

# MINUTES



LOS ANGELES COUNTY TRANSPORTATION COMMISSION 818 West 7th. St., Suite 1100, Los Angeles, Calif. 90017 (213) 623 1194

## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

January 23, 1991

The regular Commission meeting was called to order by Chairman Edelman at 1:40 p.m. in the Board of Supervisors' Hearing Room at the Hall of Administration.

Mr. Patsaouras introduced the SCRTD Career Day Student, Scott Mahler from Monroe High School in the San Fernando Valley, who was acting as President of SCRTD Board of Directors for the day.

Members in attendance were:

Supervisor Ed Edelman  
Councilman Ray Grabinski  
Councilwoman Jacki Bacharach  
James Tolbert  
Mike Lewis, alternate to Supervisor Schabarum  
Mas Fukai, alternate to Supervisor Hahn  
Don Knabe, alternate to Supervisor Deane Dana  
Nick Patsaouras, alternate to Supervisor Antonovich  
Ray Remy, alternate to Mayor Bradley  
Councilman Robert White, alternate to Councilwoman Judy  
Hathaway-Francis  
Lew Bedolla, alternate to Jerry Baxter

Staff members present:

Neil Peterson, Executive Director  
David Kelsey, Assistant County Counsel  
Kathy Torigoe, Executive Secretary

#### APPROVAL OF MINUTES

The minutes of December 19, 1990 were approved.

#### INTRODUCTION OF NEW CHAIRMAN

Mr. Edelman introduced the new Chairman, then turned the meeting over to Councilman Ray Grabinski, who will be the chair of the Commission for 1991.

On behalf of the Commission, Mr. Grabinski outlined Chairman Edelman's numerous accomplishments over the last year. He presented Mr. Edelman with gifts and a resolution of appreciation for serving as chair during 1990.

#### CHAIR'S REMARKS

Chairman Grabinski expressed his pleasure in assuming the chairmanship of the Commission for 1991. He mentioned that he would like to work towards the following goals and, hopefully, have the Commissioners' support in achieving them.

1. LACTC Retreat (end of January) to work on:
  - a. Objectives for 1991
  - b. Get to know the new members and how we relate to one another
  - c. Develop sense of ownership for 1991 objectives.
2. Improve public and business sectors' knowledge of transportation issues and efforts.
  - a. Conduct dreams seminar including manufacturers, suppliers, policymakers to discuss solutions for congestion
  - b. Conduct specialized workshops targeted to educate LACTC on issues (e.g., joint development, air quality)
  - c. Develop public sense of ownership by continuing education/marketing efforts (e.g. schools).

3. Make transportation efforts multimodal in approach and solution:
  - a. Increase media involvement in developing public opinion
  - b. Develop marketing plan and marketing newsletter and maximize distribution.
4. Review LACTC committee structure to minimize time commitment and maximize meeting time effectiveness.
5. Prepare draft SCRTD/LACTC reorganization plan in cooperation with SB 1587 in cooperation with SCRTD.
6. Successfully implement Prop. C funding allocation ordinance.
7. Clarify role of the Rail Construction Corporation.
8. Aggressively seek transportation funding for L.A. County funding needs with the reauthorization of the Department of Transportation's Surface Transportation Act.

#### ELECTION OF CHAIRMAN

Mr. Knabe nominated Commissioner Mike Antonovich to the position of Vice Chair, which was seconded by Mr. Patsaouras. Hearing no other nominations, Mr. Antonovich was unanimously elected as the Vice Chair for 1991.

#### BRIEFING

##### 23. Congested Corridor Action Plan

Judy Weiss, Deputy Executive Director for the Area Teams, made a presentation on the congested corridors draft report to be released for review and comment. Supervisor Edelman gave background on this item.

Ms. Bacharach asked that this report be sent to all the cities.

Mr. Lewis suggested that the staff develop some type of a monitoring program that will identify on a regular basis those projects that are on schedule or behind schedule or over budget and will actually measure the improvement in congestion. He also asked that staff draft the policy statement to do that and bring that back to us in a subsequent meeting.

