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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 25, 1999

Called to order at 9:50 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, **10, 12, 25, 26, 27, 33, 35, 37, 38, 39 and 49.

**Requires 2/3 vote.

Noted Items Approved Under Committee Authority: 13 through 16, 18, 19, 20, 21 and 41.

- 2. **APPROVED ON CONSENT CALENDAR Minutes** of Regular Board Meeting held on February 25, 1999.
- 3. Chief Executive Officer's Report
 - Appointment of Tom Connor as Executive Officer for Operations.
- 4. Chair's Report
 - Presented Resolution to departing Director Larry Zarian.

5. **APPROVED**:

- A. execution of Change Order No. B281T-CO-96.00 with Kajima/Ray Wilson, JV, Hollywood Tunnel Completion, covering tunnel-completion demobilization, Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2) and North Hollywood Extension (Segment 3), in the amount of \$291,679, increasing the total contract value to \$50,785,056; and
- B. an increase to the Segment 3 Authorization for Expenditure by \$254,168, increasing the AFE to \$254,168.

6. **APPROVED:**

- A. adjustments to the Segment 2 and Segment 3 components of the Contract value and Authorization for Expenditure (AFE) of Contract No. 3369 with Parsons-Dillingham (P-D), with a decrease of \$5,151,172 for Segment 2 and an increase of \$5,151,172 for Segment 3 to properly assign costs incurred by Segment 2 in providing construction management services for that portion of the B251 tunnel contract located in the Segment 3 geographic limits. This action will have no effect on the combined Segment 2 and Segment 3 contract value or AFE;
- B. authorizing the CEO to negotiate and execute a Change Order to Contract No. 3369 in an amount not to exceed \$4,282,019 subject to final negotiations, covering completion of Construction Management services in support of Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2B) and a contract extension through June 2000; and
- C. an increase in the Authorization for Expenditure (AFE) of Contract No. 3369 for Segment 2 in the amount of \$4,282,019.
- 7. **WITHDRAWN RIORDAN/ BURKE MOTION** that the Board Research Services be moved under the authority of the MTA Board of Directors effective immediately.
- APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE awarding a firm fixed price contract to Valley Detroit Diesel Allison for the non-competitive procurement of 30 Allison V731 transmissions at a total contract value of \$785,606 including tax under PUC Section 130237.

11. APPROVED AS AMENDED by Director Burke:

- A. Ratification of expenditures to First American Records Management for **records storage and retrieval services** rendered in the amount of \$295,367 during fiscal years 1997 and 1998, inclusive of \$51,427 that exceeded staff's \$100,000 annual delegated authority;
- B. That the Section 210.1, Exhibit A in the Procurement Manual (CEO Limit Column) be amended to read as follows: Procurement contracts to \$100,000; modifications/amendments which increase the cumulative contract price only up to a cumulative contract price of \$100,000; and
- C. That the CEO bring to the April Executive Management Committee a status report on the Procurement Manual and the continuing efforts to finish the "boiler plate" language that has remained outstanding over the past year.
- 12. APPROVED ON CONSENT CALENDAR authorizing the issuance of Purchase Orders to the Los Angeles Times, to cover the projected cost of publication of legally mandated Invitation to Bid (IFB), Request for Proposal Notices (RFP), and Human Resources advertising during the 1998-99 fiscal year in an amount not to exceed \$75,000 above the CEO's authority of \$100,000.
- 13. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** awarding of contracts to the lowest responsive, responsible bidders for the 27 month procurement of **brake linings and brake drums**, for the bus fleet at a total bid price of \$1,902,994, as follows:

