bernson, Knabe, Riordan

12. **APPROVED ON CONSENT CALENDAR** Unilateral Change Order No. B261-CO-65.00 to Contract No. B261 with Tutor/Saliba-Perini, JV, incorporating into the Contract various **design modifications received after award of Contract**, in the amount of \$233,539, increasing the Total Contract Value from \$47,852,356 to \$48,085,896.

Conflict of Interest: Antonovich, Alatorre (absent), Bernson, Knabe, Riordan

13. **APPROVED ON CONSENT CALENDAR:**
- A. Change Order No. 66.01 to Contract No. C0301 with Tutor-Saliba-Perini, JV in settlement of Claim No. 36 for \$402,713 for **additional rebar hooks per seismic design**, increasing the total contract amount to \$74,232,367; and
 - B. an increase to the Authorization for Expenditure (AFE) in the amount of \$402,713 increasing the total AFE amount to \$77,279,367.

Conflict of Interest: Antonovich, Alatorre (absent), Bernson, Knabe, Riordan

18. **APPROVED ON CONSENT CALENDAR AWARD** to Coopers & Lybrand, L.L. P., Los Angeles, a one-year, fixed price contract, containing four one-year renewal options, covering **financial audit services** under RFP No. PS 5110 0251 in the amount of \$199,325.

Conflict of Interest: Alatorre (absent), Bernson, Riordan

19. **APPROVED ON CONSENT CALENDAR** adoption of a resolution that permits the

implementation of a rate reduction program for the **Benefit Assessment District (BAD)** and **AUTHORIZED** the CEO to execute required program documents, and set BAD assessment rates and provide an annual report to the Board.

20. **APPROVED ON CONSENT CALENDAR RATIFICATION** of award of **Contractor Pollution Liability Policy** to the AIG Group at a five-year premium cost of \$386,663; and **AUTHORIZED** the CEO and/or his designee to execute all necessary documentation.

Conflict of Interest: Bernson, Riordan, Yaroslavsky

21. **APPROVED ON CONSENT CALENDAR AND RATIFIED** grant of security interest in a \$2.8 million money market account established pursuant to the requirement of the Construction General Liability and Worker's Compensation Insurance; and **AUTHORIZED** the CEO and/or his designee to execute all necessary documentation.

22. **APPROVED ON CONSENT CALENDAR:**

- A. one-year non-competitive contract with Presidium, Inc., San Francisco, for Operations workers' compensation claims administration with an option to cancel at six months or upon 90 days notice anytime thereafter, at a cost not to exceed \$5,980,000; and
- B. the CEO or his designee to execute all necessary documentation.

Conflict of Interest: Alatorre (absent), Bernson, Riordan

23. **APPROVED ON CONSENT CALENDAR** an amendment to the LACMTA **Non-Contract Employees Retirement Income Plan** (Plan) to provide for 'bridging' of separate periods of service when the first period is vested.

24. **APPROVED:**

- A. a resolution that authorizes the **restructuring of the Proposition C Series 1992-A bonds** through a competitive underwriting process; and
- B. the CEO or his designated representative to:
 - 1. Execute all required documents;
 - 2. Select the providers of any other required services; and
 - 3. Negotiate associated fees.

Directors voting: Antonovich, Bernson, Burke, Cragin, Knabe, Fasana, Legaspi, Oropeza, Riordan, Yaroslavsky, Zarian

