



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**

June 24, 1999

Called to order at 10:00 AM

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
Frank Roberts
Zev Yaroslavsky
Tony V. Harris, Ex Officio

Chief Executive Officer - Julian Burke
Interim Board Secretary - Michele Jackson
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, 9, 12, 17, 18, 19, 20, 21, 22, 23, 26, 27, 29, 30, 31, 33, 34, 35, 37, 40, 42*, 43, 44, 45*

* - Items pulled from the Consent Calendar for discussion

NON-CONSENT

3. Chief Executive Officer's Report

NO REPORT

4. Chair's Report

RECEIVED

5. REFERRED to the Pension Committee for review with a report back on providing Chief Sharon Papa with an **additional severance benefit** by crediting her with 3 years and 4 months service in the **MTA's Non-Contract Employees' Pension Plan** thereby bringing her total credited service to 20 years **INCLUDING** a review of the pension for former employee Joshua Torres.

6. AUTHORIZED ON A ROLL CALL VOTE the Chief Executive Officer to execute a License Agreement ("Agreement") with Omni Outdoor/STI ("OMNI/STI") for the installation, operation and maintenance of up to ten (10) **Automated Public Toilets** (APTs) at specific MTA locations, and the installation, operation and maintenance of up to 54 outdoor advertising structures at other MTA owned properties subject to FTA concurrence for a ten year term.

Ayes: Alatorre, Antonovich, Burke, Cragin, Fasana, Knabe, Legaspi, Oropeza, Yaroslavsky, Roberts

Noes: None

Abstain: Bernson, Molina, Riordan

Absent: None

8. APPROVED ON A ROLL CALL VOTE FASANA MOTION:

That the CEO be directed to:

1. Present to the Board no later than 90 days, a comprehensive analysis of contracting out (and public/private partnerships) existing MTA services and functions across all MTA operating and administrative departments;
2. Develop aggressive bus operations cost reduction strategies, and implementation feasibility plan, that will lower the current projected FY2000 cost per revenue service hour of \$106 to at least \$102 in FY2000 and \$90 by the end of FY2001, consistent with the schedule in #1; and
3. The CEO to report back in 30 days and provide findings on contracting out Operations and management along with a plan on how to solicit those services.

Ayes: Alatorre, Bernson, Cragin, Fasana, Knabe, Legaspi, Molina, Yaroslavsky, Roberts

Noes: Oropeza

Abstain: None

Absent: Antonovich, Burke, Riordan

14. RECEIVED & FILED update to Bernson motion regarding the **Y2K compliance of critical vendors**.
24. APPROVED nomination of Richard Riordan as Second Vice Chairman.
32. APPROVED:
 - A. exercising the first of two options with Fluor Daniel, Inc. to provide **additional Project Management Assistance (PMA) services** through July 31, 2000 in an amount not to exceed \$2,853,000, increasing the total contract value to \$16,120,000; and
 - B. an increase in the Authorization for Expenditure to Contract PM021 in the amount of \$2,853,000, increasing the AFE to \$16,120,000.
36. APPROVED, AS AMENDED:
 - A. award of a contract to Elite Security Services, Inc. to provide **security services** for a five year period in an amount not to exceed \$14,552,105 inclusive of two one-year options; and
 - B. execution of change orders in an amount not to exceed **\$500,000** for contingencies.
38. CARRIED OVER TO JULY transferring of the **ATTB Program** to the Fuel Cell Buyers Consortium.
39. WITHDRAWN BY STAFF:
 - A. authorizing the CEO to increase **workers' compensation reserves** for the outstanding claims incurred prior to September 1, 1998, by \$24.6 million;
 - B. authorizing the CEO or his designee to negotiate and purchase a layer of workers' compensation insurance for all outstanding claims in excess of \$85 million up to \$155 million on claims incurred prior to September 1, 1998, the inception date of the Travelers insurance policy, at a cost not to exceed \$37.9 million; and
 - C. amending the MTA Enterprise Fund Fiscal Year 1999 Budget by increasing operating transfers-in by \$65 million from the Capital Projects Funds and \$7.3 million from the Special Revenue Fund.
41. RECEIVED AND FILED **Legislative matrix** and Supplemental Report on SB 1276.

