



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, April 27, 2000

Called to order at 9:50 a.m.

Directors:

Yvonne Brathwaite Burke, Chair
James Cragin, First Vice Chair
Michael Antonovich
Hal Bernson
Jaime de la Vega
John Fasana
Don Knabe
Jose Legaspi
Jenny Oropeza
Frank Roberts
Zev Yaroslavsky
Robert W. Sassaman, Ex Officio

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, 13***, 24, 25, 33, 34, 35, 36, 37, 42A, 42B, 42C, and 45

*** (REQUIRES 2/3 VOTE OF THE BOARD)

NOTED COMMITTEE AUTHORITY ITEMS: 15, 16, 17, 18, and 19

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting of March 23, 2000.
3. Chief Executive Officer's Report - Julian Burke announced that a Rapid Bus and low-floor bus were on display in the Plaza.
4. Chair's Report - Introduced new Ethics Officer, Karen Gorman
5. Transit Group Commander Garrett Zimmon presented a Plaque of Recognition to TOS Ricardo Perez who trained over 2,700 officers from other agencies to integrate the MTA Rail Safety Plan.
6. APPROVED AS AMENDED TO PAY \$43,583 TO NEW FLYER OF AMERICA AND CARRIED OVER TO THE NEXT COMMITTEE MEETING ACTION REGARDING CLEVER DEVICES ~~execution of a deductive change order with New Flyer of America for deletion of the Automatic Voice Annunciation System for the 223 high floor CNG buses reducing the contract amount by \$3,252,299 including sales tax, for a total revised contract amount of \$78,309,770 including sales tax.~~
7. CONSIDERED IN CLOSED SESSION - NO REPORT. ANTONOVICH MOTION: I, therefore, move that this Board instruct County Counsel to:
 1. Request from the Schumakers, through their attorney, an exact amount of their damages, along with supporting documentation, and;
 2. Sit down with the plaintiff's attorney in an attempt to resolve this dispute.
11. CARRIED OVER TO MAY 8, 2000 SPECIAL BOARD MEETING award of five-year contracts for **Contracted Bus Services**, each containing three one-year options, for a total of eight years, for an amount not to exceed \$227,723,166 including the provision of contractor-furnished buses (not including passenger revenue offset) subject to FTA approval. The following firms are recommended for award:

FIRM	LINES	8-YEAR CONTRACT AMOUNT
Base Service		
1. First Transit, Inc.	125, 128, 130, 205,225/226, 232, 177, 254, 256, 266, 270 (11 lines)	\$150,731,418
2. Coach USA/Progressive	96, 167 (2 lines)	\$34,336,533
Pilot Lines		
1. Coach	214	\$5,900,993

USA/Progressive		
2. MV Transportation	58	\$10,991,418
3. R & D Transportation	530, 577 (2 lines)	\$25,762,804

12. CARRIED OVER TO MAY 8, 2000 SPECIAL BOARD MEETING execution of a change order with Laidlaw Transit Services, Inc., **for local transit services** for a period of 30 days in an amount not to exceed \$604,000 for a total revised contract amount of \$26,352,307, extending the period of performance through June 30, 2000.
13. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE adoption of the following motion: that the **Universal Fare System** consists of highly specialized electronic fare collection equipment, such that the procurement qualifies under Public Utilities Code section 130238 for procurement by competitive negotiation. Using this methodology, staff will solicit a package of system hardware, software and related services.
15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. execution of Change Order No. 2 which incorporates Work Authorization Change Notice (WACN) No. 24 to Contract No. C0326, Universal City Station Freeway Overcrossing and Site Restoration, with Brutoco Engineering and Construction, Inc., (BEC), **for accelerating the C0326 contract schedule to support the opening of Segment 3, North Hollywood Extension**, Revenue Operations Date (ROD), for the Metro Red (A) Line, in an amount not to exceed \$1,346,797, increasing the Total Contract Value from \$28,203,456 to \$29,550,253; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. C0326 to provide funding this change order in the amount of \$1,346,797, increasing the current Segment 3 AFE amount from \$32,075,749 to \$33,422,546.
16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 159 to Contract No. C0311, Tunnel Line Section to Universal City, with Traylor Bros./Frontier-Kemper, Joint Venture, **for the close-out of five contract line items**, to reflect the actual quantities installed on the Metro Red (A) Line, North Hollywood Extension, in the credit amount of \$578,520, decreasing the total contract value from \$165,768,729 to \$165,190,209.
17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. execution of Change Order No. 8 to Contract No. C0390, Ancillary Construction and Maintenance, with Steiny and Company, Inc. for the **restoration of Chandler Boulevard**, in the amount of \$999,319 on the Metro Red (A) Line, North Hollywood Extension, increasing the total contract value from \$13,594,021 to \$14,593,340; and

