

1991

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Regular Board Meeting
Board of Directors
April 9, 1992
District Board Room
425 South Main Street
Los Angeles

Called to order at 12:04 P.M.

Directors present:

Marvin L. Holen, President
Charles H. Storing, Vice President
Richard Alatorre
Evan A. Braude
Mas Fukai
Don Knabe

Nick Patsaouras
Carl W. Raggio
James L. Tolbert
Antonio Villaraigosa

Director absent:

Gordana Swanson

1. Recessed to Closed Session to consider personnel, real estate, litigation and legal matters immediately following Roll Call returning to Open Session at 12:45 P.M. with the same Directors in attendance.
2. Report of the President - No report was given.
3. Report of the General Manager - General Manager Pegg reported participation of the Transit Police Department in a 16 hour marathon run from Baker, California to Las Vegas, Nevada. Their 13th place finish was a major improvement over last year's 26th place.

Mr. Peqq also reported that several Directors and staff members participated in the APTA Conference held in Long Beach April 5-8.

4. Director Special Items

Braude: Jo Anne Kollars re: **Blue Line Problems**

Jo Anne Kollars and Jan Busher, residents of Long Beach, spoke regarding excessive Blue Line noise. A slow order (8 p.m. to 7 a.m.) was issued in response to their complaints, but they indicated that the trains didn't actually slow down for almost a year. Judd McIlvaine of CBS news was contacted and did an investigative report during which sound measurements were found to be as high as 86 decibels and only reduced to a tolerable level when the trains were slowed to 10 miles per hour or less. Residents report decreased property values and in some cases an inability to sell their homes.

After discussion, it was determined that the District and the LACTC are making every effort to find and mitigate the cause of the noise. Skirting is being installed on the sides of the cars to cover the wheels. Tests are being conducted to show the difference in noise levels between new and worn train wheels and construction of a sound barrier wall is also being considered. The consensus of opinion was that the problem should be researched along the entire length of the line.

Director Knabe suggested that Director Braude inquire about the availability of SB 38 funds in the City of Long Beach for construction of sound walls. Director Fukai suggested the use of the City's own Prop A funds.

Director Alatorre made a motion to instruct staff to work with the residents in the area, the City of Long Beach and the LACTC and come back to the Board with mitigation measures which can realistically be accomplished. The motion was seconded and unanimously approved with 10 Directors present.

Director Raggio commented that this item should be included in the 30-year plan.

5. Discussion of the Fiscal Year 1992 Budget shortfall.

President Holen explained the current status as follows:

- a. RTD is now under budget (excluding impact of LACTC funding shortfall of \$50.5 million). This was accomplished by controlling expenses and applying retained earnings to the shortfall.
- b. LACTC direct action resulted in application of \$24.3 million to their funding shortfall of \$50.5 million. This leaves a net funding shortfall of \$26.2 million on the LACTC's FY 1992 commitment.
- c. LACTC staff estimates \$21 million available from TDA capital funds in excess of that required as local matching funds for federal grants.
- d. Rail commitments of \$3.3 million in non-rail accounts.
- e. LACTC recommends application of \$6.7 million of RTD insurance reserves.
- f. LACTC also recommends application of \$7.6 million of RTD equity (retained earnings). RTD equity had already been incorporated in the RTD's estimates and is therefore not available.
- g. Without application of \$6.7 million from RTD insurance reserves, the LACTC shortfall is \$26.2 million. With application of RTD insurance reserves, the LACTC shortfall is \$19.5 million.
- h. LACTC has on hand \$15.3 million of STA funds, and could provide those or other funds to cover the negative budget balance.

Director Fukai made a motion, seconded by Director Alatorre, to apply \$6.7 million, if available, from RTD insurance reserves to offset the LACTC shortfall.

Unanimous with 9 Directors present.

Director Villaraigosa asked if this item could be put on the next agenda at the LACTC, and President Holen indicated he would send a letter requesting that action.

6. Intentionally left blank

7. ADOPTED a resolution approving a Memorandum of Understanding with the LACTC and authorizing the General Manager to request the LACTC to amend the FY 92 TIP, and related official actions in connection therewith, for the issue of Certificates of Participation for financing the acquisition of 30 Flexible and 303 TMC methanol buses.

Unanimous with 8 Directors present.

