



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**

January 28, 1999

Called to order at 9:54 A.M.

Directors Present:

Richard Riordan, Chair
Yvonne Brathwaite Burke, First Vice Chair
James Cragin, Second Vice Chair
Richard Alatorre
Michael Antonovich
Hal Bernson
John Fasana
Don Knabe
Jose Legaspi
Gloria Molina
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 on the attached "**RECAP OF PROCEEDINGS**" matrix.

1. **APPROVED Consent Calendar** Items 2, 8, 9*, 17, 18, 21, 23*, 28, 41, 42, 43, 45, 46, 48, 51, 55, and 56.

*2/3 vote of the full Board

Noted Items **Approved Under Committee Authority**: Items 11 through 14, 22, and 52.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held on November 19, 1998 and Special Board Meeting held on December 9, 1998.
3. Chief Executive Officer's Report
 - Introduced Richard Brumbaugh, Chief Financial Officer
 - Reported on sale of Revenue Bonds
4. Chair's Report
 - Reported on trip to Brazil
5. APPROVED, AS AMENDED, changes for Metro Red (A) Line, North Hollywood Corridor, Segment 3, Contract No. E0070 with Engineering Management Consultant (EMC) as follows:
 - A. Ratification of Revision No. 1 to CWO No. 71 for Preliminary Design Services for the Metro Red (A) Line North Hollywood Corridor, Universal City Station, in the amount of \$171,484, which increases the authorized amount to \$256,480;
 - B. Execution of Revision No. 2 to CWO No. 71 for Final Design Services for the Metro Red (A) Line North Hollywood Corridor, Universal City Station, in the amount of ~~\$609,993~~ **\$559,096** which increases the currently authorized amount to ~~\$866,473~~ **\$815,576**; and
 - C. An increase to the Authorization for Expenditure (AFE) for the North Hollywood Corridor, in the amount of ~~\$896,473~~ **\$845,776** which increases the total AFE to ~~\$92,769,463~~ **\$91,923,887**.
8. APPROVED ON CONSENT CALENDAR MOLINA/BURKE motion authorizing the CEO to begin discussions with the municipal operators with the objective of **developing consensus for a package of policy changes that will improve and enhance regional transit services for bus riders**; increase efficiency and provide better regional coordination for all Los Angeles County operators and labor. Elements to be discussed should include:

Concerted efforts to improve regional mobility through compatible fare technology, reciprocal fare media and a regional pass.

Develop a pilot project to divest up to ten MTA intra-community routes to municipal operators.

Development of a countywide transit public information and marketing program.

Improvements in the schedule and service integration process, using the various transit restructuring study findings as a starting point.

Additional areas of improvement as proposed by the municipal operators.

All discussions should address both the financial and operational feasibility of potential improvements and provide an implementation plan for items deemed feasible.

9. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE:
 - A. Awarding a five year, single source contract to Unique Manufacturing Corporation (UMC), Anaheim, **for repair and maintenance of bus revenue collection equipment**, for a total contract value not to exceed \$2,625,000, inclusive of four one-year options;
 - B. Finding that the purchase of these services may include the purchase of proprietary material and parts to effect the repair and upgrade of revenue collection equipment, and that such purchase is for the sole purpose of replacing supplies, equipment, or materials already in use, thereby requiring a two-thirds vote for the purchase of material on a single source basis under PUC Section 130237.
10. APPROVED BY 2/3 VOTE a non-competitive contract with Bob McAllister of Strategies Training System (STS), Seattle, Washington to **implement the training course "Strategies for Dealing with Difficult People"** for Bus and Rail Operators, in the amount of \$150,000.
11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a contract to Lincoln Composites, Lincoln, NE, the lowest responsive, responsible bidder, for the procurement of **400 (200 base and 200 option) Large and Small Fuel Tanks and Brackets for the Neoplan CNG bus fleet**, for a firm fixed price of \$388,789.
12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY use of an off-site auction for **disposal of 60 surplus/obsolete buses** for a total estimated revenue of \$20,000, less towing fees of approximately \$7,000, for a total net revenue of \$13,000.
13. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five year contract to Pestmaster Services Inc., Bishop, the lowest responsive, responsible bidder, to **provide herbicide application services for MTA properties**, for a contract value of \$1,110,753 inclusive of two option years.
14. AUTHORIZED UNDER OPERATIONS COMMITTEE AUTHORITY additional funding on an incremental basis as needed to Contract PS-5720-0063 with PoisonLab Incorporated, to **provide clinical laboratory drug testing services** for an amount not to exceed \$409,500 for the remaining three years of a five-year contract.
17. APPROVED ON CONSENT CALENDAR execution of Change order No. 30.00 to Contract B610 with Morrison Knudsen Corporation, **to reduce the amount of track to be installed** on the Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 3) and North Hollywood Extension (Segment 3) for a credit of (\$97,914), decreasing the Total Contract Value for Segment 2 from \$16,636,106 to \$16,538,192; and a credit of (\$1,003,492), decreasing the Total Contract Value for Segment 3 from \$3,216,012 to \$2,212,520 for a total credit of (\$1,101,406).
18. APPROVED ON CONSENT CALENDAR:
 - A. Increasing and Executing Work Authorization Change Notice (WACN) 36.00 to Contract C1610 with Herzog Contracting Corp., from \$195,000 to \$500,000 to **core drill preparatory holes required for the supplemental formation grouting through the C0311 tunnels**, in an amount not to exceed \$500,000, increasing the total contract value from \$21,343,985 to \$21,844,985;

