



# **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**

**March 26, 1998**

**Called to order at 9:46 a.m.**

**Directors 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  
Jenny Oropeza  
Zev Yaroslavsky  
Larry Zarian

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

NOTE: Members voting are reflected in the attached "RECAP OF PROCEEDINGS" matrix.

1. **APPROVED Consent Calendar** Items 14, 15, 17, 21 through 23, 26, 30, and 33.

**NOTED** Committee Authority Items 8, 9 and 13.

Items pulled from Consent Calendar and placed under Non-Consent for action: 12, 16, 18, 19, 20 and 31.

Approved on a 9 to 0 vote.

(Conflicts are noted on individual items)

2. **APPROVED Minutes** of Regular Board Meeting held February 26 and Special Board Meeting held March 19, 1998.

Approved on a 9 to 0 vote.

3. **RECEIVED** Chief Executive Officer's Report on the following topics:

- A. Kaiser Portal
- B. Remobilization Options
- C. Segment II Reforecast & Recalculation
- D. ISTE A

**APPROVED ANTONOVICH MOTION** that this Board send a letter to Congress requesting Section 3 bus discretionary funds to purchase new MTA buses.

Approved on a 10 to 0 vote.

4. Chair's Report

NO REPORT

**APPROVED ANTONOVICH MOTION** that the Board of Directors receive the Board material on Friday of the week prior to a designated Board meeting.

Approved on a 10 to 0 vote.

**NON-CONSENT**

6. **APPROVED AS AMENDED:**

- A. adopt a Resolution of Support in the formation of the expanded **Fashion Business Improvement District (Fashion BID)**; and
- B. authorizing the Chief Executive Officer, or his designee, to:

- 1. Sign the petition forming the expanded Fashion BID; and
- 2. Pay the negotiated annual assessments on MTA properties located within the expanded Fashion BID **in the amount of \$26,861.**

**APPROVED ON A ROLL CALL VOTE:**

Ayes: Bernson, Burke, Cragin, Fasana, Knabe, Legaspi, Oropeza, Riordan,

Yaroslavsky

Noes: Antonovich

Abstain: None

Absent: Alatorre, Molina, Zarian

7. **APPROVED** an amendment to the Brookhurst, Inc., Compton, **uniform supplier contract** to increase the total authorized value by \$551,155 to \$3,847,155, for the following reasons:

1. The contractually required purchase of the remaining inventory at a negotiated price of \$433,087 (excluding sales tax); and
2. The uniform purchase allowed under the Operator Procurement Program in the amount of \$118,119.

**AND REFERRED** answers to Director Bernson's questions on this subject to the April Operations Committee meeting.

Approved on an 8 to 0 vote  
Conflict of Interest: Riordan

27. **CEO response to the Office of Inspector General report on internal controls.**

**APPROVED MOLINA MOTION INTRODUCED BY BURKE AMENDED BY RIORDAN** directing the CEO to report back to the Board of Directors at its April Board Meeting with his analysis of the Inspector General's recommendations. This analysis should include each action item, project milestones, deadlines for each action item, and the MTA staff members responsible for carrying out each action item. As part of the analysis, the CEO should establish a project management team which includes the Inspector General or his representative. This team should provide monthly progress reports to the Board of Directors.

Approved on a 9 to 0 vote.

28. **APPROVED BURKE MOTION** that the Board establish a Special Ad Hoc Committee of the Board to work directly with the CEO on the **development of a comprehensive strategic program responding to the actions taken by the CTC, Congress and the U.S. Department of Transportation;**

The Membership of the Special Committee shall be comprised of the Chairperson of each of the Board standing policy committees, the Board Chair and 1<sup>st</sup> and 2<sup>nd</sup> Vice Chairs; and

The CEO and the Special Committee will be requested to make monthly reports to the Board on progress in development of the strategic program.

Approved on a 9 to 0 vote.

32. **YAROSLAVSKY MOTION** – Discussion of Amelia Earnest matter.

