



**AGENDA
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
BOARD OF DIRECTORS**

**MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles**

Thursday, December 18, 1997 - 9:30 AM

Call to order:

Directors/Alternates:

Richard Riordan/Jaime de la Vega, Chair
Yvonne Brathwaite Burke/Michael Bohlke, First Vice Chair
James Cragin/George Nakano, Second Vice Chair
Richard Alatorre/Nate Holden
Michael Antonovich/Nick Patsaouras
Hal Bernson/Richard Alarcón
John Fasana/Beatrice La Pisto-Kirtley
Don Knabe/Robert Arthur
Jose Legaspi/Jackie Goldberg
Gloria Molina/Vivien Bonzo
Jenny Oropeza/Joyce Lawrence
Zev Yaroslavsky/Robert Abernethy
Larry Zarian/Jan Heidt
Tony V. Harris/Dean Dunphy, Ex Officio

Interim Chief Executive Officer - Julian Burke
Board Secretary - Georgia Hamilton
Inspector General - Arthur Sinai
General Counsel - County Counsel

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on the subject of one or more agenda items and/or other items of interest which are within the subject matter jurisdiction of the Metropolitan Transportation Authority. The total presentation for any combination of agenda items and non-agenda items addressed shall not exceed two minutes in length. A request to address the Board must be submitted in person to the Board Secretary prior to the start of the meeting.

All Public Comment will be heard at the end of each meeting. Each individual will have the opportunity to speak only once at the time Public Comment is heard and should include all comments for all items. The Public Comment period will last thirty minutes maximum in length. Speakers will be called according to the order in which the speaker request forms are received until the thirty minute period has expired. The Chair may limit the public input on any item or the total amount of time allocated for public testimony based on the number of people requesting to speak and the business of the Board. If you are a party to a specific item, you will be called upon to speak at the time that issue is being considered.

In accordance with Government Code Section 54954.3(a) the Chair may from time to time dispense with public comment on items previously considered by a committee composed exclusively of Board members.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM The following rule pertains to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.

Disobedience of any lawful order of the Chair, which shall include an order to be seared or to refrain from addressing the Board; and

Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available for all Board Meetings. Translators for other languages must be requested 72 hours in advance.

After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

A cordless microphone is available for those persons with mobility impairments who cannot access the public speaking area. Sign language interpreter services are available upon giving notice at least three business days in advance of the meeting. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800)252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-2335 (Records Management Department)
General Information/Rules of the Board - (213) 922-4600
Internet Access to Agendas - www.mta.net
TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA.

1. Consider approval of Consent Calendar Items 15 through 23
Consent Calendar Addendum Items A through G

(Consent Calendar Addendum - Items Approved Under Committee Authority)
(See Page 11)
2. Consider approval of **minutes** of Special Board Meeting held November 13, 1997.
3. Chief Executive Officer's Report

NON-CONSENT ITEMS

4. **BERNSON** - Consider approving staff to work with the Department of Transportation (DOT), to determine which **Smart Shuttle routes** can be restructured to accommodate ridership on major bus corridors in which weekend service has been proposed for cancellation by the MTA and report back in 30 days.
5. **BERNSON** - Receive report on funding designated by the State legislation for transit in the **San Fernando Valley** and commence an investigation on the whereabouts of the "Valley Trust Fund."

6. **ALATORRE** - Consider direction to the CEO to prepare a study prior to the Board's final consideration of the capital budget on the feasibility of establishing a funding allocation policy to include:
 - A. commencing with the adoption of the FY 1999 budget, establish a policy to allocate at least 40% of Proposition C Discretionary funds to fund capital projects, including payments of principal and interest on existing bonds for capital programs;
 - B. a determination of the amount of future bonding capacity for capital programs that will be achieved by the adoption of the aforementioned funding allocation formula;
 - C. commencing with the adoption of the FY 1999 budget, the establishment of a policy to allocate all Proposition A Rail Development funds to fund rail capital projects, including payments of principal and interest on existing bonds rail construction bonds; and
 - D. an assessment of the impact on other MTA programs resulting from the adoption of all these funding allocation formulas.

7. **ALARCON** - Consider approval for staff to begin discussion with LADOT and other transit agencies regarding a transit zone.

8. **YAROSLAVSKY/ANTONOVICH** - Response to Board request. Receive and file report on **San Fernando Valley service options**.

