

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Regular Board Meeting
Board of Directors
District Board Room
425 South Main Street
Los Angeles

June 11, 1987

Called to order at 1:00 p.m. by President Hall:

Directors Present:

Jan Hall
Carmen A. Estrada
John F. Day
Joseph S. Dunning
Nate Holden (1:14 P.M.)
Marvin L. Holen

Erwin N. Jones
Nick Patsaouras
Jay B. Price
Charles H. Storing
Gordana Swanson

1. Recognized retirees and certificates presented by Director Estrada.

2. Presented 1st Quarter, 1987 Safe Performance Award to Transportation Division 15 and Maintenance Division 1.

3. Report of the President

Presentation of 20-year service award pin to Helen M. Bolen, District Secretary.

Appointment of Directors Dunning, Holen and Swanson to the Nominating Committee.

Announcement that Director J. B. Price has been re-elected to the Board of Directors for a four-year term.

Announced that Roy Pryor, husband of Margaret Pryor, Board Member of Bay Area Rapid Transit District, had passed away and indicated that today's meeting would be adjourned in his memory at the appropriate time, with the District Secretary instructed to send a resolution to the family of Roy Pryor.

President Hall reported she will present testimony before the California State Senate next week concerning Assembly Bill 18.

4. Report of the General Manager

Introduced Mr. Neal Kent, Commissioner of Transport and Mr. Robert Tooth, Assistant Commissioner of Urban Transport, Queensland, Australia, who were visiting the District and meeting with various members of the staff.

General Manager Dyer mentioned an item concerning a bridge funding agreement of Line 685 with the City of Rancho Palos Verdes, requesting that this item be added to the agenda under Item No. 37. On motion duly made, seconded and carried by a 2/3 majority, this item was added to the agenda.

Mr. Dyer also reported that he and Director Holen had met with UMTA representatives in Washington. The process and procedures have now been established to allow the District to proceed with the Environmental Impact Report work that needs to be done over the next few months regarding the Metro Rail Project MOS-2.

General Manager Dyer reported that the California Transportation Commission (CTC) approved in concept the funding plan to authorize \$37 million for one-half the cost of the SB 1995 program. Mr. Dyer continued that the CTC expects the District's local partners, the City of Los Angeles and the Los Angeles County Transportation Commission (LACTC), to fund the remainder. Mr. Dyer concluded that the District will be working to obtain the remainder of the monies during the month of June.

5. Director Special Items

Director Holen commented on his recent meeting in Washington with the new UMTA Administrator and indicated he was impressed with the professionalism of this new administrator.

Director Estrada mentioned that the Board had received a copy of the Arthur Young Non-Contract Reclassification Study. She mentioned that some of the recommendations from this study are contained in the proposed FY 88 budget. She requested a report on where those recommendations are contained in the budget document.

6. Approved Benefit Assessment Appeals as listed below:

Appeals Case No.	<u>Parcel No.</u>
A1-65-86	5143-026-017
A1-206-86	5144-019-019

UNANIMOUS, with Director Patsaouras absent.

Copies of the formal resolutions in these matters are filed with the District Secretary.

EQUIPMENT AND OPERATIONS COMMITTEE

7. Approved:

- a. rejection of all bids submitted in response to Bid No. CA-05-0133-G covering procurement of a Transit Radio System; and
- b. authorization of the Purchasing Agent to reissue Invitations to Bids with revised specifications.

This procurement is funded in part under UMTA Grant CA-05-0133.

UNANIMOUS

EQUIPMENT AND OPERATIONS COMMITTEE - CONT'D

8. Approved Requisition No. 7-7200-109 and authorized the General Manager to execute a contract with Municipal Leasing Corporation, McLean, Virginia, under RFP No. 86-37 covering acquisition of computer hardware for an additional cost cost of \$1,727,000 for a total cost of \$3,227,000; form of contract subject to approval of the General Counsel.

This procurement is funded in part under UMTA Grants Nos. CA-03-0130, CA-03-0209, CA-03-0259, CA-05-0052, CA-90-X120, and CA-90-X181.

