

# MINUTES



LOS ANGELES COUNTY TRANSPORTATION COMMISSION 818 West 7th. St., Suite 1100, Los Angeles, Calif. 90017 (213) 623 1194

## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

February 27, 1991

The regular Commission meeting was called to order by Chairman Ray Grabinski at 1:40 p.m. in the Board of Supervisors' Hearing Room, in the Hall of Administration.

Mr. Peterson indicated that he was in receipt of a letter from Mayor Bradley designating Jane Ellison to serve as an alternate for him at today's meeting.

Members in attendance were:

Councilman Ray Grabinski  
Mayor Pro-Tem Jacki Bacharach  
Councilwoman Judy Hathaway-Francis  
James Tolbert  
Marv Holen, alternate for Supervisor Edelman  
Mike Lewis, alternate to Supervisor Schabarum  
Mas Fukai, alternate to Supervisor Hahn  
Nick Patsaouras, alternate to Supervisor Antonovich  
Jane Ellison, alternate for Mayor Bradley  
Jerry Baxter, Ex-Officio for State of California

Staff members present:

Neil Peterson, Executive Director  
David Kelsey, Assistant County Counsel  
Kathy Torigoe, Executive Secretary

PUBLIC HEARING Re. Necessity for the Acquisition of Real Property Interests described herein (partial permanent fee take) in certain real property located on the East side of Shatto Place, 166 feet North of Wilshire Boulevard, in the City of Los Angeles, County of Los Angeles, State of California:

Owner: Ricardo Icaza Trust, et al  
United Food & Commercial Workers Union Local 770  
(Parcel #R81-B2-114)

Mr. Kelsey indicated that after evidence has been received the Commission will be asked to approve the Resolution of Necessity for the property. The resolution requires eight votes.

Mr. Kelsey asked the following questions which were answered by Mr. Wiley:

Mr. Kelsey: Will you state your name and position please?

Mr. Wiley: Mr. James Wiley, Manager of Real Estate for the Los Angeles County Transportation Commission.

Mr. Kelsey: Did you prepare the staff report which appears in the agenda starting at page 1?

Mr. Wiley: Yes I did.

Mr. Kelsey: Are the matters contained in the report true and correct?

Mr. Wiley: To the best of my knowledge they are true and correct.

Mr. Kelsey: Does the public interest and necessity require the subject property?

Mr. Wiley: Yes, the property is located along the Red Line and will result in significant improvements in transportation and tenant access to economically viable areas of the city.

Mr. Kelsey: Is the project planned or located in a manner that will be most compatible with the greatest public good and least private injury?

Mr. Wiley: Yes, numerous studies were conducted on various alignments, public hearings were held, meetings with citizens and with interest groups and the environmental finding was made that the project is so located.

Mr. Kelsey: Is the property to be acquired necessary for the project?

Mr. Wiley: Yes the property is located and it's a very small portion of a property, where the station box for the Vermont/Wilshire station goes, in order to construct the station box it is necessary to have possession of this property.

Mr. Kelsey: Was an offer to acquire the property based upon approved Just Compensation made to the owners?

Mr. Wiley: Yes the statutory offer was made to the owners.

Mr. Kelsey requested that the staff report be received into evidence.

Mr. Kelsey indicated that staff report is received by acclamation

Public comment was made by Mr. John Walsh regarding Table 320 of the Environmental Impact Report.

Seeing no additional witnesses who wished to testify, Mr. Kelsey indicated it would be appropriate to approve the staff recommendation and adopt the Resolution of Necessity, unless there are questions of the witness.

Ms. Bacharach moved adoption of the staff recommendation, seconded by Mr. Holen.

Roll call vote:

Yes: Fukai, Holen, Patsaouras, Ellison, Hathaway-Francis, Bacharach, Tolbert, Grabinski

No: (none)

Motion was carried.