- B. an increase in the Authorization for Expenditure (AFE) to Contract No. C0390 to provide funding for this change in the amount of \$999,319, increasing the current AFE amount from \$19,943,094 to \$20,942,413.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY :

- A. execution of Work Authorization Change Notice No. 115.02 to Contract No. B620, Automatic Train Control, with ALSTOM Transport Signaling Inc., **to provide the design and installation of the Union Station modifications** for the Metro Red (A) Line, Segment 1, in an amount not to exceed \$425,421, increasing the Total Contract Value from \$14,254,911 to \$14,680,332;
- B. negotiation and execution of a subsequent Change Order, providing the negotiated value is less than or equal to \$425,421; and
- C. an increase in the Authorization for Expenditure (AFE) to Contract No. B620 to provide funding for the Union Station modifications in the amount of \$425,421, increasing the AFE amount from \$15,199,580 to \$15,625,001.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 4.00 which incorporates Change Notices 21.01, 21.03 and 21.04, to Contract No. C0301, Hollywood/Highland Station and Tunnels, with Tutor-Saliba-Perini, Joint Venture (TSP), **for the uncompleted work of the B251H package on the Metro Red (A) Line, North Hollywood Extension**, in the amount of \$881,507, which increases the total contract value from \$74,202,958 to \$75,084,465.

20. CONSIDERED IN CLOSED SESSION - NO REPORT.

- A. execution of a Limited Notice to Proceed (LNTP) for Consultant Change Notice (CCN) No. 814 to Contract Work Order (CWO) No. 60 to Contract No. E0070, with the Engineering Management Consultant (EMC), to **provide continued project management and administration for Design Support Services** during construction for the Metro Red (A) Line, North Hollywood Extension in an amount not to exceed \$950,000, increasing the total contract work order value from \$2,855,244 to \$3,805,244; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. E0070 to provide funding for this change, in the amount of \$950,000 increasing the current Metro Red (A) Line Segment 3, North Hollywood Extension AFE amount from \$97,684,904 to \$98,634,904.

24. APPROVED ON CONSENT CALENDAR:

- A. A twenty (20) year easement agreement with Broadwing Communications (“Broadwing”), including options to extend for two (2) additional five-year terms, **for the construction, installation, commercial use, operation and maintenance of a fiber optic communications system within 4 conduits and associated**

structures along approximately 33.7 miles of MTA East Bank and San Gabriel Subdivision right of way [including the 1.35 miles of Los Angeles to Pasadena Metro Blue (B) Line Construction Authority (“PBLCA”) right of way noted below] for the following compensation:

- (1) one-time payment of \$1,853,500 for the initial 20-year term; (MTA’s share is \$1,779,250; PBLCA share is \$74,250)
- (2) two (2), empty, 2-inch diameter conduits for MTA’s exclusive, unrestricted use (the “MTA Conduits”);
- (3) twelve (12) strands of dark fiber for MTA’s non-commercial use over 12.1 miles of the proposed route; and
- (4) twenty-four (24) strands of dark fiber for the SCRRA’s non-commercial use over 2.8 miles of the proposed route.

B. Subject to the approval of the PBLCA, a permanent easement agreement with the PBLCA permitting MTA, its successors, assigns and subtenants, including Broadwing and its successors, assigns and subtenants, to construct, install, commercially use, operate and maintain fiber optic communications systems within six (6) conduits and associated structures to be constructed by Broadwing on approximately 1.35 miles of rail right of way owned by the PBLCA (the “PBLCA Easement Area”) for the following compensation: (i) a one-time payment by MTA of \$74,250, and (ii) payment of the pro-rata share of any future compensation paid to MTA by third parties for use of the MTA Conduits over the PBLCA Easement Area.

25. APPROVED ON CONSENT CALENDAR authorizing the CEO to negotiate and execute contract documents for the lease to **service contract (defeased lease) with CIBC World Markets** and any syndication parties brought in by CIBC.

30. APPROVED:

- A. deferring construction, by the City of Los Angeles, of the **Exposition Right-of-Way Regional Bikeway Project** between Vermont Avenue and the Culver City eastern boundary until the design, timing and funding of a possible Bus Rapid Transit (BRT) or Light Rail Transit (LRT) project are resolved; and
- B. incorporating a bikeway, into the conceptual design of an Exposition Right-of-Way BRT or LRT project during Phase II of the Mid-City/Westside Corridor Study.

