



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**

April 26, 2001

Called to order at 9:55 a.m.

Directors Present:

Yvonne Brathwaite Burke, Chair
Michael Antonovich
Hal Bernson
John Fasana
Don Knabe
Jose Legaspi
Beatrice Proo
Frank Roberts
Jeff Walden
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. APPROVED **Consent Calendar** Items 2, 14, 15, 16, 22, 23, 24, 25, 30, 37, 38, 39, 42

NOTED Committee Authority Items: 18 and 19

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held March 22, 2001.

3. Chief Executive Officer's Report

NONE

4. Chair's Report

- Chair Burke and Director Bernson presented Resolutions to departing Director Cragin from the MTA and the City of Los Angeles, respectively.

5. CARRIED OVER to May Board meeting election of **First Vice Chair**.

6. RECEIVED report from Chair Brian Russell of the Independent Citizens' Advisory and Oversight Committee regarding the **Propositions A & C Audit - FY 2000 Public Hearing**.

7. CARRIED OVER:

- A. execution of five-year multiple award agreements with three firms, J. L. Patterson, Inc., TEC Management Consultants, Inc. and Carter-Burgess, Inc. to provide **Construction Management Services** for MTA Capital Improvement Projects with a cumulative total amount not to exceed \$4,000,000 inclusive of three one-year options; and
 - B. issuance of Task Orders under these agreements for Construction Management Services.
8. APPROVED, AS AMENDED, to require a $\frac{3}{4}$ vote on future changes:
- A. creation of an **ongoing Municipal Operator Bus Service Improvement Program** beginning in FY 02 to improve service to the transit dependent countywide by reducing overcrowding and expanding services;
 - B. authorizing the Chief Executive Officer, or his designee, to execute funding agreements with the Municipal Operators, which will include the joint agreement that for the duration of the program neither the MTA nor the Municipal Operators will pursue legislation, legal or other actions to alter the funding sources currently subject to formula allocations;
 - C. programming \$15 million of Proposition C 40% funds for FY 2002 to fund the first year of the Program. Funding of \$15 million of Prop C 40% funds will be programmed in each of the following four years for a total of \$75 million, plus 3% cumulative annual increases; and
 - D. supporting a joint draft amendment to AB974 to incorporate the terms of this agreement between the MTA and the Municipal Operators.
9. APPROVED UNDER RECONSIDERATION, subject to amendments at the May Board Meeting, resolution adopting the **2001 Long Range Transportation Plan** for Los Angeles County.

10. CARRIED OVER to the May Board Meeting revised recommendation to ratify the **Betterment Agreement**, previously approved by the Chief Executive Officer, between the Los Angeles to Pasadena Metro Blue Line Construction Authority and the Los Angeles County Metropolitan Transportation Authority to **replace the traction power disconnects with circuit breakers** in the amount of \$606,760.

14. APPROVED ON CONSENT CALENDAR award of contracts to the lowest responsive, responsible bidders for non-revenue vehicles under Bid 01-0123 for a total contract value of \$2,047,808, inclusive of sales tax:
 - A. Reynolds Buick GMC for line item 1, 24 mini-passenger vans for a total contract value of \$505,915;
 - B. Downey Ford for line item 2, eight full-size passenger vans for a total contract value of \$185,310;
 - C. Ford West for line item 3, 25 full-size cargo vans for a total contract value of \$503,901; and
 - D. Ford West for line item 4, 40 full-size cargo vans with inverters for a total contract value of \$852,682.

15. APPROVED ON CONSENT CALENDAR award of contracts to the lowest responsive, responsible bidders for **non-revenue vehicles under Bid 02-0106** for a total contract value of \$1,160,821, inclusive of sales tax:
 - A. Burch Ford for line items 2, 2a, 3, 4 and 4a, 43 trucks for a total contract value of \$1,058,318; and
 - B. Thorson Motor Center for line item 5, two trucks for a total contract value of \$102,503.

