



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, October 26, 2000

Called to order at 9:45 a.m.

Directors present:

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

Chief Executive Officer - Julian Burke
Board Secretary - Michele Jackson
Ethics Officer - Karen Gorman
Inspector General - Arthur Sinai
General Counsel - County Counsel

NOTE: Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix.

1. **APPROVAL OF CONSENT CALENDAR** Items 2, 7, 8, 18, 19, 20, 21, 22, 23, 26, 27, 31, 32, 37, 38, 44, 46, 47, 49, 56, 57 and 62

ITEMS REMOVED FROM CONSENT CALENDAR: 17, 24^{***}, 25^{***}, 48

^{***} REQUIRES 2/3 VOTE OF THE BOARD

NOTED COMMITTEE AUTHORITY ITEMS : 11, 12, 13 and 14

2. APPROVED ON CONSENT CALENDAR **Minutes** of Special Board Meeting held September 5, 2000 and Regular Board Meeting held August 24, 2000.

3. Chief Executive Officer’s Report:

CEO Julian Burke thanked the Board and staff for their hard work during the labor union negotiations.

4. Chair’s Report

- Presented a Resolution of Recognition to Lt. James Henry for apprehending a hit and run suspect who injured a striker.

7. APPROVED ON CONSENT CALENDAR execution of a ten (10) year lease extension with Baldwin Stocker, LLC, for the **lease of approximately 3,200 square feet of land at the Baldwin Hills Oil Field** situated in Los Angeles County, effective January 1, 2002, in an amount not to exceed \$330,255, including estimated CPI adjustments for years six through ten (6-10).

8. APPROVED ON CONSENT CALENDAR award of contract to Falcon Fuels Inc., Paramount, the lowest responsive, responsible bidder, to provide **unleaded gasoline** for a twenty-seven month period, for a total estimated amount of \$2.98 million, inclusive of sales tax.
9. APPROVED award of contract to Sempra Energy Solutions, San Diego, the lowest responsive, responsible bidder, to provide **natural gas** for a twelve-month period with an option for two additional one-year periods for an estimated first-year cost of \$14.2 million, and a total estimated three-year cost of \$47.02 million, inclusive of sales tax.
11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY:
 - A. payment to the Southern California Regional Rail Authority (SCRRA) for additional work performed in FY99 and FY00 to provide **Rights-of-Way (ROWs) maintenance** in the amount of \$326,800; and
 - B. entering into Amendment No. 1 to the Memorandum of Understanding (MOU) with the SCRRA that covers such work, to increase the annual funding by \$250,000, to a revised amount of \$760,000 beginning in FY01, and increasing by the Consumer Price Index (CPI) thereafter.
12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a fixed-unit-rate contract to Pacific Resource Recovery, Los Angeles, the lowest responsive, responsible bidder for the **removal and disposal of hazardous and non-hazardous drum waste** for a five-year period, for an amount not to exceed \$832,876.
13. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a firm fixed price contract to Industrial Systems Inc., Santa Ana, the lowest responsive, responsible bidder to provide **servicing of Regional Rebuild Center parts washer units** for a five-year period for an amount not to exceed \$704,464, inclusive of a 10% contingency for as needed work.

14. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of contracts to the lowest responsive, responsible bidders under Bid No. 07-0010 **to provide refrigerant** for a twenty-seven month period, for a total amount not to exceed \$528,340, inclusive of sales tax:
 - A. Full Circle, Inc. Hurst, Texas for item numbers 1, 2, and 4 for a total amount not to exceed \$399,252; and
 - B. United Refrigeration, Carson, CA for item number 3 for a total amount not to exceed \$129,088.

15. APPROVED negotiation and execution of a non-competitive contract in an amount not to exceed \$700,000, to P. B. Ferradyne **for design, engineering, testing and support services** during construction, and furnishing of controllers for the four-quadrant gate systems at specific intersections of the Metro Blue Line.

