

40

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

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

December 17, 1986

Called to order at 1:06 p.m.

Directors Present:

Jan Hall
Carmen A. Estrada
John F. Day
Norman H. Emerson
Nate Holden

Marvin L. Holen
Nick Patsaouras (arr. 1:15 p.m.)
Jay B. Price
Charles H. Storing
Gordana Swanson

Director Absent:

Leonard Panish

1. Certificates of Merit presented by Director Day to:
 - a. Danae Tellez, Information Operator-of-the-Month;
 - b. Teddie Cheaves, Operator-of-the-Month; and
 - c. Miranda Tucker, Maintenance Employee-of-the-Month.

2. Report of the President

President Hall introduced a report on recommendations to strengthen the reporting of expenses by members of the Board and staff. A motion was made and seconded to accept these formal procedures and discussion followed.

Director Day expressed his concern that the media had copies of this report before the members of the Board received it. President Hall apologized, indicating it was her intent that the Board receive the document earlier.

There were comments concerning the timeliness of filing of expense reimbursements, the guidelines for determining appropriate hotel costs, air fares, the need to obtain air tickets from the District's travel agent, secretarial expenses, the requirements for receipts, travel advances, telephone credit cards, etc.

President Hall stated that from the comments expressed by the Board, it might be appropriate to have a substitute motion or an amendment to the current motion. Director Holen then stated that the motion before the Board is basically to direct the General Counsel to prepare language to amend the Rules and Regulations, and to bring this item back to the next meeting of the Board.

Director Holen then stated that the issue before the Board is disclosure and accountability, which are very important parts of any public agency's search for public confidence. He commended the President for taking the initiative in this matter.

Messrs. Howard Watts and Greg Roberts appeared before the Board on this issue, voicing their opinions on travel and the setting of an example for the City and County of Los Angeles.

The motion was then approved unanimously and staff was reminded that this subject is to come back to the Board at the next meeting.

President Hall also reported that the District is making great progress in meetings with the Department of Motor Vehicles and in the near future should be able to report the development of a new program to aid in the recordkeeping on the drivers licenses of the District's employees.

3. Report of the General Manager

General Manager Dyer reported that the CORE Forum meeting was held on December 16 with Director Holen chairing. A lot of progress had been made and he reported his confidence that a compromise solution to the entire alignment will soon be worked out.

Mr. Dyer also briefly reported on the subject of absenteeism. He mentioned that this has been a problem for a number of years and recently this problem has been turned around and we are making considerable progress.

The General Manager reported that the members of the Safety Review Panel will be available to meet with the Board on January 22, 1987. The final report from the Panel, as well as a staff analysis, will be available for the Board well before the meeting date.

Mr. Dyer indicated that he had requested Mr. Perdon to attend a very important APTA Meeting in Houston on December 18.

In response to an inquiry from Director Holden, Mr. Dyer reported that the new Comprehensive Alcohol and Drug Policy was put in place effective December 15, 1986. For the transition period, the first thirty-day period, a person must be absent two additional times before they can be tested for drugs or alcohol. He also stated that he believes that this policy will become a model for the country. However, he cautioned that we will see a higher number of persons being tested in the beginning and we may experience more absences in the short term as employees take steps to meet the standards required for active employment. Director Storing asked if the modification would require Board concurrence. Mr. Dyer responded that it is an interpretation of when the instances started, and it is not really a modification of the policy.

4. Director Special Items

Director Holen reported on the CORE Forum meetings, indicating that staff did an outstanding job. Approximately 80-100 people were involved. At the conclusion of the December 16 meeting, it appeared there was a general consensus of a Locally Preferred Alternative (LPA) to complete the starter line. There was also a general consensus as to the mode. He stated that another meeting has been scheduled for late in January.

Director Price asked if the Board would consider re-opening the question of barrier versus barrier-free fare system for the Metro Rail Project. No member of the Board from the prevailing side on this issue was willing to reconsider the question.

Director Holen indicated that he has learned that some minority employees have filed a complaint against the District and that some negative information concerning a specific minority group is being circulated. He requested information on this issue. Mr. Dyer and several members of the Board indicated that since this was the subject of litigation, it would be appropriate to have a Closed Session at the conclusion of the agenda to receive a report on this subject.

5. Approved Guide for Persons Speaking at a Public Hearings and meetings.

UNANIMOUS

Appearance of G. Roberts, H. Watts and J. Walsh concerning time limits.