8. RECEIVED report on negotiations concerning audit of MOS-1 Project.

Unanimous with 6 Directors present.

Staff reported that negotiations were begun with 11 areas of concern and all issues appear to have been resolved. The transfer of the project will occur as a result of a change in the federal law which both agencies will agree to. Also the State of California and City of Los Angeles contracts will be transferred. It was reported that the City of Los Angeles has some concerns about this transfer. The RTD will retain ownership of all properties and rights to the properties except for the construction of MOS-1. Tenured employees will be accepted at the LACTC or RCC without comment. Employees choosing to stay at the RTD may be able to fill an authorized position. The District will retain the Benefit Assessment District role and the LACTC will return to the RTD the \$54 million that has been advanced. The LACTC indicates those funds are not available at this time, therefore the District would retain all rights to issue bonds and would claim its funds from the sale of bonds up-front. There will be complete indemnification of the RTD by the LACTC. The RTD will be the operator of MOS-1 and will perform rail design review and rail activation functions to be funded by the LACTC. Further, the RTD will place and administer liability and property insurance for MOS-1.

Upon question concerning the status of the audit, Director Alatorre indicated that the agreement at the last meeting was to either get an agreement or conduct the audit. Directors Tolbert and Holen disagreed, indicating the vote was unanimous on the condition that the agreement would be signed after the audit.

J. Walsh spoke regarding Metro Rail safety issues and the lawsuit he has filed against the LACTC.

9. Considered the following recommendations:

- A. ADOPTED a resolution authorizing the General Manager to execute and file an application under Section 3 of the Intermodal Surface Transportation Efficiency Act of 1991, as amended; and requesting funding for the implementation of the intermodal public transit improvements and right-of-way acquisitions for the Union Station Gateway Project, adjusted to reflect the local share of grant funding, other funding and interim financing requirements where applicable;
- B. ADOPTED a resolution requesting the Los Angeles County Transportation Commission (LACTC) to revise the 30 Year Integrated Transportation Plan to include the Union Station Gateway Project; and to revise the Fiscal Year 1992 Transportation Improvement Program (TIP) to include the Union Station Gateway Project;
- C. As the designated recipient of Section 3 Grant Funds, AUTHORIZED the scheduling of a public hearing and the issuance of a notice of intent to schedule a public hearing on May 14, 1992 at 1:00 p.m.;
- D. AUTHORIZED staff to identify, evaluate, prepare and present findings on other pertinent grant and financing options, as necessary and appropriate, and to report its findings to the Board.

Unanimous with 6 Directors present.

Director Raggio commented that he would like to see all facets of transportation housed on one property.

10. APPROVED Requisition No. 2-4200-G19, and amendment of legal services Contract No. 5471 with Jones, Day, Reavis and Pogue, extending the termination date from April 15, 1992 to December 31, 1992, and increasing the amount by \$225,000 from \$663,500 to \$888,500; form of amendment subject to approval of the General Counsel.

Unanimous with 6 Directors present.

11. CARRIED OVER to next Regular Meeting - Receipt and filing of statistical reports showing District performance trends.

Unanimous with 6 Directors present.

CONSENT CALENDAR

Items 12 through 17 of the Consent Calendar were unanimously approved on one motion with 6 Directors present.

12. APPROVED a contract with Harbor Diesel and Equipment, Long Beach, the lowest responsible bidder under Bid. No. CA-90-X329-X covering procurement of two ZF Transmissions Model 4HP590 for a total bid price of \$35,322, with an option to purchase two additional transmissions at the same price at the election of the District; form of contract subject to approval of the General Counsel.

The major portion of this procurement is funded under FTA Grant No. CA-90-X329.

13. REJECTED non-responsive bid submitted by Long Beach Uniform Inc., Long Beach and APPROVED a contract with Becnel Uniform Inc., Los Angeles, the lowest responsible bidder under Bid No. 12-9104 covering the procurement of Transit Police Uniforms and related equipment for a one-year period with an option for one additional year at the election of the District for an estimated annual cost of \$91,980; form of contract subject to approval of the General Counsel.

14. APPROVED Requisition No. 2-7100-001 and the third year option with Coopers and Lybrand/Gilbert M. Rosas Accountancy, Joint Venture (JV), Los Angeles, covering independent audit services increasing the total cost by an additional \$99,900 for a revised total contract amount of \$342,100; form of option subject to approval of the General Counsel.