17. CARRIED OVER TO NEXT BOARD MEETING:
 - A. negotiation and execution of a Change Order to Contract C0390, Ancillary Construction and Maintenance, with Steiny and Company, Inc. for the **development of Parcel 3 near the North Hollywood Station**, North Hollywood Extension on the Metro Red Line, in an amount not to exceed \$352,000, increasing the total contract value from \$18,493,340 to \$18,845,340; and
 - B. an increase in the Authorization for Expenditure(AFE) to provide funding for this change in an amount not to exceed \$352,000, increasing the AFE to \$21,294,413.

18. APPROVED ON CONSENT CALENDAR execution of Change Order No. 191 to Contract C0321, Universal City Station, with Tutor-Saliba/Perini, Joint Venture, for the **settlement of Claim No. 28**, repair of station water leaks on

the Metro Red Line, North Hollywood Extension, in the amount of \$217,700, increasing the total contract value from \$60,420,926 to \$60,638,626.

19. APPROVED ON CONSENT CALENDAR commencement of Preliminary Engineering for Transit Corridor Projects, and execution of Amendment No. 1, which incorporates environmental geotechnical investigation services for these three additional corridors into Contract No. EN068, with Harding Lawson Associates (HLA) for **environmental engineering services**, in an amount not to exceed \$600,000, increasing the contract value from \$3,037,493 to an amount not to exceed \$3,637,493.

20. APPROVED ON CONSENT CALENDAR execution of Change Order No. 114 to Contract B261, Vermont/Sunset Station, with Tutor-Saliba-Perini, Joint Venture, **to repair flood damage on the Metro Red Line**, Vermont/Hollywood Corridors, in the amount of \$932,597, increasing the total contract value from \$53,138,281 to \$54,070,878.

21. APPROVED ON CONSENT CALENDAR execution of Change Order No. 236 to Contract No. B261, Vermont/Sunset Station, with Tutor-Saliba-Perini, Joint Venture, **to modify the Excavation Support System** on the Metro Red Line, Vermont/Hollywood Corridors, in the amount of \$489,980, increasing the total contract value from \$53,848,301 to \$54,338,281.

22. APPROVED ON CONSENT CALENDAR:
 - A. award of Contract Work Order, Time and Material Contract No. EN069 to CH2MHILL, Inc. for an amount not to exceed \$4,000,000 **to provide environmental waste-handling services for five years** (two base years with three one-year options); and
 - B. issuance of Contract Work Orders under this Contract for environmental waste-handling services.

23. APPROVED ON CONSENT CALENDAR execution of Change Order No. 41 for Contract No. B271, Hollywood/Western Station, with Kiewit-

Shea, Joint Venture, to reflect **actual quantities installed for interior and exterior walls on the Metro Red Line, Vermont/Hollywood Corridors**, in the amount of \$998,150, increasing the total contract value from \$44,301,918 to \$45,300,068.

24. APPROVED BY A 2/3 VOTE:

- A. finding, that because the elements and scope of the **Car-Borne Automatic Train Protection (ATP) equipment** are of a highly specialized and unique nature, the procurement of the ATP qualifies under Public Utilities Code (PUC) 130238 for procurement by competitive negotiation; and
- B. solicitation of Contract H0250, Automatic Train Protection, as a competitive negotiation pursuant to PUC 130238 and MTA's Procurement Policies and Procedure.

25. APPROVED BY A 2/3 VOTE:

- A. finding, that awarding contracts pursuant to Public Utilities Code (PUC) 130242(a) will achieve private sector efficiencies in the integration of the design and construction of the Chemical Storage Facility at the Regional Rebuild Center (RRC); and
- B. solicitation of **design/build Contract CO651, Chemical Storage Facility**, and relocation of an employee lounge pursuant to Public Utilities Code (PUC) 130242(a).

26. APPROVED ON CONSENT CALENDAR:

- A. and certified the Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 1 **Compressed Natural Gas (CNG) Project**;
- B. the Bus Division 1 CNG Project;
- C. adopting the recommended Mitigation, Monitoring and Reporting Program (MMRP) for the IS/MND; and
- D. the filing of Notice of Determination of the IS/MND with the Los Angeles County Clerk.