CLOSED SESSION

46. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a):
 - A. Graw V. MTA
Case No. CV 97-8641
AUTHORIZED staff to make settlement offer

47. Personnel Matters - G.C. 54957

Public Employee Performance Evaluation - LAPD Officer

NO REPORT MADE

CONSENT CALENDAR

2. APPROVED **Minutes** of Regular Board Meeting held on May 27 and Special Board Meetings Held May 10, 1999.
9. APPROVED award of a 27-month firm fixed price contract to Valley Detroit Diesel Allison Corp., City of Industry, the lowest responsive, responsible bidder under Bid No. 01-9906 to provide up to 384 0.1 **engine emission control kits** for a total bid price of \$6,562,032.
12. APPROVED:
- A. award of a five-year unit rate contract to Admiral Pest Control Inc., Bellflower, the lowest responsive, responsible bidder to provide scheduled **pest, rodent and bird control for MTA facilities and revenue and non-revenue vehicles** for an amount not-to-exceed \$398,370; and
 - B. execution of change orders for a total amount not to exceed \$52,500 for additional emergency as-needed services to the above contract.
17. APPROVED declaring MTA **real property as surplus and authorized sale** to AMD Construction Group, Inc. (aka Firouz Ali Navi) for \$62,000:

MTA Parcel No. SO106 - Williams Canyon (Orange County) 20 Acres

18. APPROVED declaring certain MTA **real property as surplus and authorized sale** to the City of Pasadena:

<u>MTA Parcel</u>	<u>Location</u>	<u>Area</u>	<u>Price</u>
S205(a)	ROW between Sierra Bonita Ave. and Meredith Ave.	43,100 SF	\$250,000
S205(d)	ROW between Sierra Madre Blvd. and Cook Ave.	24,840 SF	\$250,000

19. APPROVED negotiation and execution of contract amendments covering **computer hardware maintenance and related software license and maintenance** for a two-year period for an aggregate amount not to exceed \$6,500,000 as follows:
- A. amend sole-source contracts with IBM, Los Angeles, for mainframe computer hardware maintenance services and software licenses;

- B. amend sole-source contract with Oracle Corp., Redwood Shores, for software and database product services and licenses; and
 - C. amend sole-source contract with Computer Associates International, Islandia, NY, software maintenance services.
20. APPROVED amending existing Board Resolution #36, dated June 28, 1995, adding workers' compensation to the types of claims authorized for settlement and include a separate Claims Committee, established for **workers' compensation claims**.
21. AUTHORIZED the CEO or his designee to negotiate and award an **Excess Liability Insurance Program** for MTA liability exposures, other than at construction sites, for a 12-month period beginning August 1, 1999 through July 31, 2000, at a cost not to exceed \$1.4 million.
22. APPROVED allocations of **FY 00 Proposition C 5% Security funds** to Transit Operators and MTA Operations.
23. AUTHORIZED the CEO to execute the **annual transit policing contract** amendment with:
- A. the County of Los Angeles for Sheriff's Department (LASD-Contract OP2610LASD) service for FY 00 in an amount not to exceed \$20,087,061; and
 - B. the City of Los Angeles for Police Department (LAPD-Contract OP2610LAPD) service for FY 00 in an amount not to exceed \$28,582,900.
26. APPROVED ADOPTION OF:
- A. resolution making a determination as to unmet public transportation needs in the areas of Los Angeles County outside the MTA service area;
 - B. proposed findings and recommended actions for the allocation and use of FY 1999- 00 **TDA Article 8 funds** as summarized below:
- In the Cities of Avalon and Santa Clarita, there are unmet transit needs; therefore, TDA Article 8 funds are to be used to meet unmet transit needs;
- In the Cities of Lancaster, Palmdale, and the unincorporated areas of Catalina Island and North Los Angeles County, which includes the Antelope and Santa Clarita Valleys, transit needs are to be met using other funding sources; therefore, the finding is that there are no unmet transit needs that are reasonable to meet, and the TDA Article 8 funds may be used for street and road projects.
27. APPROVED appeals from cities with Surface Transportation Program-Local (STP-L) fund balances subject to lapse for FY 1998 and authorize staff to:
- A. allow a six-month extension from April 1, 1999 to September 30, 1999 for all cities on the list to obligate or trade a total STP-L funding balance of \$2,949,139; and
 - B. lapse administratively, any remaining funds from the cities identified, if their funds are not obligated or traded by September 30, 1999.