15. APPROVED contracts covering the sale of surplus and obsolete bus engines and miscellaneous items to the twelve highest responsible bidders on Bid No. 03-9218-S for a total revenue to the District of \$37,020 excluding taxes; form of sale subject to approval of the General Counsel.

16. APPROVED proposed Turnaround Loop Route Modification to Lines 177 and 188 in the City of Duarte.

17. RECEIVED AND FILED Report Calendar for March 27, 1992 through April 8, 1992.

EQUIPMENT, OPERATIONS AND ACCESSIBLE TRANSPORTATION COMMITTEE

18. APPROVED Requisition No. 2-0998-0056 and AUTHORIZED the General Manager to negotiate all options through the Robert F. Driver Company, our insurance brokers, for All-Risk Property Insurance.

Unanimous with 6 Directors present.

19. APPROVED Requisition No. 2-0998-0058 and AUTHORIZED the General Manager to negotiate all options through the Robert F. Driver Company, our insurance brokers, for Public Liability and Property Damage (PL/PD) Insurance.

Unanimous with 6 Directors present.

20. RECEIVED AND FILED Report on Rail Incident System (RIS) which has been proposed to streamline the data collection, distribution and research tasks regarding Rail (Blue, Red and Green Lines) revenue operations, and ADOPTED recommendations to:

- A) endorse the implementation of phase 1 in FY 93 to support the rail revenue operation; and
- B) request funding for this project through the rail construction budget;

form of documents subject to approval of General Counsel.

Unanimous with 6 Directors present.

ADVANCE PLANNING COMMITTEE

21. APPROVED an agreement with LADOT to fund the operation of a segment of Line 169 on weekends and holidays for the period April 16, 1992, through April 15, 1993.

Unanimous with 6 Directors present.

22. APPROVED an Interagency Transfer Agreement with the County of Los Angeles for its Altadena Shuttle Service.

Unanimous with 6 Directors present.

23. APPROVED the following agreements with the Foothill Transit Zone (FTZ):

- A) A self-renewing Interagency Transfer Agreement (ITA) effective retroactively to July 1, 1991;
- B) A Monthly Pass and Ticket Reimbursement Agreement, based upon rates established in a prior agreement that was in effect during FY 91, to be effective retroactively to July 1, 1991, and continuing until no later than September 30, 1992;
- C) A Support Services Agreement, based upon rates proposed by the District for FY 92 except as noted below, effective retroactively to July 1, 1991, and continuing until no later than September 30, 1992;
 - The agreement will not include Marketing services as the FTZ is not requesting them;
 - The agreement will apply FY 91 rates to the allocation of El Monte Station operating costs;
- D) The District will provide one-half the cost of a marketing consultant to be procured by the FTZ to survey FTZ riders using District monthly passes. A joint staff committee will direct this effort toward the development of a joint monthly pass; and
- E) A joint monthly pass will be implemented no later than October 1, 1992, and the FTZ will discontinue acceptance of District's single-ride tickets at that time.

Unanimous with 6 Directors present.

POLICE AND PUBLIC SAFETY COMMITTEE

24. RECEIVED report containing costs associated with increasing the size of the Transit Police Department by 132 sworn positions over a three-year period and APPROVED the concept of the staffing plan. Upon inquiry regarding funding, General Manager Pegg indicated this would be addressed during the budget process.

President Holen urged staff to vigorously pursue funding from the Proposition C five percent set-aside for security.

Unanimous with 6 Directors present.

GOVERNMENT RELATIONS COMMITTEE

25. RECEIVED AND FILED information contained in the State Legislative Update and directed the following action:

Monitor: AB 3800 and 1439

Oppose: SB 1945 and 739
AB 388, 845 and 2578

Unanimous with 6 Directors present.

26. RECEIVED AND FILED information contained in the Federal Legislative Update and directed the following action:

Support: S. 2169

Unanimous with 6 Directors present.

FINANCE AND JOINT DEVELOPMENT COMMITTEE

27. RECEIVED AND FILED report on transit oriented development in rail corridors.

Unanimous with 6 Directors present.

GENERAL ITEMS

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

29. Public Comment was received from J. Walsh regarding Metro Rail safety issues.

Adjourned at 2:30 P.M.



Helen M. Bolen
District Secretary