NO ACTION

39. **RECEIVED** report from Jim Seal, Citizens Advisory Committee

12. **CARRIED OVER** an increase in the Authorization for Expenditure (AFE) to Contract No. PM021 with Fluor Daniel, Inc. for **Project Management Assistance (PMA)** services for the total amount of \$794,000 increasing the total AFE to \$11,504,000 covering:

- A. Metro Red (A) Line Segment 1, Transit Enhancements in the amount of \$92,000 for a revised total AFE of \$342,000;
- B. Metro Red (A) Line Segment 2 in the amount of \$235,000 for a revised total AFE of \$1,615,000;
- C. Metro Red (A) Line Segment 3, North Hollywood, in the amount of \$385,000 for a revised total AFE of \$1,185,000; and
- D. Pasadena Blue (B) Line in the amount of \$82,000 for a revised total AFE of \$882,000.

Conflict of Interest: Antonovich, Bernson, Riordan

14. **APPROVED ON CONSENT CALENDAR** Change Order 91 in a credit amount of \$1,000,000 to **eliminate the non-revenue connector stub for the Santa Monica Boulevard corridor** from Contract C0311 with Traylor Bros./Frontier-Kemper, JV, reducing the total contract to \$157,655,169 and the Authorization for Expenditure to \$166,452,636.

Conflict of Interest: Riordan

15. **APPROVED ON CONSENT CALENDAR** amendment to Contract MC013 with Managers of Transit Construction, for **Construction Management services on the Pasadena Blue (B) Line**, from a Cost Plus Award Fee (CPAF) type contract to a Cost Plus Fixed Fee (CPFF) contract.

Conflict of Interest: Antonovich, Riordan

16. **CARRIED OVER:**

- A. Change Order No. 54 for change Notice 125.00 to Contract C0351, Kajima/Ray Wilson, JV, for **bilateral/settlement for additional reinforcing steel**, in the amount of \$1,013,093, for a revised total contract of \$67,077,537;
- B. an increase to the Authorization for Expenditure in the amount of \$1,013,093 for a revised total AFE in the amount of \$71,964,444; and
- C. execution of subsequent negotiated Change Order, if it is within the amount approved under the above Change Notice.

Conflict of Interest: Legaspi, Riordan, Yaroslavsky

17. **APPROVED ON CONSENT CALENDAR:**

- A. an increase to the Authorization for Expenditure of \$324,410 to Environmental Waste Services Contract EN032 with International Technology Corporation covering **removal and disposal of hazardous substance contamination** from three additional parcels on the project site to complete demobilization, increasing the total AFE to \$2,469,410;
- B. an extension to Contract EN032 with International Technology Corporation, from July 7, 1998 to October 31, 1998; and
- C. Contract Work Order No. 9, Revision 1, for hazardous substance abatement of Parcel EE-274, formally known as Jonson's Market, in the amount of \$236,440.

Conflict of Interest: Riordan

18. **CARRIED OVER** increase to the Authorization for Expenditure in the amount of \$70,000 for Contract Work Order No. 54 of Contract No. E0070 with Engineering Management Consultant, to provide **design services during construction for the Red (A) Line Maintenance of Way (MOW) Facility**.

Conflict of Interest: Antonovich, Knabe, Riordan, Yaroslavsky

19. **WITHDRAWN BY STAFF:**

- A. Amendment No. 1 to Contract Work Order No. 60 to Contract E0070 with Engineering Management Consultant for **project management, project administration and project control services for the North Hollywood Corridor** in the amount of \$1,995,137;
- B. award of Contract Work Order No. 61 for **design support during construction** services in the amount of \$9,063,093; and
- C. an increase to the Authorization for Expenditure in the amount of \$12,258,230 for a revised total AFE of \$95,805,304.

20. **CARRIED OVER** Change Order No. 19 to Contract Work Order No. 4 to Contract No. E0070 with Engineering Management Consultant to incorporate Consultant Change Notice No. 618.01 for **additional design services for the Metro Red (A) Line, North Hollywood Corridor**, in an amount not to exceed \$250,000, increasing the total CWO value to \$75,922,686.