29. APPROVED an increase to the Authorization for Expenditure to Contract B271 with Kiewit-Shea, JV to provide **funding for pending changes** to be negotiated and executed under Board-delegated staff authority, in the amount of \$818,291, increasing the AFE to \$47,364,525.
30. AUTHORIZED:
- A. the CEO to negotiate and execute Change Order No. B648B-CO-40.00 to the Communications Installation Contract No. B648B with Steiny and Company, Inc., to provide **electrician labor in support of post-ROD Systems Integration Testing** on the Metro Red (A) Line, Vermont/Hollywood Corridor in an amount not-to-exceed \$500,000, increasing the Total Contract Value from \$6,126,251 to \$6,626,251; and
 - B. an increase in the Authorization for Expenditure (AFE) of \$884,958 (\$500,000 for the Change Order No. 40.00 and \$384,958 to cover other pending changes, potential changes and claim settlements that are within the staff's Board-delegated authority) increasing the AFE from \$6,282,586 to \$7,167,544.
31. APPROVED:
- A. execution of Amendment No. B290-CO-10.00, Ancillary Construction and Maintenance with Tutor-Saliba Corp., for **miscellaneous work throughout** the Metro Red (A) Line, Vermont/Hollywood Corridor, in the amount of \$2,897,953, increasing the total contract value to \$24,218,873; and
 - B. an increase to the Authorization for Expenditure in the amount of \$2,897,953, increasing the total AFE to \$24,218,873.
33. APPROVED contract amendment to Contract AF009 with **Anne Marie Karlsen, artist**, covering work on the Metro Red (A) Line, North Hollywood Corridor, Segment 3, North Hollywood Station, in the amount of \$2,880 for a contract value of \$252,820, which is within the originally approved AFE of \$270,000.
34. AUTHORIZED:
- A. the CEO to negotiate and execute Change Orders with LKG-CMC, Inc. as follows:
 - 1. Change Order No. 2 to Contract CM002, CWO 2 to provide **configuration management staffing support** for Metro Red (A) Line Segment 2, in the amount of \$45,902, increasing the Total Contract Value to \$188,097;
 - 2. Change order No. 2 to Contract CM002, CWO 3 to provide **configuration management staffing support** for Metro Red (A) Line Segment 3, in the amount of \$105,925, increasing the Total Contract Value to \$248,151;
 - 3. Change Order No. 2 to Contract CM002, CWO 4 to provide **configuration management staffing support** for Systemwide Engineering Support, in the amount of \$79,445 increasing the Total Contract Value to \$192,741;
 - B. an increase to the Authorization for Expenditure from \$585,554 to \$706,538 as follows:
 - 1. to Contract CM002, CWO 2 in the amount of \$31,240, increasing the current Segment 2 AFE to \$206,906;
 - 2. to Contract CM002, CWO 3, in the amount of \$97,300, increasing the current

Segment 3 North Hollywood AFE to \$272,966; and

3. to Contract CM002, CWO 4 in the amount of \$65,626, increasing the current Systemwide Engineering Support AFE to \$212,015.

35. AUTHORIZED:

- A. the CEO to execute Change Orders that amend Contract Work Order No. 1 for Contract No. MC047 with JMA, JV, to **incorporate Consultant Change Notice Numbers 43.01, 44.00 and 47.00**, which provide additional Construction Management (CM) services on the Metro Red (A) Line, North Hollywood Corridor, in an amount not to exceed \$444,091, increasing the total CWO to \$59,333,729;
- B. the CEO to **negotiate and execute Change Orders** for Consultant Change Notice 45.00 for additional CM services on Segment 3 and CCN 46.00 for temporary staff support on Segment 2, in amounts not to exceed \$264,911 and \$80,288, respectively; and approval of Authorization for Expenditure for Segment 2 to provide funding for CCN 46.00 in the amount of \$80,288 for a total AFE amount of \$80,288.

37. APPROVED negotiation and execution of a Change Order to Contract No. SS002 with U.S. Guards, Inc. to provide **additional security services** through July 31, 1999 in the amount of \$72,000, increasing the total contract value to \$10,807,411.

40. AUTHORIZED the CEO and/or his designee to negotiate and execute the following agreements, subject to approval of County Counsel and final design of the new terminal in accordance with MTA operating needs, regarding MTA owned property located at 4646 West Pico Boulevard, Los Angeles ("Terminal 40"):

- A. a Development Agreement with **Etoile Holdings, Inc. ("Developer")** to cover the property transfers, construction of a new terminal and escrow instructions related to the development of a new Pico Rimpau Terminal and adjacent development of a commercial retail center, with major provisions;
- B. a Grant Deed from MTA to Developer to grant fee title to the parcel identified as Parcel "1" (Terminal 40); and
- C. Easement Deed from Etoile Holdings, Inc. to MTA granting an exclusive easement to the parcel identified as Parcel "2" and a non-exclusive easement to the parcel identified as Parcel "3".

