



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, August 27, 1998

Called to order at 9: 45 A.M.

Directors Present:

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

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 20, 21, 30, and 33.

Noted Items **Approved Under Committee Authority:** Items 10, 11, 12, 15 through 18.

2. APPROVED **Minutes** of Regular Board Meeting held on July 23, 1998.
3. Chief Executive Officer's Report
 1. Welcome address for new County Counsel - Steve Carnevale
 2. Arrival of New Low Floor Buses
 3. Regional Transit Alternatives Analysis (RTAA)
 4. Acknowledgment of One Year Anniversary of CEO.

4. Chair's Report - No report.

5. APPROVED SUBSTITUTE MOTION OF ANTONOVICH/FASANA/ORPEZA:

Staff to return to the Board in up to 60 days with the following:

1. A revised financial analysis that utilizes the latest audited MTA National Transit Database data;
2. Revised findings and recommendations resulting from a thorough and expanded legal assessment of the completed study's findings, including all **divestiture** options; and

In up to 90 days with the following:

1. A report on meeting with the affected divestiture stakeholders on the study findings and recommendations, including MTA labor unions, CAC and the Bus Riders Union.

9. APPROVED SUBSTITUTE MOTION OF DIRECTOR LEGASPI AMENDED BY ANTONOVICH - Direct staff to continue the procurement process with Omni Outdoor/STI ("License") for **automatic public toilets**, precluding any charge to the user, and return to the Board in 90 days with a comparative analysis of the value of potential marketing and advertising opportunities as well as strategies used and results experienced by other major cities.
10. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) negotiation and execution of a Memorandum of Understanding (MOU) between the LACMTA and the **SCRRA on Metrolink Right-of-Way (ROW) Security** for \$1,146,334 for FY98 and an amount not-to-exceed \$1,200,000 for FY99.
11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) Amendment No. 7 to Contract 6329 with **ABM Engineering Services, Inc.** for:
 - A. building services at MTA Gateway Plaza (for Fire/Life/Safety at the Subterranean Parking Garage) covering the period from September 1, 1998 through June 30, 1999, at a cost not to exceed \$386,798; and
 - B. ongoing training services as necessary to finalize the transition plan for the provision of building maintenance services from ABM Engineering Services to MTA staff, at a cost not to exceed \$18,000, for at total contract amendment value of \$404,798.

Conflict of Interest: Yaroslavsky

12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) award of contract to Analysts Inc., Torrance, CA, the second lowest bidder, **to provide analytical services for testing bus engine motor oils and rail gear box lubricants** for a period up to 36 months, for a total contract value of \$388,038, inclusive of two one-year options.
15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) an increase in the Authorization for Expenditure (AFE) for Contract E0001 with LTK Engineering by \$50,000, **for continued legal support and assistance**, on the Metro Green (D) Line (D Line) (Segment 1), increasing the AFE value from \$6,052,076 to \$6,102,076.

Conflict of Interest: Alatorre

16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (5-0) an increase in the Authorization For Expenditure (AFE) for Contract No. C0538, with Interior Demolition Inc., for **Demolition Phase I**, on the Metro Red (A) Line, East Side Extension (Segment 3), in the amount of \$198,935 for a total revised AFE amount from \$442,200 to \$641,135.
17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-1):
 - A. Change Order No. 131.00 Change Notice No. 46.03 to Contract No. C0301, with Tutor-Saliba-Perini, J.V., for **Hollywood/Highland Station and Tunnel** in the amount of \$430,498, for a revised total contract amount from \$73,453,257 to \$73,883,755;
 - B. an increase to the Authorization for Expenditure (AFE) in the amount of \$430,498 for a total revised amount from \$73,453,257, to \$73,883,577;
 - C. execution of a subsequent negotiated Change Order if it is within the amount approved above for Change Notice No. 46.03.

Conflict of Interest: Alatorre

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (5-0):
 - A. Change Order No. 29 to Contract No. B646 with Syseca Inc. to incorporate **engineering design, equipment upgrades and hardware quantity increases required on the Fire and Emergency Management System for Segment 3, North Hollywood Corridor**. This change includes additional Fire Life Safety Committee recommendations and updated station design information in the amount of \$1,249,883 for a revised total contract amount for the North Hollywood portion from \$1,026,227 to \$2,276,110. The Change Order for \$1,249,883 includes Work Authorization Change Notice (WACN) No. 66.01 previously approved by the MTA Board for \$500,000 on September 10, 1997; and
 - B. An increase to the Authorization for Expenditure (AFE) in the amount of \$1,249,883 for a total revised AFE amount from \$1,612,300 to \$2,862,183.
19. MOTION FAILED to authorize execution of an **Assignment and Assumption Agreement** with Engineering Management Consultants (EMC) for the assumption of EMC's interest in their lease at 707 Wilshire Boulevard, Los Angeles, covering approximately 117,234 rentable square feet of office space and a Consent to Assignment Agreement and Ninth Amendment to Lease, in a form

approved by County Counsel.

CARRIED OVER TO THE SEPTEMBER FULL BOARD MEETING.

Conflict of Interest: Antonovich, Burke, Knabe

20. APPROVED ON CONSENT CALENDAR negotiation and execution of a one-year option with the current **Financial Advisor**, PBA Joint Venture (Public Resources Advisory Group [70%], Charles A. Bell Securities, Inc. [20%] and P. G. Corbin & Company [10%]) for an amount not to exceed \$450,000.
21. APPROVED ON CONSENT CALENDAR awarding a contract to Jeskell, Inc. Sunnyvale, under IFB No. OP92101028 for a firm fixed price of \$285,910, **to provide an IBM mainframe computer Direct Access Storage Device (DASD) for the Year 2000 Project**. Procurement will be made through the California Multiple Award Schedule, a competitive, multi-jurisdictional process managed by the State of California.