Ms. Bacharach indicated that she would like to see a set of overlays in conjunction with the thirty-year Transit Financial Plan.

**CONSENT CALENDAR**

Mr. Peterson read: "Parties of interest that have made a contribution of \$250.00 or more in the past twelve months to any members of the Commission are asked to come forward and state for the record the Commissioner to whom such contribution was made and identify the item involved." (none)

Items held for further discussion: Item #2 (Knabe), Item #3 (Fukai), Item #19 (Bacharach). Mr. Peterson asked that Item #15 be held for Executive Session.

It was moved and seconded to approve Consent Calendar Items #1 - 26, with the exception of Items #2, 3, 15, and 19. Hearing no objection, motion was carried with abstention by Mr. Patsouras on Item #13.

1. **Amendment to State Legislative Program - Legislative and Administrative Services Committee (LASC) amended the staff recommendation to read:**
  - o **Review legislative efforts regarding the enhancement of bicycle and pedestrian facilities.**

The Committee further instructed staff to bring back to the Committee any legislation which provides for the enhancement of bicycle and pedestrian facilities, including additional funding.

4. **Revision to the LACTC'S Technical Correction to FY 1990-1997 Los Angeles County Transportation Improvement Program (TIP) to Fund the Route 118 Widening Project - Finance and Programming Committee (FPC) recommended that the Commission revise its November 28, 1990 technical correction to the FY 1990-97 Los Angeles County Transportation Improvement Program (TIP) to add a fifth High Occupancy Vehicle (HOV) lane on the Route 118 project, from Ventura County line to Route 5, with \$26.8 million of Prop. C funds.**

The Committee noted that the early commitment of Proposition C funds is necessary to accomplish the following:

- a. **Preventing unnecessary delay of high priority HOV project**

- b. Preventing unnecessary disruption of traffic by delivering the fourth mixed flow and fifth HOV lanes at one time, instead of in two phases.
- c. Demonstrating a strong commitment to this high priority project by directly funding from Proposition C.

The Commission's recommendation on the Route 126 project and the Rosecrans/Aviation project would remain as adopted by the LACTC on November 28, 1990.

5. **Federal Aid Urban Program Cash Management** - At the January 14, 1991 meeting, the FPC approved, as recommended by the Technical Advisory Committee (TAC), the staff recommendation with the following changes:

The second bullet of the Local FAU program was modified to read:

- o Projects from those agencies with prior approval for advance funding from the 1991 Surface Transportation Assistance Act (STAA), as shown in Attachment B, will also continue to be processed to the point just prior to approval to advertise until the project is funded by the LACTC Cash Management Plan.

The second bullet of the Regional FAU program was modified to read:

- o Necessary progress payments will be made by the LACTC from the FAU cash account and Proposition C revenues as indicated in Attachment A. The progress payments would be repaid to the LACTC Proposition C program by requiring the local agency to direct Federal progress payments from the 1991 STAA to the LACTC, if the 1991 STAA permits reimbursement of advance construction projects. (See staff memo for recommendation to request advanced construction authority from the 1991 STAA.)

6. **Transportation Development Act (TDA) Article 3 Funds for Bicycle and Pedestrian Facilities** - On January 14, 1991, the Finance and Programming Committee approved the staff recommendations with the following modifications:

Modify Recommendation #5 to Read:

Increase the cap on the regional portion of TDA Article 3 funds, for FY 1990-91 allocations only, to allow a maximum of 35% of regional funds to be used for maintenance costs associated with specific off-street bikeways of regional significance constructed prior to FY 1986-87. The 35% will be held in reserve at LACTC and released to the City and County of Los Angeles based on maintenance standards to be approved by the LACTC as the results of an independent performance audit of bikeway maintenance practices. The maintenance cap will be re-adjusted next year as appropriate to reflect audit findings.

This recommendation was approved by the Committee with an assurance from the County Department of Public Works that maintenance on these bikeways would be performed on a consistent basis and with a high level of quality.

