



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, September 23, 1999

Called to order at 9:55 A.M.

Directors Present:

Yvonne Brathwaite Burke, Chair
James Cragin, First Vice Chair
Michael Antonovich
Hal Bernson
John Fasana
Don Knabe
Jenny Oropeza
Frank Roberts
Zev Yaroslavsky

Chief Executive Officer - Julian Burke
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, 10, 12, 16, 21, 24, 28, 29, 30 and 32

ITEMS #15, 17, AND 27 FAILED ON CONSENT CALENDAR.

NOTED COMMITTEE AUTHORITY ITEM: 11, 13, and 26

CONSENT CALENDAR

2. **APPROVED Minutes** of Regular Board Meeting held on August 26, 1999.
9. **APPROVED:**
 - A. execution of a Change Order No. B252-CO-139.00 to Contract No. B252, Vermont/Santa Monica Station with the Kiewit-Shea, JV, **for settlement of Claim No. 72, Repair Water Leaks at the Vermont/Santa Monica Station** on the Metro Red Line, in the amount of \$359,850 increasing the total contract value to \$57,125,373;
 - B. an increase in the Authorization for Expenditure (AFE) to Contract No. B252, to provide funding for this claim settlement No. B252-CO-139.00 in the amount of \$359,850, increasing the current AFE to \$58,401,244.
10. **APPROVED:**
 - A. execution of Change Order No. 03 to Contract H0648 with Steiny and Company, Inc. **to re-sequence and accelerate the installation work for the Metro Red Line**, Segment 3, North Hollywood Corridor, in the amount of \$1,099,671, increasing the total contract value to \$6,368,441;
 - B. an increase in the Authorization for Expenditure (AFE) to Contract H0648 by \$1,099,671, increasing the current Segment 3 AFE to \$7,061,579.

12. APPROVED execution of a Change Order No. 122 to Contract C0311 with Traylor Bros./Frontier - Kemper, JV, **for the completed construction of Cross-passage No. 60** in the amount of \$332,726 **and the deletion of the closure of the North Access Shaft** in the credit amount of \$278,000 on the Metro Red Line, North Hollywood Corridor, resulting in a net change of \$54,726 , increasing the total contract value to \$164,760,538

15. FAILED on consent calendar: execution of a five year license agreement with Southern California Edison Company (“SCE”) **for the lease of a seven acre site** located in the City of Long Beach for the storage of system-wide rail material for a total payment of \$330,381.

16. APPROVED conveyance of a variable width surface **easement for an emergency fire access** road to Modern Props containing approximately 8,200 square feet and extending approximately 530 lineal feet parallel to Jefferson Boulevard between Carmona Avenue and Clyde Avenue along the Exposition Right of Way in the City of Los Angeles for a purchase price of \$120,000.

17. FAILED on consent calendar awarding of contract to Municipal Resource Consultants (MRC) for **sales tax audit and forecasting services** for two years, with three-one year options.

Audit and revenue recovery services are on a contingency basis at the following rates:

Recoveries	Fee %
under \$6M	23%
\$6M -20M	17%
over \$20M	11%

Forecasting services are at a contract cost of \$25,000 per year, \$125,000 for the full five year period.

21. APPROVED revisions to the **MTA Records Retention Schedule**

24. APPROVED:

- A. execution of contract amendment with Frank Scotto Towing through August 31, 2002 to **provide Metro Freeway Service Patrol (FSP) service** during evening freeway construction along the I-110 Harbor/Pasadena Freeway for a total amount not to exceed \$150,000;
- B. execution of twelve contract amendments to extend Metro Freeway Service Patrol (FSP) towing contracts through April 30, 2000 for an aggregate total amount not to exceed \$1,144,558.