UNANIMOUS

- 9.& 10. The Board, at the request of Director Storing, Chairman of the Equipment & Operations Committee, held in abeyance a decision on Agenda Items 9 and 10 until the end of the meeting. (See page 15 of these Minutes.)

ADVANCE PLANNING COMMITTEE

11. Adopted the Short Range Transit Plan component identified as the Capital Transition Plan for Fiscal Year 1987 through Fiscal Year 1990 and as noted in the General Manager's report dated June 11, 1987.

UNANIMOUS

12. Considered the report containing recommendations and alternatives to approve fare and service levels for Fiscal Year 1988 for inclusion as the financial component of the Short Range Transit Plan (SRTP).

General Manager Dyer reported that the LACTC did not waive their policy to allow the sale of the District's farebox revenues for local Proposition A dollars from the cities.

12. Cont'd

In response to a question concerning the Commission's vote, Mr. Dyer indicated that Bradley, Edelman, Hahn, Woo and Mednick voted to table the matter for two weeks at Bradley's request. The motion to deny the District's request to waive the policy prohibiting the District from selling farebox revenue for local Proposition A funds was by voice vote. The Chairman of the LACTC's Finance Review Committee discussed the Committee's attitude toward the item and felt it was in the best interest of all concerned that the LACTC vote in opposition to the request.

Director Holden reported that he attended the Finance Review Committee meeting and strong arguments were made against the District's request by Commissioners Bacharach and Reed. He urged the LACTC to reconsider their action.

Director Patsouras inquired as to how many times the Board must vote not to raise the fares. General Manager Dyer responded that the budget presented to the Board is absent \$9.5 million in revenues. The District will either have an unbalanced budget or cuts must be made valued at \$9.5 million. Mr. Dyer also mentioned that UMTA requires that the District must have a balanced budget.

Director Estrada commented that she has read the staff recommendation and she will still vote against any fare increase. She indicated her displeasure to read that the Board is irresponsible for not raising the fares; we heard a clear message from the Public Hearing. We do not want to charge more for less. Mr. Dyer responded that by July 1, the District must work out a way to get the budget in balance. The State and federal agencies will suspend their funds by that date. Director Estrada stated that she did not say the Board would vote for an unbalanced budget, but must look for ways other than a fare increase.

Director Price added that if the District had listened to the LACTC last year and kept the base fare at 75 cents, the District's position today would be much worse. Director Swanson commented that the LACTC appears to oversee the action of the District's Board, but who oversees the actions of the LACTC. Mr. Dyer responded that the LACTC has control over the allocation of funds.

12. Cont'd

Director Swanson asked if the \$9.5 million shortfall is predicated on receiving the \$3.9 million already promised by the LACTC, and is there still \$12 million in undedicated funds at the LACTC. Mr. Dyer responded affirmatively to both questions. Director Swanson also inquired about the charges of being over-budget, increase in service hours, etc. Mr. Dyer responded that we are under-budget in an apple-to-apple comparison; the increase from \$505 million to \$513 million for FY 88 includes the 53rd week. The increase in service hours is due to the fact that we have very good scheduling and accommodated this expansion without any increase in cost.

Director Holen commented that the District must return any unused monies from Fiscal Year 87 and he asked for the estimate. Mr. Dyer indicated approximately \$5.7 million.

Director Holden urged Mr. Dyer to respond to the arguments made by the LACTC members, indicating that those members who are reasonable will reconsider their actions. He stated that the money is available and it belongs to the people. He then made a motion to gather up the arguments and re-present them to the LACTC, which motion was seconded.

Director Jones suggested that the time has come to quit worrying about sending signals to other agencies and to acknowledge the District's responsibility to balance the budget. He urged acceptance of the staff recommendation to increase fares.

(Director Jones left the meeting at 2:20 p.m.)

Director Dunning suggested that many of the bus riders are in a less fortunate economic situation, and he urged a nickel fare increase on the regular base fare only, with the balance of the shortfall to be made up through budget cuts.

