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**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**

**Wednesday October 23, 1996**

**Called to order at 11:16 a.m.:**

**Directors/Alternates Present:**

Larry Zarian/Jan Heidt  
Hal Bernson  
Yvonne Brathwaite Burke/Michael Bohlke  
Richard Alatorre  
Nick Patsaouras  
James Cragin/Joseph Dawidziak  
Deane Dana/Robert Arthur  
John Fasana/Beatrice La Pisto-Kirtley  
Gloria Molina/Vivien Bonzo  
Jenny Oropeza  
Carol Schatz/Richard Alarcon  
Mel Wilson  
Zev Yaroslavsky/Robert Abernethy

Chief Executive Officer - Joseph E. Drew  
Board Secretary - Helen M. Bolen  
Inspector General - Arthur Sinai  
General Counsel - County Counsel

1. CLOSED SESSION

A. Conference with Real Property Negotiator(s) concerning Price and/or Terms of Payment G.C. 54956.8:

1. Metro Red Line - Segment 3, East Side Extension  
Parcel EC-130  
Yuen and Fanny Ng  
1718 Pleasant Avenue  
Los Angeles

Approved Just Compensation in the amount of \$190,000.

2. Metro Red Line - Segment 3, East Side Extension  
Parcel ED-135  
Johnnie Walls  
127 North Bailey Street  
Los Angeles

Just Compensation - NO REPORT

3. Metro Red Line, Segment 3  
Parcel B3-235  
Farid Sapir, Vahid Sapir, and This Is Hollywood, Inc.  
Hollywood Boulevard between Highland and Orchard Avenues, Los Angeles

Litigation Settlement - Approved settlement in the amount of \$602,730.

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

- o Agency Negotiator - Sharyn Abernatha
- o Employees organization - Transit Police Officer's Association.

NO REPORT

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

Significant exposure to litigation - one case

NO REPORT

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

1. Labor/Community Strategy et al v. MTA - Case No.  
94-5936 TJH

2. Shumaker v. MTA LA BC 126729 Hollywood Blvd.

NO REPORT

2. Flag Salute

3. RECEIVED Public Comment

4. APPROVED:

A. Minutes of regular Board meeting held September 25,  
1996;

B. Minutes of Citizen's Advisory Council Meeting held  
September 25, 1996.

C. Consent Calendar Items 16, 19-21, 23-34, 36-38, 43, 47  
and 49 approved with 12 Directors present, Director  
Wilson was absent.

5. Chair's Remarks

A. RECEIVED status report on organizational assessment  
from Coopers & Lybrand.

6. CEO Report - NO REPORT

7. Director Special Items

On motion by Director Patsaouras, seconded by Director  
Oropeza, the Board referred to Committee a review by staff  
of the New York MTA Workfare Plan and to provide  
recommendations on how a similar program might further the  
MTA's Zero Tolerance Program at a time of limited resources.

Approved with 10 Directors present

PUBLIC HEARINGS

8. WITHDRAWN BY STAFF a **Public Hearing** and a Resolution of Necessity authorizing commencement of an eminent domain action to acquire property located at 1718 Pleasant Avenue in the City of Los Angeles, MTA Parcel No. ED-130, owned by Yuen and Fanny Ng and authorize counsel to petition the Superior Court for an order to enter upon the property to conduct environmental tests.
9. HELD a **Public Hearing** and ADOPTED a Resolution of Necessity authorizing commencement of an eminent domain action to acquire property, fixtures and equipment located at 3401 East First Street and 116 North Lorena Street in the City of Los Angeles, MTA Parcel EG-409 owned by Taylor Family Trust.

APPROVED on a Roll Call vote noted:

Ayes: Patsaouras, Alatorre, Burke, Cragin, Dana,  
Fasana, Molina, Oropeza, Schatz, Yaroslavsky,  
Zarian  
Noes: None  
Abstain: None  
Absent: Riordan, Wilson

Appearance of J. Martin and G. A. Kovacic.

10. HELD a **Public Hearing** and ADOPTED Resolution of Necessity authorizing commencement of an eminent domain action to acquire subject property interest located at 339 N. Fickett Street in the City of Los Angeles, MTA Parcel EE-281 owned by Overseas Investments Group, Inc., a Nevada Corporation.