Additional FPC Recommendation:

Conduct an audit of L.A. City and County maintenance costs for eligible routes. This audit will investigate cost-savings measures and maintenance standards determined by this audit will be adopted county-wide for specific bikeways.

7. **Interim Funding for the RTD District 2 Service Enhancements -** FPC recommended approving allocation of \$653,062 of Proposition A Discretionary Interest to the SCRTD for the continued operations of the District 2 Service Enhancements program (including Line 48) during FY 1991.
8. **Commercial Paper Documentation -** FPC recommended adopting a Resolution authorizing the Commission to initiate a Commercial paper program including the execution and delivery of the following documents:
  - a. Resolution of the Los Angeles County Transportation Commission authorizing a \$350,000,000 commercial paper program and the execution and delivery of documents related thereto including a bank reimbursement agreement and providing security for the commercial paper notes and other obligations incurred in connection with the program and authorizing officers, agents and employees to perform duties and take actions in accordance with this resolution

- b. Subordinate Trust Agreement providing for the issuance of subordinate obligations secured by a pledge of Net pledged Revenues;
  - c. First Supplemental Subordinate Trust Agreement setting forth the terms of the commercial paper program, a form of Issuing and Paying Agent Agreement and the form of the Commercial paper Notes are attachments to the documents;
  - d. Supplemental Trust Agreement to supplement the Commission's 1986 master Trust Agreement and provide for the transfer of Proposition A Sales Tax Revenues to provide a source of payment for the commercial paper and other subordinate obligations;
  - e. Reimbursement Agreement with Morgan Guaranty Trust company of New York as Agent for the banks issuing the letter of credit to support the commercial paper and the letter of credit; provides for reimbursement of draws made under the letter of credit and other payments to the banks and contains covenants and agreements on the part of the Commission;
  - f. Dealer Agreements to be executed by the Commission and Goldman, Sachs & Co.; Lehman Brothers, Inc.; Artemis Capital Group, Inc.; Bancroft, Garcia & Lavell, Inc.; and Grigsby Brandford & Powell, Inc. as dealers for the commercial paper programs; these agreements will set forth the terms on which the commercial paper notes are sold; and
  - g. Commercial Paper Memorandum which will be used as the offering document in the sale of the Commercial Paper Notes.
30. **Status Report #2 on Disbursement of Funds to SCRTD - FPC recommended:**
- a. Review all SCRTD Rail Activation invoices since May 1990 and report back to the Finance and Programming Committee at its February meeting with a mechanism for payment of all appropriate expenses.
  - b. To increase the compressed Natural Gas (CNG) Fueling Facilities State Transit Assistance (STA) interest funds. Payment will be made to the SCRTD.

- c. The payment of \$150,000 from the 5% Rail Set-Aside Account to the County of Los Angeles Internal Services Department for building and yard maintenance and custodial services.
9. **Contract No. T00-S0012 - Approval of Contract Amendment No. 1 - Countywide Seismic Assessment of Los Angeles Transportation Facilities - Contractor: DeLeuw, Cather & Company - \$56,500.00** - PMIC recommended that the Commission approve an amendment to the contract with Deleuw, Cather & Company. The amendment would increase the original contract amount of \$49,000.00 by (approximately) \$6,500.00, to the not-to-exceed amount of \$56,000.00.
10. **Award of Contract for Trip Data Gathering and Programming, FA -095** - PMIC recommended that the Commission authorize the Executive Director to enter into a contract with Booz Allen & Hamilton, Inc. for a sum not-to-exceed \$299,059.00. Funds are included in the FY 1991 Los Angeles County Transportation Commission operating budget.

**INTERIM COMMUTER RAIL JPA**

11. **Contract No. R60-CR-002 Locomotives for Rail Passenger Service** - Recommended the award of a contract to General Motors to provide 17 locomotives, spare parts, and test equipment in amount not to exceed \$34,305,922.
12. **Southern Pacific Force Account** - Recommended the Interim Joint Powers Authority authorize the LACTC to establish a force account with the Southern Pacific Transportation Company for an estimated price of \$10,479,000. Half of this account will be paid by the Commuter Rail Project half by Caltrans.

