

MINUTES



LOS ANGELES COUNTY TRANSPORTATION COMMISSION 403 West 8th St., Suite 500, Los Angeles, CA 90014 (213) 626-0370

LOS ANGELES COUNTY TRANSPORTATION COMMISSION

NOVEMBER 15, 1989

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

Members in attendance were:

Councilmember Christine E. Reed
Mayor Jacki Bacharach
Councilman Ray Grabinski
Councilman Nate Holden
Carole Stevens
Mike Lewis, alternate to Supervisor Schabarum
Walter King, alternate to Supervisor Hahn
Rick Callahan, alternate to Supervisor Edelman
Barna Szabo, alternate to Supervisor Dana
John La Follette, alternate to Supervisor Antonovich
Ray Remy, alternate to Mayor Bradley
Jerry Baxter, Ex-Officio for State of California
Rosa Kortizija, alternate for John La Follette

Staff members present:

Neil Peterson, Executive Director
Nina Phillips, Deputy County Counsel, for David Kelsey
Kathy Torigoe, Executive Secretary
Elyse Kusunoki, Administrative Secretary

Chair Reed indicated that the Commission convened into closed session at 12:00 noon to receive reports on ongoing litigation and also to discuss a property acquisition matter. No action was taken in the executive session and no report was made.

CONSENT CALENDAR

Item Nos. 1, 6, 9, 12, 13, 14 and 15 were asked to be held for discussion. Mrs. Bacharach moved, seconded by Mrs. Reed, to approve Consent Calendar Item Nos. 2 through 24 with the exception of Nos. 1, 6, 9, 12, 13, 14, and 15. Mr. La Follette indicated a "no" vote on Items 2 and 18. Mr. Lewis also asked to be recorded as a "no" vote on Item 2. Hearing no other objections, motion was carried.

2. Update on 1/2-Cent Sales Tax - The Government Relations & Finance Committee (GRFC) and the Streets & Highways Committee (SHC) recommended the Commission amend the timeline for a local sales tax measure to indicate a preference for an election to take place in November, 1990. The SHC deleted all references to earthquake assessment in the staff recommendation in order not to relieve the state of its responsibility of addressing these needs statewide.
4. Workers' Compensation - Approval Application Process to Withdraw from State Compensation Fund - GRFC recommended the Commission authorize the Executive Director to sign the "Resolution Authorizing Application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self Insure Workers' Compensation Liabilities" to initiate the application process to withdraw from the State Compensation Fund. Authorize staff to enter into a contract with Bierly and Associates as a third-party administrator to establish and administer its workers' compensation self-insurance program.
5. Results of Employee Benefit Survey - GRFC recommended the Commission adopt the staff recommendations with these revisions:
 - a. Under Flexible Benefits: add a statement that if an employee is covered by another health plan, the employee must annually recertify to that coverage.
 - b. Under Purchase Benefits: the Executive Director is granted authority to negotiate assistance for the purchase of a home for certain employees subject to the approval of the GRF Committee. The GRF Committee will receive annual reports on any such expenditures.

- c. The housing assistance provided should be sufficient to offset the housing cost differential for acceptable house, rather than comparable house to the recruited candidate's current residence. Further, adequate replacement value insurance must be maintained on the house purchased with assistance from LACTC.
7. Triennial Performance Audit - GRFC recommended that the Commission accept the report and approve its submission to the state. The GRFC asked staff to send a copy of the report to each Commission member. The report has been sent under separate cover. The GRFC also requested a full presentation on the report by Booz Allen Hamilton at their December 1 meeting.
8. Smart Corridor Implementation - SHC recommended the following recommendations:

Santa Monica Freeway Smart Corridor -
 - a. Authorize staff to issue a Request for Proposal for consultant assistance for the System Manager Element of the Santa Monica Freeway Smart Corridor for a cost not to exceed \$3.0 million over two years.
 - b. Direct staff to place a high priority on acquiring additional funds needed to implement the Santa Monica Freeway Smart Corridor project.
Early Implementation of Smart Corridor Strategies - Directed staff to report back with an action plan of opportunities for early implementation of Smart Corridor component strategies. This action plan will include specific locations, scope, timeframe, cost and funding needs. After delivery of the attached letter from the City of Los Angeles, staff was further directed to report back on the Victory Corridor Signal Coordination project delivery status.
10. Approval of Transit Financial Plan Consultant - TC recommended Commission's authorization to negotiate and award the Transit Financial Plan contract to the team headed by Deloitte, Haskins & Sells with a contract ceiling of \$228,672.
11. Adoption of LACTC Regional Guideway Financial Plan for the State FY 1990-91 Transit Capital Improvement Program - TC recommended the Commission approved the Guideway Financial Plan and direct staff to forward this document to the California Transportation Commission.