Item	Contractor	Contract	Existing Contract Amount	Revised Contract Amount	Contract Increase Amount
A	Frank Scotto	FSP99A-1	\$1,401,918	\$1,551,918	\$150,000
Total					\$150,000
B	US Tow	FSP96-2	\$1,220,567	\$1,385,398	\$164,831
B	Tom Johns	FSP96-6	\$1,268,247	\$1,414,006	\$145,759
B	Mike's Club	FSP96-10	\$1,096,479	\$1,244,869	\$148,390
B	Mike's Club	FSP96-22	\$ 926,070	\$1,069,167	\$ 143,097
B	Al's Towing	FSP96-32	\$ 645,765	\$ 700,825	\$ 55,060
B	Girard & Peterson	FSP96-35	\$ 952,283	\$1,098,344	\$ 146,061
B	Frank Scotto	FSP96-39	\$ 963,325	\$1,091,847	\$ 128,522
B	J & M Towing	FSP96-40	\$1,231,010	\$1,406,150	\$ 175,140
B	Tom John	FSP99-6	\$ 45,734	\$ 59,486	\$ 13,752
B	Classic Club	FSP99-10A	\$ 43,399	\$ 51,381	\$ 7,982
B	Classic Club	FSP99-10B	\$ 43,399	\$ 51,381	\$ 7,982
B	West Coast	FSP99-22	\$ 43,399	\$ 51,381	\$ 7,982
Total					\$1,144,558

27. FAILED on consent calendar:

- A. execution of Revision No. 2 to Contract Work Order (CWO) No. 60 to Contract No. E0070 with the Engineering Management Consultant (EMC) **for Project Management, Project Administration, and Project Control Services**, for Segment 3, North Hollywood in the amount of \$835,107 which increases the total CWO value to \$2,855,244;

B. an increase to the Project Authorization for Expenditure (AFE) in the amount of \$835,107 for a revised total AFE of \$97,684,904.

28. APPROVED declaring real properties located at **1838 S. Flower Street** and **419 West Washington Boulevard in the City of Los Angeles** as surplus and authorize the sale of said properties to the Los Angeles Community College District ("LACCD") for \$430,000.

29. APPROVED declaring real property located at **1922 Walnut Street in the City of La Verne** as surplus and authorize the sale of the property to the City of La Verne for \$172,000

30. APPROVED:

A. scheduling Saturday, November 13, 1999 as the hearing date to **receive public comment** on the following service change programs:

- MOS-3 Bus-Rail Interface Plan
- Metro Rapid Bus Demonstration Project
- Other Service Changes

B. publication of legal notice;

C. designating the CEO or his appointee, as the Public Hearing Officer

32. APPROVED:

A. the execution of a funding agreement for one year with Access Services, Inc. (ASI) to provide **Americans with Disabilities Act (ADA) Complementary Paratransit**;

B. directing staff to work with ASI in the development of a multi-year business plan, that would be presented to both agencies' Boards no later than January, 2000, that would identify strategies to continue to provide services as required under the ADA and accommodate the anticipated increases in ASI demand in the most cost efficient manner as recommended in the Triennial Performance Audit.

APPROVED UNDER COMMITTEE AUTHORITY Items 11, 13, and 26

11. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. B760 Metro Red Line, North Hollywood/Segment 3, with California Neon Products, **to provide funding for negotiated changes**, under Board-delegated staff authority in the amount of \$49,100, increasing the current Segment 3 AFE value to \$214,892.

13. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. E0110 - CWO 303, with Booz-Allen & Hamilton, Inc. for **Systems Engineering & Analysis** on the Metro Green Line, in an amount not to exceed \$113,065 for a total revised AFE amount from \$317,781 to \$430,846.

26. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. B795, with Custom Power, Inc. on the Metro Red Line, Vermont/Hollywood (Segment 2), **to provide funding for pending changes** under Board-delegated authority in an amount not to exceed \$150,000 increasing the current Segment 2 AFE value to \$2,455,151.

NON-CONSENT

3. RECEIVED Chief Executive Officer's Report.
 - Recognition of Rodeo Winners
 - Review of Budget Performance
 - Introduction of Intranet
 - Union Negotiations
 - Discussion with the Muni Operators re Fair Share
 - Federal Appropriations
 - Improved and better communication with BRU
 - First Quarterly Report of Consent Decree

4. Chair's Report - NO REPORT.

31. CARRIED OVER to October Board Meeting - staff response to Bernson motion on identification of alternative funding sources for the continued operation of the **Chatsworth Bicycle Station**.

33. CARRIED OVER to October Board Meeting Bernson Motion:
 - A. that MTA staff immediately develop a plan to use a portion of the Public Art Fund from the remaining two Red Line stations to construct a **complementary bus waiting area** on the street level which continues, when possible, the theme of the two unfinished stations. If there are no Public Art Funds remaining in the account for these two stations, that staff then be prepared to identify an alternative funding source for these sites.

