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MINUTES/PROCEEDINGS

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING
BOARD OF DIRECTORS

November 15, 1995

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

Called to Order at 12:50 p.m.

Directors/Alternates Present:

Larry Zarian/Jan Heidt
Richard Riordan/R. James
Yvonne Brathwaite Burke/M. Bohlke
Richard Alatorre/Nate Holden
Michael Antonovich/Nick Patsaouras
James Cragin
Deane Dana/Robert Arthur
John Fasana/Phyllis Papen
Gloria Molina/V. Bonzo
Raul Perez
Carol Schatz/Richard Alarcon
Mel Wilson/Jackie Goldberg
Zev Yaroslavsky/Robert Abernethy

1. CLOSED SESSION ITEMS

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

1. Metro Red Line Segment 3 Lucas-Rodrigues Living Trust; 3855 to 3859 Lankershim Blvd., Los Angeles
Case No. BC 96946
Litigation Settlement
Price/Terms of Payment

REMOVED FROM AGENDA

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

Two (2) cases

NO REPORT MADE

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

Agency Negotiator - Judith Pierce

Employee Organization: United Transportation Union
Amalgamated Transit Union
Transportation Communications Union
Teamsters
Transit Police Officers Association

NO REPORT MADE IN OPEN SESSION

d. Personnel Matters - G.C. 54957

Public Employee Discipline/Dismissal/Release

This item was referred to the Executive Performance Committee.

2. Flag Salute by Director Cragin

3. Public Comment.

Appearance before the Board on various transit related matters were: C. Shabel, S. R. Mocre, E. Mann, K. Ramsey, D. Kagasoff, M. Rose, R. Fair, J. Softley, G. Schneiderman, D. Hakman, J. Barber, T. Roberts.

Appearance before the Board on Closed Session item 1d were: H. Watts, G. Schneiderman, B. D'Amato, D. Gabbard, R. Nudelman, D. Lippman, J. Walsh, H. Croyts, Senator T. Hayden, S. Bagby (representing Assemblywoman McDonald).

4. **CHAIR'S REMARKS**

- o Recognized retiring Director Hal Croyts for his dedication to the transportation industry. Mr. Croyts thanked the Board and wished all well in their future endeavors.

- o Assembly Transportation Hearing update

Chairman Zarian reported on their testimony before the Transportation Committee. He said one of the areas they expressed concern was in procurement, an item which will be addressed by the Board today.

- o League of Cities position on Board reform

Directors Perez and Fasana reported on the League of Cities Transportation Committee's recommendations which were, in essence, to leave the Board membership status quo.

Chairman Zarian announced that items 8a, 9, 15, 31, 33, 36 and 41 were being removed from the agenda.

9. REMOVED FROM THE AGENDA item to adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire permanent subsurface easements in 72 parcels located between the Hollywood Highland Station and the Universal City Station in the City of Los Angeles, County of Los Angeles, State of California, referred to at the Public Hearing held October 25, 1995.

15. REMOVED FROM THE AGENDA approval of full membership and participation in the Southern California Cities Joint Powers Consortium.

31. REMOVED FROM THE AGENDA Amendment 6 to CWO 21 and Amendment 2 to CWO 25 to Contract No. 0070 with Engineering Management Consultant (EMC).

33. REMOVED FROM THE AGENDA findings of the Disputes Review Board (DRB) which supported and found merit in the Contractor's claim for cost reimbursement for the temporary decking over the station entrance and Change Order No. 86 to Contract No. B231 with Tutor-Saliba/Perini.

36. REMOVED FROM THE AGENDA endorsement of the "California Consensus Principles" as the first step in creating a framework for developing strategies for the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

This item will be scheduled for consideration the early part of 1996.

41. REMOVED adoption of a uniform California State Disability Insurance (SDI) policy.

Director Arthur requested that item 14 be continued to the next meeting.

14. CARRIED OVER the two options to the LA Car contract to automate 34 cars for use on the Metro Green Line.

5. **CHIEF EXECUTIVE OFFICER'S REPORT**

CEO White reported on the two recent assaults on our bus operators. Operator Deboe has shown signs of improvement and has been transferred to another hospital. Last night three individuals robbed passengers and struck Operator R. Zappata in the head. He has been released from the hospital. CEO White proclaimed a moment of silence for the injured operators.

CEO White reminded everyone of the Rail Workshop to be held this Friday. Some of the written material will not be available until Thursday or the morning of the meeting. Director Antonovich expressed concern about receiving the full report late and therefore the inability by the Board to review the report prior to the meeting. He suggested the meeting be rescheduled until the full report has been received. Following discussion, it was agreed every effort would be made by staff to provide the report to the Board members prior to the Friday meeting.

