

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Regular Board Meeting  
Board of Directors  
Thursday, May 10, 1990  
District Board Room  
425 South Main Street  
Los Angeles

May 10, 1990

Called to order at 12:00 noon by President Swanson:

Directors Present:

Gordana Swanson  
Marvin L. Holen  
Joseph S. Dunning  
Larry Gonzalez

Don Knabe  
Nick Patsaouras  
Jay B. Price  
Charles H. Storing

Directors Absent:

Jeff Jenkins  
Jerold F. Milner

Kenneth R. Thomas

12. Recessed to Closed Session at 12:00 noon to consider personnel and litigation matters returning at 12:50 p.m. with all directors responding to Roll Call except Directors Jenkins, Milner, and Thomas. No report was made.

13. Report of the President

President Swanson reported that she, along with Directors Holen and Storing, had attended the Operator-of-the-Year luncheon. She hoped that more Directors would attend this important event next year.

14. Report of the General Manager

Mr. Pegg reported that he had attended a California Transportation Association meeting where Propositions 108 and 111 were discussed. There was some concern about the success of these ballot measures as it appears only 25% of the people are familiar with them.

15. Director Special Items

Director Patsouras:

1) APPROVED request for the District to work aggressively with the City and County of Los Angeles to establish Public Access Codes for site design standards to accommodate transit and pedestrians. Staff to develop a list of recommendations and return to the Board.

2) APPROVED request for development of legislation to incorporate environmental transit needs in drivers' license tests; i.e., benefits of public transit, car pools, etc.

3) DEFERRED discussion on propose revisions to CEQA to require job/housing mix from local jurisdictions.

Director Holen said that at the Operator-of-the-Year luncheon he was seated with four operators and during conversation he was surprised to learn that on duty accidents, whether the operators fault or not, are on their personal DMV record thus affecting their auto insurance rates. He asked staff to look into the matter and report back. Director Holen also suggested that the District investigate the possibility of group casualty insurance.

Director Knabe requested staff prepare a report on Propositions 108 and 111 for the next meeting.

5. APPROVED Requisition No. 0-9699-041 and amended an existing contract with PacTel Meridian Systems, Cypress, covering renewal of maintenance agreement for phone systems at various District locations and inclusion of Headquarters phone system to the agreement, increasing the total cost by an additional \$172,274; form of contract amendment subject to approval of the General Counsel.
  
6. APPROVED Requisition No. 0-7100-40 and extension of an existing contract for one additional month with Ehrlich Bober & Co., Santa Monica, for providing the financial advisor services required for the issuance of Revenue Anticipation Notes, for an additional cost of \$29,950; form of contract extension subject to approval of the General Counsel.
  
7. APPROVED using District Stops and Zones staff under Force Account to install signage for the Metro Red Line Project at an approximate cost of \$60,000.
  
8. Received and filed Treasurer's report on District Investment of Funds for April, 1990.
  
9. Received and filed Report Calendar - April 27 to May 5, 1990.
  
10. Received and filed Report of Sale Order and Sales of Surplus, Obsolete, or Used Material, Supplies or Equipment - January 1 to March 31, 1990.
  
11. APPROVED minutes of Board meeting held April 26, 1990.

20. Received and filed status report on negotiations with the Los Angeles County Sheriff's Dept. regarding security services on the Metro Blue Line.

UNANIMOUS, with eight directors present

37. Public comment

Appearance of Ann Hoyt requesting information on the steps that the District will take regarding MOS-I Benefit Assessment Districts taking into consideration the recent court ruling that they were unconstitutional, and how this decision affects the MOS-II procedures. She went on record requesting the Board not to appeal the decision of the case. General Manager Pegg requested General Counsel Gifford and Mr. Spivack, Acting Assistant General Manager, Planning & Public Affairs to meet with her.

H. Watts spoke on the Benefit Assessment lawsuit and requested a public hearing be held on the issue. He also went on record suggesting the District not appeal the courts decision, and, that any options the District may have regarding benefit assessment should be made known to the public.

16. APPROVED amendments to the procedures for designating benefit assessment hearing officers.

UNANIMOUS, with seven directors present

17. APPROVED designation of Benefit Assessment Hearing Officer and alternate Hearing Officer for Cases A1-750-86, A1-765-86, A1-779-86, A1-796-86 & A1-797-86 (Holiday Inns, Inc. and Guilford Glazer).

