

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

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

July 31, 1986

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

Directors Present:

Jan Hall
Carmen A. Estrada
John F. Day
Nate Holden
Marvin L. Holen

Nick Patsaouras
Jay B. Price
Charles H. Storing
Gordana Swanson

Directors Absent:

Norman H. Emerson

Leonard Panish

1. Presentation of Certificates of Merit and plaques by Director Holden to:
 - a. Ambrose Hale, Information Operator-of-the-Month;
 - b. Hilton Hackley, Operator-of-the-Month;
 - c. Steven Lightner, Maintenance Employee-of-the-Month.

2. Report of the President
No report was made.

3. Report of the General Manager

General Manager Dyer reported that the House of Representatives voted this week on an Appropriations Bill that included \$110 million earmarked for the Metro Rail Project in FY 1987. This bill will go to the Senate soon and it is hoped that it will be considered by the entire Congress before the end of September.

Mr. Dyer also reported that the Authorization Bill which covers the time period from FY 1987 through FY 1991 is being considered by the House Full Authorization Committee at this time. A floor vote is expected within a week. If the House passes the bill within the next two weeks, then the Senate should consider it soon thereafter. By the end of September, the Authorization Bill could be approved; if not, it could go to a November/December session. If the bill is carried over to next year, then every portion of the bill would have to be reconsidered.

The General Manager also reported that one of the rehabilitated 4300 series buses was available for inspection by the members of the Board and the public following the meeting. He indicated that the bus is over sixteen years of age, and District management is very pleased with the rehabilitation program.

Mr. Dyer then indicated his desire to add to the agenda, under New Business, a small contract covering a shuttle service. On motion made, seconded and unanimously carried, the Board approved this addition to the agenda, to be considered under Agenda Item No. 26.

In conclusion, Mr. Dyer also recommended that the Board add an item to the agenda, to be considered under New Business, regarding the issue of the 150 new bus procurement and the possibility of increasing the number of buses and the location of the wheelchair lift. On motion made, seconded and unanimously carried, the Board concurred in this recommendation to add an item to the agenda.

4. Director Special Items

Director Estrada asked for an update report on the status of the suggestion that monthly passes be sold at a decreased or pro-rated cost during the middle of the month. Mr. Dyer suggested that a response to this request would be made at the August 28, 1986 Board meeting.

5. Adopted Resolution of Necessity to institute Eminent Domain Proceedings to acquire a Permanent Portal Easement and a Temporary Construction Easement in Metro Rail Parcel Al-145, known as 500 South Hill Street, Los Angeles.

UNANIMOUS

EQUIPMENT & MAINTENANCE COMMITTEE REPORT (Items 6-7)

6. Considered the report dated July 24, 1986 regarding the procurement of an electronic fare collection system.

Director Storing, as Chairman of the Equipment & Maintenance Committee moved the Committee's recommendation that the General Manager be authorized to negotiate and bring back for approval a contract with General Farebox, Inc. He also stated that implicit in the Committee's recommendation was the intent that the General Manager not be precluded from working out a solution with Cubic Western Data. This motion was seconded.

President Hall then indicated that Mr. Winn of Cubic Western Data had requested to speak on this item, and in light of his relationship with the firm, she asked General Counsel Powers to comment on his request to speak.

EQUIPMENT & MAINTENANCE COMMITTEE REPORT - Cont'd.

6. General Counsel Powers indicated the District is presently involved in litigation with Cubic Western Data on the subject of fare collection systems and while the representative from Cubic Western Data has the right, as a member of the public, to address an item on the agenda, this is a very delicate situation. He indicated that it is highly irregular that Cubic Western Data would take this approach. He commented that statements made by Cubic Western Data's representative could compromise their position in the pending litigation. Also, his request to speak on this item could conceivably end with the finding of fault on the part of the District's Counsel by permitting a violation of the Code of Legal Ethics. Mr. Powers concluded his remarks by stating that if Mr. Winn wishes to speak on Agenda Item No. 6 and would refrain from any comments, in Mr. Powers' opinion, that would be relevant to the lawsuit, he could speak to the Board on the item on the agenda.