16. **APPROVED ON CONSENT CALENDAR** execution of a three-year, non-competitive contract with the Los Angeles County Probation Department for **graffiti removal and abatement services** by juvenile and adult offender work crews for an amount not to exceed

\$465,000.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY contract modifications to Contract E0070, Engineering Design Services, with Engineering Management Consultants, on the Metro Red Line, North Hollywood Extension, Segment 3, as follows:
 - A. execution of Change Order No. 15, for **design support during construction services** for Contract C2327, L.A. River Bridge Widening, for an amount not to exceed \$243,803;
 - B. execution of Change Order No. 16, for additional design support during construction services for Contract C0326, 101 Freeway Overcrossing, for an amount not to exceed \$521,259 increasing the cumulative contract work order value from \$100,166,746 to \$100,931,808; and
 - C. an increase in the Authorization for Expenditure (AFE) to provide funding for Change Order No. 16 in the amount of \$521,259, increasing the current Segment 3 AFE amount from \$100,929,769 to \$101,931,808.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
 - A. extending Contract No. E0110 (Contract), Systems Engineering & Analysis, with Booz-Allen & Hamilton, Inc. (BAH), from May 1 through December 31, 2001, **to provide systems engineering and analysis** for Metro Rail Projects, for an amount not to exceed (NTE) \$973,999, increasing the total contract value from \$5,706,980 to \$6,680,979;
 - B. an increase in Authorization for Expenditure (AFE) to Contract No. E0110 for the Metro Green Line for CWO No. 303, Project 800023, to provide funding to extend the Contract for an amount NTE \$407,258, increasing the current Green Line AFE from \$586,588 to \$933,846;
 - C. an increase in AFE to Contract No. E0110 for System Safety Enhancements for CWO No. 304, Project 800089, to provide funding to extend the Contract for an amount NTE \$158,156, increasing the current System Safety Enhancements AFE from

\$498,861 to \$657,017; and

- D. an increase to AFE for Contract No. E0110 for Systemwide Support for CWO No. 306, Project 800275, to provide funding to extend the Contract for an amount not to exceed \$72,057, increasing the current Systemwide AFE from \$976,024 to \$1,048,081.

22. APPROVED ON CONSENT CALENDAR:

- A. execution of Amendment No. 11 to Contract No. PS 5110 0251 with PRICEWATERHOUSECOOPERS, LLP. (PWC) to conduct the **annual financial audit** for Public Transportation Service Corporation (PTSC), LACMTA Leasing Authority, PTSC-MTA Risk Management Authority (PRMA), Service Authority for Freeway Emergencies (SAFE), and State Transit Assistance Funds (STAF) for fiscal year ended June 30, 2001, for the amount of \$55,048; and
- B. an amendment with PWC to conduct the annual financial audit for Public Transportation Service Corporation (PTSC), LACMTA Leasing Authority, PTSC-MTA Risk Management Authority (PRMA), Service Authority for Freeway Emergencies (SAFE), and State Transit Assistance Funds (STAF) for fiscal year ended June 30, 2002, for an amount to be negotiated but not to exceed \$57,923, for a total revised contract amount not to exceed \$1,336,640.

23. APPROVED ON CONSENT CALENDAR adopting the Reimbursement Resolution that will allow the MTA to reimburse its cash account from future tax-exempt bond proceeds for **accelerated payments to the Alameda Corridor Transportation Authority (ACTA)**.

24. APPROVED ON CONSENT CALENDAR:

- A. an increase to the authorized dollar value for the **Programmers Bench to provide additional programming technical consulting services** for an amount not to exceed \$192,122,

increasing the total bench value from \$2,125,000 to \$2,317,122;
and

- B. execution of an amendment to the existing contract Task Order No. 3 with APR Consulting, Inc. (APR), one of the Programmers Bench contractors, to provide technical consulting services for the Transit Operating and Trends System (TOTS) Series/ 1 Migration Project, for a period of five months, for an amount not to exceed \$201,000, for a revised total task order value from \$120,000 to \$321,000.