**RAIL CONSTRUCTION CORPORATION
CONSENT CALENDAR**

16. Change Order Nos. 029 and 021 (Contract R01-T01-C435/Aerial Structures) - Recommended approval of the following Change Orders:
 - a. No. 021 in the amount of \$290,800.
 - b. No. 029 in the amount of \$235,517.
17. Change Order Nos. 082 and 089 (Contract No. R01-T01-C140/L.A. CBD Approach) - Recommended approval of the following Change Orders:
 - a. No. 082 in the amount of \$487,870.
 - b. No. 089 in the amount of \$627,023.
18. Government Code Claims - Recommended the Commission formally reject the following claims:
 - a. Ether & Walter Commer
 - b. Reva A. Moore
 - c. Francisco Andres Munquia
 - d. Rose Munquia
 - e. Rogelio Novoa
 - f. Isabel Dominguez
 - g. Tomas Mercado
 - h. David Gonzales
 - i. Mark S. Cox
 - j. Antolina Pacheco
 - k. Alejandro Hernandez
 - l. Marcos Pacheco
19. Contract No. C420 - Rosecrans Street Demolition/Utility Relocation - Recommended the Commission authorize the Executive Director to award Contract No. R01-T01-C420 to Shawnan Corporation, the lowest responsive and responsible bidder. The contract award will be for a total estimated contract price of \$2,108,660. A 10% contract reserve fund of \$211,340 is also recommended to cover the cost of changes and extra work, but will not be included in the contract award amount.
20. Change Order No. 115 (Contract No. R07-T01-C140/L.A. CBD Approach) - Recommended, contingent upon legal counsel's approval of the change order language before the Commission's November 15 meeting, that the Commission approve Change Order

No. 115 in the amount of \$1,025,469. Sufficient contingency remains with the current Authorization for Expenditure amount to cover the cost of this change order. It also recommends that the contract completion date be extended by 167 calendar days beyond the current completion date of October 22, 1989, to a revised completion date of April 7, 1990.

21. Southern California Rail Consultants Contract Amendment (Contract No. R01-S11-E001) - Recommended the approval of the following:
 - a. Increase the Authorization for Expenditure by \$94,083.
 - b. Amendment No. 5 in the amount of \$1,589,083.

The Commission will hold in retention all monies allowed in accordance with the contract.

22. Cooperative Agreement - Simmons Cable TV - Recommended the Commission authorize the Executive Director to execute the Cooperative Agreement with Simmons Cable TV and begin to issue work orders for necessary activities including design work, which should be done by LACTC-controlled forces to the maximum extent possible. The budget for compensation has been provided in the Program Plan, Line Item No. 23 (Force Accounts).
23. Transportation Occupations Program - Recommended the Commission approve the revised recommendations regarding the planning direction for the Transportation Occupations Program (TOP).
24. Options for Red Line Rail Cars - Recommended the Commission not exercise the option to purchase an additional 42 rail cars from Breda for the Metro Red Line. Instead, staff recommends that the Commission purchase all cars needed for Phase II in 1996.

FURTHER DISCUSSION ON CONSENT CALENDAR ITEMS

1. Approval of Minutes - October 11 and October 25, 1989 Meetings

The minutes of October 11, under Miami Commuter Line Visit (page 8), should be corrected and noted that Commissioner Stevens and Neil Peterson also attended the APTA Conference and visited the Miami commuter rail line.

The minutes of October 11 and October 25, 1989 were approved as amended.