42. APPROVED ON A ROLL CALL VOTE SUBSTITUTE MOTION committing to **contribute a maximum of 17 percent (\$162 million) of the total \$950 million Alameda Corridor East (ACE) program funding requirement**. MTA funds will be allocated annually to match any fully funded portion of the ACE project. Included in the \$162 million allocation is the \$20 million awarded in the 1997 Call for Projects and any awards (\$17.4 million anticipated) approved for the 1999 Call for Projects. The maximum contribution of \$162 million is fixed and the MTA will not participate in any project cost increases or overruns. **ALSO APPROVED** stating MTA's strong support for the Alameda Corridor East (ACE) project as part of a regional solution and directed staff to work with Alameda Corridor East to resolve funding issues and MTA staff to review the list of funding sources to determine from where the money will come.

Ayes: Bernson, Burke, Cragin, Legaspi, Molina, Yaroslavsky, Riordan

Noes: Alatorre, Antonovich, Fasana, Knabe, Oropeza, Roberts

Abstain: None
Absent: None

43. APPROVED execution of a one month extension for seven **Metro Freeway Service Patrol** (FSP) towing contracts with five contractors for an aggregate total not to exceed \$300,000:

<u>Beat</u>	<u>Contractor</u>	<u>Existing</u>	<u>Increase</u>
27	Mike's Club Towing	\$1,334,245	\$40,000
28	California Coach	\$1,162,965	\$40,000
29	Classic Club	\$1,372,300	\$40,000
31	Girard & Peterson	\$1,335,800	\$60,000
33	Classic Club	\$1,304,760	\$40,000
34	Girard & Peterson	\$1,359,136	\$40,000
37	Freddie Mac's	\$1,181,713	\$40,000

44. APPROVED:

- A. extension of existing agreements with project sponsors and **shuttle service providers** on a month-to-month basis for a term not later than June 30, 2000, so service interruptions are prevented while new service agreements can be executed; and
- B. agreement extensions effective July 1, 1999, to be funded through the 1999 Call For Projects; any Call funded projects not approved in the Call will be terminated and FY-00 expenditures funded out of Board contingency.

45. APPROVED UNDER RECONSIDERATION ON A ROLL CALL VOTE:

- A. awarding contracts for:
 1. **Eastside Reevaluation/Major Investment Study** and Supplemental Environmental Impact Statement/Environmental Impact Report (Reevaluation/MIS & SEIS/SEIR) with the consultant team headed by Jenkins/Gales & Martinez/Parsons Brinckerhoff (JGM/PB) in an amount not to exceed \$3,060,129;
 2. **Mid-City/Westside Reevaluation/ MIS & SEIS/SEIR** with the consultant team headed by Korve Engineering, Inc. in the amount of \$3,574,131;
- B. negotiation and award of a non-competitive professional services contract with Gruen Associates for the San Fernando Valley East-West Corridor Reevaluation/Major Investment Study (Reevaluation/MIS) for the MTA through December 31, 1999, in an amount not to exceed \$611,175;
- C. negotiation and execution of change orders with the firms listed above for the corridor studies in an aggregate amount not to exceed \$725,000; and
- D. in-concept, staff's recommendation to procure professional services to conduct a San Fernando Valley East-West Corridor Environmental Impact Statement/Environmental Impact Report (EIS/SEIR) (Phases 2 and 3).

Ayes: Alatorre, Cragin, Fasana, Knabe, Legaspi, Oropeza, Roberts

Noes: None

Abstain: Molina, Yaroslavsky

Absent: Antonovich, Bernson, Burke, Riordan

NOTED ITEMS APPROVED UNDER COMMITTEE AUTHORITY (Items 10 & 11)

10. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) AWARD of a firm fixed price contract to Cummins Cal Pacific, Inc., Montebello, the only responsive, responsible bidder UNDER Bid No. 04-9922 covering 65 **new L10 Cummins Diesel Engines** for a total bid price of \$1,330,203.

11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY (4-0) APPROVE execution of the second year of a Memorandum of Understanding (MOU) between the LACMTA and the SCRRA on **Metrolink Right-of-Way (ROW) security** for FY 00 for an amount not-to-exceed \$1,240,000.

RECEIVED public comment.

ADJOURNED

PREPARED BY: Rhodona Enright
Recording Secretary

Michele Jackson
Interim Board Secretary

[Recap Matrix](#)

[\[Return to Recap of Actions\]](#)