6. On motion of Director Holen, seconded and unanimously carried on a Roll Call vote, the staff level settlement of Benefit Assessment Appeals on the following properties were approved:

<u>Appeals Case No.</u>	<u>Parcel No.</u>
Al-11-86	5143-024-008
Al-15-86	5148-018-015

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

PERSONNEL COMMITTEE

Closed Session

7. Received and filed status report on operator and maintenance employees absenteeism.

UNANIMOUS

8. Approved a Side Letter of Agreement with the United Transportation Union (UTU) providing that effective January 1, 1987 any new part-time operators hired shall not have any full-time operator conversion rights under the contract; form of documents subject to approval of General Counsel.

UNANIMOUS

PERSONNEL COMMITTEE - Cont'd.

9. Approved a Side Letter of Agreement No. A86-3 with the Amalgamated Transit Union (ATU) to upgrade five (5) Maintenance Department employees in the Quality Assurance Section with retroactive pay effective May 29, 1986; form of documents subject to approval of General Counsel.

UNANIMOUS

Open Session

10. Director Price presented the recommendation of the Personnel Committee to concur in the staff recommendation, which motion was seconded. Following discussion, a substitute motion was made, seconded and carried as noted below, to defer action on the renewal of a contract with Charles H. Olsen and Associates, Pacific Palisades, covering governmental liaison services at the state level.

Mr. Cornwell appeared before the Board speaking in opposition to the District's need for legislative consultants.

Ayes:	Day, Emerson, Estrada, Holden, Holen, Patsouras, Swanson
Noes:	Hall, Storing
Abstain:	Price
Absent:	Panish

11. The substitute motion under Agenda Item No. 10 also included deferral of action on the approval of a contract with Cordoba Corporation, George L. Pla, independent contractor, covering governmental liaison services at local, state and federal levels.

(See additional action under Agenda Item No. 31)

PERSONNEL COMMITTEE - Cont'd.

12. Approved Requisition No. 6-8100-281 amending contract with the law firm of O'Melveny & Meyers increasing amount from \$200,000 to \$400,000 to cover services in connection with Metro Rail Project, including litigation and Benefit Assessment District validation; form of contract amendment subject to approval of the General Counsel.

UNANIMOUS

MARKETING AND CUSTOMER INFORMATION COMMITTEE

13. Approved rejection of non-responsive bid submitted by 11:24 Design Company and authorized the General Manager to execute a contract with Daleco Holographics, Costa Mesa, the lowest responsible bidder under Bid No. 11-8614 covering procurement of monthly passes for a one-year period, with an option for one additional year at the election of the District, for an estimated annual cost of \$254,990; form of contract subject to approval of the General Counsel.

UNANIMOUS

14. Authorized the General Manager to develop a detailed operational and implementation plan providing for an alternative discounted prepaid fare program.

UNANIMOUS

Director Estrada was commended for her diligence on behalf of this program.

G. Roberts appeared stating his disagreement with staff recommendation.

MARKETING AND CUSTOMER INFORMATION COMMITTEE - Cont'd.

15. Adopted policy on interior bus advertising, listed in the report dated December 11, 1986 as Alternative 4 as modified:

That the District increase the number of interior ad space by 50% by decreasing the size of interior spacers between ads and make 50 to 90% of the total ad space available for sale by an independent agency acquired through the Invitation For Bid or Request For Proposal process.

UNANIMOUS

EQUIPMENT AND OPERATIONS COMMITTEE

16. Approved rejection of non-responsive bid submitted by Steiny & Company, Inc., and authorized the General Manager to execute a contract with Paul Gardner Corporation, Ontario, the lowest responsible bidder under Bid No. CA-03-0154-J covering construction of a Traffic Control System at Division 10 (Los Angeles) for a total bid price of \$31,995; form of contract subject to approval of the General Counsel; subject to concurrence of UMTA.

This project is funded in part under Metro Rail UMTA Grant CA-03-0154.

UNANIMOUS

EQUIPMENT AND OPERATIONS COMMITTEE - Cont'd.

17. Approved rejection of non-responsive bid submitted on Item No. 4 by Baszile Metals and authorized the General Manager to execute contracts with the lowest responsible bidders under Bid No. 11-8610 covering procurement of aluminum sheets and extrusions for a one-year period, with options for one additional year at the election of the District:
- a. Castle Metals, Paramount, covering Items 1, 2, 3, 5 and 6 at an estimated annual cost of \$31,690;
 - b. Baszile Metals, Los Angeles, covering Item 7 for an estimated annual cost of \$34,390;

form of contracts subject to approval of the General Counsel.

UNANIMOUS

18. Received and Filed update report on AM General wheelchair lift project.

UNANIMOUS

19. Received and Filed report entitled "Safety Review Panel: Status of Final Report" dated December 15, 1986.

UNANIMOUS

Also, Director Holen requested information on the cost to implement each recommendation. Director Patsouras requested a matrix indicating whether the items would require union approval or would be a unilateral action the Board could take.