A. Gillig Corporation	Brake Linings	\$975,418
B. Vehicle Maintenance	Brake Drums	\$927,576

- APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY awarding of contract to W. T. Billard, Santa Fe Springs, the lowest responsive, responsible bidder, to furnish and install seven (7) Automated Storage Carousels at Divisions 1, 5, 6, 10, 11, 18, & 22 in the amount of \$498,063
- 15. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY awarding of contracts to the lowest-priced responsive and responsible bidders on Invitation for Bid No. OP85103111, Eleven (11) Rail Activation Vehicles on the Metro Red (A) Line, Vermont/Hollywood Corridor, (Segment 2) for a total value of \$255,340 inclusive of taxes and fees.
 - A. Villa Ford of Orange, for seven (7) Extended Mini-Passenger Vans, for a total contract value of \$151,385;
 - B. Downey Ford, Downey, for (1) one-ton cargo van, for a total contract value of \$22,081;
 - C. Reynolds Buick GMC, West Covina, for two (2) utility trucks (one with a liftgate), for a total contract value of \$52,934; and
 - D. Oakland Truck Center, Inc., Oakland, for one (1) 15-passenger van, for a total contract value of \$28,940.
- 16. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** awarding of contract to C. J. Hood Company, Old Greenwich, CT, the lowest responsive, responsible bidder for the procurement of **39 Electric Train Warning Signs** for a firm fixed price of \$164,437.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. execution of Work Authorization Change Notice (WACN) No. B241-CN-280 with Tutor-Saliba-Perini, JV, for adjustment of bid item quantities on Contract B241, Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2), Vermont/Beverly Station in an amount not to exceed \$800,000 increasing the total contract value from \$46,477,839 to \$47,277,839; and
- B. negotiation and execution of a subsequent Change Order providing that the negotiated amount is less than or equal to \$800,000; and
- C. an increase in the AFE by \$2,151,823 (\$800,000 for the increase in bid item quantities and \$1,351,823 to cover other pending changes, potential changes and claim settlements that are within the staff's Board-delegated authority) increasing the AFE from \$46,710,682 to \$48,862,505.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. Authorize the CEO to negotiate and execute Change Order No. 19.00, Contract 1610 with Herzog Contracting Corp., to **inject chemical grout into rock surrounding the CO311 tunnels** on the Metro Red (A) Line, North Hollywood Corridor (Segment 3), in the amount not to exceed \$4,000,000, for a revised total contract amount from \$21,671,674 to \$25,671,674;
- B. an increase in the Authorization for Expenditure (AFE) in the amount of \$4,000,000 from \$22,436,743 to \$26,436,743.
- 20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase to the Authorization for Expenditure (AFE) to Contract PM021, with Fluor Daniel, Inc, to provide **PMA services for the Metro Rail Projects** in the amount of \$585,000 which increases the Contract Value from \$12,682,000 to \$13,267,000.

21. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. an increase to Contract No. SP055 with Dr. Z. D. Eisenstein for additional **geotechnical and tunneling consulting services**, in the amount of \$118,740, increasing the total Contract Value from \$540,000 to \$658,740;
- B. an increase to the Authorization for Expenditure (AFE) to Project 800010 for Contract SP055 in the amount of \$184,614 which increases the total AFE from \$540,000 to \$724,614. AFE includes a Contract contingency to cover the cost of any changes or extra work which cannot be anticipated;
- C. an increase to Contract No. SP056 with Dr. G. R. Martin for additional geotechnical and tunneling consulting services, in the amount of \$36,000, increasing the total Contract Value from \$150,000 to \$186,000;
- D. an increase to the Authorization for Expenditure (AFE) to Project 800010 for Contract SP056 in the amount of \$54,600 which increases the total AFE from \$150,000 to \$204,600. AFE includes a Contract Contingency to cover the cost of any changes or extra work which cannot be anticipated.
- E. the exercise of a one-year option and funding for the above consultants for geotechnical and tunneling consulting services for the period of May, 1999 through April 30, 2000.
- 24. **ADOPTED** Authorizing Resolution and **APPROVED** Notice Inviting Bids and Notice of Intention to Sell Bonds documents for **competitive sale and issuance of up to \$200 million of Prop A refunding bonds.**

25. APPROVED ON CONSENT CALENDAR negotiation and award of All Risk Property insurance policy and Boiler & Machinery insurance policy for all MTA real property, other than construction sites, for a cost not to exceed \$3.6 million, for a 12 month period effective May 10, 1999 to May 10, 2000.