6. DIRECTORS SPECIAL ITEMS

Director Antonovich requested a report back on the Pasadena Blue Line issues and other policy issues. He requested this report prior to the next Construction Committee meeting giving a status of all change orders and payments made to subcontractors, a review of safety and insurance procedures relating to storage of explosives in Hollywood, a review of the policy that allows for low-interest home loans for upper management as an incentive for employment and consideration of setting a vesting or probationary period, and, review of obtaining an insurance policy protecting homeowners property value on rail tunneling under the property.

8. CONSENT CALENDAR

APPROVED, in one motion with 11 directors present, the following consent calendar items.

- a. Minutes of the October 25, 1995 Board Meeting; and
- b. receipt and filing of September 27, 1995 Citizens' Advisory Council Minutes.
- c. items previously considered and approved without amendment by Committees: Items 16 through 25, 27, 29, 32 and 38.

16. APPROVED Requisition 5-5730-282 and a contract with Oracle Corporation, Redwood Shores, covering software maintenance services for proprietary software products, database management system and associated tools for a one-year period at a fixed price of \$160,178.

17. APPROVED contract amendment with Coopers & Lybrand, Los Angeles, covering financial audit services for FIS conversion, for a cost not-to-exceed \$149,605, for a total contract amount of \$1,025,055.

18. APPROVED a contract with Inter-Con Security Systems, Inc., Alhambra, covering security guard services at operating divisions for a one-year period, with two one-year options at the election of the Authority, for an estimated annual cost not-to-exceed \$700,000 three-year total not-to-exceed \$2.1 million.

19. APPROVED an Interagency Transfer Agreement with the City of Compton for it's Community Fixed Route Transit System.

20. APPROVED minor route modification for Line 51 and 53 serving the Avalon Boulevard Metro Green Line Station effective December 10, 1995.

21. APPROVED route extension for Line 462 in the City of Hawaiian Gardens effective December 10, 1995.

22. APPROVED a route modification for Lines 176 and 487 in the City of San Gabriel effective December 10, 1995.
23. APPROVED sale of Bus 2315 to Detroit Diesel Corporation at the book value of \$128,675.
24. RATIFIED replacement contract with Federal Armored Express, Inc., Baltimore, MD, the only responsible bidder under Bid No. 93-16 covering armed revenue transportation services through March, 1996.
25. APPROVED proclaiming the week of December 11-15, 1995 as "Transportation Awareness Week".
27. APPROVED Change Order No. 66 to Contract No. B211 with Tutor/Saliba-Perini Joint Venture, covering settlement of Claim Nos. 13 and 19 on the Wilshire/Vermont Station Stage I of the Metro Red Line, in the amount of \$271,450, which increases the total contract value to \$41,918,773 which is within the approved Authorized For Expenditure amount of \$43,445,995.

Conflict of Interest indicated by Director Riordan

29. APPROVED an increase to the Authorization for Expenditure (AFE) in the amount of \$400,000 for Contract No. E0630 with High-Point Rendel, covering Preconstruction Survey Services on the Metro Red Line, Segment 2, for a revised total AFE amount of \$400,000.

32. APPROVED Change Order No. 8 to Contract No. B710 with Fujitec America, Inc., Torrance, covering required payments of economic price adjustments on the Metro Red Line, Segments 2 and 3, in the estimated amount of \$703,624, which increases the total contract value to \$24,114,269.

38. APPROVED the following actions regarding the Metro Green Line:

- a. reflected a cost reduction of \$15 million project savings reducing the approved budget from \$717.8 to \$702.8; and
- b. established a new budget of \$712.3 million to:
 1. accommodate a baseline budget of \$702.8 million; and
 2. provide \$9.5 million of project savings in state and local funds for proposed scope increases involving the construction of the maintenance-of-way facility and other associated Green Line facilities;
- c. seek California Transportation Commission approval to use the Green Line project savings in state grant and local matching funds for the proposed scope increases; and
- d. reprogrammed \$5 million of MTA local project savings to the Del Norte Station.

40. APPROVED:

- a. Work Authorization Change Notice No. 65.03 to Contract C0331 with Obayashi Corporation covering contingency plan for chemical grouting on the North Hollywood to Universal City tunnel of the Metro Red Line for the not-to-exceed amount of \$12,500,000, increasing the contract value to \$79,209,345; and
- b. An increase in the Authorization for Expenditure (AFE) in the amount of \$9,884,083, for a revised AFE amount of \$81,784,083.