APPROVED with 10 Directors present  
Director Riordan indicated a Conflict of Interest.

Director Molina said she had not received a response to her questions concerning the owner(s) of this property and their purchases of other properties within rail construction. Director Molina said in the future she would not vote for an item when a response to her questions had not been received.

11. HELD a **Public Hearing** and ADOPTED a Resolution of Necessity authorizing commencement of an eminent domain action to acquire property located at 114 and 118 Bodie Street in the City of Los Angeles, MTA Parcel ED-191 owned by Jose Jesus and Amalia Flores and Josefina Venegas.

APPROVED with 10 Directors present

12. CARRIED OVER **Public Hearing** and Resolution of Necessity authorizing commencement of an eminent domain action to acquire property located at 1817 East First Street in the City of Los Angeles, MTA Parcel ED-131 owned by Constantino and Alice Miguel, as trustees of the 1993 Miguel Family Trust.

13. HELD a **Public Hearing** and ADOPTED a Resolution of Necessity authorizing commencement of an eminent domain action to acquire property located at 130 Bodie Street in the City of Los Angeles, MTA Parcel ED-123 owned by Robert C. Contreras, Maria Contreras Romero and Anna Marie Flynn.

Approved with 10 Directors present

GENERAL

14. APPROVED AS AMENDED:

- A. **restructuring of the Proposition A Series 1989-A bonds and Proposition C Series 1993-A bonds** through a negotiated underwriting process with Painewebber, as co-senior managing underwriters; and
- B. procurement and negotiation of fees for all other required services.

Approved with 8 principal directors present

15. WITHDRAWN BY STAFF selection and negotiation of a contract with covering **Construction Management Services on the Metro Red Line Eastside Extension.**

REAL ESTATE & ASSET DEVELOPMENT COMMITTEE

16. APPROVED on Consent Calendar sale of property located at 849 3<sup>rd</sup> Street, Norco, CA owned by MTA and Mr. And Mrs. John Rinard.

17. APPROVED THE FOLLOWING ACTIONS:

- A. CARRYING OVER recommendations regarding the **Chinatown Station Community** issues; and
- B. negotiations with the City of Los Angeles and Nuccio/Catellus, the property owners adjacent to the proposed Pasadena Blue Line Chinatown station, for the purpose of developing mutually beneficial structures, including a community plaza, a pedestrian connection to Broadway and a public parking structure.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

18. CARRIED OVER a sublease agreement with Wells Fargo Bank, as sub-lessor, and Sol and Irene Hess, as Master Lessor, covering **sub-lease of a cash counting facility**.

FINANCE & BUDGET COMMITTEE

19. APPROVED on Consent Calendar a contract extension with bd Systems, Inc., Torrance, covering **information systems services** for a 90-days through January 31, 1997 at a cost of \$1.0 million for total revised contract of \$11,945,000.

Appearance of P. Nettleship.

20. APPROVED on Consent Calendar:

A. ADOPTED a resolution approving:

1. entering into a **U.S. Leveraged Lease** to lease the 30 Breda heavy rail vehicles in service on Red Line Segment 1;
2. formation of a Joint Powers Authority (JPA);
3. execution of any and all documents necessary to the lease closing or reinvestment of funds from the lease, sublease and pre-payment deposits;

B. APPROVED selection of the lease financing team to execute the U.S. Leveraged Lease of:

1. CIBC Wood Gundy, as Arranger; Bank of New York Leasing, as Investor and Equity Deposit Taker;
2. Rabobank Nederland and its affiliates (New York Branch), as Lending Bank and Loan Deposit Taker;

C. APPROVED selection of Orrick, Herrington & Sutcliffe as MTA's legal counsel for this lease;

D. APPROVED selection of any and all other required products and services concerning this lease.

Ten principal directors present

OPERATIONS COMMITTEE

21. APPROVED on Consent Calendar award of contract to Downey Auto Center, Downey, the lowest responsive and responsible bidder under IFB No. CA-98-9927-A, covering **procurement of 29 Black & White Police vehicles** for a total bid price of \$762,451.