26. APPROVED ON CONSENT CALENDAR conveyance of a permanent easement over MTA Rail Right of way to :

- A. Beazer Homes Southern California ("Beazer") for a sound attenuation berm and wall over a 47,745 square foot portion of the MTA's Valley Subdivision rail right-of-way in Santa Clarita, in exchange for (i) Beazer granting fee title to the MTA to a 28, 291 square foot, crescent-shaped parcel lying adjacent to the MTA's Valley Subdivision rail right of way, subject to a 5,338 square foot easement reservation for the future Via Princessa overpass, and (ii) Beazer's performance of certain grading improvements.
- B. the City of Santa Clarita ("City") over a 12,715 square foot portion of the MTA's Valley Subdivision rail right-of-way in Santa Clarita to allow the City to construct and maintain a bridge and bridge supports on and over the right-of-way for the Via Princessa overpass.
- C. the City of Santa Clarita over a 3,370 square foot portion of the MTA's Valley Subdivision rail right-of-way in Santa Clarita covering the widening of an existing atgrade crossing for Circle J Ranch Road from 66 feet to 99 feet.

27. APPROVED ON CONSENT CALENDAR Storm Damage Funding Policy.

28. Closed Session: <u>Conference with Real Property Negotiators concerning Price and/or Terms of</u> <u>Payment:</u>

Metro Red (A) Line Segment 3, North Hollywood Project Hollywood Plaza Associates, LLC Parcel B3-237-3

APPROVED award of Just Compensation for lease of real estate at a specified price.

30. **APPROVED**:

- A. IN CONCEPT the Metro Rapid Bus Implementation Plan ; and
- B. Negotiation and execution of a noncompetitive contract with Transportation Management & Design, Inc. to provide the MTA with planning and engineering services in an amount not to exceed \$320,000, with the period of performance from March 31, 1999 to December 31, 2000.

32. APPROVED ON CONSENT CALENDAR adoption of the policy for Programming Cost changes for STIP Highway Projects AS AMENDED BY DIRECTOR LEGASPI TO INCLUDE ANNUAL RE-RATIFICATION OF CEO'S AUTHORITY.

33. APPROVED ON CONSENT CALENDAR Caltrans' cost neutral funds transfer request to amend the State Transportation Improvement Program (STIP) to transfer \$1,444,000 from Route 30 Freeway roadway construction in La Verne and Claremont Project (STIP Expenditure Authorization Number 1721U1) to Route 30 Freeway San Dimas Soundwall Project (STIP Expenditure Authorization Number 126241) to allow Caltrans to construct additional required

soundwalls along the Route 30 Freeway in the City of San Dimas.

- 34. **APPROVED ON CONSENT CALENDAR** support of Caltrans' request to the California Transportation Commission (CTC) for **supplemental funds in the amount of \$3,600,000 (21%** increase over original CTC voted amount) so that Caltrans can award to the lowest bidder the construction contract for widening Southbound Lanes and Northbound median of Route 110 Pasadena Freeway from North of College Street to South of Avenue 26.
- 35. **APPROVED ON CONSENT CALENDAR** support of Caltrans' request to the California Transportation Commission (CTC) for **supplemental funds in the amount of \$700,000** (9% increase in project construction funding) to cover increases in the estimated cost of construction for the Project due to additional scope of work including a new soundwall and relocation of communication lines and equipment on the Extension of Route 90 Marina Freeway West of Culver Boulevard and Improvements at Culver Boulevard and Centinela Avenue Interchanges.
- 36. **APPROVED** Caltrans' request to **transfer Prop C funds** in the amount of \$1,094,000 (7.7% increase over original Prop C allocated amount) between the two **HOV Projects** on Route 405 so Caltrans can advertise for construction of the southbound HOV lane on the Route 405 San Diego Freeway from Waterford Street to Route 101, Project No. 2200.
- 37. APPROVED ON CONSENT CALENDAR, SUBJECT TO RESOLUTION OF PROTEST, award of Metro Freeway Service Patrol (FSP) towing contracts to 15 contractors for a total amount of \$19,799,025:

Beat	Contractor	Amount	Contract Period
1	Frank Scotto Towing, Torrance	\$1,401,918	9/1/99-8/31/02
5	Classic Club Service Inc., Van Nuys	\$1,276,953	9/1/99-8/31/02
9	Jackson's Just For You, Los Angeles	\$1,314,124	9/1/99-8/31/02
11	California Coach Auto Body, Walnut	\$ 729,972	9/1/99-8/31/02
13	California Coach Auto Body, Walnut	\$1,433,715	9/1/99-8/31/02
21	Walnut Valley, Walnut	\$1,281,604	9/1/99-8/31/02
27	Classic Club Service Inc., Van Nuys	\$1,533,787	7/1/99-6/30/02
28	Walnut Valley, Walnut	\$ 932,313	7/1/99-6/30/02
29	Classic Club Service Inc., Van Nuys	\$1,485,715	7/1/99-6/30/02
	Frank Scotto Towing,		

30	Torrance	\$1,537,638	7/1/99-6/30/02
31	Coastal Towing Service, No. Hollywood	\$1,305,238	7/1/99-6/30/02
33	TG Towing Service, Canyon Country	\$1,467,811	7/1/99-6/30/02
34	TG Towing Service, Canyon Country	\$1,432,002	7/1/99-6/30/02
37	California Coach Auto Body, Walnut	\$1,351,790	7/1/99-6/30/02
43	Jackson's Just For You, Los Angeles	\$1,314,445	9/1/99-8/31/02

- 38. APPROVED ON CONSENT CALENDAR award of a two-year fixed price contract to National Engineering Technology Corporation, La Mirada, for the implementation and deployment of an Advanced Traveler Information System (ATIS) in the Los Angeles/Ventura region, in the amount of \$1,431,489, inclusive of an initial award of a firm fixed price contract for services in the amount \$1,245,969 and an allowance not to exceed \$185,520 for procurement of hardware, software and equipment.
- 39. APPROVED ON CONSENT CALENDAR execution of a grant implementation agreement with the Catellus Development Corporation (Catelllus) that passes through \$2.5 million of Federal Transit Administration (FTA) Section 5309 funds which have been earmarked specifically for improving Union Station facilities.

41. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:

- A. execution of Amendment to Contract B290, Ancillary Construction and Maintenance with Tutor-Saliba Corporation, for work on the Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2) in the amount of \$2,973,977 increasing the total contract value from \$18,346,943 to \$21,320,920;
- B. an increase to the Authorization for Expenditure (AFE) to Contract B290 in the amount of \$2,973,977 increasing the total AFE amount from \$18,346,943 to \$21,320,920.

44. **APPROVED** the following positions on **State Legislation:**

- SB 315, SCA 3 and SR 8 (Burton and Karnette) Three measures developed as a package relating to funding for California's transportation capital needs. **SUPPORT**.
- AB 521 (McClintock) Would redirect the state share of sales tax on gasoline currently allocated to the general fund. **NEUTRAL**.
- AB 1473 (Hertzberg) Would streamline the Director of Finance's report on the state's need for major capital projects. **SUPPORT**.

