

MINUTES



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

LOS ANGELES COUNTY TRANSPORTATION COMMISSION

AUGUST 22, 1990

The regular Commission meeting was called to order by Commissioner Reed at 1:50 p.m. in the Board of Supervisors' Hearing Room at the Hall of Administration.

Members present:

Supervisor Ed Edelman (arrived late)
Councilmember Christine Reed
Councilwoman Jacki Bacharach
Councilman Richard Alatorre
Councilman Ray Grabinski (arrived late)
James Tolbert
Mike Lewis, alternate for Supervisor Schabarum
Walter King, alternate for Supervisor Hahn
Barna Szabo, alternate for Supervisor Dana
Bill Korek, alternate for Supervisor Antonovich
Ray Remy, alternate for Mayor Bradley
Jerry Baxter, Ex-Officio for State of California

Staff members present:

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

PUBLIC HEARING re. the Necessity for the Acquisition of Real Property Interests Described Herein: (Full Fee Interest) in Certain Real Properties Located as follows:

- A. Easterly of Aviation Blvd., northerly of Rosecrans Ave., and adjacent to Santa Fe Railroad right-of-way in the city of El Segundo, County of Los Angeles, State of California
Owner: Continental Development Corporation
(Commission File Number: R23-R21-AS504 - Green Line)

Mr. Wiley was sworn in by Mr. Kelsey, County Counsel.

Mr. Kelsey asked Mr. Wiley questions regarding this property.

Mr. Kelsey asked that the staff report be received as evidence.

There were no comments from the public.

Mr. Kelsey recommended that the Resolution be adopted by eight votes.

Motion was made and seconded to adopt the Resolution of Necessity for the above mentioned subject property. No objections were heard from the members present.

- B. NE corner of Wilshire Blvd. and Western Avenue
Los Angeles, California
Owners: G.E. and Mattie B. Kinsey
(Commission File Number: R81-B2-151)

Jim Wiley, LACTC's Manager of Real Estate; Mel Peterson, Assistant Vice President of Thrifty Corporation; and Beverly Larner, a property owner, were sworn in by Mr. Kelsey, Assistant County Counsel.

Mr. Kelsey asked Mr. Wiley the standard questions relating to this property.

Mr. Wiley indicated that the property is located at the northeast corner of Western and Wilshire. The proposed Wilshire/Western station will straddle Western and with this type of station design, the station entrance has to be located near the middle of the platform. The entrance site is occupied by a Thrifty Drug Store. The other corners were developed in a way which made it difficult to place an entry

on them. They were built to a higher level of development than this corner and that is the primary reason why this corner was selected for the entry.

Mr. Wiley indicated that approved just compensation was offered to the owners to acquire the property.

Mr. Kelsey requested that staff report be received into evidence.

It was moved and seconded to approve the staff recommendation

Mr. Mel Peterson, Assistant Vice President of Real Estate for Thrifty Drugs, appeared before the Commission and expressed opposition to the resolution. He asked the Commission not to proceed with the acquisition. He gave reasons for his opposition and handed a letter to the Commission.

Mr. Edelman asked staff about Mr. Peterson's statement regarding the RTD having worked out some other arrangement and what has happened to it.

Mr. Wiley stated that this is the location that was carried throughout the environmental studies. It was the location that came to the LACTC when the project responsibility was not familiar with the discussions that were held with RTD and Thrifty Drugs. There are no drawings that were created that show the entrance at any other location that he is aware of.

Mr. Edelman asked how urgent is this resolution.

Mr. Wiley indicated that this resolution is very urgent. This is the site from which the contractor would begin the construction of the Western Station and in order to maintain that project on schedule, we would have to have this resolution passed at this time.

Much discussion followed.

Mrs. Beverly Larner, owner of property next to Thrifty Drugs directly north of the corner of Wilshire and Western, also appeared before the Commission. Her property is being considered for the bus layover. She expressed objection to the acquisition of this property for the following reasons:
(1) Ask the Commission for the cumulative impact of the

entire project in the area. As an alternative, she suggested acquisition of the McKinley Building instead of Thrifty Drugs and her property with 15 stores; (2) would cause a great deal of gridlock in the area; (3) Thrifty Drugs and her stores have been a center for the shopping needs of the people who live in the area. Therefore, she asked that this property not be condemned.