UNANIMOUS, with eight directors present

18. APPROVED agreements between petitioners and the Southern California Rapid Transit District and adopted Resolutions Ordering Changes in Benefit Assessments in Appeals Case Nos. A1-537-86, A1-664-86 & A1-774-86.

UNANIMOUS, with eight directors present

19. Received and filed report on operational readiness of the Metro Blue Line system.

Staff noted that construction would continue on the line north of Imperial during the pre-revenue tests. Beginning May 15 the District will be able to test 12 hours per day. During this period a list will be prepared of things that need attention. This list will be turned over to TransCal for resolution.

Director Storing commented on the report noting the enormous amount of deficiencies. Staff said that with a operating plan and the cooperation of the Commission, we will work through the problems to reduce them prior to actual operation in July, 1990.

UNANIMOUS, with eight directors present

PERSONNEL & LEGAL COMMITTEE

23. APPROVED Requisition 0-2200-085 and amendment to contract with the law firm of Verner, Liipfert, Barnhard, McPherson and Hand covering special counsel before the Federal Communications Commission in Washington, D.C., at an additional cost of \$55,000; form of documents subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

24. APPROVED Requisition 0-2200-088 and amendment to contract with the law firm of McClintock and Quadros, a DBE firm, covering trial counsel services to the District, at an additional cost of \$60,000; form of documents subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

25. APPROVED Requisition 0-2200-089 and amendment to contract with the law firm of Bird, Marella, Boxer, Wolpert and Matz covering trial counsel services to the District, at an additional cost of \$150,000; form of document subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

ADVANCE PLANNING COMMITTEE

26. APPROVED an agreement with the County of Los Angeles for Line 434, enhanced summer beach service for the 1990 summer season; form of documents subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

EQUIPMENT, OPERATIONS & ACCESSIBLE TRANSPORTATION COMMITTEE

21. REJECTED non-responsive bids and APPROVED contracts with the lowest responsible bidders under Bid No. CA-90-X329-H covering procurement of 50 automobiles for a total bid award of \$591,589:
- a. Group C -- REJECTED apparent low bid submitted by Camino Real Chevrolet, Monterey Park, and AWARDED to Downey Auto Center, Downey, covering 32 four-door compact vehicles for a total bid price of \$340,711;
  - b. Group E - REJECTED apparent low bid submitted by Thorson GMC Buick, Pasadena, and Camino Real Chevrolet, Monterey Park, and AWARDED to Downey Auto Center, Downey, covering 11 mid-size wagons for a total bid price of \$157,479;
  - c. Group D - AWARDED to low bidder, Thorson GMC Buick, Pasadena, covering 7 mid-size vans for a total bid price of \$93,399; and

form of contracts subject to approval of the General Counsel.

This procurement is partially funded under UMTA Grant CA-90-X329.

UNANIMOUS, with eight directors present

22. APPROVED the donation of one surplus bus to the City of Los Angeles Fire Department for training purposes.

UNANIMOUS, with eight directors present

EFFICIENCY & ECONOMY COMMITTEE

31. Considered report on a contract amendment with Howe & Associates covering a management review of the Office of the Inspector General for an additional cost of \$11,500.

This item was brought forward from the Committee without recommendation. Inspector General Fuentes explained the scope of work that would be involved with this contract amendment.

Director Gonzalez made a motion to adopt staff recommendation, including a stipulation, that a copy of the preliminary report previously prepared by Howe & Associates, as it is now, be provided to the Board of Directors per Mr. Pegg's direction. The report is to go directly to the Board. This motion was seconded and discussion ensued.

Director Dunning spoke against the motion and made a substitute motion to withdraw the item deferring action on the hiring and assigning of the independent auditor to be appointed by the Board, or a Committee of the Board. This substitute motion was seconded by Director Storing.

Following additional discussion, a Roll Call vote was taken on the substitute motion which failed as noted below:

Ayes: Dunning, Storing, Swanson  
Noes: Gonzalez, Holen, Knabe, Patsaouras, Price  
Abstain: None  
Absent: Jenkins, Milner, Thomas

A Roll Call vote was then taken on the original motion, which also failed as noted below:

Ayes: Gonzalez, Holen, Knabe, Patsaouras, Price  
Noes: Dunning, Storing, Swanson  
Abstain: None  
Absent: Jenkins, Milner, Thomas

Director Price requested that the item be placed on the next agenda. Director Swanson requested other options also be presented. Director Storing went on record objecting to bringing this item back.