The Board considered an additional item and on motion duly made and seconded, Item No. 19A was added to the agenda.

- 19A. Authorized the General Manager to continue negotiations and to bind the District covering Excess Workers' Compensation Insurance for the period January 1, 1987 through December 31, 1987, and approved the increase of the Self-Insured Retention (S.I.R.) limit from \$500,000 to a higher level not to exceed a maximum of \$2.0 million, at a level which is cost effective based on premium credits; form of documents subject to approval of General Counsel.

UNANIMOUS

RAPID TRANSIT COMMITTEE

20. Authorized the General Manager to execute a contract with Dalton Construction Company, Inc., Hayward, California, the lowest responsible bidder under Bid No. A-161 covering utility rearrangements for 7th and Flower Metro Rail Station for a total bid price of \$3,252,500; form of contract subject to approval of the General Counsel.

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

UNANIMOUS

Mr. Narby of Kiewit Pacific Co. appeared before the Board concerning a letter from his company, delivered the previous day, protesting the award.

RAPID TRANSIT COMMITTEE - Cont'd.

21. The Rapid Transit Committee concerns about approval of the Metro Rail Safety Program contingent upon requirement of the APTA Safety Panel to review the Program and the listing of officials and agencies which have reviewed the program were discussed, and a motion was made to put this item over until the second meeting in January, which motion was seconded and discussion followed.

Staff suggested that the Program be adopted with the provision that some elements of the Program may be subject to revision or change at the January 22, 1987 Meeting.

Director Estrada made a substitute motion to adopt the Metro Rail Safety Program, subject to further review at the January 22, 1987 meeting, and contingent upon receiving a diary of officials and agencies who have reviewed the Program. This motion was seconded and carried on a Roll Call vote as noted below:

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

22. CARRIED over to January 8, 1987 Board meeting, award of contract to Central City Association of Los Angeles covering consulting services for community relations in connection with MOS-1 construction.

UNANIMOUS

GOVERNMENT RELATIONS COMMITTEE

23. Received and Filed report on additional authority granted to the Los Angeles County Transportation Commission (LACTC) by State statute since 1976.

On motion duly made and seconded, the Committee's recommendation that the elements of the report be discussed in a future meeting with the District's legislative lobbyists was considered. Director Emerson made a substitute motion, which was seconded, that the President designate the appropriate committee to work with the Los Angeles County Transportation Commission in developing a coordinated response to the Los Angeles County Administrative Officer's forthcoming report and to develop a joint presentation before the Assembly Transportation Committee scheduled to be held in January, 1987.

After discussion, this substitute motion was unanimously carried.

FINANCE & JOINT DEVELOPMENT COMMITTEE

24. Authorized the General Manager to execute and file the necessary documents for the CalTrans Fund Transfer Agreement that provides Article XIX funds in the amount of \$110.6 million for Metro Rail; form of documents subject to approval of General Counsel.

UNANIMOUS

25. Received and Filed status report on Proposition A - Local Return Funds.

UNANIMOUS

CONSENT CALENDAR

26. Approved Requisition No. 6-8100-13D and authorized the General Manager to amend an existing contract with Empire Maintenance Company, Alhambra, covering various costs associated with the maintenance and repair of properties acquired for the Metro Rail Project for the period January 1, 1987, through December 31, 1987, increasing the total cost by an additional \$20,000 to a total cost of \$44,500; form of contract amendment subject to approval of the General Counsel.

This project is covered by the Metro Rail Local Activities Fund.

UNANIMOUS

27. Received and filed monthly report of District investments.

UNANIMOUS

28. Received and filed Report Calendar - December 5 through December 11, 1986.

UNANIMOUS

29. Approved Purchasing Agent Report of Purchases \$5,000 to \$25,000 - November, 1986.

UNANIMOUS

30. Received and filed status report on Board Requests.

UNANIMOUS

GENERAL ITEMS

31. New Business

Director Estrada requested reconsideration of agenda items 10 and 11, and on motion duly made, seconded and carried as noted below, these items were placed before the Board:

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

Director Estrada then made a motion to reject the staff recommendations on agenda items no. 10 and 11, and refer them back to the Personnel Committee, with interested members of the Government Relations Committee invited to attend. This motion was seconded and approved on a Roll Call vote as noted below:

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

The Board, on motion duly made, seconded and carried, recessed to Closed Session to discuss personnel matters at 3:25 p.m., returning at 3:45 p.m. No report was made of matters discussed in Closed Session.

Messrs. Greg Roberts and Sheldon Walters appeared before the Board speaking on transit related matters.

The meeting adjourned at 3:50 p.m.


District Secretary