- AB276 (Longville) Would direct all sales tax proceeds derived from gasoline sales to the Public Transportation Account (PTA). **SUPPORT**.
- AB 308 (Longville) Would add the rehabilitation and reconstruction of rolling stock and transit capital infrastructure to the list of annual fund estimates. **SUPPORT**.
- SB 364 (Perata) Would extend the State and Local Partnership Program to July 1, 2000. The program is set to expire on July 1, 1999. The bill would also allocate \$200 from the State Highway Account (SHA) to fund the extension. **NEUTRAL**
- SB 851 (Hayden) Similar to SB 1886 this bill would establish seven transportation planning boards throughout the county to be the "sole and exclusive" planning entity for transportation and capital projects within given geographical areas. **OPPOSE**.
- **FAILED to adopt a position on** SB 1276 (Hayden) Would provide that the MTA Board of Directors may not pass any agenda item "with less than seven affirmative" votes.
- SB 864 (Karnette), AB 682 (Margett) and AB 1593 (Villaraigosa) These three measures are "spot" bills which currently make non-substantive changes to MTA law. **NEUTRAL**.
- AB 38 and SB 98 (Washington and Alarcon) These measures would extend the \$1 motor vehicle registration fee to the year 2004 for South Coast Air Quality Management District (SCAQMD) projects. **SUPPORT**.
- 45. <u>**Closed Session** Conference with Legal Counsel Existing Litigation G.C. 54956.9 (a)</u>:
 - A. Arroyo v. MTA, Case No. BC162130 APPROVED structured settlement with a present value of \$262,500
 - B. Herrera v. MTA, Case No. BC 168082 **APPROVED** structured settlement with a present value of \$375,000
 - C. Baquedano, et al. v. MTA, Case No. TC 011108 APPROVED structured settlement with a present value of \$2,875,000
 - D. Thalheimer, et al v. Los Angeles County Service Authority for Freeway Emergencies, et al, Case No. BC 113690
 AUTHORIZED various acts to make freeway call boxes handicapped accessible up to certain limits.
 - E. Earnest v. MTA, Case No.BC 180177 INSTRUCTED counsel regarding settlement offer.
 - F. Labor Community Strategy Center, et al v. MTA, Case No. CV 94-5936 TJH (MCx)
 - 1. **APPROVED** ON A ROLL CALL VOTE SUBSTITUTE MOTION directing the CEO to:
 - A. Move expeditiously to:

1.a. Fully implement the current accelerated bus procurement plan.

b. Complete conversion of 333 ethanol buses by December, 1999.

c. Complete warranty repair of 594 CNG buses by May, 1999.

2.a. Implement MTA program to improve management of bus operator availability.

b. Substantially eliminate violations attributable to lack of an operator by December 31, 1999.

3. a. Initiate staged bus program.

b. Hire additional mechanics and improve training and supervision sufficient to attain 2000 mean miles between road calls by June, 2000.

c. Create/expand a recurring defects analysis program.

d. Improve spare parts management.

e. Undertake other improvements in service reliability, with sufficient progress to be demonstrated by January, 2000.

4. a. Provide additional training of operators and deploy supervisors at problem sites.

b. Install APCs on 20% of fleet and initiate TRS pilot program.

5. a. Deploy additional on-street supervisors

b. Utilize APCs and radio system monitoring to identify problems.

c. Collect data and evaluate new technologies for reducing late operations.

6. a. Add staff to adequately monitor bus overcrowding

b. Conduct point checks twice a month on the top 20 lines and monthly on the additional 55 lines not in compliance with load factor target.

c. Submit detailed quarterly reports to the Special Master.

B. Seek clarification and possible modifications of the Special Masters Order in order to reconcile the actual number of buses

needed to be placed into service to meet the service requirements of the order.

- C. Seek clarification and possible modification of the Special Master's order to purchase 532 new CNG buses to match the total bus purchases, including the MTA's Accelerated Bus Purchase Plan, to the actual number required to meet the service requirements as finally determined pursuant to B.
- D. Consult with the Plaintiffs, through legal counsel, in order to attempt to reach common ground on the matters contained in items B and C.
- E. Schedule into service the 160 additional peak buses and reprogram uncommitted funds identified in the RTAA to cover the operating costs estimated at \$170 million, through FY 2004.