 - B. that MTA staff be directed to identify funds and prepare an implementation schedule for the installation of bus shelters, landscaping and other commuter amenities at all other sites along the Red Line MOS-2 where they are needed for the comfort of bus riders and that staff return with this report to the Planning and Programming Committee within 60 days.

 - C. that although a new contract for the City of Los Angeles currently identifies an additional 425 bus shelter sites, that these shelters are commercial in design and nature and do not complement the theme of each station and should be considered only as a last resort

18. **CLOSED SESSION** -

- A. Conference with Real Property Negotiators concerning price and/or terms of payment - G.C. 54956.8.

Universal City Station Freeway Overcrossing,
Ramps and Station Access Road Project
MTA Parcel C3-781

AUTHORIZED to make offer to the County for purchase of property.

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

1. Simmons v. MTA Case #MON0210-566

APPROVED confidential settlement.

2. Graw v. MTA Case No. CV 97-8641

NO REPORT.

3. Labor/Community Strategy Center v. MTA CV94-5936TJH

NO REPORT.

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

1. Sharon Papa

APPROVED retirement benefit augmentation in approximate amount of \$10,000.

2. Joshua Torres

DENIED request of retirement augmentation.

3. ADDED: One Case

NO REPORT.

D. Conference with Legal Counsel - Initiation of Litigation - (G.C 54956.9(c))

One or More Cases - NO REPORT.

E. Conference with Labor Negotiator - G.C. 54956.8

Negotiator: Tom Webb

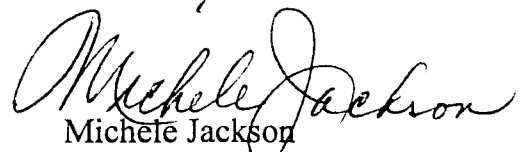
Employee Organization: AFSCME

NO REPORT.

RECEIVED public comment.

Meeting adjourned at 12:45 P.M.

Prepared by: Christina Lumba-Gamboa
Recording Secretary


Michele Jackson
Board Secretary



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

BOARD MEETING

THURSDAY, SEPTEMBER 23, 1999

ATTENDANCE

A	P	P	P	P	P	P	A	A	A	P	P	P	A	P	A
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DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	ALATORRE	ANTONOVICH	BERNSON	CRAGIN	FASANA	KNABE	LEGASPI	MOLINA	OROPEZA	VAROSLAVSKY	ROBERTS	RIORDAN	BURKE	HARRIS
1	CONSENT CALENDAR ITEMS: 2, 9, 10, 12, 16, 21, 24, 28, 29, 30 and 32 ITEMS 15, 17 AND 27 FAILED.	APPROVED	A	A	Y	Y	Y	Y	A	A	Y	A	Y	A	Y	
2	APPROVED UNDER COMMITTEE AUTHORITY: ITEM 11, 13 and 26	NOTED														
3	MINUTES -	APPROVED ON CONSENT CALENDAR														
4	REPORT OF THE CEO	RECEIVED														
4	REPORT OF THE CHAIR	NO REPORT														

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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DIRECTORS VOTING

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9	CHANGE ORDER NO. B252-CO-139.00 WITH KIEWIT SHEA JV FOR SETTLEMENT OF CLAIM NO. 72, REPAIR WATER LEAKS AT THE VERMONT/SANTA MONICA STATION	APPROVED ON CONSENT CALENDAR														
10	CHANGE ORDER NO. 03 TO CONTRACT H0648 WITH STEINY AND CO. TO RE-SEQUENCE AND ACCELERATE THE INSTALLATION WORK FOR THE METRO RED LINE	APPROVED ON CONSENT CALENDAR														
11	INCREASE IN THE AFE TO CONTRACT NO. B760 WITH CALIFORNIA NEON PRODUCTS TO PROVIDE FUNDING FOR NEGOTIATED CHANGES	APPROVED UNDER COMMITTEE AUTHORITY	A					Y	Y		Y	Y				

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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A P P P P P P P P P P P P P P P P A