Conflict of Interest: Antonovich, Burke, Knabe, Riordan, Yaroslavsky

21. **APPROVED ON CONSENT CALENDAR:**

- A. awarding **All Risk Property policy and Boiler & Machinery policy** for all MTA real property, other than construction sites, for a cost not to exceed \$3.5M for a 12-month period effective May 10, 1998 through May 10, 1999; and
- B. the CEO or his designee executing all necessary documentation

22. **APPROVED ON CONSENT CALENDAR**

- A. the revised **transit funding marks** for FY97 based on actual receipts of Prop A and TDA funds;
- B. the revised transit funding marks for FY98 based on the review of revenue forecasts in connection with the FY98 operating budget update;
- C. \$3,299,494 of Prop C 40% funds for the Prop A Incentive program;
- D. the revised capital marks by operator; and
- E. revised Prop A and C Local Return and TDA Article 3 and 8 allocations based on the review of revenue forecasts in connection with the FY98 operating budget update.

23. Closed Session - Conference with real property negotiators concerning price and/or terms of payment - G.C. 54956.8:

- A. Budget Rent A Car  
Parcel B3-235  
NE corner of Hollywood Blvd. & Orchard Ave  
Los Angeles

**APPROVED ON CONSENT CALENDAR** litigation settlement in the amount of \$175,000, plus court cost and interest.

Conflict of Interest: Antonovich, Riordan

- B. Overseas Investments Group  
Parcel EE-281  
339 N. Fickett St.  
Los Angeles

**APPROVED ON CONSENT CALENDAR** litigation settlement in the amount of \$375,000 plus interest.

Conflict of Interest: Antonovich, Bernson, Riordan, Yaroslavsky

26. **APPROVED ON CONSENT CALENDAR** the following actions on state bills:

- SB 1886 (Hayden) – Creation of a San Fernando Valley Transportation Authority. **OPPOSE**
- AB 2189 (Cardenas) – Creation of a Transportation Zone in the San Fernando Valley - **NO POSITION UNTIL COMPLETION OF DIVESTITURE STUDY**
- SB 1847 (Schiff) – Establishes the Pasadena Metro Blue (B) Line Construction Authority -- **WORK WITH AUTHOR**
- AB 2395 (Margett) – Provides \$200 million loan program from State General Fund for soundwalls -- **SUPPORT**
- ACA 30 (Murray) – Amendment to the Constitution of the State of California - **SUPPORT**
- AB 2454 (Murray) – Provides \$20 million from General Fund into State Transportation Fund for demonstration projects - **SUPPORT**
- AB 1136 (Wildman) -- Change in Design-Build Procurement Act - **OPPOSE, UNLESS AMENDED TO EXEMPT AGENCIES WITH**

**INSPECTOR GENERALS**

- AB 2393 (Margett) – Amends MTA law relating to small business enterprises – **SPONSOR**

30. **APPROVED ON CONSENT CALENDAR:**

A. Authorizing the CEO and/or his designee to enter into the following agreements regarding the MTA owned property at the **Metro Red (A) Line Hollywood/Highland Station:**

1. A **Joint Development Agreement (JDA)** between MTA, TrizecHahn Hollywood, Inc., and The Community Redevelopment Agency of the City of Los Angeles (CRA) to enable coordinated and mutually beneficial development at and adjacent to the Hollywood/Highland station;
2. A Ground Lease between the MTA and TrizecHahn Hollywood, Inc. to lease MTA owned property at the Hollywood/Highland station for inclusion in a mixed use commercial development;
3. A Reciprocal Easement and Operating Agreement (REOA) between the MTA, TrizecHahn Hollywood, Inc. and the CRA to jointly facilitate construction, operation, maintenance, and access for the Hollywood/Highland station and the commercial development;
4. A Parking Ground lease with TrizecHahn Hollywood, Inc., who will then assign it to the CRA or an entity affiliated with the CRA;

B. Authorize the CEO and/or his designee to process and approve any change orders, requested by TrizecHahn Hollywood, Inc., issued to the MTA's design consultants and construction contractors for the Metro Red (A) Line Hollywood/Highland station where TrizecHahn Hollywood, Inc. will pay the full costs.