31. APPROVED, UNDER RECONSIDERATION, AS AMENDED actions concerning cities with balances of **Surface Transportation Program - Local (STP-L) funds** subject to lapse as of September 30, 1999 **with the exception of the Cities of Bell and San Marino. Recommendation of actions for the Cities of Bell and San Marino will be presented at the next committee meeting to allow further negotiations.**

- A. Deobligating a total of \$215, 848 (decreased by \$365,077) in lapsing 1999 Surface Transportation Program - Local (STP-L) fund balances and reallocating these funds through the STP-L allocation formula; and
- B. Allowing a six-month extension from April 1, 2000 to September 30, 2000 for all cities to obligate or trade a total STP-L lapsing fund balance of \$1,323,135 (increased by \$492,095, including \$365, 077 from A and an administrative extension of \$42,915 for Monterey Park and an adjustment of \$84,103 for Hawthorne).

32. CARRIED OVER 30 DAYS with a comprehensive report to be provided next month:

- A. in concept, of the **Access Services Inc. Business Plan**; and
- B. the following ASI budget targets for Proposition C 40% and Surface Transportation Program (STP) funds for FY 2001 through FY 2005 subject to annual budget approval.

	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Prop. C	1,972,738	7,316,005	7,705,350	7,994,161	8,273,005
STP	41,554,202	44,047,454	45,809,352	46,954,586	47,940,632
Total	\$43,526,940	\$51,363,459	\$53,514,702	\$54,948,747	\$56,213,637

33. APPROVED ON CONSENT CALENDAR:

- A. Adopting the **Phase I HOV Retrofit Soundwall** project list (Priority 1 and 2), totaling approximately \$88 million;
- B. Combining three Post 1989 HOV Retrofit Soundwall projects at an estimated total cost of \$3.8 million with their companion projects on the May, 1989 Retrofit Soundwall list for construction;
- C. Adopting the Post 1989 HOV Retrofit Soundwall Program funding plan including:
- exchanging \$34.8 million 1998 STIP revenues for Prop C 25% to implement the Priority 1 soundwall projects; and
 - earmarking \$53.2 million from the 2002 STIP Call for Projects Freeway Modal Category for the balance of the Phase I HOV Retrofit Soundwall Project (Priority 2); and
- D. Developing a funding plan for the Phase II Post 1989 Retrofit Soundwalls as part of the Long Range Transportation Plan (LRTP) Update.

34. APPROVED ON CONSENT CALENDAR:

- A. Adopting the **Los Angeles County SB 826 Social Services Transportation Coordination Action Plan** for the years 2000-2002; and
 - B. Authorizing transmission of the Los Angeles County Social Services Transportation Coordination Action Plan to Caltrans as required by statute.
35. APPROVED ON CONSENT CALENDAR:
- A. Approving the local scores for the **Federal Transit Administration (FTA) Section 5310** projects and authorizing staff to include the applications recommended for funding in the 2000-01 Regional Transportation Improvement Program (RTIP); and
 - B. Authorizing the CEO to execute the Resolution of the Los Angeles County Metropolitan Transportation Authority certifying project consistency with Regional Transportation Plan and transmit the Resolution and scoring recommendations to Caltrans.
36. APPROVED ON CONSENT CALENDAR negotiation and execution of contract amendments to **Route 30 Freeway Gap Closure Project Structures Design Contract**, Contract No. PS-4330-0123 with Wei Koo & Associates, Inc. for an amount not to exceed \$54,674, increasing the total contract value to \$2,127,801, covering the following work:
- A. Revising the engineering design for North Mountain Avenue Overcrossing, Bridge No. 53-2872 for an amount not to exceed \$16,600; and
 - B. Revising the engineering design for Thompson Creek Bridge, Bridge No. 53-2870 for an amount not to exceed \$38,074.
37. APPROVED ON CONSENT CALENDAR:
- A. execution of an agreement with the City of Los Angeles Department of Public Works to **construct and install 89 Metro Rapid Bus Stations** along the two Demonstration Corridors, Whittier/Wilshire and Ventura Boulevard, in the amount not to exceed \$4 million;
 - B. execution of an agreement with the City of Los Angeles Department of Transportation to complete **construction of the Metro Rapid Bus signal** priority system along the Ventura Boulevard corridor in an amount not to exceed \$500,000; and
 - C. execution of additional agreements with the Cities of Los Angeles, Santa Monica and Beverly Hills and with the County of Los Angeles and other jurisdictions, as needed, to complete the **Metro Rapid Bus Demonstration Program**.
42. APPROVED ON CONSENT CALENDAR positions on **State Legislation ITEMS A, B and C:**