Mrs. Larner indicated that, if property must be taken, the Thrifty property and her property should be appraised as one, as it is going to be used in the future in joint development as one. The two properties are such that their best and highest use is to develop them together and, therefore, in fairness to the ownership of the Thrifty property and to her property, she suggests that they should be appraised as one property.

Mr. Wiley indicated that after much consideration, the decision was to locate the station entrance at the corner of Wilshire and Western. This is a terminal station and the bus activity will be high.

Question-and-answer period followed.

Mrs. Reed offered a motion to adopt the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the subject property interests, seconded by Mr. Szabo.

Mr. Edelman offered a substitute motion to continue this item for two weeks in a Special Meeting with graphics by staff, seconded by Mr. King.

Mr. Wiley indicated that two weeks' delay would be very critical.

Mr. Edelman withdrew his motion. Mr. Remy moved that this item be tabled to the end of the meeting, which was seconded. Hearing no objection, motion was carried.

PRESENTATION OF AWARD

On behalf of the Commission, Chairman Edelman presented two plaques to Mr. Koichi Narikawa, Senior Vice President of Sumitomo/Nippon Sharyo Corporation, in appreciation for their efforts to deliver 54 light rail vehicles for the Metro Blue Line.

APPROVAL OF MINUTES: July 25, 1990 Meeting

Minutes were approved as submitted.

CONSENT CALENDAR (Discussion at Commission or Public Request -
(Items 1 - 12)

Mr. Szabo moved, seconded by Mrs. Reed, to approve the Consent Calendar Items 1 through 12, with the exception of 9b, 9c, and 11c. Hearing no objection, the motion was carried.

1. Selection of Consultant to Perform Evaluation of Foothill Transit Zone - The Planning and Mobility Committee (PMIC) on June 14, 1990, approved the staff recommendation to authorize the Executive Director to execute the contract for the Foothill Transit Zone Evaluation to the firm of Ernst & Young in association with Barton-Aschman Associates, and Miranda, Straballa Associates for a fixed fee of \$348,986.
2. Foothill Transit Zone Evaluation Response to Issues Raised by ATU - PMIC requested the SCRTD to provide their Line Performance Trends Report as requested for FY 1988 to the present, in order to fully address concerns expressed by the Amalgamated Transit Union and to ensure a completely fair and accurate cost comparison for the Foothill Transit Zone Evaluation.
3. Ventura Freeway Monorail Study - PMIC recommended that the Commission move forward with an evaluation of monorail over the Ventura Freeway median, rather than over the southern shoulder of the freeway.
4. Commuter Design Manual Follow-Up Actions - PMIC recommended approval of the use of the revised Commuter Rail Station Manual with the included station criteria.
5. Services for Cross Border Lease Agreement, Contract #FA 011, Amendment #2 - Legislative Administrative Services Committee (LASC) recommended that the Commission approve an increase in Authorization for Expenditure to White & Case, Contract No. FA-011, for the amount of \$338,000 and amend the completion date to December 31, 1990.
6. Contract Amendment #3 - Eckert, Seamans, Cherin & Mellott LASC voted to approved the portion of the item relating to legal advice and representation in connection with the UMTA grant program, not to exceed \$100,000.

The Committee also referred to the Rail Construction Corporation (RCC) the remaining portion of the item relating to legal services arising from possible errors and omissions claims on the Metro Blue Line in the amount of \$100,000 and recommended to the RCC that these services be competitively procured.

7. Purchase of Communications Channel for Metro Blue Line - Finance and Programming Committee (FPC) approved the expenditure of \$275,000 to Southern California Gas Company (So. Cal Gas) for acquisition of channels for light rail communications systems. The Committee also directed that this expenditure be funded from Proposition A operating funds.
8. LOSSAN Capital Outlay - Phase IV Rail Rehabilitation - FPC recommend that the LACTC authorize the expenditure of \$1.5 million of State Transit Assistance (STA) funds for the LACTC share of the LOSSAN Phase IV rail rehabilitation project.