3. Air Quality Staffing - GRFC recommended approval of the staff recommendation on the Air Quality positions and directs the Executive Director to report to the Commission on the reporting arrangements and source of funds for the new staff positions. Mr. Remy requested that the Commission look SB 120 or AS 1130 as targets for opportunities for funding these positions.
6. Proposed Salary and Compensation Survey for Rail Construction Corporation - GRFC recommended the Commission support the staff recommendation in concept and direct staff to contact public works-related agencies such as DWP, Department of Airports, and MWD to determine the salary levels for key employees including second-level engineers. Mr. Peterson handed out copies of the survey made by staff of the four public works-related agencies.

Mrs. Reed moved, seconded by Mrs. Bacharach, to approve the Committee's recommendation. Motion was carried with a "no" vote by Mr. Callahan.

9. Commuter Rail Equipment Acquisition Start-Up - Transit Committee (TC) recommended the Commission authorize staff to initiate action to procure passenger cars and locomotives for commuter rail operations, under the Commission's powers for negotiated acquisition of rail vehicles (Section 130238 - California Code). The passenger coaches to be acquired shall be two-level coaches, that have the capabilities as described in staff report. No contracts, or agreements to obtain rolling stock, will be made without Commission approval. Actual authorization to purchase vehicles will be made only after acquisition of railroad corridors or operating rights are obtained from the railroads.

Mrs. Bacharach moved approval, seconded by Mr. Lewis. Hearing no objection, motion was carried.

At this time, Mr. Holden and Mr. Remy arrived at the meeting.

12. Metro Blue Line - Audit on Project Readiness - TC recommended the Commission approve the staff recommendations regarding Metro Blue Line project readiness.

Mr. Callahan asked if this would commit the Commission to operate the Blue Line. Mr. Peterson indicated that the RTD would operate the Blue Line. Mr. Callahan asked what does the million dollars buy the Commission. Mr. Peterson indicated that this provides funds so that the Commission can

perform the functions that was agreed jointly with RTD to be provided between now and July 1. The Commission has a written agreement with RTD on what start-up functions they would do and what functions the Commission would do. This helps provide additional assistance to the Commission to make sure responsible duties are performed. Mr. Callahan asked if a Peer Review Panel had been established. Mr. Peterson indicated that RTD has established a Peer Review Panel. Mr. Callahan asked if the RTD supports these consultants and if there is any problem in hiring these particular consultants in terms of affecting the previous project on line. Mr. Peterson indicated that at the committee meeting, an RTD staff person indicated that they thought perhaps that this was some duplication of what is already occurring. Mr. Callahan asked why this money was not budgeted in this year's budget. Mr. Peterson indicated that with 7-1/2 months left between now and start-up, staff needs to make an extra effort into making sure that this is a successful start-up.

Mrs. Bacharach moved approval, seconded by Mr. Lewis. Hearing no objection, motion was carried.

13. Metro Blue Line - Security and Anti-Graffiti - TC recommended approval of the staff recommendations with the following clarifications:
 - a. The security coordinator is a temporary position.
 - b. The Community Youth Gang Services graffiti removal contract increase is approved with the understanding that the contract will clearly outline their duties and resolve the LACTC right to cancel the contract should those duties not be fulfilled. In addition, staff will return with a report on community relations activities to establish an outreach effort to mitigate the graffiti problem.
 - c. Approve a FY 1990 LACTC Budget amendment of \$1,897,379 to fund the security activities for the Metro Blue Line from the Proposition A Discretionary interest account.

Mr. Lewis moved approval, seconded by Mrs. Reed. Mrs. Stevens asked that a clarification be made to Item "b", that the Committee asked Commission's community relations staff to contact the various neighborhood youth and community services who deal with gang members for their help in alleviating the graffiti and vandalism problem. Hearing no objections, motion was carried.

14. Interim Allocation of Proposition A Discretionary Funds to the Foothill Transit Zone - TC recommended the Commission authorize the Executive Director to allocate \$1.13 million in FY 1990 Proposition A Discretionary funds as interim payment to the Foothill Transit Zone and take the administrative steps necessary to release the funds.

Mr. Lewis moved approval, seconded by Mrs. Bacharach. Motion was carried with a "no" vote by Mr. Callahan.