22. APPROVED:

- A. award of a contract to Al's Towing covering service on **Metro Freeway Service Patrol Beat 32** for a three-year period commencing February 1, 1997, for a total contract not-to-exceed \$645,765; and
- B. rejection of all proposals for Beats 14 and 18 and authorize resolicitation with revised specifications; and
- C. contract amendments with the current contractors on Beats 14 and 18 during the resolicitation period:

<u>Beat</u>	<u>Contractor</u>	<u>Not To Exceed</u>	<u>Start of Term</u>
14	Dale's Toe	\$211,680	11/7/96
18	California Coach	\$262,445	10/25/96

Approved with 10 Directors voting; Director Fasana voted 'No,' and Director Antonovich/Patsaouras indicated a Conflict of Interest.

Appearance of D. Schmerin and J. Siccama, J & M Towing, protesting award of the contract for beat 14. They said they meet the requirements but if rebidding was necessary, it should not be for one year.

23. APPROVED on Consent Calendar use of competitive negotiations with qualified firms rather than a bidding process for the procurement of **Major Incident Response Portable Incident Command Packages** (PIC-PAC) and Status Display Boards authorized under PUC 20231.5.

24. APPROVED on Consent Calendar contract extension with The Ticket Factory, covering **printing of bus transfers** through January 31, 1997 for an amount not-to-exceed \$350,000.



25. APPROVED on Consent Calendar:
- A. a contract amendment to Contract No. 4846 with General Railway Signal (GRS), Rochester, New York, covering the cost of a comprehensive negotiated settlement of all project related claims, provide for a spare parts package, make near term enhancements to the **transit radio system** functionality, complete open items under the current contract and provide additional GRS support of TRS during the warranty period at a cost of \$6,567,061, for a revised contract amount of \$23.6 million; and
  - B. authorization for the CEO to award a contract to a consultant to conduct a study of the long term radio system requirements at a cost not-to-exceed \$500,000.
26. APPROVED on Consent Calendar exercising a second year option with Building Maintenance Specialists (BMS), Whittier, covering **graffiti abatement services** for the Metro Blue, Green and Red Line facilities for the period October 1, 1996 through September 30, 1997 at a cost not-to-exceed \$225,000.
27. APPROVED on Consent Calendar contract amendment with ABM Engineering Services **covering building engineering services at the Gateway facility** for an additional four months for a cost not-to-exceed \$275,000.
28. APPROVED on Consent Calendar establishing a **special Holiday Celebration Free Fare** period as an annual event for bus and rail between the hours of 9:00 p.m. and 5:00 a.m. on the nights of December 24 and 31.

There were 10 principal Directors present

29. APPROVED on Consent Calendar **two-year mobility allowance demonstrations** with:
- A. Redondo/Hermosa WAVE, a General Public Dial-a-Ride, to operate Saturday, Sunday and Holiday service from 6 AM to 9 PM in the area of low productivity service west of the South Bay Galleria;
  - B. City Nightline to operate a new flexible destination service seven days a week, midnight to 4:30 AM along Avalon Blvd. South of the Carson Galleria mall, south to San Pedro in an area of very low productivity service; and
  - C. Ryder/ATE Management & Service Co., Inc., pending successful completion of negotiations, to initiate a new flexible destination and fixed route service combining resources of Line 220, which demonstrates very low productivity and the Metro Green Line Aviation Station feeder Line 625, currently operated by ATE/Ryder.
30. APPROVED on Consent Calendar award of contract to Asbury Environmental Services, Compton, the lowest responsive, responsible bidder under Bid No. 09-9612, covering procurement of **coolant** for a period of 27 months for a total bid price of \$386,294.

PLANNING & PROGRAMMING COMMITTEE

31. APPROVED on Consent Calendar entering into a **close-out agreement** with Commuter Transportation Services.
32. APPROVED on Consent Calendar:
- A. setting a **public hearing** on Tuesday, November 12, 1996 at 2:00 p.m. covering annual local conformance determination under the LA County Congestion Management Program (CMP); and
  - B. appointment of a Hearing Officer.

33. APPROVED on Consent Calendar:

- A. setting a **public hearing** on Wednesday, December 4, 1996 at 10:00 a.m. to receive input on the MTA's Americans with Disabilities Act (ADA) Complementary Paratransit Plan update; and
- B. appointment of a Hearing Officer.

