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4. A.

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

December 18, 1996

Called to order at 1:20 p.m. :

Directors/Alternates Present:

Larry Zarian/Jan Heidt
Richard Riordan/Hal Bernson
Yvonne Brathwaite Burke/Michael Bohlke
Richard Alatorre/Nate Holden
Michael Antonovich/Nick Patsaouras
James Cragird/Joseph Dawidziak
John Fasanz/Beatrice La Pisto-KSrtley
Don Knabe/Robert Arthur
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

i. CLOSED SESSION

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

Agency Negotiator: Raman Raj
Employee Organization: Transit Police Officer's
Association

Agency Negotiator: Raman Raj
Employee Organization: United Transportation Union,
Amalgamated Transit Union, Transportation
Communications Union

NO REPORT WAS MADE

m o Personnel Matters G.C. 54957

Public Employee Appointment - Interim Board
Secretary

Appointed Janne Nielson, Acting Board
Secretary for the period following Board
Secretary's separation until the January Board
Meeting.

2 o Public Employee Appointment - Interim Chief
Executive Officer

Announced the intent to engage the firm of
Norm Roberts to conduct a search for the CEO.
On Monday, December 23, if no objections
received from members of the Board, will
contact A. Kiepper and T. Tidemanson
concerning interim positions.

2. Flag.Salute

Public Comment

Received public comment.

4. Chair's Remarks

- Ao Recognized Helen M. Bolen, MTA Secretary, who will be retiring after 30 years of service.
- B o Welcomed new Board of Directors Don Knabe and Jenny Oropeza.
- Co Reported on trip to Washington, D.C. and meeting with Secretary of Transportation A. Pena and Federal Transit Administration Administrator G. Linton. He read a statement from FTA Administrator G. Linton on this meeting concerning adoption of a Code of Conduct, reaffirming commitment to funding of the Red Line project with a January 15, 1997 deadline.
- D° Recognition of Arthur Winston who was named Employee of the Century by the Transportation Foundation of Los Angeles. Mr. Winston has been with this agency and its predecessors for 66 years and is working as the lead man on his shift.

5 o Chief Executive Officer's Report

A. Upcoming Events and Issues

L. Bohlinger, Deputy CEO, reported on holiday gift giving by employees for children at MacLaren Children's Center for Abused Children, Connie Ann Residential and Educational Treatment Center, Fred Jordan Mission Skid Row Kids, and Children's Institute International.

Ms. Bohlinger reported on the bus stop cleaning program and the "Adopt-A-Stop" program. She thanked Director Antonovich for his help and support.

- Bo Ms. Bohlinger reported on the Hay Study concerning employee classification/compensation system indicating that meetings were being held with employees to explain the study and its affects.

6. Director Special Items

ao APPROVED tours of the construction sites for members of the Construction Committee, open to all members of the Board, commencing January, 1997 and every six months thereafter.

Bo Molina/Yaroslavsky - Approved three motions concerning ethics standards, lobbyist regulations and ethics policies, AMENDED to include the development of a Code of Conduct, to be completed prior to January 15, 1997 and FURTHER AMENDED to request the Executive Committee to consider and make a recommendation at its next meeting, whether to substitute an appointed Ethics Commission, with no Board members or anyone who is doing business with or related to the MTA, as part of that Commission to oversee the ethics of the MTA.

7 o APPROVED:

A. Minutes of:

- i. Regular Board Meeting held November 20, 1996;
2. CAC meeting held November 20, 1996;

B. Consent Calendar items: 10-12, 15-19, 22-23, 31-34

GENERAL

CONTI-umD TO SPECIAL BOARD MEETING JANUARY 10:

selection and negotiation of a contract covering **Construction Management Services on the Metro Red Line Eastside Extension**, returning to the Board for final approval of an agreement and a not-to-exceed amount; and

B o issuance of a Letter *Contract-Limited* Notice to Proceed to the selected firm in an amount not-to-exceed \$5,000,000 for immediate start-up services.

Directors Antonovich/Patsaouras and Knabe/Arthur indicated a Conflict of Interest

Appearance of N. Watson, T. Gonzales, N. Paplano, K. Johns, J. Walsh and C. King

REAL ESTATE & ASSET DEVELOPMENT COMMITTEE

APPROVED contract amendment with Pacific Relocation Services for the completion of relocation services in North Hollywood and Universal City, Metro Red Line Segment-3 Project, in the amount of \$24,000, for a total contract amount not to exceed \$409,199.