15. Transit Center for City of Glendale - TC recommended the Commission approve Glendale's expenditure of \$3,535,000 of their Proposition A Local Return for the purchase of the Glendale Amtrak Station and the surrounding 2.5 acres. The approval included two conditions:
 - a. That Glendale continue to work with the LACTC to ensure that the development plans are consistent with potential LACTC rail options; and
 - b. That a financial agreement be negotiated between Glendale and the LACTC if any portion of the transportation center includes non-transit uses, e.g., commercial development which would generate revenues.

Mr. Grabinski moved approval, seconded by Mr. Lewis.

Mr. Bryan Allen appeared before the Commission and expressed his opposition to Item "a" of the recommendation.

Mr. La Follette questioned the usage of "rail options" in Item "a". Mrs. Bacharach suggested changing the words to "guideway transit options".

Hearing no objection, the motion was approved with the inclusion of "guideway transit options" in Item "a".

At this time, Mr. Szabo joined the meeting.

STAFF/COMMITTEE REPORT

25. Route 105 (Glenn Anderson Freeway) Construction - The SHC recommended the Commission approve the staff recommendation to keep the option for approval open, while requesting that staff and Caltrans prepare additional information for the Commission's information. Staff was directed to present additional information for the Commission's consideration. If the original staff recommendation is approved, the

Commission will approve the \$59.7 million in cost overruns on Anderson Freeway construction and amend the Transportation Improvement Program to reflect this increase, recognizing that this action may delay funding currently programmed to other freeway projects.

Mr. Baxter explained that the Route 105 project overall was 5% under its projected budget, and that these project cost overruns were an observation.

Diane Perrine of staff requested Commission's approval for the revised staff recommendation on the second page of the handout which shows a higher actual cost overrun than SHC was aware of.

Mr. Callahan moved approval of the \$81.7 million in cost overruns, seconded by Mr. King. Hearing no objection, motion was carried.

26. Follow-up Items on Metro Rail Phase II - Mr. Peterson reported that a special Transit Meeting was also held last Thursday and that the recommendation does not reflect the full action of the Committee. He indicated that the Transit Committee was very specific in indicating to RTD that the proposal made by the Commission with regard to the Rail Construction Corporation in August to have the six-member board of directors (three appointed by the LACTC and three appointed by the RTD Board), is still a proposal that is open to RTD. When action was last taken by the Commission, a deadline of October 1 was given to RTD. To date, RTD has not acted on that proposal. TC recommended the Commission take the following actions regarding Phase II of the Metro Red Line:
 - a. Authorize the Executive Director to give SCRTD a 30-day notice of termination of the \$19.7 million contract between LACTC and SCRTD for general engineering and final design of Phase II.
 - b. Authorize the Executive Director to reassign to MRTC the scope-of-work included in the contract and to have related activities managed by the Rail Construction Corporation.
 - c. Authorize the Executive Director to release a Request for Proposal seeking General Engineering Consultant services for Phase II.

- d. Authorize the Executive Director to advertise and fill needed staff positions within the RCC to manage the design, construction and procurement of Phase II.
- e. Modify its action of November, 1988 to have the Commission purchase real estate required for Phase II instead of having SCRTD do so for the Commission.

John Walsh of United Riders of Los Angeles commented on MOS-1 and MOS-2.

Gordana Swanson, President of the RTD Board, and Alan Pegg, General Manager of RTD, appeared before the Commission.

Mrs. Swanson indicated that she was attending this meeting to tell about the action which the RTD Board took at its meeting on November 9 which action basically calls for a joint meeting of a designated committee of LACTC and a designated committee of the RTD Board that would discuss turning over the functions of rail design and construction to another agency. She had written a letter to Chair Reed and she sees that the Commission's action here as proposed by Mr. Peterson would in effect blow this plan out of water. She therefore asked the Commission to shelf the plan and give the process an opportunity. She is here as a member of the Board and, as President of the Board, is telling the LACTC that the RTD Board believes that such a meeting would be very useful. The RTD Board has made a giant step forward in suggesting such a thing. The RTD Board is very concerned about what is going on between the two agencies. Knowing the situation in Washington as it relates to the full funding contract and funding of this project, the RTD Board feels in the interest of harmony and execution of this project that the RTD Board would like to have such a meeting with LACTC and come to resolution in 30 to 60 days. She feels that there are many negative ramifications to some of these things the LACTC is proposing.