27. APPROVED ON CONSENT CALENDAR:

- A. an increase of the **Metro Blue Line Platform Extension** total project budget, and an increase of the FY01 budget by \$1.025 million which includes recommendations B, C & D;
- B. a work order authorization to the City of Long Beach in the amount of \$540,000, under the terms and conditions of the Master Cooperative Agreement, to modify traffic signalization as a result of the Blue Line three-car-train operation;
- C. negotiation and execution of a Change Order to Contract No. C0630, Blue Line Station Enhancement, with J. A. Jones Construction Company for the implementation of the traffic mitigation elements requested by the City of Long Beach, in an amount not to exceed \$385,000, increasing the total Contract Value from \$9,655,236 to \$10,040,236; and
- D. negotiation with Systra Consulting, Inc. and execution of Amendment No. 1 to Contract No. PS-8310-0566, for Automatic Train Control Design Verification Services, in an amount not to exceed \$100,000, increasing the total Contract Value from \$1,311,033 to \$1,411,033.

31. APPROVED ON CONSENT CALENDAR:

- A. execution of Amendment No. 4 to Contract PS 5110 0546 with Optisource Technologies, Inc., to provide **data archiving and imaging services** for the Accounting Department through January 31, 2001, in an amount not to exceed \$80,000; and
- B. ratification of expenditures in an amount not to exceed \$16,000 incurred in October 2000, for data imaging and archiving of August and September data, for a total revised contract amount not to exceed \$246,000.

32. APPROVED ON CONSENT CALENDAR negotiation and execution of Amendment No. 7 to Contract No. PS 5110 0251 with Pricewaterhouse Coopers, LLP, (PWC) **to conduct the annual financial audit** for Public Transportation Service Corporation (PTSC), LACMTA Leasing Authority and PTSC-MTA Risk Management Authority (PRMA) for fiscal year ended June 30, 2000, and request for additional payment for fiscal year ended June 30, 1999 audit, for an amount not to exceed \$46,000 for a total revised contract amount not to exceed \$744,836.
33. CARRIED OVER:
- A. ratification of a two-month expenditure to Contract No. PS 5310 0329 with Hertz Claim Management for **public liability/property damage claims administration services**, in the amount of \$580,404, and of additional subrogation fees for year two (2) of the contract, in the amount of \$128,508, for subrogation recoveries that exceeded the \$450,000 amount estimated at the time of contract approval, for a total revised amount not to exceed \$8,081,053 for the first 26 months of the contract; and
- B. negotiation and execution of Amendment No. 4 for the third year public liability/property damage claims administrative services, in an amount not to exceed \$2,991,853, plus an estimated \$250,000 of subrogation recovery fees, for a total amount of \$3,241,853 for the ten months from November 2000 through August 2001, for a total revised contract amount not to exceed \$11,322,906.
37. APPROVED ON CONSENT CALENDAR BURKE MOTION AS CLARIFIED that this Board, in an effort to begin the healing process:
- A. co-sponsor with the Brotherhood Crusade the Back to School Festival scheduled for October 28, 2000 in the City of Compton to **include \$500.00 participation fee**; and

- B. instruct the CEO to assign the appropriate marketing, public relations and safety staff to equip the booth(s) with personnel, and information about such things as train and right-of-way safety, student discount passes and fare media and other educational materials and handout information that promote ridership on MTA buses and trains; and
 - C. that the CEO instruct staff to bring back to this Board in November, 2000 an extensive overview of the MTA marketing and public relations departments, their strategies, budgets, and programs for this fiscal year with emphasis on detailing current **efforts regarding public outreach and education**, particularly as to the strategies to rebuild ridership. Included in this overview, but not limited to it, should be a discussion of the MTA's current and future participation in the type of community outreach events I have described and the reasons why MTA is not currently officially participating in such events. The overview should also include what strategies are being developed in response to the extensive multi-volume "Service Planning Market Research Program" conducted by the MTA over the past several years. Marketing and Public Relations staff shall return hereafter on a bi-monthly basis to the Executive Management Committee to report on the progress of those strategies and the progress of the MTA's public outreach program; and
 - D. that the CEO instruct staff to return with strategies for improving and expanding the MTA website to better serve our riding public, municipal operators and stakeholding agencies.
38. APPROVED ON CONSENT CALENDAR exercise of the third and final one-year renewal option with each Certified Public Accountant (CPA) firm within the **CPA Audit Pool**, for services from December 2, 2000 through December 1, 2001, in the aggregate amount not to exceed \$3,296,840, increasing the total contract amount from \$6,624,107 to \$9,920,947.