- B. Negotiation and Execution of Change Order No. 15.00, if it is within the NTE amount approved for this WACN; and
- C. Increasing the Authorization for Expenditure (AFE) in the amount of \$500,000, increasing the AFE from \$22,436,743 to \$22,936,743.

19. APPROVED:

- A. Negotiation and Execution of subsequent Change Order No. 117 to Contract No. B252 with Kiewit-Shea, JV., on the Metro Red (A) Line, Vermont/Hollywood Corridor, Segment 2, **for Settlement of Claim No. 5, Contaminated Soils at the Vermont/Santa Monica Station**, for an amount not-to-exceed (NTE) \$570,600 which increases the Total Contract Value from \$56,085,295 to \$56,655,895, **subject to verification of soil quantity by Management Audit Services;**
- B. An increase in the Authorization for Expenditure (AFE) by \$570,600 from \$57,470,794 to \$58,041,394.

20. APPROVED:

- A. Change Order No. B281T-CO-101.00 under Contract No. B281T with Kajima/Ray Wilson, a JV, on the Metro Red (A) Line, Vermont/Hollywood Corridor, Segment 2, **for Miscellaneous Street Restoration on Hollywood Boulevard** in the amount of \$479,409 (incorporating WACN No. 98 for \$455,000 which was previously approved by the Board), increasing the Total Contract Value from \$49,716,010 to \$50,195,419; and
- B. An increase in the Authorization for Expenditure (AFE) of \$24,409 from \$51,511,670 to \$51,536,079.

21. APPROVED ON CONSENT CALENDAR an increase to the Authorization for Expenditure (AFE) for Contract E0112 with INCA Engineers, Inc., for **Design and Engineering Services**, for Metro Red (A) Line, North Hollywood Corridor (Segment 3), to provide **funding for pending and future changes** that are within Board delegated authority in the amount of \$50,000, increasing the current Contract AFE from \$677,886 to \$727,886.

22. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. Negotiation and execution of Change Order No. 46 to Contract B641 with Amelco Electric to **provide and install trainborne voice radios plus spare parts and ancillary equipment** for forty-one (41) married pairs of vehicles for an amount not to exceed \$1,125,747, increasing the Segment 2 portion of the contract from \$11,501,193 to \$12,626,940; and
- B. An increase in the Segment 2 portion of the Authorization for Expenditure (AFE) in the amount of \$1,458,631 to \$13,014,139.

23. APPROVED ON CONSENT CALENDAR BY 2/3 VOTE the solicitation, negotiation, and

award of contract for **variable message signs** and related software and spares for an amount not to exceed \$1,500,000 and an Authorization for Expenditure of \$1,650,000.

24. Closed Session - Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a)

A. Steiny and Company, Inc. v. MTA, Case No BC174072

APPROVED settlement for the total amount of \$850,000, less \$200,000 retention

B. Labor Community Strategy Center v. MTA, Case No. CV94-5936TJH

Instructed CEO and Attorney for the MTA regarding proposal to the Special Master on the five year plan.