Mr. Pegg noted that the Transit Committee staff report states that RTD is no longer a funding partner in this project. This action would require that the District dismantle the Phase II benefit assessment districts which were negotiated over a period of approximately one year with the private sector. It will necessitate return of approximately \$58 million in potential private sector contributions to this project. This action ceases the private sector participation in large public works projects of this type that has been the hallmarks of the Reagan, Bush and Deukmejian

administrations. An unfavorable decision on the current lawsuit over MOS-1 benefit assessment coupled with this decision could have major policy ramifications for private sector participation. He noted that RTD continues to be and has been throughout this period ready and is performing on a contract to move this project forward. To make these changes today creates jeopardy for the time schedule of this project.

Ms. Rosa Kortizija was asked to sit in the meeting for Mr. La Follette who had to leave.

A question and answer period followed with much discussion.

Mr. Callahan suggested that the item, as put forth today, might be a bit premature and the Commission should explore other options that the LACTC and RTD Boards can work out and look at what other options can come forth rather than moving forward on this item. He indicated that he could not support the recommendations as stated above but hoped that work can be done in a productive and friendly fashion.

Mr. Remy expressed his concerns about Items "a" and "b".

Mr. King made a motion to divide the question that the Commission keep the option open for 30 days for the RTD Board to take some action on the question of the Rail Construction Corporation. There was no second to his motion.

Mrs. Reed noted that the LACTC can give the RTD Board a 30-day notice and they will have 30 days to reply to the LACTC. The Commission will have another meeting on December 13 before the 30 days is up. Mr. King indicated that he would like hear from the RTD Board by the next Commission meeting. Mrs. Reed indicated that it is important to give RTD the notice and during the 30 days, she will attempt to arrange a meeting of the Joint Committee. Representatives of the LACTC on the existing committee are Mrs. Reed, Mr. Lewis and Mrs. Bacharach.

Mr. Remy offered an amended motion to approve the staff recommendations but that no actions be taken on Items "b" through "e" for the 30-day period. Mrs. Reed clarified that Mr. Remy's amended motion is to approve the Committee's continued invitation for the RTD to participate in the Rail Construction Corporation (RCC), to authorize the Executive Director to give a 30-day notice of termination but then to stipulate that the authority on Items "b" through "e" is

given but no action is to be taken on those issues for 30 days; and during that 30 days, the LACTC is to meet with the RTD and report back to the Commission at its next meeting. Amended motion was seconded.

Roll call vote on Mr. Remy amendment to the motion:

Yes: Szabo, Remy, Holden, Stevens

No: Lewis, Callahan, Kortizija, Grabinski, Bacharach, Reed

Abstain: King

Amended motion failed.

Discussion followed on the main motion.

Mr. Holden offered a motion to table for 30 days which was seconded by Mr. King.

Roll call vote:

Yes: King, Callahan, Remy, Holden, Stevens

No: Lewis, Szabo, Kortizija, Grabinski, Bacharach, Reed

Motion to table failed.

Mr. Callahan moved for reconsideration of Mr. Remy's amended motion, which was seconded by Mr. Szabo.

Roll call vote:

Yes: King, Callahan, Szabo, Remy, Holden, Stevens

No: Lewis, Kortizija, Grabinski, Bacharach, Reed

Motion to reconsider was carried.

Roll call vote on Mr. Remy's amended motion:

Yes: King, Callahan, Szabo, Remy, Holden, Stevens

No: Lewis, Kortizija, Grabinski, Bacharach, Reed

Motion was carried.

Mrs. Reed clarified the motion that Mr. Peterson is authorized to give SCRTD a 30-day notice of termination on the \$19.7 million contract between the Commission and SCRTD for general engineering and final design of Phase II. During the 30 days, Mr. Peterson and Commissioners Reed, Lewis and Bacharach will meet with Mr. Pegg and RTD Board members Swanson, Holen and Dunning to resolve the differences between the agencies.