CLOSED SESSION:

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

1. Choice v. MTA, Case No. VN0378-980

APPROVED structured settlement in the amount of \$346,000.

2. Herrera v. MTA, Case No. BC217076

APPROVED settlement in the amount of \$275,000.

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

APPROVED close-out of Contract B281, Hollywood/Vine, in the amount of \$6.5 million.

C. Closed Session - Conference with Labor Negotiator - G.C. 54957.6:

Agency Negotiator: Tom Webb

Employee Organization: UTU, ATU, TCU, AFSCME

NO REPORT.

41. APPROVED negotiation and execution of a contract with Parsons Brinckerhoff Quade & Douglas, Inc. (PBQ&D), Los Angeles, for the **I-710 Major Corridor Study**, (for a period of 24 months) in an amount not to exceed \$3,697,147.

42. APPROVED a six-month Exclusive Negotiation Agreement (ENA) with the Macleod Partnership, for the **development of approximately 3.65 acres of MTA owned properties** located at the Westlake MacArthur Park Metro Red Line Station.

43. UNDER RECONSIDERATION REFERRED BACK TO STAFF TO CONSULT WITH THE CITY OF BURBANK AND REPORT BACK AT THE NEXT MEETING.

Approval of the City of Burbank's request for deviations from MTA's Rights-of-Way Preservation Guidelines regarding the **Burbank Chandler Right-of-Way** as follows:

- A. deny request to plant trees beyond five (5) feet from the perimeter property line; and
 - B. approve request to extend ground cover beyond ten (10) feet to the edge of the planned bikeway, provided that a single variety, low-lying ground cover is used.
44. APPROVED ON CONSENT CALENDAR entry into an agreement with Los Angeles County Service Authority for Freeway Emergencies (SAFE) to allow the MTA to act as the designated **grant recipient for Federal Highway Administration (FHWA) funds on behalf of SAFE.**
45. CARRIED OVER TO THE NEXT BOARD MEETING authorizing the Chief Executive Officer, or his designee, to enter into agreements with interested cities and local agencies in Los Angeles County for the MTA to act as the **designated grant recipient for Federal Transit Administration (FTA) funds** on their behalf. **Such authorization is not extended to FTA Section 5307 Urban Area Formula Program funding currently allocated under the Formula Allocation Process.**
46. APPROVED ON CONSENT CALENDAR adoption of a resolution certifying that the **Los Angeles County Transportation Improvement Program (TIP)**, submitted for inclusion in the Southern California Association of Governments' (SCAG) FY 2001-FY 2006 Regional TIP, is financially constrained.

47. APPROVED ON CONSENT CALENDAR adoption of a **resolution certifying that the MTA will sustain its level of expenditures** for transportation purposes, at a level that is consistent with the average of its annual expenditures during fiscal years 1998 through 2000, including funds reserved for transportation purposes, during the time that the state funding allocations provided under the Traffic Congestion Relief Program (TCRP) are available for use.
48. APPROVED ON CONSENT CALENDAR negotiation and execution of amendments directing the professional service contract consultants listed below to prepare **aerial photography and mapping along the Transit Corridor** alignments for an aggregate amount not to exceed \$708,483.
- A. amend the Eastside LRT Project, Contract PS-4350-0513, with the consultant team headed by Jenkins/Gales & Martinez/Parsons Brinckerhoff (JGM/PB) in an amount not to exceed \$130,821;
 - B. amend the Wilshire BRT Project, Contract PS-4350-0512, with the consultant team headed by Korve Engineering in an amount not to exceed \$182,387; and
 - C. amend the San Fernando Valley BRT Project, Contract PS-4320-0580, with the consultant team headed by Gruen Associates in an amount not to exceed \$395,275.
49. APPROVED ON CONSENT CALENDAR BERNSON MOTION that the Board direct staff to:
- A. increase, both the number of **bicycle lockers and bicycle racks** at the North Hollywood Station, as soon as possible;
 - B. provide recommendations on the feasibility of increasing the number of bicycle lockers and racks at other transit stations; and
 - C. prepare and present a comprehensive report on this matter at the November 2000 Board meeting.