This item required a vote of principals and was approved on a Roll Call vote noted below:

Ayes: Burke, Cragin, Fasana, Perez, Wilson, Yaroslavsky,
Zarian
Noes: Antonovich
Abstain: Alatorre
Absent: Dana, Molina, Riordan, Schatz

(Director Alatorre indicated a Conflict of Interest)

10. HELD a Public Hearing and ADOPTED a resolution of necessity for the acquisition of real property interest (fee interest) in that certain real property located at 3510 to 3540 Marmion Way, in the City of Los Angeles, County of Los Angeles, State of California, APN 5446-025-006 and 008; Owners: 14507 Associates, MTA Parcel No. PA-048.

APPROVED with 11 Directors present

11. HELD a Public Hearing and ADOPTED a resolution of necessity for the acquisition of real property interest (fee interest) in that certain real property and fixtures and equipment located at 300 Monterey Road, in the City of South Pasadena, County of Los Angeles, State of California, APN 5313-017-001; Owner: Miriam C. Spaulding, MTA Parcel No. PA-085.

Appearance of Mr. Spaulding against taking of property stating that the offer made was not adequate for relocation of his mother's business.

There were 9 Directors present with Director Antonovich "Abstaining"

- 12a. HELD a Public Hearing and considered public comment regarding the conformance status of the cities and County of Los Angeles with the Congestion Management Program (CMP);
- b. ADOPTED findings that 81 jurisdictions are in conformance with the adopted CMP and determine that 8 jurisdictions are **not** in conformance and initiate the 90-day corrective period; and
- c. approved the 1995 development debits, and standard and special credit claims.

Staff reported that the cities of Duarte and South Pasadena were added to the list of cities in conformance.

Appearance of H. Watts, Ms. Peacock and a representative of the San Gabriel Valley Council of Governments.

- 13a. HELD a Public Hearing and considered public comment regarding the proposed Negative Declaration of environmental impact and the proposed 1995 Congestion Management Program (CMP);
- b. ADOPTED the Negative Declaration of Environmental Impact; and
- c. ADOPTED the 1995 Congestion Management Program.

Director Fasana 'Abstained' on this item.

A letter from the City of Beverly Hills was submitted for the record.

H. Watts said he thought a full EIR was needed.

26. ADOPTED amended policy regarding non-participation of Board members, alternates, and their staff in the procurement process.

Appearance of H. Watts, D. Gabbard, Ms. Peacock.

42. APPROVED contract amendment with Coopers & Lybrand covering final year of the labor compliance contract at a cost not-to-exceed \$100,000 through December 31, 1995.

28. APPROVED, as amended, by the MTA Construction Committee, in accordance with the authority delegated to it by the MTA Board, Work Authorization Change Notice Nos. 21.01 and 24.01 to Contract No. C0301 with Tutor/Saliba-Perini, Joint Venture, covering Work Package No. B251H, completion of a portion of the uncompleted Shea-Kiewit-Kenny work on the Hollywood/-Highland Station of the Metro Red Line in the not-to-exceed amount of \$2,000,000, for a total contract value of \$72,128,077, which is within the approved Authorized For Expenditure amount of \$76,876,654. AMENDED to include in the contract a clause that the contractor shall not proceed without written notice signed by the CEO and shall incur no financial obligation without this signed document.

R. D'Amato spoke against any work being awarded to Tutor.

Director Perez made a motion to approve items 30, 34 and 43, as amended by the Construction Committee, which was approved with 9 Directors present.

30. APPROVED, as amended, an increase in the Authorization For Expenditure in the amount of \$300,000 under Contract EN027 with Enviro-Rail covering sub-surface gas explorations for a possible deep tunnel alignment east of Crenshaw Boulevard for the Metro Red Line Mid-City segment and explorations from Wilshire/Western to Wilshire/La Brea to determine if a Wilshire alignment would be a viable alternative to the proposed Pico/San Vicente alignment.

Director Patsaouras voted 'No'.