Ayes: Alatorre, Bernson, Burke, Cragin, Fasana, Knabe, Legaspi, Molina, Oropeza, Yaroslavsky, Zarian, Riordan Noes: Antonovich Abstain: None Absent: None

- 47. **APPROVED AS AMENDED** continuation of **express bus service** on Lines 424, 425, **427** and 522 from the San Fernando Valley to downtown Los Angeles and revisit the issue prior to the opening of the North Hollywood station.
- 49. **APPROVED ON CONSENT CALENDAR** BERNSON MOTION that when funding **sound wall projects** consideration be given to alternatives to the traditional sound wall construction wherever possible and practicable.
- 50. APPROVED ON A ROLL CALL VOTE the following positions on State Legislation:
 - **OPPOSE** SB 1101 (Murray, Burton, Escutia, Hughes, Karnette, Polanco and Solis) -Would require the employees of a newly-created operating organization unit with the same wages and working conditions as those of the union-represented employees of the MTA.
 - WORK WITH AUTHOR AND OPPOSE UNLESS AMENDED SB 1202 (Karnette) - Would specify that on issues relating to labor organization representation for the MTA, includes the term "employee" including individuals employed as supervisors and managers.

Ayes: Antonovich, Bernson, Fasana, Knabe, Legaspi, Yaroslavsky and Riordan Noes: Alatorre, Oropeza Abstain: None Absent: Burke, Cragin, Molina and Zarian

51. APPROVED ON A ROLL CALL VOTE YAROSLAVSKY MOTION that MTA staff shall:

- A. utilize **HCIP funds to fund a shuttle connector along Hollywood Boulevard** from the Hollywood/Vine station to Hollywood/La Brea in a not-to-exceed amount of \$450,000 from June 1999 to May 2000;
- B. amend its existing contract with the Los Angeles Department of Transportation to operate

the shuttle during this time period and work with DOT staff on routes, stops and other operational issues;

- C. include this shuttle connector in its promotional materials, marketing packages and advertising for the Hollywood Red (A) Line, where appropriate. Staff shall work with DOT to include the shuttle connector in DOT's brochures and other materials.
- D. put up appropriate station markers at the Hollywood/Vine station and work with DOT to put stop signs on Hollywood Boulevard so that passengers can easily locate the shuttle anywhere along the route;
- E. work with DOT to monitor the shuttle Connector after it is implemented and will report back to the MTA Board in September with an evaluation of the project.

Ayes: Alatorre, Antonovich, Bernson, Knabe, Legaspi, Oropeza, Yaroslavsky and Riordan Noes: Fasana Abstain: None Absent: Burke, Cragin, Molina and Zarian

52. APPROVED AS AMENDED ALATORRE MOTION that:

- A. the Board direct the holding of an **election** as soon as possible in two separate bargaining units, one supervisory and one non-supervisory, to determine majority support for representation in response to the February 8, 1999 petition **for certification by AFSCME**, as long as AFSCME agrees that the two bargaining units will be represented by separate locals;
- B. the union add language that supervisors would honor management's direction;
- C. approved list of job classification be included; and
- D. any disagreement over the supervisory and non-supervisory classifications as related to bargaining unit, which cannot be resolved by negotiations, will come back to the Board for discussion.
- 53. **APPROVED** KNABE MOTION that the Los Angeles County Metropolitan Transportation Authority investigate the **feasibility of funding, installing, operating, and maintaining emergency call boxes** at bus stations along the freeways, transitways, and busways throughout Los Angeles County.
- 54. Closed Session: Personnel Matters G.C. 54957

"Public Employee Discipline/Dismissal/Release"

NO REPORT MADE

RECEIVED public comment.

Prepared by: Christina Lumba-Gamboa Recording Secretary

Michele Jackson Interim Board Secretary

The meeting adjourned at 2:38 p.m.

PREPARED BY: Rhodona Enright Recording Secretary

Michele Jackson Interim Board Secretary

[Recap Matrix]

[Return to Recap of Actions]