**RAIL CONSTRUCTION CORPORATION
CONSENT CALENDAR**

9. a. Government Code Claims: Reine Dorian; Zeterino Uribe; and Manuel Martinez - It is recommended that the Commission formally reject the claims of Reine Dorian; Zeterino Uribe; and Manuel Martinez.
- b. Metro Blue Line:
 - (1) Hi-Rail Work Truck Rental Contract Award - Mc Cormick Morgan - It is recommended that the Commission approve the rental of Hi-Rail Trucks from McCormick Morgan in the amount of \$63,269.
 - (3) Contract C140,- Homer J. Olsen -LACBD Approach - Change Order No. 141 - Staff recommended that the Commission approve Change Order No. 141 in the amount of \$272,000. Sufficient contingency remains within the current AFE amount as presented to the Commission for approval on 01/24/90 to cover the cost of this Change Order.

9. c. Metro Red Line:

- (1) Contract No. 3136 Amendment, Booz Allen & Hamilton - \$1,624,575 - Systems Analyst & Procurement Management for Vehicles - Staff recommended that the Commission authorize the Executive Director to execute Amendment No. 11 to the subject contract in the amount of \$1,624,575.
 - (2) Contract A610/115, - California Engineering Contractors, Inc./Trackwork Installation - Change Order #075A (Part II Revised) - Staff recommended that the Commission authorize the Executive Director to:
 - o Approve Change Order #075A in the amount of \$1,430,600 covering a total contract time extension of 257 days.
 - o Approve a contract time extension of 3 calendar days.
 - o Approve an increase to the current AFE amount by \$2,632,000 to a revised AFE total of \$26,399,000. This increase will allow staff to process pending and anticipated change orders.
 - (3) Contract A-144. Operations Consultants, Inc. -Water Treatment Plant Amendment #1 - It is recommended that the Commission approve Amendment No. 1 in the amount of \$769,000 for the final seven months of operation. This expenditure is within the current AFE amount as presented to the Commission.
 - (4) Authorization of Expenditure, MOS-1 - Staff recommended that the Commission approve AFE's totaling \$13,359,000 to revise existing MOS-1 contract and cover new contract awards. A 10% contingency is included in each contract to cover future changes.
- d. Systemwide: Metro Red Line Contract #3504 - Metro Transit Insurance Administrators (MTIA) - \$1,508, 595 - Approval of Systemwide Amendment No. 1 - It is recommended that the Commission authorize the Executive Director to execute Amendment No. 1 to the subject contract in the amount of \$1,508,595.

10. Metro Blue Line:

- a. Contract R90-S19-MY005, \$3,457,455 -LKG Configuration Management Consultants Amendment No.2 - Staff recommended that Commission authorize the Executive Director to award and execute Amendment #2 to LKG-CMC Configuration Management Consultant (Contract No. R90-S19-MY005). The cost for this Amendment #2 is \$3,457,455 and includes the cost of \$3,058,840 for printing, postage and other direct costs. This amendment revises the total estimated contract price to \$6,358,963. The cost for Amendment #2 was originally included in the FY 90/91 operating budget for the MOS-2 Metro Red Line.
- b. Contract C140 - Homer J. Olsen - Request for Binding Arbitration - Staff recommended that the Commission authorize entering into an agreement with Homer J. Olsen allowing for resolution of this matter by binding arbitration. We further recommend that:
 - (1) The arbitrator be a retired Los Angeles Superior Court Judge acceptable to both parties.
 - (2) Costs of the arbitration be divided equally between the parties.
 - (3) Each party shall have full discovery rights.
 - (4) Each party may bring into the arbitration all claims issues relating to HJO's work on this project.