Directors Molina/Bonzo indicated a Conflict of Interest

FINANCE & BUDGET COMMITTEE

10. APPROVED ON CONSENT CALENDAR a resolution directing financial institutions doing business with the MTA to honor signatures of officials and their designees.

ii. APPROVED ON CONSENT CALENDAR formation of a Joint Powers Authority (JPA) between the MTA and the County of Los Angeles to facilitate MTA's U.S. **leveraged lease** of 30 **Breda Rail vehicles**.

Director Yaroslavsky indicated a Conflict of Interest

12. APPROVED ON CONSENT CALENDAR selection of Bank of America, Pacific Investment Management Co., Danson & Neuhar, LM Capital and V.A. Reid under REP PS53200007 to provide investment management services for the operating funds for an estimated annual fee of \$367,000.

Directors Antonovich/Patsaouras and Knabe/Arthur indicated a Conflict of Interest

13. Director Alatorre made a motion to approve staff recommendation, which action was seconded by Director Arthur.

Appearance of B. Bartlett, Mayor of Monrovia, and P. Wallach, Mayor of El Monte speaking in favor of the bridge loan and proposed facilities.

Director Yaroslavsky asked questions in the areas of obtaining of a conventional loan, consideration of a loan taking into account the financial situation, and the use of other MTA dollars to guarantee the loan. then made a substitute motion to require Foothill Transit to apply for a conventional loan with any interest rate above 5% to be subsidized by the MTA, which motion FAILED on a Roll Call vote noted:

He

Ayes: Burke, Bonzo, Yaroslavsky
Noes: Antonovich, Alatorre, Cragin, Arthur, Fasana, Oropeza, Riordan, Alarcon, Wilson, Zarian
Abstain: None
Absent: None

A voice vote was then taken on the original motion to approve the bridge loan to Foothill.

APPROVED negotiation and execution of **a bridge** loan to Foothill Transit to complete construction of the El Monte and Pomona Operations and Maintenance facilities, in the amount of \$10,400,000.

Directors Bonzo and Yaroslavsky voted "No.'

14. CARRIED OVER TO REGULAR JANUARY BOARD MEETING:

award of contract to Cash Technologies Inc., the lowest responsive and responsible bidder under IFB No. 07-9601, covering the currency counting service for one year, up to and not to exceed \$800,000; and

exercising four, six-month options, at the election of the MTA, for a not to exceed cost of \$800,000 per year.

15. APPROVED ON CONSENT CALENDAR a contract amendment with bd Systems Incorporated, Torrance, covering info~,ation systems services for an extended period of 90 days

through April 30, 1997 at a cost no more to exceed \$825,000 for a total contract of \$12,770,000.

OPERATIONS COMMITTEE

16. APPROVED ON CONSENT CALENDAR contract amendment with Transportation Management Solutions, Inc., Linthicum, Maryland, covering procurement of Metro Freeway Service Patrol dispatch computer and data transmission equipment, for an amount not to exceed \$780,506, subject to audit .

17. APPROVED ON CONSENT CALENDAR contract amendment with Motorola Communications of San Diego to provide 100 sets of radios for the Metro Freeway Service Patrol, for an increase in the contract by \$615,000, subject to audit.

18. APPROVED ON CONSENT CALENDAR:

a contract amendment with Inter-Con Security Systems, Inc., under RFP 95-26, covering security services at bus operating divisions in the amount of \$300,000 through December 31, 1996; and

exercising a one year option at a cost of \$1M from January 1 through December 31, 1997.

19. APPROVED ON CONSENT CALENDAR contract with Mesa Pacific, a subsidiary of Pacific Enterprises, to provide liquefied compressed natural gas fueling services at Division 5 for an estimated annual cost of \$330,000 for a one year period.

20. CARRIED OVER TO JANUARY COMMITTEE MEETING award of contract to Environmental Restoration, Inc., Cerritos,

the lowest responsive, responsible bidder covering underground tank replacement at Division I0 for a fixed price of \$1,493,890.