27. APPROVED an agreement with the County of Los Angeles for the Summer Youth Employment/Bus Cleanliness Program, Supervisorial District No. 3; form of documents subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

28. AUTHORIZED staff to enter into negotiations with Long Beach Transit and Orange County Transit District regarding potential revenue sharing arrangements for joint monthly passes and development of a revenue sharing arrangement with agreements to be returned to the Board for approval.

UNANIMOUS, with eight directors present

29. APPROVED minor route modification to Line 130 in the Rancho Dominguez area.

UNANIMOUS, with eight directors present

#### GOVERNMENT RELATIONS COMMITTEE

30. Received the State Legislative update and took the following actions:

Monitor & seek amendments	SB 2330
Support, if amended	SB 2331

UNANIMOUS, with eight directors present

FINANCE & JOINT DEVELOPMENT COMMITTEE


35. ADOPTED resolution and authorized District officers to complete the sale of \$45 million in Revenue Anticipation Notes (RANS) to raise cash for District operating costs in Fiscal Year 1991, including obtaining a Letter of Credit (for a fee not to exceed \$55,000) from the Mitsui Trust & Banking Co., Ltd.; form of documents subject to approval of the General Counsel.

UNANIMOUS, with eight directors present

GENERAL ITEMS

36. There were no items arising subsequent to the posting of the agenda.

There being no further business, the meeting adjourned at 2:11 p.m.

  
Helen M. Bolen  
District Secretary

5. APPROVED a contract with Artemis Films, under RFP No. 90-11 covering the development and production of a training videotape program for the Materiel Section of OCPM for a ten-week period at a fixed price of \$41,400; form of contract subject to approval of the General Counsel.

This project is funded from the District's operating budget.

6. RATIFIED temporary route diversions as filed with the Secretary.

7. RATIFIED bus stops and zones agenda as filed with the Secretary.

8. RECEIVED the Metro Red Line Construction Change Order report for April, 1990.

9. RECEIVED and FILED Report Calendar - May 10 to May 23, 1990.

10. APPROVED Board Request List dated May 18, 1990.

11. APPROVED Minutes of Regular Board Meeting of May 10, 1990.

(End of Consent Calendar)

12. APPROVED a limited free bus fare promotion in support of the Metro Blue Line on July 14-15, 1990.

Unanimous with 10 Directors present.

J. Walsh voiced his opposition to the free bus fare.

13. RECEIVED and FILED status report on negotiations with the Los Angeles County Sheriff's Department regarding security services on the Metro Blue Line.

Unanimous with 10 Directors present.

General Manager Pegg reported that negotiations are substantially complete and the draft contract is being prepared by Legal.

14. RECEIVED and FILED status report on transition of Metro Red Line MOS-1 design and construction management responsibilities to the LACTC's Rail Construction Corporation.

Unanimous with 9 Directors present.

Al Perdon reported that staff is working toward a July 1 transfer of responsibility to the RCC. Two meetings have been held recently with UMTA, LACTC and the RCC in an effort to develop a revised Project Management Plan.

Director Price asked if UMTA had indicated a willingness to hold the District harmless and place the entire responsibility of construction of MOS-1 on the LACTC & RCC.

Mr. Perdon responded that UMTA wanted to be assured that there is not a substitution of grantee; and according to UMTA, the RCC would act as the District's agent. This approach is not consistent with the December agreement according to Ed McSpedden, Acting President of the RCC, as the December agreement places full responsibility with the LACTC and RCC. Mr. Perdon concluded by saying that the revised Project Management Plan being prepared for UMTA approval would spell out the fact that LACTC will indemnify the District.

15. RECEIVED and FILED Rail Safety Peer Review report.

Members of the Rail Safety Peer Review Panel were Chairman Ron Swindel of SEPTA; Guy Wright, MUNY; Michael Killian, MARTA; and Bill Wakaluk, Santa Clara/San Jose.

Mr. Swindel reported that rail staff is behind in training because at the time of the report some systems were not ready, and suggested that the District appoint a System Safety Engineer with authority to stop or start operations at any time based on his opinion of system safety.

Guy Wright stated that rail personnel need a minimum of four weeks of hands-on training and need to define exactly which systems must be fully functional before starting operational service.

Mr. Killian expressed his opinion that the operations people will not have enough hands-on training with the SCADA system prior to start up.

Bill Wakaluk reported that the Light Rail Safety Certification Plan is very comprehensive, and stressed the need to be certain that all of the systems and personnel have been tested and certified by LACTC as the owner and that LACTC's certification be verified by RTD.