Conflict of Interest: Yaroslavsky

31. **CARRIED OVER** Change Order No. 78 to Contract No. B281T with Kajima/Ray Wilson, JV, for **backfilling of the Barnsdall shaft** which is part of the Hollywood tunnel completion work on the Metro Red (A) Line, Vermont/Hollywood Corridor in the amount of \$670,000 increasing the total contract value to \$48,306,082.

Conflict of Interest: Legaspi, Riordan, Yaroslavsky

33. Closed Session - Conference with real property negotiators concerning price and/or terms of payment - G.C. 54956.8:

- A. Parcel No. ED-147  
Owner - Paul Maiki  
Located at: 1800 Pennsylvania Ave., Boyle Heights

Metro Red (A) Line Project, Segment 3

**APPROVED ON CONSENT CALENDAR** administrative settlement in the amount of \$220,000.

Conflict of Interest: Riordan

- B. Parcel No. EE-279  
 Located at: 2518 Cesar Chavez Ave., Boyle Heights  
 Metro Red (A) Line Project, Segment 3

**APPROVED ON CONSENT CALENDAR** administrative settlement in the amount of \$225,000.

Conflict of Interest: Riordan

- C. Parcel Nos. EE-220, EE-274, EE-276  
 Owners - John & Sons Inc., et., al  
 Located at: 323 Mathews Street, 2432 Cesar Chavez,  
 342 Mathews Street, respectively  
 Metro Red (A) Line Project, Segment 3

**APPROVED ON CONSENT CALENDAR** litigation settlement in the amount of \$1,850,000 plus interest.

Conflict of Interest: Riordan

**CLOSED SESSION**

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

Parcel Nos. ED-124 and ED-125  
 Owners - Danielian Co., Inc/Olshansky  
 Metro Red (A) Line Project, Segment 3

**NO REPORT.**

Conflict of Interest: Riordan

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

Labor/Community Strategy Center v. MTA  
 U.S. District Court - Case No. CV945936

**NO REPORT.**

36. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9 (b)

One Case: Claim of Amelia Earnest

**NO REPORT.**

37. Personnel Matters - G.C. 54957



Public Employment - Appointment of Chief Executive Officer

Referred to the Executive Management Committee and subsequently to the regular April Board Meeting.

Approved on an 11 to 0 vote.

38. Conference with Labor Negotiator - G.C. 54957.6

Agency Negotiator - Raman Raj  
Employee Organization - Teamsters; United Transportation Union contract;  
Amalgamated Transit Union contract; Transportation Communications Union

APPROVED amendment to the United Transportation Union contract COLA provision.

Approved on an 11 to 0 vote.

**APPROVED UNDER COMMITTEE AUTHORITY**

8. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** award of contract to Valley Detroit Diesel Allison, City of Industry, for procurement of **35 Detroit Diesel 6I71 engines** for the Flexible metro bus fleet at a total bid price of \$448,966.

(4-0)

Conflict of Interest: Riordan

9. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** funds for the second year of the five-year unit rate contract with Employee Support Systems Co. (ESSCO), to provide an **employee assistance program** for eligible MTA and PTSC employees and their immediate family members at a cost not to exceed \$126,403.

(4-0)

Conflict of Interest: Riordan

13. **APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:**

- A. Change Notice No. 93 to Contract No. C0321 with Tutor Saliba/Perini, JV, covering **payment for the quantity of concrete reinforcement actually installed** in an amount not to exceed \$600,663 for a revised total contract of \$59,039,711;
2. an increase to the Authorization for Expenditure in the amount of \$600,663 for a revised total AFE of \$62,438,480; and execution of a subsequent negotiated Change Order, if it is within the amount approved under Change Notice No. 93.