**RAIL CONSTRUCTION CORPORATION  
CONSENT CALENDAR**

13. **Metro Green Line: Contract No. R23-S11-E2301 - Transit Consultants of Southern California II - Approval of Amendment No. 3 - \$9,638,762** - Authorize the Executive Director to negotiate and execute Amendment No. 3 to the subject contract within an amount not to exceed \$9,638,762.
14. **Metro Red Line: Contract No. 4344 - Greenwood and Associates - Amendment No. 4 - Project Archaeologist Services - \$98,874** - Authorize the Executive Director to execute Amendment no. 4 to the subject contract in the amount of \$98,874.



16. **Metro Red Line, (MOS-2) Contract No. B231 - Wilshire/Western Station and Crossover - Contractor: Tutor-Saliba-Perini/Joint Venture - \$44,977,000.** - Authorize the Executive Director to award contract No. B-231 to Tutor-Saliba-Perini/Joint Venture, the lowest responsive and responsible bidder.

The contract award will be for a total estimated contract price of \$53,645,210. A 10% contract reserve fund of \$5,364,520 is also recommended to cover the cost of changes and extra work, but will not be included in the contract.

The estimated contract amount approximately 104% of the Engineer's Estimate. The Program Budget allocated for contract No. B-231 is \$44,977,000. The excess will be funded from project reserve.

17. **Metro Blue Line: Contract No. R01-T07-H812 - Overhead Contact System - Contractor: L. K. Comstock - Approval of Increase in AFE - \$1,353,263** - Approve an increase to the current AFE amount by \$1,353,263 to a revised AFE of \$15,703,263. This increase in AFE will enable staff to process pending and anticipated changes. The current forecast has enough funds available to bridge the AFE shortfall.

18. **Metro Blue Line: Contract No. R01-T01-C245 - Central Control Facility - Contractor: Shirley Brothers, Inc. - Recommendation for Contract Acceptance - \$53,417.00 -**

- a. Approve the acceptance of the subject Contract complete as of June 6, 1989, and authorize the recording of the Notice of Completion.
- b. Authorize the release of Contract balance of \$4,402.00 upon final acceptance and release balance of escrow in the amount of \$100,000.00 thirty (30) calendar days after the filing of the Notice of Completion.
- c. Approve the transfer of funds in the amount of \$53,417.00 to the Project Reserve. This amount represents a surplus over the current forecast for Contract No. R01-T01-C245.

**FURTHER DISCUSSION ON CONSENT CALENDAR ITEMS**

2. **Supplementary Information regarding the Procurement of a Firm to Develop a Commission-wide Policies and Procedures Manual - FA-084**

LASC recommended that the Commission authorize the Executive Director to enter into contract with the firm Decision Management Associates to produce a Policies and Procedures Manual, for a sum not to exceed \$78,645, for the development of high-priority policies and procedures. Recommendation for award of contract for additional policies and procedures will be brought back to LASC in February.

Mr. Knabe stated that there was not a quorum on this item when it went to Committee so he asked how it got on the Consent Calendar without a final vote by the committee.

Mr. Peterson indicated that on the Consent Calendar is the action that the committee took on the first \$76,000; the remainder of \$200,000 was held until the next meeting.

Mr. Knabe moved approval, seconded by Mr. Patsouras. Without objection, motion was carried.

Ms. Bacharach asked about the hiring of a new staff person and whether it will downscope the consultant's contract.

Ms. Bacharach stated that the committee did not discuss the affect this has on staffing and that the committee's action did not accept the need for more staffing. She requested an analysis of staff and proposed consultant work levels required be brought to back to the committee for discussion. Mr. Knabe agreed.

Mr. Peterson explained that at the next meeting, the report will reflect the long term maintenance requirements.