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12	CHANGE ORDER NO. 122 TO CONTRACT C0311 WITH TRAYLOR BROS./FRONTIER -KEMPER JV FOR THE COMPLETED CONSTRUCTION OF CROSS PASSAGE NO. 60	APPROVED ON CONSENT CALENDAR														
13	INCREASE IN AFE TO CONTRACT NO. E0110-CWO 303 WITH BOO9Z ALLEN & HAMILTON FOR SYSTEMS ENGINEERING & ANALYSIS ON THE METRO GREEN LINE	APPROVED UNDER COMMITTEE AUTHORITY	A					Y	Y			Y				
15	AUTHORIZE EXECUTION OF FIVE YEAR LICENSE AGREEMENT WITH SCE FOR THE LEASE OF A SEVEN ACRE SITE IN LONG BEACH	FAILED ON CONSENT CALENDAR								C						

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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16	AUTHORIZE THE CONVEYANCE OF A VARIABLE WIDTH SURFACE EASEMENT FOR AN EMERGENCY FIRE ACCESS ROAD TO MODERN PROPS	APPROVED ON CONSENT CALENDAR														
17	AWARD CONTRACT TO MUNICIPAL RESOURCE CONSULTANTS FOR SALES TAX AUDIT AND FORECASTING SERVICES	FAILED ON CONSENT CALENDAR	C												C	
18-A	CLOSED SESSION: APPROVE JUST COMPENSATION ON MTA PARCEL C3-781	APPROVED OFFER TO COUNTY FOR PURCHASE OF PROPERTY			Y	Y	Y	Y	Y	A	Y	Y	Y	A	Y	
18-B-1	SIMMONS V. MTA CASE #MNO210-566	APPROVED CONFIDENTIAL SETTLEMENT OFFER	A	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A	Y	

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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18-B-2	GRAW V. MTA	NO REPORT														
18-B-3	LABOR/COMMUNITY STRATEGY CENTER	NO REPORT														
18-C-1	JOSHUA TORRES	DENIED RETIREMENT BENEFIT AUGMENTATION	A	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A	Y	
18-C-2	ANTICIPATED LITIGATION - SHARON PAPA	APPROVED RETIREMENT BENEFIT AUGMENTATION IN APPROXIMATE AMOUNT OF \$10,000	A	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A	Y	
18-C-3	ADDED: ONE CASE	NO REPORT														

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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18-D	INITIATION OF LITIGATION - ONE CASE	NO REPORT														
18-E	LABOR NEGOTIATION - AFSCME	NO REPORT														
21	APPROVE REVISIONS TO THE MTA RECORDS RETENTION SCHEDULE	APPROVED ON CONSENT CALENDAR														
24	APPROVE EXECUTION OF CONTRACT AMENDMENT WITH FRANK SCOTTO TOWING TO PROVIDE METRO FREEWAY SERVICE PATROL SERVICE.	APPROVED ON CONSENT CALENDAR														
26	INCREASE IN AFE TO CONTRACT NO. B795 WITH CUSTOM POWER INC. ON THE MRL TO PROVIDE FUNDING FOR PENDING CHANGES.	APPROVED UNDER COMMITTEE AUTHORITY	A					Y	Y		Y	Y				

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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30	SCHEDULING SATURDAY, NOV. 13, 1999 AS THE HEARING DATE TO RECEIVE PUBLIC COMMENT ON THE MOS3 BUS RAIL INTERFACE PLAN; METRO RAPID BUS DEMONSTRATION PROJ; OTHER SERVICE CHANGES	APPROVED ON CONSENT CALENDAR														
31	RECEIVE AND FILE STAFF RESPONSE TO BERNSON MOTION RE CHATSWORTH BICYCLE STATION.	CARRIED OVER TO OCTOBER BOARD MEETING	A	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A	Y	

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT



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ATTENDANCE	A	P	P	P	P	P	P	A	A	P	P	A	P	A
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DIRECTORS VOTING

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32	EXECUTION OF FUNDING AGREEMENT FOR A MAXIMUM PERIOD OF ONE YEAR WITH ACCESS SERVICES INC. (ASJ) TO PROVIDE AMERICANS WITH DISABILITIES ACT (ADA) COMPLEMENTARY PARATRANSIT.	APPROVED ON CONSENT CALENDAR														
33	BERNSON MOTION RE PUBLIC ART FUND ON COMPLEMENTARY BUS WAITING AREA	CARRIED OVER TO OCTOBER BOARD MEETING	A	Y	Y	Y	Y	Y	A	A	Y	Y	Y	A	Y	

LEGEND: Y - YES, N - NO, C - CONFLICT, AB - ABSTAIN, A - ABSENT, P - PRESENT