9. Consider authorizing the CEO to:
(PP 4)

- A. Enter into an **Exclusive Negotiation Agreement** between TrizecHahn Centers Management, Inc. and the LACMTA for a 180-day extension covering the development of **properties adjacent to Hollywood/ Highland Metro Red Line Station**;
- B. Sign applications for development entitlements on the MTA-owned property at the Hollywood/Highland Station.

COMMITTEE RECOMMENDATION: APPROVED AS AMENDED; DESIGN IS SUBJECT TO APPROVAL OF MTA AND COUNCIL (DISTRICT 13-CITY OF LA)

10. Consider award of contracts covering services in association with **federal legislative advocacy support** for a total cost of \$332,314 the year ending December 31, 1998:
(EMC 3)

A.	MARC Asso. & Cliff Madison Govt. Rels.	\$100,402
B.	American Continental Group	90,152
C.	The Jefferson Group	72,650
D.	Palumbo & Cerrell, Inc.	69,110

COMMITTEE RECOMMENDATION: CEO is authorized to extend current contracts up to 60 days and requested to make an evaluation of the "best people" for our legislative representation based upon the legislative plan and to work with the Executive Management Committee to submit a final recommendation to the Board through Executive Management Committee.

11. Consider award of contracts covering services in association with **state legislative advocacy support** for a total cost of \$193,500 the year ending December 31, 1998:

A.	Capital Representation Group	\$70,300
B.	Nielsen, Merksamer, Parrinello & Naylor	57,130
C.	JEA & Associates	40,850
D.	Nossaman, Guthner, Knox & Elliot	25,250

COMMITTEE RECOMMENDATION: CEO is authorized to extend current contracts up to 60 days and requested to make an evaluation of the "best people" for our legislative representation based upon the legislative plan and to work with the Executive Management Committee to submit a final recommendation to the Board through Executive Management Committee.

12. Consider an increase to the Authorization for Expenditure to Contracts EN032, International Technology Corporation, EN030, CH2MHILL and EN031, Metcalf & Eddy, Inc., the current panel of environmental waste services, covering **removal and disposal of hazardous substance contamination on the East Side Extension** in the amount of \$2,360,000 for a total AFE in the amount of \$4,205,000.

STAFF RECOMMENDATION: APPROVE

13. Consider approval of:
- A. Change Order No. 93 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV, in the amount of \$619,175 which includes costs for 'future work' deferred by the Board and covers a portion of the settlement of Claim No. 6 as recommended by the Dispute Review Board; and
 - B. an increase to the Authorization for Expenditure in the amount of \$619,175 for a revised AFE in the amount of \$167,158,974.

STAFF RECOMMENDATION: APPROVE

14. Consider approving the sale of property located at 5557 St. Elmo Walk, Long Beach for approximately \$248,000 net proceeds as settlement in full of the mortgage loan.

CONSENT CALENDAR ITEMS

15. Consider:
(FB 1)
- A. adoption of the revised **MTA Investment Policy**; and
 - B. delegation of authority to invest MTA funds to the MTA Treasurer, for a one year period, pursuant to California Government Code Section 53607.

COMMITTEE RECOMMENDATION: APPROVE

16. Consider approval of an increase in the contract spending limit for the **Audit Pool Contract** RFP No. PS2510-0071 in force until December 1, 1998, in an amount not to exceed \$500,000 for the outsourcing of Financial, Performance and Third Party Contract audits.
(FB 2)

COMMITTEE RECOMMENDATION: APPROVE

17. Authorize the execution of a ten-year **license agreement with Southern California Edison Company (SCE)** and approval of rental payments in the amount of \$358,455 over the ten-year term for the continuing usage of the Marine Station parking facility for the Metro Green Line Project.
(FB 3)

COMMITTEE RECOMMENDATION: APPROVE

18. Consider amending the **Measures and Public Hearing Procedures for Major Service or Fare Changes**.
(PP 1)

COMMITTEE RECOMMENDATION: APPROVE

19.
(PP 3)

Consider:

- A. appointing the **TDA Article 8 Hearing Board** to conduct unmet transit needs hearings in those eligible areas outside the MTA service area;
- B. appointing members to a three-year term to fill vacant positions on the FY 1998-99 Social Service Transportation Advisory Council (SSTAC) and extend the term by one year, through FY 1999-2000, for returning members; and
- C. authorizing the CEO, or his designee, to annually appoint the TDA Article 8 Hearing Board and to fill vacancies on the SSTAC.

COMMITTEE RECOMMENDATION: APPROVE

20.
(EMC 2)

Consider addition of **Directors' Special Items** to future Board Meeting Agendas.