#### APPROVAL OF MINUTES

Two corrections to the minutes were made by Ms. Bacharach: on page 22, Mr. Bob Lewis should be identified as a staff member. On pages 24 and 25 of the agenda, on the Metro Rail Status Audit, Mr. Mike Lewis (Commissioner) made a motion and on page 25 it shows that Ms. Bacharach seconded under an other item completely unrelated. With those corrections, Ms. Bacharach moved approval, seconded. The minutes of January 27, 1991 were approved as amended.

Mr. Peterson answered Mr. Tolbert's question on Rail Construction items that have change orders.

REPORT FROM CHAIR

Mr. Grabinski gave a brief review on his trip to Chicago.

Mr. Grabinski thanked Mr. Lewis for all of his great work on the Commission.

Chairman Grabinski introduced Gloria Molina, as the newest Supervisor

CONSENT CALENDAR

Items held for further discussion: Items #6, 7, 8, 9 and 11

Motion made by Ms. Bacharach which was seconded to approve Consent Calendar Items #1 - 27, with the exception of Items, #6, 7, 8, 9 and 11. Hearing no objection, motion carried.

1. Amendment to Los Angeles County Transit TIP for the Santa Monica Municipal Bus Lines - Finance and Programming Committee (FPC) recommended amending the Santa Monica Municipal Bus Lines (SMMBL) FY 1991 Los Angeles County Transit TIP to include the purchase of ten expansion buses and spare parts at a cost of \$2,700,000, which will be funded locally from SMMBL's current allocation of Transportation Development Act (TDA) funds.
- (p. 81) 2. Art for Rail Transit Program - Approval of Panelist List and Program Update - FPC recommended the approval of the attached list of potential panelists to be appointed to art panels as appropriate.
3. Disbursement to SCRTD to Replace Loss of Federal Section 9 Operating Funds - FPC recommendation:
  - a. Amend the FY 1991 Proposition A 40% Discretionary Fund Memorandum of Understanding (MOU) between the LACTC and the SCRTD to provide an additional \$519,085 in funding to replace a reduced level of FY 1991 UMTA Section 9 Operating Assistance. The MOU would be increased from \$13,160,000 to \$13,679,085 as a result of this action.

b. Utilize Proposition A 40% Discretionary Interest funds as the funding source.

4. Senate Bill 144 (Lockyer) - Privately-Funded Transportation Facilities - Legislative and Administrative Services Committee (LASC) recommended the Commission oppose SB 144 on the basis of preserving local control over locally-generated funds.

5. Award of Contract for AT&T Voice Mail System - \$130,000 - LASC adopted the staff recommendation to approve the contract to AT&T for the sole source purchase and installation of the AT&T Audix Voice Mail system, in an amount not to exceed \$130,000.

In addition, the Committee adopted a motion to require that the maintenance portion of the contract not exceed \$12,000 per year. This item required eight affirmative votes.

10. Appointment of the FY 1991 Transportation Development Act (TDA) Article 8 Rural Social Services Transportation Advisory Council (RSSTAC) - PMIC recommended:

a. Appoint new members to fill vacancies on the FY 1991 Rural Social Services Transportation Advisory Council.

b. Authorize staff to appoint members to fill any remaining vacancies.

12. Los Angeles County Transportation Corridor Conservancy Corporation - At the February 19 meeting, the PMIC approved staff's request to establish the non-profit Transportation Corridor conservancy (TCC) with the following clarifications:

a. Change the name of the Conservancy to "Trust" or "Foundation" to more accurately describe purpose and function of organization;

b. Indicate what amount of seed monies would be required to finance consultant support;

c. Rewrite Article of Incorporation, etc. to allow public and private sector members to be appointed to the Governing Board of the non-profit organization;

d. Clarify other various sections of the non-profit Organization's Ordinance, Article of Incorporation and Bylaws concerning duties delegated, dissolution and transfer of assets, appointment of officers, and statements of financial interests of the non-profit organization's Board Members.