(4-0)

Conflict of Interest: Antonovich, Riordan

Received public comment.

The meeting adjourned at 1:23 P.M.

PREPARED BY: Rhodona Enright

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Michele Jackson  
Assistant Board Secretary

<b>RECAP OF PROCEEDING</b>									
<b>LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION</b>									
<b>REGULAR BOARD MEETING</b>									
<b>Thursday, March 26, 1998</b>									
<b>Directors Voting</b>									
<b>ITEM NO.</b>	<b>ACTION TAKEN</b>	<b>ALATORRE</b>	<b>ANTONOVICH</b>	<b>BERNSON</b>	<b>BURKE</b>	<b>CRAGIN</b>	<b>FASANA</b>	<b>KNABE</b>	<b>LEGASP</b>
<b>1</b>	APPROVED	AB	AB	Y	Y	Y	Y	Y	Y
<b>2</b>	APPROVED	AB	AB	Y	Y	Y	Y	Y	Y
<b>3</b>	RECEIVED REPORT.								
	APPROVED Antonovich Motion	AB	Y	Y	Y	Y	Y	Y	Y
<b>4</b>	NO REPORT								
	APPROVED Antonovich Motion	AB	Y	Y	Y	Y	Y	Y	Y
<b>6</b>	APPROVED	AB	N	Y	Y	Y	Y	Y	Y
<b>7</b>	APPROVED	AB	Y	Y	Y	Y	Y	AB	Y
	APPROVED Bernson Motion	AB	Y	Y	Y	Y	Y	Y	Y
<b>8</b>	APPROVED under committee authority		AB	Y	Y	Y	Y		
	APPROVED								

<b>9</b>	under committee authority		AB	Y	Y	Y	Y		
<b>12</b>	CARRIED OVER to next Board Meeting	AB	C	C			AB	AB	
<b>13</b>	APPROVED under committee authority	AB	C					Y	Y
<b>14</b>	APPROVED on Consent Calendar	AB							
<b>15</b>	APPROVED on Consent Calendar	AB	C						
<b>16</b>	CARRIED OVER to next Board Meeting	AB					AB	AB	C
<b>17</b>	APPROVED on Consent Calendar								
<b>18</b>	CARRIED OVER to next Board Meeting	AB	C				AB	C	
<b>19</b>	WITHDRAWN by staff	AB	C					C	
<b>20</b>	CARRIED OVER to next Board Meeting	AB	C		C		AB	C	
<b>21</b>	APPROVED on Consent Calendar								
<b>22</b>	APPROVED on Consent Calendar								
<b>23-A</b>	APPROVED on Consent Calendar		C						
<b>23-B</b>	APPROVED on Consent Calendar		C	C					
<b>26</b>	APPROVED on Consent Calendar								
<b>27</b>	APPROVED	AB	Y	Y	Y	Y	Y	AB	Y
<b>28</b>	APPROVED	AB	Y	Y	Y	Y	Y	AB	Y
<b>30</b>	APPROVED on Consent								

	Calendar								
<b>31</b>	CARRIED OVER to next Board Meeting	AB					AB	AB	C
<b>32</b>	NO ACTION								
<b>33-A</b>	APPROVED on Consent Calendar								
<b>33-B</b>	APPROVED on Consent Calendar								
<b>33-C</b>	APPROVED on Consent Calendar								
<b>34</b>	CLOSED SESSION - NO REPORT								
<b>35</b>	CLOSED SESSION - NO REPORT								
<b>36</b>	CLOSED SESSION - NO REPORT								
<b>37</b>	REFERRED to EMC Committee	AB	Y	Y	Y	Y	Y	Y	Y
<b>38</b>	APPROVED Amendment to UTU Cola provision	AB	Y	Y	Y	Y	Y	Y	Y
<b>39</b>	RECEIVED REPORT.								