- A. AB 2126 (McClintock) - HOV Lane Redesignation. This bill would allow a local agency to redesignate HOV lanes to mixed flow lanes under specified conditions. **OPPOSE.**
- B. AB 2127 (McClintock) - HOV Lanes State Route 118. This bill would require the re-designation of the HOV lanes on State Route 118 to mixed flow lane. **OPPOSE.**
- C. AB 2129 (McClintock) - HOV Lane Evaluation and Conversion. This bill requires a comprehensive study of HOV lanes. **OPPOSE.**

APPROVED AS AMENDED:

- D. AB 1871 (Runner) - HOV Lanes State Route 14. This bill would place conditions on HOV Lanes on State Route 14. ~~OPPOSE UNLESS AMENDED.~~ **SUPPORT IF AMENDED to be a pilot project for 18 months and to address safety issues and hours of operation.**

43. **CLOSED SESSION**

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

- 1. Yi v. MTA, BC187622.

APPROVED settlement of \$775,000

- 2. Yang v. MTA, BC187622.

APPROVED settlement of \$170,000

- 3. ATU v. MTA, BC200786

NO REPORT.

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

2 Cases (No report on one case)

AUTHORIZED payment of attorney's fees in the amount of \$31,849.07 incurred by former CEO Joseph Drew in two civil matters to which the MTA was a party.

C. Conference with Real Property Negotiators concerning Price and/or Terms of Payment: Real Estate - G.C. 54956.8

Negotiating parties MTA & McCormack Baron

Parcel Nos. B2-223 - 5454 Hollywood Blvd.

B2-223 - 5436 Hollywood Blvd.
 B2-222 - 5430 Hollywood Blvd.
 B2-177 - 1674 N. Western Ave.

APPROVED 30-day extension to continue negotiations.

D. Conference with Labor Negotiator - G.C. 54957.6

Agency Negotiator: Tom Webb

Employee Organization: UTU, ATU, TCU, AFSCME

APPROVED MOU with AFSCME pending approval by AFSCME membership.

ITEM ADDED SUBSEQUENT TO POSTING.

E. Personnel Matter - G.C. 54957

Public Employee Performance Evaluation - NO REPORT.

45. APPROVED ON CONSENT CALENDAR. Review of MTA's **marketing strategies** as they pertain to MTA clean fuel policy and the new Red (A) Line opening.

46. APPROVED DE LA VEGA MOTION AS AMENDED BY ROBERTS/BURKE: THAT the MTA Board direct the CEO to identify a schedule for and present the following **Long Range Plan** work products (consistent with those identified by MTA staff) to the MTA Board for review and approval:

A. **Phase I - Baseline Assumptions**

1. Situation assessment of existing and future mobility (traffic), air quality, and access challenges facing the region, including but not limited to identification of the:
 - a) Most congested freeways and interchanges
 - b) Most congested arterial streets and intersections
 - c) Heaviest traveled transit corridors
 - d) Areas of highest transit dependency, population density, and employment
 - e) **Areas of greatest anticipated population and employment**

growth**f) Economic development opportunities****g) System preservation and maintenance**

2. Vision, mission, goals, and criteria
3. **Development and programming (including the relationship between regional and subregional decision-making) processes**
4. Evaluation methodology
5. Baseline assumptions (including low, medium and high revenue forecasts and assumptions)

B. Phase II - Baseline Analysis

1. Baseline mobility projections
2. Preliminary strategies to mitigate deficiencies

C. Phase III - Alternatives Development and Evaluation

1. Recommended policies to guide formation of the Long Range Plan
2. Tabulations of performance by alternative

D. Phase IV - Recommended Long Range Plan

1. Sensitivity analysis
2. Recommended strategic plan
3. Recommended constrained plan

BURKE AMENDMENT: to include that efforts to use Focus Groups reflect a statistical sampling of the demographic profile of the population at large in an effort to incorporate the needs of the population at large.

47. **Calderon Bill (AB2643), as recently amended, for consideration for an ~~OPPOSE~~ position. APPROVED ON A ROLL CALL VOTE substitute motion TO TAKE A POSITION OF NEUTRAL IF AMENDED to include that beginning Fiscal Year 2000-01, the formula allocation procedure should also include portion of Proposition C 40% to the extent that these funds are directly utilized for authority bus operations.**

Ayes: Antonovich, Legaspi, Burke, Bernson, Yaroslavsky, Roberts, De la Vega

Noes: Fasana, Knabe, Cragin

Abstain: None

Absent: Oropeza, Molina, Riordan

Received public comment.

Prepared by: Christina Lumba-Gamboa
Recording Secretary

Michele Jackson
Board Secretary

[\[Recap Matrix\]](#)

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