EXECUTIVE MANAGEMENT COMMITTEE

34. APPROVED on Consent Calendar implementation of a new organization structure and allow for a unified **retirement plan for MTA non-represented (including Teamsters and Transit Police Officers Association) employees** effective January 1, 1997.

CONSTRUCTION COMMITTEE

35. APPROVED UNDER COMMITTEE AUTHORITY:

- A. award of contract SP007 to High-Point Rendel covering **pre-construction survey** services for a total amount not-to-exceed \$2 million; and
- B. a total Authorization for Expenditure of \$2 million.

36. APPROVED on Consent Calendar:

- A. award Contract CO362 to S.J. Amoroso covering **construction of Maintenance-of-Way Facilities, Metro Red Line Yard & Shop site** in the amount of \$4,443,000;
- B. approve Authorization for Expenditure (AFE) in the amount of \$4,887,300.

37. APPROVED on Consent Calendar **award fee** under Contract FM014 with Fluor Daniel, Inc. covering Project Management Assistant services on the Metro Rail Projects for the period January through June, 1995 in the amount of \$125,265.

Director Riordan indicated a Conflict of Interest.

38. APPROVED on Consent Calendar:

- A. Amendment No. 8 to Contract Work Order No. 28 with Engineering Management Consultant covering the **continuation of final design services for the Metro Red Line East Side Extension**, from November 1, 1996 to January 31, 1997, in the amount of \$6,300,000, increasing the total value of CWO No. 28 to \$36,246,858;
- B. an increase to the Authorization for Expenditure in the amount of \$6,246,858 for a revised total AFE of \$45,324,680.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

39. APPROVED UNDER COMMITTEE AUTHORITY, AS AMENDED:

- A. Amendment No. 1 to Contract Work Order 45 to Contract E0070, Project 800095, with Engineering Management Consultant, covering **environmental tasks for the Metro Red Line Segment 1 with no payment of money**; and
- B. an increase to the Authorization for Expenditure in the amount of \$163,745.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

40. APPROVED UNDER COMMITTEE AUTHORITY:
- A. Amendment 4 to Contract E001 with LTK covering rail vehicle design and procurement management services for Metro Green Line in the amount of \$201,508;
  - B. an increase to the Authorization for Expenditure in the amount of \$18,418; and
  - C. extension of the period of performance from December 1, 1995 to December 31, 1997, and ratification of the actions from December 1, 1995 to date.
41. APPROVED UNDER COMMITTEE AUTHORITY, Change Order 413 for Contract B221 with Tutor/Saliba-Perini, Joint Venture, covering funding of the Safety Awareness Incentive Program at the Wilshire/Normandie Station, Metro Red Line, pursuant to a contractual requirement, in the amount of \$475,000, increasing the total contract value to \$93,750,262.

42. APPROVED UNDER COMMITTEE AUTHORITY, Change Order B281T-CO-8.00 for Contract B281T with Kajima/Ray Wilson, Joint Venture, covering increased demobilization cost of the terminated B251 contractor's equipment from the Barnsdall Yard site on the Metro Red Line, Hollywood/Vermont corridor for a not-to-exceed amount of \$820,000, increasing the total contract value to \$47,824,412.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

43. APPROVED on Consent Calendar, Change Order CO100-CO-185 to Contract CO100 with Steve P. Rados, Inc. covering final resolution of all disputes, claims and pending litigation for guideway structures on the Metro Green Line in the amount of \$1,750,000.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

44. CARRIED OVER a Cooperative Agreement between the City of Los Angeles and MTA to administer and operate a cleaning and graffiti abatement program for the Hollywood Construction Impact Program.
  
45. CARRIED OVER a lease with Wells Fargo Bank and Equitable Life Insurance covering space at 707 Wilshire Boulevard, the top-ranked candidate location for the East Side Co-Located Project Office.

Director Riordan indicated a Conflict of Interest.

46. APPROVED:

- A. Amendment No. 10 for Contract Work Order 5 to Contract E0070 with Engineering Management Consultant covering program-wide support services for Metro Red Line in the amount of \$2,873,605;
- B. Authorization for Expenditure in the amount of \$2,983,890; and
- C. extending the period of performance from October 31, 1996 to June 30, 1997.