21. **CARRIED OVER TO JANUARY COMMITTEE MEETING** award of contract to Tyree Organization, Ltd., Cerritos, the lowest responsive, responsible bidder covering underground tank replacement at Division 6 for a fixed price of \$946,556.
22. **APPROVED ON CONSENT CALENDAR:**
- io rejection of all bids under RFP No. 0P-3340-0504 for failure to comply with DBE goal requirements;
 - B. extension of existing contracts with California Street Maintenance, Gardena, and A-I Power Sweeping Co., Baldwin Park, to provide power sweeping services for a period of six months at a not to exceed monthly amount of \$25,000 and \$6,000 respectively; and
 - co re-solicitation of proposals for these services.
23. **APPROVED ON CONSENT CALENDAR** contract with Agrichem Services, Davis, under RFP 0P35600303 covering herbicide application services on Metro Blue and Green Line rights-of-way and facilities to control vegetation growth for a three year period, with two one-year options at the election of the MTA, for a five-year not to exceed amount of \$263,240.
24. **APPROVED, AS AMENDED,** a permanent minor route modification on Lines 446-447 - PATSAOURAS TPJINSIT PLAZA-LOS ANGELES-CARSON-WILMINGTON-SA/ PEDRO EXPRESS, to serve the new Harbor/I-105 Transitway station to be

effective December 15, 1996, and increase the Chief Executive Officer's authority for minor route modifications from \$25,000 to an not-to-exceed \$100,000.

Approved with 9 directors present.

PIJ-NNING & PROGRAMMING COMMITTEE

25. APPROVED, AS AMENDED, replacing Attachment 2 with Attachment B, the Fiscal Year 1997-98 **State Transit Capital Improvement Program** to:

approve 16 project applications totaling \$28,207,590; and

- Bo adopting the MTA's Los Angeles County Regional Guideway Financial Plan totaling \$28,207,590.

Approved with 9 directors present

26. Director Fasana made a motion to defer this item to allow sufficient time to consider the Bowler legislation which was seconded by Director Patsaouras.

Director Burke made a substitute motion to approve the staff recommendation. This motion passed with Directors Fasana, Arthur and Patsaouras voting "No."

APPROVED:

finding 87 jurisdictions in conformance with the adopted **Congestion Management Program** (CMP) and determine that two jurisdictions are in *nonconformance*; and

- Bo approval of the 1995-1996 development debits and standard and unique credit claims.

27. Public comment from J. Gabig, R. Rebeiro, W. Roberts and M. Satterfield.

Director Patsaouras made a motion to carry the item over

for 30 days to address concern of the firm responsible for developing the specifications could also bid in the procurement process, which motion failed as noted:

Ayes: Patsouras, Bonzo, Oropeza
Noes: Burke, Cragin, Arthur, Fasana, Yaroslavsky, Zarian
Abstain: None
Absent: Alatorre, Riordan, Schatz, Wilson

A motion was made to approve staff recommendation with was approved with Directors Burke, Cragin, Arthur, Fasana, Yaroslavsky, Wilson and Zarian voting in favor.

APPROVED:

AO amendment to contract ST-005 with GFI Genfare to develop a fully-integrated regional electronic fare revenue processing system, in the amount of \$427,000;

approve utilization of \$427,000 in the 1995-96 Call for Projects Countywide Multimodal Electronic Fare Payment Systems project (#2440); and

CO development of an interagency agreement between interested operators to oversee development of the specification and potential procurement, operation and management of the system components.

28. APPROVED acceleration of the funding schedule of \$140 million of the \$359 million commitment to the Alameda Corridor Project to ensure a 2001 project completion date contingent upon appointment of a permanent member & alternate as a voting member to the ACTA Board, member to be appointed by MTA with the immediate release of up to \$2.7 million conditioned on appointment of an MTA Board member; and designate the \$400 million spent by the Port of Los Angeles and Long Beach to purchase the Alameda corridor railroad right-of-way as the requisite local agency funding match to the MTA's \$350 million contribution to the project which will be released as programmed.

Director Antonovich voted "No"

EXECUTIVE MANAGEMENT COMMITTEE

29. APPROVED IN CONCEPT the Coopers & Lybrand organizational assessment report; consideration of implementing recommendations to be considered at a special meeting January 10, 1997.

30. APPROVED AS AMENDED, the 1997 Legislative Program as noted to include joining SCAG to advocate state funding for regional core ride sharing:

Federal: Goal 1 APPROVED

Goal 2 - deferred until a special meeting can be scheduled to discuss ISTEA

State: 1) Include *bicycle* safety education in the 16-week school driver's education course, and 2) join with SCAG and the other **county** transportation **commissions in** the region to advocate for state funding for regional core ride share services directed to MTA

Local: APPROVED

31. APPROVED ON CONSENT CALENDAR:

adoption of an Equal Opportunity/Affirmative Action Program 1995 Update approved by the Federal Transportation Authority and reviewed by the State of California Department of Fair Employment and Housing;

adoption of the Long Range and Short Term Affirmative Action Goals based on the 1990 Census percentage of Los Angeles County market availability for the nine equal employment opportunity categories; and

co implementation and development of updates, procedures and policies to ensure continued conformance with FTA requirements necessary for receipt of federal funds and adherence to local, state and federal laws against discrimination.