SCCRCC/IJPA JOINT MEETING

13. Options on Commuter Rail Equipment - Recommended the approval of a change order to UTDC, Inc. to purchase spare parts and special equipment in an amount not to exceed \$928,706, the exercise of a modified upgraded seating option at a seating option at a cost not to exceed \$510,000 and the provision only for Automatic Train Stop (ATS) at a cost not-to-exceed \$117,150.
14. General Engineering Consultant - Civil/Track Contract R60-CR009 - Frederic R. Harris - \$5,600,000 - Recommended the Interim Joint Powers Authority and the LACTC to enter into contract with Frederic R. Harris, Inc. for performance of commuter rail general engineering services. The contract estimated not-to-exceed amount is \$5,600,000. The DBE goal of 25% was exceeded.

RAIL CONSTRUCTION CORPORATION  
CONSENT CALENDAR

15. Metro Blue Line - Contract No. R01-T01-C265 - Station Superstructures - Contractor: Morrison-Knudsen, Inc. -Change Order No. 139 - \$285,937 - Recommended approval of Change Order No. 139 in the amount of \$285,937.
16. Metro Blue Line - Contract No. R01-07-H836 - Safety and Security Communications System - Contractor: HSQ Technology, Inc. - Increase in AFE - \$157,977 - Recommended approval of a \$157,977 increase to the current AFE amount, to a revised AFE amount of \$4,366,788. This increase in AFE will enable staff to process pending Change Order #07. Funds will be appropriated from Project Reserve.
17. Metro Blue Line - Contract No. R01-T01-C4360 - Rosecrans Avenue LRT Overpass - Contractor: Brutoco Engineering & Construction, Inc. - Recommended that the Commission:
  - a. Approve the acceptance of the subject contract one hundred percent complete as of November 29, 1990, and authorize the recording of the Notice of Completion.
  - b. Authorize the release of the contract balance of \$145,685.65 immediately upon acceptance of closeout and release of retention balance in the amount of \$252,545.55 upon completion of thirty (30) calendar days after the filing of the Notice of Completion.

- c. Approve the transfer of funds in the amount of \$163,260 to the project reserve. This amount represents a surplus over the total obligated funds for Contract R01- T01- C4360.
18. **Metro Blue Line - Contract No. R01-T01-C325 - Willow Station to 9th Street - Contractor: Morrison-Knudsen, Inc. - Recommendation for Contract Acceptance - Recommended that the Commission:**
  - a. Approve the acceptance of the subject contract complete as of December 04, 1989, and authorize the recording of the Notice of Completion.
  - b. Authorize the release of the Contract balance of \$69,019.00 upon contract acceptance and the release of retention in the amount of \$95,138.40 less \$30,474.00 for third party backcharges, thirty (30) calendar days after the filing of the Notice of Completion.
  - c. Approve the transfer of funds in the amount of \$113,213.00 to Project Reserve. This amount represents a surplus over the total obligated funds for Contract No. R01-T01-C325.
19. **Metro Blue Line - Contract No. R01-T01-C415 - Contractor: Morrison-Knudsen Co., Inc. - Change Order No. 27 and Increase in AFE - Recommended that the Commission approve Change Order No. 27 in the amount of \$814,904 and approve an increase to the current AFE amount by \$2,383,808 to a revised AFE of \$12,828,808. This increase in AFE will enable staff to process Change Order No. 27 and pending Change Order No. 28 (final).**
20. **Metro Blue Line Contract No. R01-T01-C420 - MC-5 Utility Relocations - Contractor: Shawnan Corporation - Increase in AFE - Recommended that the Commission approve an increase to the current AFE amount by \$105,905 to a revised total AFE of \$3,330,345. This increase in AFE will enable staff to process the pending Change Order No. 11 (Final). Additional funding will come from the Metro Blue Line Project Reserve.**
21. **Metro Blue Line - Contract No. R01-T06-H811 - Traction Powers Supply System - Contractor: L.K. Comstock - Change Order No. 045 - Recommended that the Commission approve Change Order No. 045 in the amount of \$637,920. Sufficient funds are available in the current AFE to cover the cost of this Change Order.**

22. **Metro Red Line, MOS-1 and MOS-2 - Contract Authorizations for Expenditure (AFE) Consultant Contracts** - Recommended that the Commission authorize the Executive Director to execute amendments with Booz-Allen Hamilton, Metro Rail Transit Consultants, and PDCD, Construction Management within the approved AFE amounts and contract periods as indicated by the attached.