3. **Award of Contract for Fleet Vehicle Lease** - LASC recommends that the Commission approve the award of a contract to Enterprise Leasing Company of Los Angeles for providing, maintaining and insuring a total of 58 vehicles for a minimum period of twenty-four (24) months. The contract amount will not exceed a budgeted \$891,231.61 for FY 1991-92.

Mr. Fukai asked for an explanation of why there was only one bidder, for an almost million dollar contract.

Mr. Lewis explained that the RFP had been sent to over thirty different leasing companies and car dealers. The RFP required a full service leasing agreement that included automobile purchase, ongoing maintenance and insurance coverage. It was the combination of these three items in addition to a requirement that the new autos be capable of being altered to run on alternative fuels that caused other companies not to bid.

Mr. Fukai then asked for an explanation of why no local DBE certified firms were involved.

Mr. Lewis explained that LACTC's DBE certification process de-certifies businesses when annual sales are above \$15 million. The assumption being a \$15 million firm is not disadvantaged. Auto dealers almost always are larger than \$15 million. Mr. Knabe moved approval, seconded by Ms. Bacharach.

Mr. Fukai asked about the increase of 38 to 58 cars for lease.

Mr. Lewis explained that the total number of cars will be 73 (58 new cars and replacement cars). He stated that we compare to other organizations in the county. Mr. Knabe moved approval, seconded by Ms. Bacharach.

Mr. Fukai felt that there are too many loopholes, and he will look into it, but will approve. Motion was carried with abstention by Mr. Tolbert.

19. **Contract A147/A157, Protest of Substitution - R.J. Land Associates (Subcontractor) vs Morrison Knudsen Corporation (Prime Contractor) - Public Code Sections 4107 and 4108** -If the Board determines that the Subcontractor failed to meet the bonding requirements of the Prime Contractor, Morrison Knudsen, then staff recommends that the Board consent to the Prime Contractor's substitute in accordance with §41079(a)(4) and §4108 of the Public Contract Code.

Mr. Kelsey indicated that this RCC item is a request of substitute of sub-contractor. The RCC conducted the hearing and approved the substitution of the sub-contractor.

No action is necessary before the Commission.

**STAFF/COMMITTEE REPORT**

**20. Urban Freeway Congestion Relief Program - HOV Master Plan/Freeway Incident Management Program - Planning and Mobility Improvement Committee (PMIC) recommended:**

- a. Combine an aggressive freeway incident management program (detection, identification and response including motorist information) with an accelerated HOV program in order to provide optimum congestion relief for the Los Angeles County freeway system.
- b. Request staff to work with Caltrans and return with a specific implementation program for the combined program in conjunction with Prop C guidelines and with the goal of maximizing the use of other State and Federal funds.

Dave Barnhart, Area Director of the Southeast Area Team, and Dave Roper from Caltrans provided the briefing.

Mr. Peterson indicated that Caltrans and LACTC have agreed that a common effort needs to be made to get a program that makes some sense and also a funding package to do it. This would be one of the major programs that Commissioners would want to consider Prop C funds for.

Ms. Bacharach indicated that she would like to add to each of these charts a sort of a survey of signage. She also asked to have Caltrans and the cities look into what is called path finder signs.

Chairman Grabinski suggested that they have an informational sign, advertising a Caltrans telephone number for the public to call to report anything wrong.

Mr. Barnhart indicated that the Prop C guidelines are scheduled to be adopted in April. The Commission and Caltrans are the two key inputs to the decisions that the state transportation commission will receive in making their decision relative to the STIP and the TSM and the other programs.

Mr. Lewis stated that it may be in the Commission's best interest to make some changes in the Proposition A funds.

Ms. Bacharach moved approval, which was seconded. Without objection, motion was carried.

21. **Prop A Discretionary Guidelines - Proposed Revisions - PMIC** agreed to table this item for one month to allow the RTD Board to review and discuss these issues at their February 14 meeting. The motion to delay consideration of this item was made with the understanding that the six month advance notification rule be amended to four months notification for the revisions outlined in the staff report. (At the December PMIC meeting the six month notification had been amended to five months.)