25. APPROVED ON CONSENT CALENDAR:

- A. negotiation and execution of a “like kind exchange” **defeased lease transaction** for six MTA properties with Agilent Technologies, Inc. (Agilent), as the equity investor, and other documents as outlined;
- B. payment of fees and transaction expenses not to exceed \$3.040 million; and
- C. adoption of a resolution authorizing the “like kind exchange” defeased lease transaction for the six MTA properties.

28. CARRIED OVER to the May Board Meeting oral monthly status report on **Pasadena Blue Line Joint Powers Authority.**

30. APPROVED ON CONSENT CALENDAR the following positions on **Federal Legislation:**

- A. S. 217 (U.S. Senator Schumer) - Amend the Internal Revenue Code to increase the dollar limitation for all types of transportation fringe benefits from \$65 to \$175. **SUPPORT**
- B. H.R. 318 (U.S. Representative McGovern) - Amend the Internal Revenue Code to increase the dollar limitation for all

types of transportation fringe benefits from \$65 to \$175.
SUPPORT

31. APPROVED:

- A. execution of Contract No. PS-2020-1051, a non-competitive contract with Dr. Eisenstein, for **geotechnical and tunneling consulting** as a member of the Tunnel Advisory Panel for 60 days at the rate of \$137.50 per hour; and
- B. execution of Contract No. PS-2020-1055, a non-competitive contract with Dr. Martin, for geotechnical and tunneling consulting as a member of the Tunnel Advisory panel for 60 days at the rate of \$137.50 per hour.

36. APPROVED:

- A. local scores for the Federal Transit Administration (FTA) Section 5310 projects; authorizing staff to include the applications recommended for funding in the **2001-02-Regional Transportation Improvement Program (RTIP)**; and
- B. execution and transmission of the Resolution and **revised** scoring recommendations to Caltrans.

37. APPROVED ON CONSENT CALENDAR execution of Amendment No. 8 to Contract No. 07H004, Project ID No. 350B with MK Centennial, to **expedite additional design work for the Route 10 HOV lane** between Route 57 and the San Bernardino County Line (SBCL) in the amount of \$65,500, increasing the total MTA contract value from \$8,734,568 to \$8,800,068.

38. APPROVED ON CONSENT CALENDAR award of a two-year, firm fixed-price contract to Booz, Allen & Hamilton for evaluation of **Regional Surface Transportation Improvement Projects** in the amount of \$457,387.

39. APPROVED ON CONSENT CALENDAR negotiation and execution of contract amendments with the consultants listed below to **prepare FTA Section 5309 Reports and Requests to Enter Into Final Design Phase in support of the Eastside, Mid-City/Westside and San**

Fernando Corridor Studies, for an aggregate amount not to exceed \$245,371:

- A. Parsons Brinckerhoff, Quade & Douglas/Jenkins/Gale/Martinez (PBQD/JGM), Contract PS-4350-0513, the Eastside LRT Project, for an amount not to exceed \$134,051, revising the total contract value from \$3,539,605 to \$3,673,656;
 - B. Korve Engineering, Contract PS-4350-0512, the Mid-City/Westside Corridor Project, for an amount not to exceed \$66,481, revising the total contract value from \$4,220,942 to \$4,287,423; and
 - C. Gruen Associates, Contract PS-4320-0580, the San Fernando Valley BRT Project, for an amount not to exceed \$44,839, revising the total contract value from \$2,022,151 to \$2,066,990.
41. Definitized recommendation FAILED on a Roll Call Vote:
- A. awarding Contract No. PM022 to URS Corporation, the most technically qualified and lowest priced Proposer, to provide **Project Management Assistance (PMA) services** for three years, to support the Eastside Corridor Light Rail Project, San Fernando Valley Rapid Bus Project, Mid-City Wilshire Rapid Bus Project, Segment 3 Close-Out, Capital Improvement Projects and Programwide Projects;
 - B. awarding a secondary contract, to Carter & Burgess Inc., the second most technically qualified and lowest priced firm, to provide PMA services in any instance where URS would have an organizational conflict of interest, as determined by the MTA, in the performance of Contract No. PM022, for a total cumulative contract value, of the primary and secondary contracts, in an amount not to exceed \$700,000 as initial funding from the Board approved FY01 budget for project management assistance; and
 - C. negotiating and issuing specific Contract Work Orders (CWOs) under this contract for necessary PMA services.
42. APPROVED ON CONSENT CALENDAR execution of time and materials contract with Computer Business Programs (CBP) for Phase 2, Technical Support Services, on the project to **upgrade the MTA Financial Information System (FIS)** for a period of ten months for an amount not to exceed \$664,400; subject to resolution of any protest.