At the end of 30 days, if no compromise is reached, the LACTC will proceed with the following actions:

- b. Authorize the Executive Director to reassign to MRTC the scope-of-work included in the contract and to have related activities managed by the Rail Construction Corporation.
- c. Authorize the Executive Director to release a Request for Proposal seeking General Engineering Consultant services for Phase II.
- d. Authorize the Executive Director to advertise and fill needed staff positions within the RCC to manage the design, construction and procurement of Phase II.
- e. Modify its action of November, 1988 to have the Commission purchase real estate required for Phase II instead of having SCRTD do so for the Commission.

Mrs. Stevens offered a motion to reconsider agenda Item No. 6 re. proposed salary and compensation survey for Rail Construction Corporation, which was seconded.

A vote was taken to reconsider Item No. 6. Lacking a majority vote, Item No. 6 was not reconsidered.

- 27. San Fernando Valley Rail Transit Project - TC recommended the Commission authorize the release of the Draft Environmental Impact Report for the San Fernando Valley Rail Transit Project and the issuance of its Notice of Completion and Availability. This release will authorize the public review process to begin on the Draft EIR.
- 28. Pasadena-Los Angeles Rail Transit Project - TC recommended the Commission authorize the release of the Revised Draft Environmental Impact Report for the Pasadena-Los Angeles Rail Transit Project and the issuance of its Notice of Completion and Availability. This release will authorize the public review process to begin on the Revised Draft EIR.

Mrs. Reed asked if action can be taken together on Items 27 and 28.

Mr. Lewis moved approval of Items 27 and 28, seconded by Mr. Grabinski. Hearing no objection, motion was carried.

Copies of the Executive Summary and full reports may be obtained from Steve Lantz of LACTC staff. The revised schedule of open house and public hearings were handed out to the Commissioners. Mrs. Reed indicated that a telephone line with an electronic message-taking service has been installed to receive calls from the public.

Once the comment period is over, staff will analyze the reports and bring them before the Transit Committee for action.

INFORMATION ITEMS

29. Federal Activities
30. FY 1989-90 Quarterly Financial Report
31. Service Authority for Freeway Emergencies (SAFE) Expenditure Plan and Financing Recommendations - The SHC carried this item over to its November 30 meeting so that former Commissioner Mednick and the original SAFE consultant could participate in the discussions. Staff was also directed to examine cost saving measures with regard to call box lighting, including bulk rate power bills and the specific type of lighting to be used.
32. Funding for Route 105 (Glenn Anderson Freeway) Call Box Communication Cable - Held over to the November 30 SHC meeting.
33. Status of HOV Lane Violation Revenues
34. Parking Strategies for the Congestion Management Plan (CMP)
35. San Bernardino/Pomona Valley Commuter Service Update

REPORT OF EXECUTIVE DIRECTOR

36. CAC Member Appointment

Commissioner Bacharach has nominated Mr. Bryan Stevens to serve on the Commission's Citizens Advisory Committee. Commission approval is requested.

Mrs. Reed moved, seconded by Mrs. Bacharach, to approve the nomination of Mr. Stevens to the Citizens Advisory Committee. Hearing no objection, motion was carried.

37. Notice of Meetings

Notice was received and filed.

Mr. Peterson indicated that Mr. Bryan Clymer, UMTA Administrator-designate, will be visiting Los Angeles on Thursday, November 16 to become familiar with the ongoing projects in Los Angeles County. A reception is being held on Thursday evening at the Hall of Administration, Room 739.

REPORTS FROM CHAIR AND COMMISSIONERS

Mrs. Reed reported that the Air Quality Management District has convened an Interagency Air Quality Management Plan Implementation Committee. They are inviting membership from local government agencies to serve on the interagency committee. She attended the first meeting for this Commission. A full report will be given to the Governmental Relations & Finance Committee at its meeting on December 1. Any interested Commissioners are invited to attend the GRFC meeting.

Mr. Grabinski asked staff to look into our Pacific Electric right-of-way in the City of Long Beach and prepare a report as to the use or lack of use of that diagonal right-of-way that extends from Willow South to Orange County.

NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT

Meeting was adjourned at 4:35 p.m.

Neil Peterson
NL

NEIL PETERSON
Executive Director

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