Motion made by Mr. Tolbert, which was seconded. Hearing no objection, motion was carried.

#### EXECUTIVE DIRECTOR'S REPORT

22. **Report on Meeting with Congressman Roe, Chairman, House Public Works and Transportation Committee**

Congressman Roe's goal is to raise the transportation issue to a higher level of discussion on the national agenda and to bring together an integrated system of transportation that ties into surface transportation activities.

24. **Metro Rail Status Audit**

Informative briefing on the status of MOS-1 project, was presented by Ed McSpedon. Reports attached to the minutes. Ms. Bacharach requested that the 30-Year Transit Financial Plan be placed in a 3 ring notebook and passed out to the Commissioners.

Mr. Lewis asked when are we going to see something that shows a commitment of dollars to this effort and how will we know it when we see it and how do we get the other agencies that are going to be responsible for some piece of this program to buy in for their share?

Mr. Lewis moved to have staff bring back with the guidelines in April a formal budget and finance process that would include beyond just the annual adoption of the budget which this organization does, a bi-annual evaluation of the entire program (thirty-year plan).

25. **Commission Travel Request**

Ms. Bacharach and Ms. Hathaway-Francis to attend the Independent Cities Association Seminar to be held on February 15-17, 1991 in Santa Barbara, California.

Ms. Bacharach to participate in the Joint LACTC/City of Compton delegation to Washington, D.C. on January 30-31.

Mr. Tolbert to attend the UMTA Workshop February 20-22, 1991 in Monterey, California.

Motion was made and seconded. Hearing no objection, motion was carried.

#### **Report on California Transportation Commission Meeting**

Ms. Bacharach and Mr. Peterson gave a report regarding the use of Proposition 108 money for the Southern Pacific right-of-way purchase.

Ms. Bacharach seconded the motion but would like to see it quarterly.

Hearing no objection, motion carried.

#### **PUBLIC COMMENT**

Sheldon Walter commented on L.A. Rail Transit

Don Schultz of the Van Nuys Homeowners Association commented on the Sepulveda Drive-In Theater Property

John Walsh representing the United Riders commented on the Metro Rail tunnel fire and the Metro Blue Line.

#### **REPORTS FROM CHAIR AND COMMISSIONERS**

Chairman Grabinski made the following appointments:

Jacki Bacharach the Commission's Representative on the Inter-Agency AQMP Implementation Committee and Judy Hathaway-Francis - Alternate. The IAIC was established by SCAQMD to provide a forum for in-put and advice on issues related to implementation of the Air Quality Management Plan.

Judy Hathaway-Francis new regional Mobile Source Air Pollution Reduction Review Committee. This committee will make discretionary awards in the four county region for programs to reduce air pollution from motor vehicles, funding will come from an annual vehicle registration fees imposed at two dollars per vehicle beginning April 1.

26. Notice of Meetings was received and filed.

**CLOSED SESSION**

At 4:45 p.m. Mr. Kelsey indicated the Commission is going into closed session pursuant to Government Code Section 54956.8/54956.9 to discuss potential litigation and actual litigation concerning the case of Guy Atkinson versus the RTD et al and just compensation and authorization to acquire Sepulveda Drive-In Theater Property.

Commission reconvened at 5:20 p.m.

Public Comment was made by Darrell Mc Crory, Attorney for Shank\Healy.

15. **Metro Red Line: Line Section - Wilshire/Alvarado Station to Wilshire/Vermont Station, With Pocket Tract - Contract No. B-201 - Contractor: Shank-Healy/Joint Venture - \$46,377,589.00**

Motion was made by Jacki Bacharach that the Commission reject all bids, seconded by Mike Lewis. Hearing no objection, motion carried.

**ADJOURNMENT**

Meeting was adjourned at 5:25 p.m.



NEIL PETERSON  
Executive Director

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Attachments