43. APPROVED POSITIONS on **State Legislation** Items B through J:

CORRECTED RECOMMENDATION - FAILED

- A. SB 829 (Karnette) – would permanently dedicate the sales tax on gasoline for transportation purposes. ~~and split the revenue equally between STIP, local streets and roads, and the Public Transportation Account.~~ . **SUPPORT**
- B. AB 227 (Longville) – would sunset the Governor’s Transportation Congestion Relief Program after six years and permanently allocate the sales tax to the Transportation Investment Fund. **SUPPORT**
- C. ACA 9 (Dutra) – is a constitutional amendment that would dedicate the sales tax on gasoline beyond 2006. **SUPPORT**
- D. SCA 3 (Karnette) – is a constitutional amendment that would relax the limitations of Article XIX of the Constitution and allow gas tax revenues to be used for additional mass transportation purposes. **SUPPORT**
- E. AB 1396 (Longville) – would create an annual \$100 million Passenger Rail Improvement, Safety and Modernization Program. **SUPPORT**
- F. SB 547 (Figueroa) – would provide a tax credit to employers that provide subsidized transit passes to their employees. **SUPPORT**
- G. AB 984 (Papan) – would allow transit agencies to enter into lease-leaseback arrangements with private companies. Allowing transit agencies to gain additional revenue at no cost to the state. **SUPPORT**
- H. AB 1079 (Oropeza) – requires every bus operated by a public agency to be equipped with a 2-way communication device for emergency purposes. **SUPPORT**
- I. SB 919 (Polanco) – would prohibit advertising displays on land owned or operated by the MTA. Only existing advertising that is already in place as of March 1, 2001, would be exempt from this

prohibition. **OPPOSE**

- J. AB 1220 (Pavley) - would restart a Caltrans program that would create park and ride facilities to complement the MTA's Rapid Bus service. **SUPPORT WITH AMENDMENTS**

44. **CLOSED SESSION:**

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

1. Capelli v. MTA, Case No. EC 029936
APPROVED settlement in the amount of \$400,000.
2. Toto v. MTA, Case No. EC 028939
APPROVED settlement in the amount of \$450,000.
3. Wallace v. MTA, Case No. BC 171005
APPROVED settlement in the amount of \$2,000,000.
4. Tutor-Saliba-Perini v. MTA, Case No. BC 123559
NO REPORT
5. Argonaut v. MTA, Case No. BC 171636
NO REPORT
6. EMC v. MTA, Case No. BC 207617
NO REPORT
7. Gerlinger v. Parsons-Dillingham, Case No. BC 150298
NO REPORT
8. Obayashi v. MTA, Case No. EC 024692
NO REPORT

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

Three cases.

APPROVED settlement to Morrison-Knudsen for Contract B610 in the amount of \$1.35 million.

C. Conference with Labor Negotiator – G.C. § 54957.6

Agency Negotiators:	Julian Burke and Brenda Diederichs
Employee Organizations:	AFSCME, Teamsters, and Engineers and Architects Association

NO REPORT

45. ADDED SUBSEQUENT TO POSTING OF THE AGENDA:

APPROVED YAROSLAVSKY MOTION that the Board direct MTA staff to seek **exemption from rotating power outages** due to safety considerations, impacts to surrounding street traffic near rail transit at-grade crossings, and the detrimental effect of significantly reduced mobility to our riding public.

PREPARED BY: Rhodona Enright
Recording Secretary

Michele Jackson
Board Secretary