34. APPROVED Amendment No. 20 to Contract No. 3369 with Parsons-Dillingham (PD) covering construction management services, and an increase to the Authorization for Expenditure (AFE) on the Metro Rail Projects detailed below:

- a. amendment to the Metro Blue Line (Long Beach) in the amount of \$18,402, which increases the total contract value to \$24,412, which is not within the approved AFE amount of \$6,010; and, approval of an increase to the AFE in the amount of \$18,402, for a revised total AFE amount of \$24,412;
- b. amendment to the Pasadena Blue Line in the amount of \$221,075, increasing the total contract value to \$246,860, which is not within the approved AFE amount of \$25,785; and, approval of an increase to the AFE in the amount of \$313,111, for a revised total AFE amount of \$338,896;
- c. amendment to the Commuter Rail in the amount of \$10,357, which increases the total contract value to \$220,323, which is not within the current approved AFE amount of \$209,966; and approval of an increase to the AFE in the amount of \$10,357, for a revised total AFE amount of \$220,323;
- d. amendment to the Metro Red Line - Vermont/Hollywood Corridor in the amount of \$2,375,296 which increases the total contract value to \$140,976,466 which is not within the current approved AFE amount of \$134,756,205, FURTHER AMENDED to remove CCR No. 208; and, approval of an increase to the AFE in the amount of \$11,144,540, for a revised total AFE amount of \$145,900,745; and
- e. amendment to the System Safety Enhancements Project in the amount of \$69,021, which increases the total contract value to \$2,001,262 which is not within the current approved AFE amount of \$1,932,241; and, approval of an increase to the AFE in the amount of \$69,021, for a revised total AFE amount of \$2,001,262;

for a total contract amendment for these projects in the amount of \$2,694,819 and a total contract value for these projects of \$143,424,991.

43. APPROVED the following:

- a. directed the recently approved section design contracts to be negotiated on a fixed price basis for the final design of the Metro Red Line Eastern Extension;
- b. requested that in 60 days the CEO of Construction develop, or solicit a consultant to develop, an RFQ for a general engineering consultant for the management of all final design, engineering and oversight services for the Eastern extension;

This RFQ should establish the level of staffing the qualifications necessary, and the general tasks required, during various milestones of the project, to fulfill the existing contract for the engineering management consultant on the Eastern extension in the event it is needed;

1. that the EMC/MTA will proceed with design in accordance with the established schedule per prior Board action;
 2. staff to return within 30 days with recommendations on ways for increasing competitively bid procurement opportunities on the Eastern extension project;
- c. requested the CEO of Construction prepare a report which describes the steps necessary to establish an integrated project office utilizing MTA project staff, the General Engineering consultant and the Construction Manager to perform joint management and oversight of the Eastern extension; report to provide mitigation measures on any delays presented by this action; and
 - d. requested the CEO identify and assign requisite permanent MTA staff for oversight, etc., within 30 days, if unable to do so, identify and assign temporary staff.

35. RECEIVED presentation from the City of Long Beach and Bike Station Inc. on the Long Beach Commuter Bike Station.

37a. APPROVED the Alternate Rail Technology (ART) Phase 2 report and ADOPTED ART as a demonstration technology;

b. AUTHORIZED work with local jurisdictions in potential ART corridors and make recommendations according to findings; develop a funding plan for increased local rail service in the Burbank/Glendale/ Los Angeles corridor and report back in January, 1996. The analysis should address both the Metrolink Rail Shuttle and Alternate Rail Technology (ART) options; and

c. AMENDED TO INCLUDE assessing possible emergency applications of ART to each corridor, problems posed and possible solutions and mitigations.

D. Gabbard and Ms. Peacock spoke on ridership issues. B. Allen spoke on several issues including the need for an emergency plan.

44a. REJECTED the four lowest non-responsive bidders under IFB 08-9511-C; and

b. APPROVED a contract with Lynn Perfect Construction, Chatsworth, the fifth lowest responsible, responsive bidder covering modification to the existing facilities at the Regional Rebuild Center for the Transit Police satellite office for a fixed price of \$261,500.

Recessed to Closed Session at 5:32 p.m. to discuss a personnel matter, returning at 5:35 p.m. No report was made.

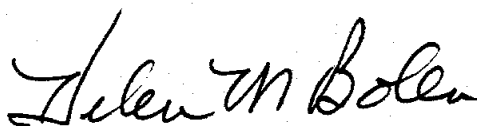
7. COUNSEL'S REPORT ON CLOSED SESSION

Counsel D. Kelsey reported on the severance package for Chief Administrative Officer Judith Pierce. Director Antonovich voted 'No.'

Armando Ponce spoke about his severance from the RTD, his subsequent reinstatement and questions he had asked to which he still has received no response. A copy of his letter is included as part of the file.

39. There were no items for consideration which were not on the posted agenda.

The meeting adjourned at 5:40 p.m.



Helen M. Bolen
MTA Secretary