55. APPROVED:
- A. negotiation and execution of a firm-fixed price contract with Parsons Brinckerhoff, Quade and Douglas (PBQD) **to provide Quality Assurance Surveillance Services** for 808 new buses, at manufacturers' facilities under contract to MTA, for a period of three (3) years in the amount of \$1,247,178; and
 - B. exercise of two (2) separate one-year Options with PBQD to continue Quality Assurance Surveillance Services for additional new buses in the amount of \$728,374, for a total contract amount not to exceed \$1,975,552.
56. APPROVED ON CONSENT CALENDAR an increase in the Authorization for Expenditure (AFE) to Contract MC055, Claims Resolution and Litigation support services with Sverdrup Civil Inc. **to provide funding for an increase in the services of Mr. Dwight Chewning** through February 2001, in the amount of \$150,000, which is within the Board delegated authority, increasing the total current AFE amount from \$350,000 to \$500,000.
57. APPROVED ON CONSENT CALENDAR execution of Change Order No. 51 to Contract No. B261, Vermont/Sunset Station, with Tutor-Saliba-Perini, Joint Venture, **to modify the station structure for the Kaiser Entrance** on the Metro Red Line, Vermont/Hollywood Corridors, Vermont/Sunset Station, in the amount of \$622,274, increasing the total contract value from \$53,716,007 to \$54,338,281.
59. UNDER RECONSIDERATION REFERRED BACK TO STAFF TO CONSULT WITH THE CITY OF BURBANK AND REPORT BACK AT THE NEXT MEETING.

Approval of ROBERTS/ANTONOVICH MOTION - that the MTA grant the exceptions to the MTA **Right-Of-Way Preservation Guidelines** that the City of Burbank has requested for the City's Chandler Boulevard Bikeway project.

~~WE FURTHER MOVE that the CEO be directed to revise the existing Guidelines to provide additional flexibility for the use of MTA rights-of-way where no transit projects have been included in the MTA's Long-Range Transportation Plan.~~

60. APPROVED BURKE'S MOTION that the MTA Board of Directors accept the Mayor's invitation to explore the **establishment of an agreement between the City of Barcelona, Spain and the MTA** in an effort to share information that may be helpful to both cities.
61. NO ACTION TAKEN regarding:
- A. execution of a Change Order with Fujitec America Inc., **to provide elevator/escalator service** for an additional (6) month performance period in an amount not to exceed \$455,649 for a revised contract amount of \$3,542,012, inclusive of a 10% contingency;
 - B. execution of a Change Order with Millar Elevator Service Company to provide elevator service for an additional six (6) month period in an amount not to exceed \$149,343 for a revised contract amount of \$1,469,359, inclusive of a 10% contingency.
62. APPROVED UNDER RECONSIDERATION:
- A. scheduling an additional hearing date of Saturday, November 18, 2000 at 10:00 a.m. **to receive public comment on the following service change program:**
 - Harbor Transitway Service Modifications
 - Wilshire-Whittier Corridor Service Refinements
 - Ventura Boulevard Corridor Service Refinements
 - Proposed Implementation of Other Service Changes; and
 - B. authorizing publication of the public hearing notice.
63. APPROVED AS AMENDED ANTONOVICH MOTION: that this Board authorize a management audit, **to provide recommendations to reduce the agency's multi-million dollar deficit**, and direct the Chief Executive

Officer to report back at the November meeting with a time table to implement the audit.

THE CEO TO REPORT BACK ON THE POSSIBILITY OF INCORPORATING THIS AUDIT INTO THE TRIENNIAL AUDIT.

Prepared by: Christina Lumba-Gamboa
Recording Secretary

Michele Jackson
Board Secretary