Director Antonovich/Patsaouras indicated a Conflict of Interest.

47. APPROVED ON CONSENT CALENDAR:

- A. WACN 92.0, 93.0 and 94.0 to Contract C0311 with Traylor Bros./Frontier Kemper, Joint Venture, for additional initial tunnel support on the tunnel line section to Universal City for an amount not-to-exceed \$2,500,000; and
- B. an increase to the Authorization for Expenditure in the amount of \$2,500,000 for a revised AFE of \$139,363,000.

48. APPROVED, AS AMENDED, an increase to the Authorization for Expenditure (AFE) for Contract B215 with Tutor-Saliba Corporation, to fund in-process merited change orders covering concrete quantity adjustment, time extensions and other miscellaneous changes for the Metro Red Line, Wilshire/Vermont Station, Stage II, deferring CN's 40.02, 80.00, 138.00 and 189.00 totaling \$377,481 resulting in a revised total AFE of \$32,940,699.
49. APPROVED ON CONSENT CALENDAR, an award fee to Jacobs Engineering Group, Mott MacDonald-Hatch & ACG Environment (JMA), Joint Venture, covering construction management services on the Metro Red Line, North Hollywood Corridor for the period March through June, 1996 in the amount of \$90,156.
- Director Riordan indicated a Conflict of Interest.
50. WITHDRAWN BY STAFF resolution of outstanding community issues which conform with the Pasadena Blue Line budget of \$803.9 million.
51. Items not on the posted agenda - NONE
52. CARRIED OVER an off-peak base fare of 75 cents on Line 40 between the hours of 10:00 a.m. and 2:00 p.m., weekdays only, effective Tuesday, October 29, 1996.
- Requires vote of Principals Only

53. APPROVED:

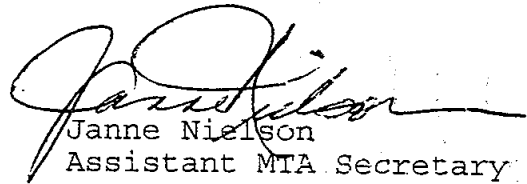
- A. the merger of the MTA Transit Police Department with the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (LASD) (Transit Policing Partnership);
- B. the MTA Transit Law Enforcement Transition Action Plan transferring appropriate MTA police and security personnel, assets and functions to the Transit Policing Partnership with the exception of the MTA's in-house security guards (Teamsters), with full implementation effective January 5, 1997;
- C. execution of a multi-year contract with the LAPD at a first year cost of \$12.7 million for the FY 97 transition year (1-5-97/6-30/97) and a total cost not to exceed \$125.3 million over five years for specified transit law enforcement and security services in support of the MTA's regional transportation programs;
- D. execution of a multi-year contract with the LASD for a first year cost of \$10 million for the FY 97 transition year (1-5-97/6-30-97) and a total cost not to exceed \$99 million over five years for specified transit law enforcement and security services in support of the MTA's regional transportation programs;
- E. seeking an additional \$800,000 to \$1.2 million in funding from the federal Crime Bill and other sources over the next 18 months in order to provide approximately 12 additional sworn positions in FY 98 and 12 more in FY 99;
- F. the MTA Transit Police Employee Equity Program at no up front cost to the MTA to provide transferring employees with commensurate benefits as a result of the merger;
- G. establishing a permanent MTA Law Enforcement and Security Committee to provide policy guidance and oversight for the MTA's Law Enforcement and Security Program and receive reports on a regular basis from the CEO;
- H. negotiation of a Dispute Resolution Process for inclusion in the service contracts;
- I. recommending to the LAPD and LASD that separate Transit Policing Liability Trust Funds be established to receive and administer transit policing liability funds; and



- J. inclusion of specific transit policing services in support of the several Municipal Transit Operators within Los Angeles County as part of the service contracts and the Three Party Memorandum of Agreement on transit policing.

Appearance of J. Rees, Association for Los Angeles Deputy Sheriff's; M. Berry and R. Pravencio, MTA civilian employees; and P. Moser.

PREPARED BY: Rhodona Enright



Janne Nielson  
Assistant MTA Secretary