C. Fourth Main Ass. V. MTA, Case No. BC178294

APPROVED statutory settlement amount

D. Sanders v. MTA, Case No. BC175338

APPROVED settlement of \$317,292

E. MTA v. Sumitomo Corporation, Case No. BC136375

APPROVED settlement

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

Morrison-Knudsen - APPROVED settlement of \$950,000

Regional Water Quality Control Board - APPROVED settlement

27. APPROVED KNABE MOTION to:

A. acquire the services of outside vendors to meet identified project plan requirements;

B. acquire the services of either existing State or County contracts that were competitively bid, if this would expedite the process;

C. allow the Y2K project team the latitude to acquire resources, programming services, software, hardware and consultants to streamline and to deal with the many tasks required to be successful;

D. make Y2K compliance a priority in every division of the MTA; and

E. develop contingency plans to sustain critical services as backup course of action, in the event computer systems, control equipment or other unanticipated events impact their ability to function on and after January 1, 2000.

28. APPROVED ON CONSENT CALENDAR **purchase of personal computers** at fair market value in an amount not to exceed \$280,000 to close out three year computer hardware lease agreements with IBM Corporation.

30. WITHDRAWN BY STAFF **mid-year budget changes** for the Fiscal Year ending June 30, 1999.
31. APPROVED BY 2/3 VOTE:
 - A. Adoption of revised **MTA Investment Policy**;
 - B. Delegation of authority to invest MTA funds for a one year period to the MTA Treasurer pursuant to California Government Code Section 53607.
32. APPROVED settlement up to \$175,000 as settlement of condemnation proceedings for **Parcel C3-795 owned by the Albert & Lia Sharaf Trust (APN 2366-022-018)**.
33. APPROVED AS AMENDED, the **Proposed 1999-2000 Legislative Program amending the first proposed activity for Goal #2 of 1999 State Program to 'Monitor and report to the Board of Directors immediately for direction' instead of staff recommendation to 'Actively oppose.'**
34. REFERRED TO EXECUTIVE MANAGEMENT COMMITTEE adoption of an **amendment to MTA Rules and Procedures** establishing a special procedure for the consideration and approval of Board agenda items under certain limited circumstances to become effective immediately.
41. APPROVED ON CONSENT CALENDAR, AS CORRECTED:
 - A. Scheduling a **public hearing** for Saturday, March 6, 1999 at 10:00 a.m. to receive public comment on service changes implemented as part of the Consent Decree Pilot Program, and service modifications proposed for MOS-2B of the Metro Red (A) Line Interface Plan;
 - B. publication of the legal notice; and
 - C. Designation of the CEO, or his appointee, as the Public Hearing Officer.
42. APPROVED ON CONSENT CALENDAR finding all 88 cities of Los Angeles County and the County of Los Angeles in conformance with the **Congestion Management Program (CMP)**.
43. APPROVED ON CONSENT CALENDAR the **1999 Americans with Disabilities Act (ADA) Complementary Paratransit Plan Update**.
45. APPROVED ON CONSENT CALENDAR support of Caltrans' request to the California Transportation Commission (CTC) for supplemental funds in the amount of \$477,900 (7% increase in the project funding) to **complete construction of bus transit stations on the I-110 Harbor Freeway Transitway at Pacific Coast Highway and Carson Street**.
46. APPROVED ON CONSENT CALENDAR Caltrans request for a State Transportation Improvement Program (STIP) amendment to **transfer \$2,500,000 from Route 30 Freeway roadway construction in Claremont Project - (STIP Project Number 1264U1) to Baseline Road widening Project (STIP Project Number 1050E4)** to allow Caltrans to fund a four lane detour for Baseline Road under a contract change order.