Following discussion, Director Patsouras suggested Director Holden request the \$9.5 million from the City of Los Angeles.

12. Cont'd.

Director Day commented that he does not want to balance the budget on the backs of the employees. The message he wants to send is that the Board is not going to raise the fares of the people of Los Angeles; it has been demonstrated there are funds to leave the bus service as it is.

Director Estrada commented that the budget should not be balanced on the backs of the riders either. Director Dunning made a motion to adopt a 6-month delay in any fare increase with the base fare to be \$1.00. This motion was seconded.

Director Holen requested a letter be sent to the LACTC requesting funding of the \$9.5 million shortfall. There was discussion of a 9-month budget or continuing with an unbalanced budget and foregoing the federal funds.

Director Holen went on to say that the District is engaged with the LACTC over adequate funding for public transportation. He commented on the fact that the District has supplied 200,000 additional hours of service at no cost due to expert scheduling; the District is operating in an unsafe fashion because the buses are jammed full of passengers.

Director Holen then made a substitute motion to send a letter to the LACTC requesting \$9.5 million of the \$12 million of available funds.

Director Dunning withdrew his motion.

Messrs. Greg Roberts, Hank Ramey and Pat Moser, members of the public, all spoke to the issue at hand.

Director Swanson asked that the motion include a request that all members of the LACTC, not their delegates, be requested to vote on this matter, except in those cases where they are public officials and they are on medical leave.

After more discussion, the motion carried unanimously.

Advanced planning Committee - Cont'd.

13. Approved FY 1987-88 Cooperative Service Agreement with the County of Orange for the provision of District intercounty services; form of documents subject to approval of General Counsel.

CARRIED, with Director Storing voting "No."

14. Approved minor route modifications on Lines 423 and 427 to serve off-line freeway stops on the Ventura Freeway.

UNANIMOUS

RAPID TRANSIT COMMITTEE

15. Approved Requisition No. 7-8100-140 and authorized the General Manager to amend a contract to implement the Fifth Annual Work Program (AWP) for FY 1988 with Booz-Allen & Hamilton, Inc. for continuing systems engineering and analysis services and equipment procurement support services at an estimated cost not to exceed \$1,500,000, increasing the total cost from \$5,112,859 to \$6,612,859; form of contract amendment subject to approval of General Counsel.

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

CARRIED, with Director Holden voting "No."

Director Dunning, after some discussion, requested staff to annotate any contract award recommendation that does not meet the District's South Africa policy. Mr. Dyer mentioned that federal regulations preclude consideration of any local South Africa policy when awarding contracts using federal funds.

RAPID TRANSIT COMMITTEE - Cont'd

16. Approved:

- a. Rejection of bid submitted by FRU-Con, Bilfinger & Berger, a joint venture, under Bid No. A-165 covering construction of the 7th/Flower Station, Stage I;
- b. Award of contract to Granite-Marmolejo, a joint venture covering Bid No. A-165, construction of the 7th/Flower Station, State I; and
- c. Authorization of the General Manager to approve all contract amendments, increasing the aggregate contract price by up to 5 percent; however, no individual amendment may exceed \$99,999; and
- c. Authorization of the General Manager to accept a Work Authorization from the Los Angeles County Transit Commission for construction of the Light Rail portion of the A-165 station;

subject to concurrence of UMTA; form of contract and contract amendments subject to approval of the General Counsel.

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

Carried on a Roll Call vote as noted below:

Ayes:	Dunning, Estrada, Holden, Holen Patsaouras, Price, Hall
Noes:	Day, Storing, Swanson
Abstain:	None
Absent:	Jones

Director Holen, Chairman of the Rapid Transit Committee, noted that the award is to the second lowest responsible bidder. There is a difference of \$4,729,263 between the first and second bidder; however, the low bidder failed to meet the DBE requirements.