32. APPROVED ON CONSENT CALENDAR development of a Small Business Enterprise (SBE) program as an alternative to

the currently adopted MBE and WBE Local Program, to be implemented if the current program is held to be unconstitutional pursuant to Proposition 209 California Civil Rights Initiative.

33. APPROVED ON CONSENT CALENDAR award of a five year unit rate contract to Employee Support Systems Company to provide an employees assistance program for eligible employees and their immediate family members in the amount of \$126,403 for the first year.

CONSTRUCTION COMMITTEE

34. APPROVED ON CONSENT CALENDAR an award fee for Contract MC013 with Managers of Transit Construction for construction management services on the Pasadena Blue Line in the amount of \$59,141 (9%) for the period May through August, 1996.
35. APPROVED LRAIDER COMMITTEE AUTHORITY authorization for Engineering Management Consultant to award a subcontract to Dworsky Associates, Inc. for architectural/engineering services on the Chavez/Soto Station for the East Side Extension for a firm fixed price of \$2,197,854.
36. APPROVED UNDER COMMITTEE AUTHORITY Amendment No. 1 to the utility cooperative agreement with Southern California Edison Co. for final engineering design and review services for the Metro Red Line East Side Extension for a not to exceed amount of \$5,000.

37. **APPROVED UNDER COMMITTEE AUTHORITY Amendment No. 1** to the utility cooperative agreement with Southern California Gas Co. for final engineering design, review and construction services for the Metro Red Line East Side Extension for a not to exceed amount of \$1,000,000.
38. **APPROVED UNDER COMMITTEE AUTHORITY Amendment No. 1** to the utility cooperative agreement with Los Angeles Department of Water and Power - Water System for final engineering design, review and construction services for the Metro Red Line East Side Extension for a not to exceed amount of \$1,000,000.
39. **APPROVED UNDER COMMITTEE AUTHORITY Amendment No. 1** to the utility cooperative agreement with *MetroAccess* Transmission Services, Inc. (MCI) for final engineering design and review services for the Metro Red Line East Side Extension for a not to exceed amount of \$5,000.
40. **APPROVED** an increase in the Authorization for Expenditure to Contract PM021 with Fluor Daniel, Inc. for **Project Management Assistance Services** for the East Side Extension, Red Line Segment 1 Transit Enhancements, and Systemwide Projects, in the amount of \$1,550,000 for a revised AFE amount of \$5,385,000.
- Directors Antonovich, Knabe and Riordan indicated a Conflict of Interest
41. **APPROVED UNDER COMMITTEE AUTHORITY Contract Work** Authorizations (CWA) with CalTrans for claims settlement:

- Ao Revision No. i to CWA CN-93-NE45 settlement with FTR International (CalTrans Contract 07-118194-Norwalk Transit Station) in the amount of \$304,423;
- B o Revision No. 1 to CWA CN-93-NE39 settlement with Morrison-Knudsen (CalTrans Contract 07-118174-Avalon Transit Station) in the amount of \$325,450; and
- co payment of the claims contingent upon, and subject to CalTrans' agreement that a global settlement of all outstanding MTA claims on the Metro Green Line will be offset against CalTrans/MTA shared contracts for the green line, and agreement to provide full and final release of any and all claims resulting from the Metro Green Line/I-105 Project.

42. **APPROVED UNDER COMMITTEE AUTHORITY** authorization of Engineering Management Consultant (EMC) under Contract E0070, Work Order 37, to increase a sub-consultant contract with HNTB Corporation **for Urban Design/Community Outreach** services for an additional amount not to exceed \$100,000.

43. **CARRIED OVER TO JAIQUARY COMMITTEE MEETING:**

Amendment No. 16 to Contract Work Order No. 3 to Contract E0070 with Engineering Management Consultant to incorporate Consultant Change Notice No. 500 for design support during construction **for the Metro Red Line Vermont/Hollywood Corridor** in the amount of \$4,467,711;

B. an increase to the Authorization for Expenditure in the amount of \$4,467,711 for a revised total AFE of \$92,961,596.