11. Metro Red Line:

- a. Claims Consultant - The Board recommended that the Commission reject all proposals and resolicit for the claims consultant contract with the following:
 - (1) No member of the original Proposal Evaluation Committee shall serve on the committee assigned to review the new proposals, and
 - (2) The existing proposals shall remain confidential until the new proposals are received, evaluated and a final award is authorized. Therefore, the following finding should be made:

"The Commission finds that public release of the existing proposals prior to the selection of a successful proposer would invalidate certain of the selection criteria by enabling new proposers to copy the work product of those proposers rated most highly in this solicitation. As a result the Commission would be unable to determine which proposers have the actual technical and professional expertise to properly administer the claims management function since it would be difficult to differentiate between original and derivative technical analyses and proposals. Accordingly, the Commission finds that the public interest served by not making the proposals public clearly outweighs the public interest served by disclosure of the proposals at this time and directs that the proposals not be made public until the selection of a successful proposer is made pursuant to the revised request for proposals."

- (3) Staff should take all reasonable steps to expedite the re-solicitation/evaluation of new proposals with the goal of going to the LACTC with an award recommendation in September 1990, including immediate issuance of a Notice of Intent to Issue an RFP;
- (4) The revised policy for evaluation of DBE efforts will continue to allow good faith efforts provided full documentation is submitted with the proposal.

b. Contract A130 - Tutor-Saliba Perini - Yard Access, CPCN
- Staff recommended that the RCC approve issuance of a cost plus change notice in the amount of \$650,000.

12. Contract for Legal Service of Morgan Lewis & Bockius - \$340,000 - The Board recommended that the Commission Enter into a contract with Morgan, Lewis & Bockius for legal services related to existing construction claims litigation on assigned MOS-1 contracts for period from September 1, 1990 to December 31, 1990 for a not-to-exceed amount of \$340,000. Under Commission policy this item requires a 2/3 vote of the Commission.

Mrs. Reed abstained from voting on Item 12.

FURTHER DISCUSSION OF CONSENT CALENDAR ITEMS

- 9.b.(2) Contract C420 - Shawnan Corporation -MC-5 Utility Relocations - Approval of AFE - Staff recommended that the Commission approve an increase to the current AFE amount by \$620,491 to a revised total AFE of \$2,940,491. This increase in AFE will enable staff to process pending and anticipated changes. The \$620,491 is included in the current budget and forecast for this contract. It is estimated that an amount of \$91,101 is recoverable from the City of Compton.

Mr. Korek asked for clarification on the increase to the current AFE to which Mr. Peterson explained.

Mrs. Reed moved approval which was seconded. Hearing no objection, motion was carried.

- 9.c.(5) Funding for Second MOS-1 Field Office - Staff recommended that the Commission formally approve a 3 1/2 year lease with Major Properties Real Estate, at a rate of \$2.00 per square foot for 850 square feet of office space. The amount of funding needed is \$75,000 which covers the entire length of the lease.

Mrs. Reed moved approval which was seconded. Motion was carried with Mr. Korek abstaining.

- 11c. Contract A165 - 7th St. Streetscape - The Board recommended that the Commission authorize funding of the Streetscape Project and authorize its inclusion in Contract A165 with the understanding that staff will make attempts to find the funds within the framework of the A165 contract. Also staff is directed to meet with the downtown merchants or other outside sources and the City for cost-sharing in this effort and schedule impact.

Mrs. Bacharach added that in the unlikely event that we have no additional funds for this project from that source, the Commission should seek other funding from the City of Los Angeles and other parties involved.

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

STAFF/COMMITTEE REPORTS

13. SCAG's Growth Management and Transportation Task Force and 1991 AOMP Implementation Plan Recommendations - On August 10, 1990 the Legislative and Administrative Services Committee (LASC) voted to support the SCAG Growth Management and Transportation Task Force Report and 1991 Air Quality Management Plan (AQMP) Amendment based on analysis and comments contained in the staff report. The Committee was authorized to submit comments to SCAG on behalf of the Commission prior to the close of the public comment period, August 18, 1990.

The Committee in taking their action reinforced the need to give local governments the opportunity, flexibility and assistance in designing programs and implementing plans and measures to meet regional growth management, air quality and mobility plan requirements.

Rebecca Barrantes and Jim Ortner of LACTC staff presented the background on the air quality issues. Much discussion followed. More detailed information on policy statements will be furnished at the next meeting for action.