RAPID TRANSIT COMMITTEE - Cont'd

Messrs. Len Ruzicka and Gordon Reavis of Fru-Con/Bilfinger & Berger, Joint Venture, addressed the Board, as did Mr. Darrell P. McCrory, representing Granite - Marmolejo.

Staff presented information on the DBE goals that had been requested by members of the Board, stating that the entire process was based on minimum standards. There was discussion concerning the District's affirmative action program, the difference between goals and quotas, and a statement that the District recognizes that there is no doubt about the ability of both firms. The question is responsiveness of the low bidder as it relates to the DBE goals. It was suggested that on future bids, a list of qualified DBE and WBE firms be given to prospective bidders.

17. Approved Requisition No. 7-8100-141 and authorized the General Manager to amend an existing contract with the joint venture of Ralph M. Parsons Co., Dillingham Construction, Inc., and De Leuw, Cather and Co. (PDCD) of Los Angeles, covering Construction Management services for the Metro Rail Project for the 1988 Annual Work Program; at an estimated cost and fixed fee of \$13,773,938; form of contract amendment subject to approval of the General Counsel.

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

CARRIED, with Director Holden voting "No."

RAPID TRANSIT COMMITTEE - Cont'd

18. Approved Requisition No. 7-4200-135 and authorized the General Manager to extend an existing contract for one additional year with Schimpeler Corradino, Louisville, Kentucky, the General Planning Consultant, covering FY 1988 Annual Work Program for an additional cost of \$2.2 million for a total cost of \$4,532,000; form of contract extension subject to approval of the General Counsel.

This project is funded in part under UMTA Grant No. CA-03--130 and CA-90-X181.

UNANIMOUS

Appearance of H. Watts against the action taken.

19. The Board recessed to Closed Session at 4:05 p.m. to discuss the settlement of litigation under Agenda Item No. 19. The Board returned from Closed Session at 4:12 p.m. with Directors Hall, Day, Dunning, Estrada, Holen, Price, Storing and Swanson responding to Roll Call.

On motion duly made, seconded and carried, the General Manager was authorized to execute an agreement with Giannini Place Associates to complete acquisition of the permanent sub-surface easement and temporary construction easement required for the Metro Rail Project; form of agreements subject to approval of the General Counsel.

CONSENT CALENDAR

20. Approved Requisition No. 7-7200-56 and authorized the General Manager to renew an existing contract for one additional year with McDonnell Douglas Automation, Los Angeles, covering maintenance of proprietary software, increasing the total cost by an additional \$12,180 to a total cost of \$204,000; form of contract amendment subject to approval of the General Counsel.

UNANIMOUS

CONSENT CALENDAR - Cont'd.

21. Approved Requisition No. 7-7200-54 and authorized the General Manager to renew an existing contract for one additional year with Multisystems, Inc., Cambridge, Massachusetts, covering rental and maintenance of terminals and modems, increasing the total cost by an additional \$14,000 to a total cost of \$80,167; form of contract amendment subject to approval of the General Counsel.

This project partially funded under UMTA Grant CA-03-0130.

UNANIMOUS

22. Approved Requisition No. 7-3900-29 and authorized the General Manager to exercise an option to extend an existing contract with Sage Management Systems, Arlington, Virginia, covering basic software maintenance, increasing the total cost by an additional \$34,800 to a total cost of \$69,600; form of contract amendment subject to approval of the General Counsel.

UNANIMOUS

23. Approved Requisition No. 7-7200-55 and authorized the General Manager to execute a contract with Multisystems, Inc., Cambridge, Massachusetts, covering maintenance of proprietary software for a one year period, at an estimated annual cost of \$55,000; form of contract extension subject to approval of the General Counsel.

This project is funded in part under UMTA Grant No. CA-03-0130.

UNANIMOUS

24. Approved Requisition No. 7-7200-104 and authorized the General Manager to extend an existing contract for an additional year with Nixdorf Computer Corporation, Culver City, covering maintenance of proprietary key to disk system, increasing the total cost by an additional \$9,768 to a total cost of \$70,810; form of contract amendment subject to approval of the General Counsel.