47. APPROVED modifying the business terms and making conforming changes to the existing **Cooperation Agreement between the CRA and MTA** concerning MTA participation in a joint development project at the Hollywood/Western Metro Red (A) Line Station to accomplish:
- A. conveying title of one MTA owned Parcel 5544-21-902 to the CRA at current fair market value in return for a promissory note secured by a letter of credit with the following terms:
 - 1. Current fair market value of the property is \$193,000;
 - 2. MTA will consider the note paid if the CRA expends an equivalent level of public funds on Phase Two of the project;
 - 3. Payment will be due in full, with interest of six percent per annum, if a Phase Two joint development agreement and/or ground lease has not been negotiated within six months from the date the property transfers and the Board does not extend the negotiating period;
 - B. entering into an Exclusive Negotiation Agreement, if mutually agreeable terms can be reached, with McCormack Baron (Developer) for a six-month period to negotiate a Phase Two joint development project at the Hollywood/Western site, with the date of the negotiating period commencing at the date of the Phase One property conveyance from the MTA to the CRA; and
 - C. providing a report back to the committee at the conclusion of negotiations on Phase 2 or in July, 1999, whichever comes first.
48. APPROVED ON CONSENT CALENDAR:
- A. Reinstating 17 of the 26 **Freeway Service Patrol Midday Routes**: Beat #'s: 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 20, 29, 31, 40, and 43;
 - B. Executing contract amendments to provide funding for this reinstatement through the term of their contracts at an aggregate amount of \$1,317,694.
50. APPROVED AS AMENDED, adoption of the proposed plan for improved administration of the **Contracted Bus Services Program**, implement studies to find the optimum service and equipment schedules for service, and review of opportunities for better regional coordination of service **staff to provide the Operations Committee and full Board with 1) a quarterly status report on the implementation of the recommendations and elements addressed in the report; and 2) a program plan for further improvements to contracted bus service.**
51. APPROVED ON CONSENT CALENDAR award of a contract to Vapor/Westinghouse Airbrake Company (WABCO), Sun Valley, the only responsive, responsible bidder, **to overhaul up to 69 Car Sets of Door Control Assemblies for the Light Rail Vehicles (Blue (B) Line and Green (D) Line (D Line))**, for a contract price of \$342,516, inclusive of one six month option (including sales tax).
52. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. the issuance of Work Authorization Change Notice (WACN) No. 89.02 to Contract No. B620 with Alstom Signaling Inc. **Automatic Train Control, on the Metro Red (A) Line, Wilshire and Vermont/Hollywood (Segment 2), to cover extended overhead cost until a Change Order can be negotiated and executed**, in an amount not-to-exceed \$550,000,

increasing the Segment 2 portion of the contract value from \$19,677,578 to \$20,227,578;

- B. an increase in the Segment 2 portion of the Authorization for Expenditure (AFE) in the amount of \$550,000 from \$20,357,298 to \$20,907,298.

53. APPROVED AS AMENDED:

- A. execution of Contract Work Order (CWO) 62 to Contract E0070 with the Engineering Management Consultant (EMC) for **Final Design Services for the Metro Red (A) Line North Hollywood Corridor**, in the amount of ~~\$458,580~~, **\$410,433 (\$336,909 on CO390 and \$73,524, negotiated amount on CO352)** incorporating the previously authorized amount of \$200,000, which increases that amount by ~~\$258,580~~ **\$210,433**; and
- B. an increase to the Authorization for Expenditure (AFE) to Contract E0070 for the North Hollywood Corridor, in the amount of ~~\$458,580~~ **\$410,433**.

54. APPROVED AS AMENDED:

- A. execute Contract Work Order (CWO) 63 to Contract E0070 with the Engineering Management Consultant (EMC) for **Rail Activation/Systems Start-up Services for the Metro Red (A) Line North Hollywood Corridor**, in the amount of ~~\$1,790,916~~ **\$1,777,749** incorporating the previously authorized amount of \$95,000, which increases that amount by ~~\$1,695,916~~ **\$1,682,749**; and
- B. increase to the Authorization for Expenditure (AFE) to Contract E0070 for the North Hollywood Corridor, in the amount of ~~\$1,790,916~~ **\$1,777,749**.

55. APPROVED ON CONSENT CALENDAR receipt and filing of **Lobbying Ordinance** for action at the regular February Board meeting.

56. APPROVED ON CONSENT CALENDAR providing matching funds of up to 20 percent to each candidate **Interregional Transportation Improvement Program (ITIP) project** that is selected for funding by the California Transportation Commission (CTC). Said funds will be allocated from the 1999 Transportation Improvement Program (TIP) Call for Projects Freeway modal category revenues.

Received public comment.

PREPARED BY: Rhodona Enright - Recording Secretary

Georgia Hamilton
Board Secretary

[\[Recap Matrix\]](#)

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