14. Perini/DMJM/HSST LAX to Palmdale Transit (MAGLEV) Proposal for AB 680 Process--Financial Impact to LACTC - The Finance & Programming Committee recommended to the Commission to direct LACTC staff to work with the PERINI/DMJM/HSST sponsors to develop a viable financing plan for the proposed LAX to Palmdale Maglev project.

This effort will include:

- o Working with the Los Angeles Airport Commission to seek a more active risk sharing cooperation.
- o Analyzing the planning and financial numbers of the project.
- o Do a ridership study only if Caltrans selects this project in September, 1990.
- o Analyzing the risk to the LACTC.

Finally, staff should report back to the Commission on how this project impacts the LACTC financing of the rail projects in the LACTC Transit Financial Plan.

Jerry Seelman of DMJM, Linda Bohlinger, LACTC's Director of Capital Planning, Ben Darche of Financial Planning, and Norm Emerson for HSST, briefed the Commission on this proposal.

Mrs. Reed moved, seconded by Mr. Alatorre, that the Committee's recommendation be approved by the Commission and direct staff to work with the sponsors of this project and assist them in developing a viable financing plan. Also direct the staff to work with the Los Angeles Airport Commission as Caltrans selects the project. Finally, the staff must report back to the Commission on how this project impacts the financing plan on rail projects, already adopted, so that the staff effort is simply an information gathering and reporting back to the Commission. No commitment of funds beyond the staff work level. Hearing no objections, motion was carried.

INFORMATION

15. Congestion Management Agency Follow-up Actions
16. Los Angeles Arts Festival
17. Chinatown Station
18. State Budget Overview
19. Legislative Matrix
20. FY 1989-90 Quarterly Financial Report
21. Subregional Systems' Taxi vs Van Cost Comparison

REPORT OF EXECUTIVE DIRECTOR

22. Status Report on 1/2 Cent Sales Tax
(Report will be made at next meeting)
23. Status Report on Benefit Assessment District
(Report will be made at next meeting)
24. Notice of Meetings

The Planning & Mobility Improvement Committee meeting date has been changed to September 19 at 1:00 p.m.

CLOSED SESSION

At 4:30 p.m., the Commission recessed into closed session pursuant to Government Code Sections 54956.8/54956.9 for Parcel B2-113 Chase and Socorro Rhee, Trustors et al of the Rhee Trust, located at 3101 Wilshire Boulevard, in Los Angeles; and to discuss the Southern Pacific/Santa Fe Right-of-Way Negotiations

Commission was reconvened at 5:15 p.m. Mr. Kelsey reported that closed session was conducted in accordance with Government Code Sections 54956.8 and 54956.9 to authorize an offer of just compensation for property located in the City of Los Angeles to construct and negotiate concerning right of way acquisitions for Southern Pacific/Santa Fe and to confer with legal counsel concerning the benefit assessment. As the result of the closed session, just compensation for Parcel No. B2-113 was authorized in the amount of \$8,200,000.

CONTINUATION OF THE PUBLIC HEARING

Ed McSpedon, President of the Rail Construction Corporation, and Joel Sandberg, Project Manager of the MOS-2 portion of the Metro Red Line, gave a presentation and showed graphs on what alternatives were considered before the full taking of the property located at the northeast corner of Wilshire Boulevard and Western Avenue was considered.

Question-and-answer period followed.

Mrs. Reed's motion was still on the floor.

Roll call vote:

Yes: Lewis, King, Szabo, Korek, Remy, Reed, Bacharach,
Tolbert, Grabinski

No: Alatorre, Edelman

Motion was carried 9-2.

REPORTS FROM CHAIR AND COMMISSIONERS

Chairman Edelman appointed Mayor Tom Bradley, Ray Grabinski and himself to the new LACTC Reorganization Committee to work on the reorganization plan.

NEW BUSINESS

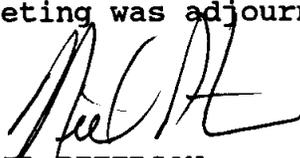
None

PUBLIC COMMENT

Mr. John Walsh, United Riders of Los Angeles, appeared before the Commission.

ADJOURNMENT

Meeting was adjourned at 5:35 p.m.



NEIL PETERSON
Executive Director

NP:kyt