28. **APPROVED ON CONSENT CALENDAR AUTHORIZATION** for the CEO to enter into negotiations to execute a **multi-agency agreement between** the Los Angeles County Metropolitan Transportation Authority , the Ports of Los Angeles & Long, Alameda Corridor Transportation Authority and Southern California Regional Rail Authority to construct the **new Redondo Junction grade separation** and other related rail and non-rail improvements at Redondo Junction.
29. **APPROVED ON CONSENT CALENDAR:**
- A. using an additional \$1.5 million from the original MTA fund allocation for the **I-405 (San Diego) Freeway HOV project**, between the Los Angeles/Orange County line and the Route 710 (Long Beach) Freeway, to construct soundwalls as mitigation for this HOV project; and
 - B. proceeding with the soundwall construction under two separate contracts in lieu of a construction change order to avoid delaying the opening of the HOV lane.
30. **APPROVED ON CONSENT CALENDAR** amendment to Contract No. 07H004 with MK Centennial to complete design work and provide construction support services to Caltrans for Segment 3 of the **Route 10 HOV** lane project (Route 57 to the San Bernardino County line) in the amount of \$2,516,800, which includes a 10% contingency of \$228,800.
- Directors Conflicted: Antonovich, Riordan
33. **APPROVED ON CONSENT CALENDAR FINDING** that all 88 cities of Los Angeles County and the County of Los Angeles are in **conformance with the Congestion Management Program**.
39. **APPROVED ON CONSENT CALENDAR TERMINATION** of contract LAT-038-93 with the County of Los Angeles, Internal Services Department, Radio Division for **leased radio communication services for the Metro Freeway Service patrol program** as these services are no longer cost effective.

APPROVED UNDER COMMITTEE AUTHORITY

6. **APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY, 4/5 VOTE:**

- A. Unilateral Change Order No. B252-CO-80.00 to Contract No. B252, with Kiewit-Shea, Joint Venture, for City of Los Angeles directed **Vermont Street and Sidewalk width revisions** at the Vermont/Santa Monica Station on the Metro Red (A) Line, Vermont/Hollywood Corridor, in the amount of \$265,400 which increases the Total Contract Value to \$55,382,250; and
- B. an increase to the Authorization for Expenditure (AFE) in the amount of \$265,400, for a total revised AFE of \$56,996,189.

Conflict of Interest: Alatorre (absent), Bernson, Riordan

8. **APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY, 4/5 VOTE:**

- A. Contract No. EO112 to INCA Engineers, Inc. in an amount not-to-exceed \$616,260 to prepare **camera ready final design** and contract documents for C3326, Bus Plaza, Parking and Street Improvement and C4326, Lankershim Boulevard widening on the Metro Red (A) Line, North Hollywood Corridor, Segment 3;
- B. an Authorization for Expenditure (AFE) of \$677,886, including a contingency of \$61,626 for any potential changes.

Conflict of Interest: Riordan

36. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY ITEM 'A' AND CARRIED OVER ITEM 'B': AWARD contracts for 65 L-10 Cummins Diesel Engines and 35 Detroit Diesel 6I71 Engines to replace diesel engines on the Flexible Metro Bus fleet at a total bid price of \$1,736,249 as follows:**

- A. Cummins Cal Pacific \$1,287,282
- ~~B. Valley Detroit Diesel \$448,967~~

Conflict of Interest: Bernson, Riordan

37. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY, 4/5 VOTE, AWARD contract OP35500902 to AAA Electrical Supply for miscellaneous electrical supplies for \$450,000 for a twenty-seven month period, and \$215,000 for a one-year option, for a total contract amount of \$665,000**

Conflict of Interest: Bernson, Riordan

CLOSED SESSION

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

- A. Wiltern Associates v. MTA
LASC Case No. BC113523

NO REPORT

- B. Silver v. MTA
LASC Case No. BS044100

NO REPORT

- C. Pacheco v. MTA
LASC Case No. BC146232

APPROVED SETTLEMENT IN THE AMOUNT OF \$653,000

- D. Arreola v. MTA
LASC Case No. BC163949

APPROVED SETTLEMENT IN THE AMOUNT OF \$461,293

- E. Maravilla v. MTA
LASC Case No. LC0338670

NO REPORT

49. Conference with Labor Negotiator - G.C. 54957.6
Agency Negotiator: Raman Raj

Employee Organization: Teamsters
Non-Represented Employees

NO REPORT

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

50. **REFERRED TO THE OPERATIONS COMMITTEE OROPEZA** motion to reinstate Sunday Metro Information Call Center service and directed staff to return with a plan for providing Sunday service including an analysis of peak Sunday service

hours, cost to reinstate, possible funding sources, and possibility of contracting service out.