Director Dunning made a motion which was seconded by Director Knabe, to retain an outside safety expert for purposes of certification.

The motion was unanimously approved with 9 Directors present.

Director Knabe suggested that the certification process might be a good role for the RCC.

J. Walsh spoke to the issue of the short time remaining for proper training of Light Rail personnel.

Controller, Tom Rubin, advised that the cost of hiring an outside safety consultant on an emergency basis would likely exceed the signature authority of the General Manager.

Director Price moved approval of the expenditure of funds for the rail safety certification consultant. The motion was seconded by Director Jenkins and was unanimously approved with 9 Directors present.

16. Report of the President

President Swanson reported having attended the first Rail Construction Corporation Board Meeting and her elation at the quality and dedication of the RCC Board members.

President Swanson announced a "get acquainted" meeting of the RCC and RTD Boards, to be held at the District on Monday, June 11.

Director Jenkins requested assurance that the RCC becomes the agency that was envisioned according to the Executive Summary, i.e.:

- a. RCC must hire or appoint its own president.
- b. make its own personnel and staffing decisions.
- c. resolve distinction in the grantee status of MOS-1 with regard to the turnover of contracts without jeopardizing the FFA.
- d. clarification regarding LACTC delegating to the RCC "everything delegable by law".

President Swanson suggested Director Jenkins' concerns be put into a letter to the RCC with a copy to the LACTC.

17. Report of the General Manager

General Manager Pegg announced that he will be bringing the draft RTD Budget to the Committee of the Whole in June and predicts a further reduction in the previously forecast deficit.

18. Director Special Items

None

19. APPROVED Requisition No. 0-2700-12 and a contract amendment with Howe and Associates, City of Industry, covering a management review of the Office of the Inspector General for an additional cost of \$11,500; form of contract amendment subject to approval of the General Counsel.

CARRIED with 9 Directors present and Director Storing abstaining.

#### EQUIPMENT, OPERATIONS & ACCESSIBLE TRANSPORTATION COMMITTEE

21. ADOPTED a resolution authorizing filing of an application with the California Energy Commission for funds to convert ten (10) gasoline powered automobiles to run on compressed natural gas (CNG); form of documents subject to approval of the General Counsel.

Unanimous with 9 Directors present.

#### ADVANCE PLANNING COMMITTEE

Items 22 through 30 were unanimously approved in one motion with 9 Directors present.

22. APPROVED establishment of Shortline Operation on Line 71 in the City Terrace Area of the County of Los Angeles.
23. APPROVED establishment of Shortline Operation on Line 120 in the City of Norwalk.
24. APPROVED a minor route modification to Line 168 in the Pacoima area of the City of Los Angeles.

25. APPROVED Agreements for FY 1991 Support Services with the City and County of Los Angeles and with Foothill Transit Zone; form of agreements subject to approval of General Counsel.
26. APPROVED an Interagency Transfer Agreement with the City of Redondo Beach for the WAVE Dial-A-Ride System; form of agreement subject to approval of the General Counsel.
27. APPROVED Cooperative Service Agreement with Omnitrans for FY 1990-91 covering the provision of District intercounty services in San Bernardino County; form of agreement subject to approval of General Counsel.
28. APPROVED Cooperative Service Agreement with Omnitrans for provision of Line 496 service in San Bernardino County for FY 91; form of agreement subject to approval of General Counsel.
29. APPROVED amendment and extension of the existing FY 1989-90 Cooperative Service Agreement with Riverside Transit Agency (RTA) for a period of three months from July 1, 1990 to September 30, 1990; form of amendment subject to approval of General Counsel.
30. APPROVED contract with ATE Management & Service Co., Inc. Long Beach, under RFIQ No. 90-14 covering the provision of Shuttle Bus Service for the Metro Blue Line for a one-year period or less, with option for an extension of service at the election of the District, for a total cost not to exceed \$860,000; form of contract subject to approval of the General Counsel.

Subject to funding being provided by the Los Angeles County Transportation Commission.



GOVERNMENT RELATIONS COMMITTEE

31. RECEIVED and FILED information contained in the State legislative update, and on separate motions made by Director Knabe and seconded by Director Holen directed staff to take the following action:

Support: Propositions 108 and 111

Carried with 9 Directors present and Directors Storing and Jenkins voting no.

Support: Proposition 116

Carried with 9 Directors present and Director Storing voting no.