DIRECTED CEO TO PROVIDE AN ORAL MONTHLY STATUS REPORT TO THE FINANCE AND BUDGET COMMITTEE AND A QUARTERLY WRITTEN PROGRESS REPORT ON THE YEAR 2000 COMPLIANCE ISSUES.

22. RECEIVED **State and Federal Legislative update**.
24. APPROVED BURKE MOTION - That this Board direct the CEO and staff to report on the following:

The full range of policy programming opportunities contained in the **new TEA-21 law**, including and not limited to 1) specific actions needed to access and leverage non-formula funds, 2) applications of the new innovative financing provisions; 3) implementation of the proposed Los Angeles County "high priority" projects; and 4) assess implications of new provisions for a variety of areas, including, design-build, clean fuels, etc.

Collaborating with other affected agencies, i.e. County Public works and LADOT, identify specific actions the MTA should consider to access and leverage surplus funds currently contained in the state highway account. Assess the implications of SB 1758 (Kelly) which if enacted would allow the CTC to loan funds to local agencies in order to accelerate project delivery; and

Develop specific transportation policy recommendations for the Board's consideration, for transmittal to the "transition team" serving the next Governor-elect.

26. APPROVED contract award to Simpson & Simpson, Los Angeles, CA, **covering financial and compliance audit services** under RFP No. PS 2510 0353, for a period up to four years, for a total contract value of \$1,020,900, inclusive of three one-year options.

Conflict of Interest: Antonovich

27. CLOSED SESSION - Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a)

- A. Christopher Carr v. LACMTA - LASC Case No. YC029304 - APPROVED SETTLEMENT OF \$1,250,000.
 - B. Bauman v. LACMTA - LASC Case No. LC037254 - APPROVED SETTLEMENT OF \$975,000.
 - C. Arochi v. LACMTA - LASC Case No. LC040082 - APPROVED SETTLEMENT OF \$120,000.
30. APPROVED ON CONSENT CALENDAR **Fiscal Year 1999 Transit Operator Subsidies** as follows:
- A. Transportation Development Act (TDA) interest, State Transportation Assistance (STA) and Proposition A Discretionary fund allocations;
 - B. Proposition A and C interest allocations;
 - C. Proposition C 40% allocations for the Bus Service Improvement Program (BSIP), Foothill Mitigation program, the Transit Service Expansion Program and the Base restructuring program;
 - D. Federal Capital Funding allocation;
 - E. Proposition C 5% Security funds allocations;
 - F. TDA Article 8 Fund allocations;
 - G. Proposition A & C Local Return and TDA Article 3 allocation;
 - H. Proposition A Incentive Program allocations.
33. APPROVED ON CONSENT CALENDAR:
- A. Transferring of **Taylor Yard Parcel B title to the Southern California Regional Rail Authority (SCRRA)**, reserving MTA rights to the easements granted to operators of pipelines and communications systems that pass through Parcel B;
 - B. Requiring SCRRA to assume all requirements and limitations related to Proposition 108 grants on use or disposition, or related to the State's funding of the grant with tax-exempt bond proceeds;
 - C. Requiring SCRRA to agree to all terms of an existing Memorandum of Understanding (MOU) between the MTA, the SCRRA and the City of Los Angeles;
 - D. Requiring SCRRA to pay all costs of the title transfer and documentation; and
 - E. Granting SCRRA rights to access Parcel B via MTA's access road from San Fernando Road.

34. CLOSED SESSION - Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a)

LACMTA v. Sumitomo - LASC Case No. BC136375 - NO REPORT.

36. APPROVED expenditure of an additional \$261,860 related to the purchase of **20 Low Floor New Flyer buses** from ATC/Vancom of Las Vegas, bringing the total cost to acquire these buses to \$5,761,860.
37. APPROVED ALATORRE MOTION INTRODUCED BY LEGASPI AS AMENDED BY BURKE that the CEO and staff provide a written report to the Board at its September, 1998 regular meeting, containing the following information:

A complete analysis of all revenues available to fund MTA programs and projects through FY 2010, including those available from, but not limited to the following sources: all TEA 21 revenues; the projected growth in sales tax revenues based upon recent actual growth figures; and all other anticipated local, State or Federal funds, including Section 9 Transit Capital funds, CMAQ funds, Regional Surface Transportation Program funds, SB 45 funds and others.

This analysis should also indicate how any of these revenues could be used to finance anticipated operating deficits, and also specify the range of transportation uses for each of the revenue sources.

BURKE AMENDMENT - that the report asked for in the motion show all "new" funds as well as an estimate for the eligible uses for those new funds out through the year 2010. additionally, this board further direct the CEO and internal audit to perform an analysis of MTA funding sources, specifically; prop a and c and their subcategories, RSTP, CMAQ TDA, section 5309 rail modification funds and regional improvement funds (SB 45, 75%). the analysis shall also identify specific future program commitments of those funds out to the year 2010. this portion of the report shall be due in October.

ITEMS ADDED SUBSEQUENT TO POSTING:

38. CLOSED SESSION - Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a)

Labor/Community Strategy Center v. MTA, U.S.D.C. Case No. CV945936

NO REPORT.

39. CLOSED SESSION - Conference with Labor Negotiator - G. C. 54957.6

Agency Negotiator: Raman Raj
Employee Organization: UTU

NO REPORT

40. CLOSED SESSION - Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9 (a) - One Case

NO REPORT.

RECEIVED PUBLIC COMMENT.

Meeting adjourned at 1:50 P.M.

Prepared by: Christina Lumba-Gamboa
Recording Secretary

Michele Jackson
Assistant Board Secretary