President Hall then advised Mr. Winn to heed the advice of the District's attorney and asked him to proceed. She also stated that she would ask him to end his remarks if the General Counsel made that recommendation.

Mr. Winn requested the Board to consider amending the motion to include Cubic Western Data in the negotiation process and further, that the motion be bound over for a 30-day period to the next Board meeting. He enumerated the reasons for this request: 1) fairness, and 2) equal opportunity. The staff recommendation would place the District in a sole source procurement position. The thirty-day delay is requested because Cubic Western Data would like an opportunity to meet with the Ad Hoc Committee on Accessible Transportation in an attempt to resolve the matter.

President Hall indicated it would be quite inappropriate for an Ad Hoc Committee to be formed for this purpose. General Counsel Powers agreed, indicating this offer from Cubic Western Data is tantamount to suggesting a settlement conference and would more properly emanate from the law firm rather than the client.

EQUIPMENT & MAINTENANCE COMMITTEE REPORT - Cont'd.

6. The General Manager informed the Board that the requested action would allow the District to negotiate with General Farebox, Inc., and it would also not preclude the District from working out a solution with Cubic Western Data. Any negotiated contract would have to be returned to the Board for review and action.

On a call for the question, the motion unanimously carried.

7. Received and Filed report on A M General wheelchair retrofit.

Staff will return to the Equipment and Maintenance Committee with an update report on the retrofit program at the August 28, 1986 meeting.

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SURFACE OPERATIONS COMMITTEE REPORT (Items 8 -9)

8. Rejected non-responsive bid submitted by Peerless Products, Inc. and authorized the General Manager to execute a contract with Kent Landsberg, Montebello, the lowest responsible bidder under Bid No. 6-8612 covering procurement of 2-ply toilet tissue for a one-year period, for an estimated annual cost of \$26,000; form of contract subject to approval of General Counsel.

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SURFACE OPERATIONS COMMITTEE REPORT - Cont'd.

9. Recommended placing the District's Excess Public Liability and Property Damage insurance through the Robert F. Driver insurance brokerage firm for a one-year term commencing August 1, 1986.

Director Holden spoke against the motion, indicating that the funds should be used for better purposes. General Manager Dyer indicated that there have been several catastrophic transit events in the last three years, and in addition, the Equipment Trust Certificates require insurance as a condition of the bond rating. Mr Dyer concluded his comments by indicating that the report by the insurance broker recommends the establishment of a fund which would allow the District to proceed next year with full self-insurance. President Hall stated that the concerns raised by Director Holden and the facts that the District is looking into self-insurance indicates that the District is exploring ways to cut the costs that impact the riders and the tax paying public.

On a call for the question, the motion CARRIED with Director Holden voting "No."

FACILITIES & CONSTRUCTION COMMITTEE REPORT (Items 10 -12)

10. Rejected non-responsive bid submitted by Hughes Aircraft Company and authorized the General Manager to execute a contract with Inframetrics, Bedford, Massachusetts, the lowest responsible bidder under Bid No. CA-90-X120-Q covering a Thermographic Inspection System for a bid price of \$37,668; subject to UMTA concurrence, with form of contract subject to approval of General Counsel.

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FACILITIES & CONSTRUCTION COMMITTEE REPORT - Cont'd.

11. Rejected all bids submitted in response to Bid No. 06-8602 covering re-roofing of the Maintenance Building at Division 4, Downey and authorized readvertising of Bid with revised specifications.

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12. Approved Requisition No. 6-8300-113 and authorized the General Manager to amend an existing contract with Converse Consultants, Pasadena, covering additional services for underground leak detection at Division 16, Pomona, increasing the total cost by an additional \$10,433 to a total cost of \$32,035; form of contract amendment subject to approval of General Counsel.

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ADVANCE PLANNING COMMITTEE REPORT (Items 13-14)

13. Approved the Metro Rail Central Business District Station Construction Bus Route Maintenance Plan as indicated in the report dated July 22, 1986, a copy of which is filed with the Secretary.