Director Gonzalez inquired if the District could do some educational-type advertising on the above propositions. General Manager Pegg indicated that the District could inform and educate, but would have to be extremely careful. Legal Counsel Gifford expanded Mr. Pegg's remarks by saying that the District could paraphrase the explanatory language in the ballot booklet putting it into neutral language which could be easily understood by the average person.

32. RECEIVED and FILED information contained in the Federal legislative update.

Unanimous with 9 Directors present.

FINANCE AND JOINT DEVELOPMENT

Closed Session

33. RECEIVED status report on negotiations for Metro Red line Yards and Shops Development in Closed Session. No report was made.

EXECUTIVE COMMITTEE

34. REMOVED FROM AGENDA, Budget hearing for Office of Inspector General.

GENERAL ITEMS

35. Consideration of items arising subsequent to posting of the agenda.

On separate motions ADDED to the agenda and APPROVED, subject to funding from the LACTC, Contract with Federal Armored Express, Inc., Baltimore, Maryland, under RFIQ No. 90-05 covering servicing of the Ticket Vending Machines for the Metro Blue Line for a one-year period, with an option for two additional one-year periods at the election of the District, for an estimated cost not to exceed \$350,000; form of contract subject to approval of the General Counsel.

Unanimous with 8 Directors present.

36. Public comment

J. Walsh spoke against Proposition 111 as it earmarks hundreds of millions of dollars for busways, but none for buses. He also offered cudos to the General Manager for getting bus ridership back up to 1.2 million.

Director Knabe requested that all Board Members, not just the President, be notified when something major takes place on a bus so they can be better prepared to respond to the press.

The meeting adjourned at 3:28 p.m.

  
District Secretary

RAPID TRANSIT COMMITTEE

32. APPROVED:

- a. Requisition No. 0-8100-980 and Change Order No. A620-CO-015 with General Railway Signal Co. Rochester, NY, covering revision to access dates and associated milestones at an additional cost of \$1,299,506; and
- b. authorization for the Contracting Officer to approve all contract amendments increasing the aggregate contract price by up to five percent from the initial contract amount; however, no individual amendment may exceed \$200,000.

This is funded in part under UMTA Grant CA-03-0130.

UNANIMOUS, with eight directors present

33. Received and filed report on modification to Master Controller on Metro Red Line passenger vehicle to achieve compatibility with Metro Blue Line passenger vehicle.

UNANIMOUS, with eight directors present

34. APPROVED:

- a. contracts to Morrison-Knudsen Co. of California, Inc., the lowest responsive and responsible bidder covering A147 and A157 for the Metro Red Line Pershing Square and Civic Center Station Stage II, at a total bid price of \$32,085,098; form of contracts subject to approval of the General Counsel; and
- b. authorization for the Contracting Officer to approve all contract amendments increasing the aggregate contract price by up to five percent from the initial contract amount; however, no individual amendment may exceed \$200,000.

This contract is funded in part under UMTA Grant CA-03-0130.

UNANIMOUS, with eight directors present

## CONSENT CALENDAR

Items 1 through 11 of the Consent Calendar were unanimously approved in one motion with 10 Directors present.

1. APPROVED a contract with Cinedyne, Inc. Sun Valley, the lowest responsible bidder under Bid No. 5-9014 covering air tanks for a one-year period, with an option for one additional year at the election of the District, for an estimated annual cost of \$43,074; form of contract subject to approval of the General Counsel.

2. APPROVED a contract with Southwest Building Club, Santa Monica, the lowest responsible bidder under Bid No. CA-90-X283-HR covering the rehabilitation of Terminal 17, 632 Maple Avenue, Los Angeles, for a total bid price of \$327,000; form of contract subject to approval of the General Counsel.

This project is funded in part under UMTA Grant No. CA-90-X283.

3. APPROVED Requisition No. 0-4400-30 and amendment of an existing Contract No. 5243 with Maureen Erbe Design covering graphic design services, increasing the total cost by an additional amount not-to-exceed \$25,000; form of contract amendment subject to approval of the General Counsel.

This project is funded from the District's operating budget.

4. APPROVED Requisition Nos. 0-0990-346 and 0-0990-359 and amendment of an existing contract with Pacificorp Capital, Bonita, CA, covering acquisition and installation of data processing hardware and other equipment at the District's Light Rail operating facility in Long Beach, increasing the total cost by an additional estimated \$149,387; form of contract amendment subject to approval of the General Counsel.

This procurement is grant-funded through the Los Angeles County Transportation Commission.