44° WITHDP~AWN BY STAFF Work Authorization Change Notice No. B271-CN-61.00 to Contract B271 with Kiewit-Shea, JV, covering concrete quantity variance at the **Hollywood/Western** Station for an amount not to exceed

\$361,113, increasing the total contract to \$41,827,903.

45. **APPROVED UNDER COMMITTEE AUTHORITY:**

Interrelated Schedule Mitigation Change Order Nos.

B252-C0-65.00 and B271-CN-25.00 to Contract Nos. B252 and B271 with Kiewit-Shea, JV, for the Vermont/Santa Monica and Hollywood/Western stations on the Metro Red Line Vermont/Hollywood corridor which extend the interim schedule milestones of the B252 contract in consideration for schedule acceleration on the B271 contract to reflect no impact on the Total Contract Value of either contract or the contractor's AFE value; and

rescinding \$345,000 in liquidated damages originally withheld against contract B252, subject to approval of the Federal Transit Administration.

46. **CARRIED OVER TO JA-VJARY COMMITTEE MEETING:**

credit to Amendment 27 to Contract 3369 with Parsons-Dillingham for construction **management services** on the Metro Red Line, Wilshire and Vermont/Hollywood corridors in the amount of (\$3,620,560), decreasing the total contract value to \$158,225,787; and

B. reduction of the AFE in the amount of \$4,337,009 for a revised total AFE amount of \$160,225,787.

47. **APPROVED UNDER COMMITTEE AUTHORITY** cancellation and re-solicitation of Invitation for Bid C0628 covering **tunnel grouting and repair of the Metro Red Line Segment I.**

48. **APPROVED UNDER COMMITTEE AUTHORITY** Change Order No. B610-C0-23.00 to Contract B610 with Morrison-Knudsen to

compensate for trackwork installation delays in the Wilshire Tunnels on the Metro Red Line, Wilshire Corridor in the amount of \$349,836, increasing the total contract value to \$20,764,915.

49. WI~RAWN BY STAFF:

- A. Amendment No. I! to Contract Work Order (CWO) No. 5 to Contract E0070 with the Engineering Management Consultant for engineering services for the programwide Metro Rail Projects in the amount of \$2,260,187 for a total Project 800275 value of \$6,142,000; and

an increase in the Authorization for Expenditure (AFE) in the amount of \$4,560,187 for a revised AFE amount of \$8,642,000.

50. APPROVED UNDER COMMITTEE AUTHORITY:

- io credit Change Order B611-CO-I.01 to Contract B611 with Bethlehem Steel Corporation to reduce the quantity of **running rail** for the Wilshire, Vermont-/Hollywood and North Hollywood Corridors of the Metro Red Line and Pasadena Blue Line, in the amount of (\$1,202,250), decreasing the Total Contract Value to \$11,446,589; and

- B. reduction of the approved AFE amount by (\$1,202,250) to \$12,764,835.

51. WITHDRAWN BY STAFF a Cooperative Agreement between the City of Los Angeles and the MTA to administer and operate a **cleaning and** graffiti abatement program utilizing Hollywood Construction Impact Program (HCIP) funds for the period of February I, 1997 through June 30, 1998 at a cost not to exceed \$500,000.

52. There were no items not on the posted agenda considered.

53. CONTINUED TO A SPECIAL MEETING JANUARY 10, 1997 actions required to implement adopted rail projects:

- io reduce the budget by 5% and include the recommendation as part of the five-year business plan;
exchange \$300 million of federal flexible funds from the Call ~ = ~ ~ High Occupancy Vehicle (HOV) Program to the Red Line Segment 3 Project;
and
- co prepare an action plan which minimizes the Red Line Segment 3 schedule delays in accordance with the Federal Transit Administration guidelines.

APPROVED Director Antonovich motion to seek amendments to the Federal Full Funding Grant Agreements for rail, a review of the previous cost containment and report back in January, AMENDED to include consideration of alternative alignments and exclude the first segment of the Eastern Extension.

54. APPROVED contract amendment between the MTA and the PERS Pension System extending coverage until December 31, 1997, or for such other period as may be negotiated with PERS.

55. Carried over the 1997 Transportation Improvement Program (TIP) Call for Projects. Reconsideration of the item was requested on approved on a unanimous vote. On motion of Director Arthur, seconded by Director Patsouras with 8 directors present, the following action was taken:

APPROVED the schedule and process of the 1997 Transportation Improvement Program (TIP) Call for Projects with the modifications recommended by the Technical Advisory Committee and the additional modifications recommended by staff.

The meeting adjourned at 6:28 p.m.

PREPARED BY: Rhodona Enright

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