UNANIMOUS

CONSENT CALENDAR - Cont'd

25. Authorized the General Manager to execute a contract with E. C. Construction Co., South El Monte, the lowest responsible bidder under Bid No. CA-03-0130-0 covering construction of a new bus layover area at Macy and Vignes Streets, for a total bid price of \$64,297; form of contract subject to approval of the General Counsel.

This project is funded in part under UMTA Grant No. CA-03-0130.

UNANIMOUS

26. Approved Requisitions Nos. 7-3314-4372 and 7-3314-4373 and authorized the General Manager to exercise an option for one additional year with Flexible Distribution Center, Loudenville, Ohio, covering steering gear boxes at an additional estimated cost of \$369,000; form of option subject to approval of the General Counsel.

UNANIMOUS

27. Authorized the General Manager to execute a contract with Jaykim Engineers, Inc., Los Alamitos, California 90720, the lowest responsible bidder under Bid No. 5-8722A to furnish and install Underground Monitoring Systems for Divisions 7 (West Hollywood), 8 (Chatsworth) and 15 (Sun Valley), for a total bid price of \$78,040; form of contract subject to approval of the General Counsel.

UNANIMOUS

28. Approved Requisition Nos. 7-3510-65 and 7-3510-63 and authorized the General Manager to exercise an option to extend an existing contract for one additional year with Western Exterminator Company, Los Angeles, covering pest control services, at an additional cost of \$4,000, for a total annual cost of \$36,000; form of contract extension subject to approval of the General Counsel.

UNANIMOUS

CONSENT CALENDAR - Cont'd

29 & On a Roll Call vote, as noted below, Items 29 and 30
30. were held over to a future meeting for consideration.
Director Storing suggested the utilization of used
furniture as a cost saving measure.

Ayes: Day, Estrada, Holden, Holen,
Storing, Swanson
Noes: Dunning, Price, Hall
Abstain: None
Absent: Jones, Patsaouras

31. Received and Filed Report Calendar - May 8 through May
21, 1987.

UNANIMOUS

32. Received and Filed Purchasing Agent's Report of
Purchases From \$5,000 to \$25,000 - May, 1987.

UNANIMOUS

33. Ratified bus stops and zones as filed with the
Secretary.

UNANIMOUS

34. Ratified temporary route diversions as filed with the
Secretary.

UNANIMOUS

35. Approved minutes of Special Board meeting held April 1,
1987 and Regular Board meeting held April 9, 1987.

UNANIMOUS

GENERAL ITEMS

36. On motion duly made, seconded and carried, the Board confirmed the President's appointments to the Nominating Committee as follows:

Joseph S. Dunning, Chairman
Marvin L. Holen
Gordana Swanson

37. Authorized the General Manager to enter into an agreement with the City of Rancho Palos Verdes to continue the District's operation of Line 685 (Palos Verdes-Rolling Hills-Torrance-Hawthorne-El Segundo Employment Center); form of contract subject to approval of the General Counsel.

UNANIMOUS

The Board considered the setting of a time and date for a special meeting to consider Agenda Items 9 and 10. It was agreed that the President would call a Special Meeting on June 18, 1987 at 10:00 a.m. for this purpose.

38. No items to consider in Closed Session.
39. Considered selection and/or appointment to the positions of General Counsel and Controller/Treasurer.

This item was carried over to the meeting of June 25, 1987.

Messrs. Greg Roberts and Howard Watts spoke on this subject.

40. Public Comment.

Mr. Peter Baxter spoke to the Board on the subject of Director Holden.

Mr. Greg Roberts appeared, commenting on the public comment item on the agendas of the Board's meetings.

Mr. Sheldon Walter addressed the Board, commending General Manager Dyer.

Mr. Howard Watts spoke, commenting on transit related issues.

GENERAL ITEMS - Cont'd

The meeting adjourned at 4:37 p.m. in memory of Roy Pryor, husband of Margaret Pryor, Bay Area Rapid Transit District Director.

Helen M. Dole
District Secretary