COMMITTEE RECOMMENDATION: APPROVE, encourage use of 72 hour notice.

21.
(CC 5)

Consider:

- A. Revision No. 1 to Contract Work Order No. 47 to Contract E0070 with Engineering Management Consultant covering final design services on the **East Side Extension project adding a testing program for precast concrete tunnel liner and gaskets** in the negotiated/audited amount of \$327,507 extending the period of performance to June 30, 1998;
- B. an increase to the Authorization for Expenditure in the amount of \$328,000 increasing the AFE to \$5,408,000.

COMMITTEE RECOMMENDATION: APPROVE

22. Consider approval of a contract amendment with Neoplan USA Corporation covering **various changes to the contract for 250 buses** detailed in Contract Amendment No. 1, for a net decrease of \$2,309,718.
(OPS 6)

COMMITTEE RECOMMENDATION: APPROVE

23. Consider approval of request from the Los Angeles County Sheriff's Department to **transfer one surplus bus (#8698)** for the purpose of training personnel..
(OPS 7)

COMMITTEE RECOMMENDATION: APPROVE

CLOSED SESSION

24. Conference with real property negotiators concerning price and/or terms of sale - G.C. 54956.8:

Parcel AS-348
Rosecrans Overpass Project
Owners - Yon Kyu Kim and Ki Sook Kim

Litigation Settlement

25. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9

- A. Nestlerode v. MTA
Superior Court Case No. Y4C018577
- B. Lin v. MTA
Superior Court Case No. BC 155802
- C. Lowry v. MTA
Superior Court Case No. BC 162555

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN
THE BOARD'S SUBJECT MATTER JURISDICTION

ADJOURNMENT

CONSENT CALENDAR ADDENDUM COMMITTEE APPROVALS

THE FOLLOWING ITEMS WERE APPROVED UNDER COMMITTEE
AUTHORITY.

Construction Committee

- A. Consider approval of Change Order No. 95 to Contract No. C0311 with Traylor Bros./Frontier-Kemper, JV, for **credit amount of \$310,000** for relocation of the track level rooms and crosspassage #49 for tunnel line section to Universal City reducing the contract amount to \$154,265,400 and the AFE to \$166,229,799.

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

- B. Consider approval of Change Order No. 21 to Contract No. B641 with Amelco Electronics, Inc., covering **design, procurement, installation and testing of on-frequency repeaters** at the Segment 2 stations and the Central Control Facility in the amount of \$237,383.

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

- C. Consider approval of **cancellation and re-solicitation of Invitation for Bid No. C0361** covering the Maintenance of Way Facility as a design/build project for the Metro Green Line.

APPROVED UNDER COMMITTEE AUTHORITY, 4/5 VOTE

Operations Committee

- D. Consider award of a three-year contract to City Terrace Services, Los Angeles, covering **Metro Freeway Service Patrol towing** for Beat 25 commencing March 31, 1998 in the amount of \$1,117,500.

COMMITTEE AUTHORITY, 4/5 VOTE

E. Consider the following actions covering **modifications to existing buildings at the Regional Rebuild Center**:

A. rescind previous action by the Board to reject all bids; and

B. award a contract to Mallcraft, Inc., Pasadena, the lowest responsive, responsible bidder, covering **modifications to existing buildings at the Regional Rebuild Center** for a fixed price of \$1,627,000.

COMMITTEE AUTHORITY, 4/5 VOTE

F. Consider award of contracts to the lowest responsive, responsible bidders covering a 12 month supply of **hand products** for a total bid price of \$415,211:

A. Unisource	\$ 20,853	Items 1, 6 & 7
B. Gale Supply Co.	349,802	Items 2, 3 & 5
C. Clean Source	31,724	Item 4
D. Easterday Janitorial Supply	12,832	Items 8 & 9

COMMITTEE AUTHORITY, 4/5 VOTE

G. Consider award of contract to Westinghouse Air Brake Co., the lowest responsive, responsible bidder covering **overhaul of 108 couplers for the Metro Blue Line Light Rail vehicles** for a fixed price of \$388,726, and an option to **overhaul an additional 30 couplers for the Metro Green Line Light Rail vehicles** for a fixed price of \$107,979.

COMMITTEE AUTHORITY, 4/5 VOTE



**ADDENDUM
TO
AGENDA**

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

**REGULAR BOARD MEETING
BOARD OF DIRECTORS**

**MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles**

Thursday, December 18, 1997 - 9:30 AM

Closed Session

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

Wiltern Associates v. MTA
LASC Case No. BC113523