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14. Approved the public hearing notice concerning proposed service modifications to be made in December, 1986 and authorized publication of the notice.

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Greg Roberts appeared before the Board on this item.

RAPID TRANSIT COMMITTEE REPORT (Items 15-16)

15. Received and Filed status reports on the Congressionally Ordered Re-Engineering (CORE) Study.

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16. Received and Filed status report of full funding Metro Rail contract.

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PERSONNEL COMMITTEE REPORT (Items 17-18)

17. Approved contracts in the amount of \$877,000 with Los Angeles County for two programs including:

- a. an expanded Drug and Alcohol Abuse Program; and
- b. a Youth Employment/Bus Cleanliness Program;

form of contracts subject to approval of the General Counsel.

Also approved creation of two new "as needed" personnel classifications in connection with the Youth Employment/Bus Cleanliness Program.

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PERSONNEL COMMITTEE REPORT - Cont'd.

18. Approved Requisition No. 6-1100-24 and authorized the General Manager to extend a contract date with Manatt, Phelps, Rothenberg, Tunney and Evans, for government liaison services at the federal level through June 30, 1986 and to execute a new contract effective July 1, 1986, on a month-to-month basis at a cost of \$5,000 per month; form of contracts subject to approval of General Counsel.

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FINANCE & JOINT DEVELOPMENT COMMITTEE REPORT

19. Authorized District Officers to complete the sale of \$23,875,000 in Equipment Trust Certificates to provide funds for 240 new buses; form of documents subject to approval of General Counsel.

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CONSENT CALENDAR (Items 20-25)

20. Received and Filed report of District Investment of Funds.

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CONSENT CALENDAR - Cont'd.

21. Authorized the General Manager to execute a contract with Valley Detroit Diesel Allison, City of Industry, the lowest responsible bidder under Bid No. 7-8608 covering procurement of 30 splitter clutches for a total bid price of \$66,667; form of contract subject to approval of General Counsel.

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22. Authorized the General Manager to execute a contract with Flixible Corporation, Loudonville, Ohio, the lowest responsible bidder under Bid No. 7-8601 covering procurement of fifty-one steering gear boxes for a total bid price of \$43,000; form of contract subject to approval of General Counsel.

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23. Received and Filed Purchasing Agent's Report Calendar - July 11 through July 23, 1986.

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24. Received and Filed status report on Board Requests.

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25. Approved minutes of June 26, 1986 Board meeting.

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GENERAL ITEMS

26. New Business

General Manager requested approval from the Board to enter into a contract with the City of Los Angeles, Department of General Services, to provide shuttle service for the Annual Beach Scene Festival being held August 2 & 3, 1986 in San Pedro. All costs will be reimbursed to the District; it is anticipated 20 buses will be required.

On motion of Director Patsouras, seconded and unanimously carried, the Board approved the provision the shuttle service with the understanding that District accounting procedures would be used in determining the costs.

General Manager Dyer reported that additional federal funds are available to purchase an additional 117 buses. The District currently has specifications "on the street" for 150 buses and he requested a modification to this procurement specification. He also requested a revision to the specification to allow for either front or rear door wheelchair lifts.

Director Patsouras moved approval of this recommendation and the motion was seconded.

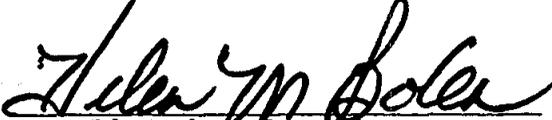
After considerable discussion, Director Estrada offered a substitute motion to put this item over to the next Board meeting, which substitute motion was seconded and CARRIED. President Hall stated, for the record, that this item was being put over until the next Board Meeting for the purpose of allowing staff to prepare a report and recommendation on this subject.

Under New Business, Sheldon Walter appeared before the Board suggesting a date for the Metro Rail groundbreaking ceremony.

Mr. Alan Michelson asked why the Personnel Committee always held its meeting in Closed Session.

Mr. Greg Roberts also appeared before the Board speaking to a number of transit related issues.

There being no further business, the meeting adjourned at 2:25 p.m.


District Secretary