Mr. Patsaouras abstained on item #22.

23. **Metro Red Line, MOS-2 - Contract No. B-218 - Demolition - 600 S. Vermont and 606 S. Vermont** - Recommended approval of Change Order B-218-CO-002 which allows contractor to proceed immediately under field directed cost-plus Change Order adding \$59,900 and 37 days to the contract. This raises contract price to \$123,900.
24. **Metro Green Line - Contract No. R23-E0014 - G.V. Diversified Inc. - Approval of Amendment No. 3** - Recommended that the Commission authorize the Executive Director to negotiate and execute Amendment No. 3 to the subject contract within an amount not-to-exceed \$80,000.
25. **Metro Green Line - Contract No. R23-T01-C0110 - I-105 to Compton Boulevard - Segmental Bridges - Rosecrans/Aviation and Kramer Site - \$7,321,537** - Recommended that the Commission authorize the Executive Director to award contract No. R23-T01-C0110 to Kiewit-Pacific Company, the lowest responsive and responsible bidder. The Contract award will be for a total estimated contract price of \$7,321,537.00. A 10% contract reserve fund of \$732,163.00 is also recommended to cover the cost of changes and extra work, but will not be included in the contract.
27. **Contract No. R90-AA001 for between LACTC and Dept. of Fair Employment & Housing for Affirmative Action, Employment Opportunities and Non-Discrimination Service** - Recommended the Executive Director be authorized to sign the agreement for EEO enforcement with the State of California Department of Fair Employment & Housing to insure continued services for one year at a cost of \$322,420. Funding for this contract will come from the Capital Fund Systemwide.



**FURTHER DISCUSSION ON CONSENT CALENDAR ITEMS**

6. **Proposed Metro Blue Line Operating Agreement - PMIC** recommended at its February 19, 1991 meeting that the Committee considered for action a series of staff recommendations regarding a proposed Metro Blue Line Operating Agreement between the SCRTD and the LACTC. The Committee recommended that the full Commission consider for approval the proposed agreement with the following amendments:
  - a. Staffs prepare language for insertion into the Agreement clearly stating that the provisions contained in this proposed Metro Blue Line agreement are not precedent setting as far as future rail lines or agreements are concerned; and
  - b. Staffs prepare appropriate language for insertion in Section 7 entitled "Competitive Procurement" clarifying the period within which the Commission can react to a possible SCRTD Contract Award; and
  - c. Staffs prepare appropriate language for insertion in Section 7 entitled "Competitive Procurement" clarifying that services currently procured on a competitive basis continue to be so; and
  - d. Staffs prepare appropriate language for insertion in Section 7 entitled "Competitive Procurement" citing a previous report or agreement whereby the SCRTD agreed to competitively procure certain classes of services; and
  - e. Staffs were to insert the appropriate word or language in Exhibit B to the Agreement clarifying that the levels of services described in this Exhibit were minimal levels; and
  - f. Staffs were to insert in Exhibit A the latest FY 1991 estimates for Metro Blue Line Traction Power and Insurance Premiums.

Ms. Bacharach indicated that the recommendation should also include:

- 1) Authorize the Executive Director to execute the proposed Agreement with the SCRTD effective July 16, 1990 to July 15, 1992, reimbursing the SCRTD as described in Section 4 of the proposed Agreement and summarized in the attached summary.

- 2) Amend the FY 1990/91 LACTC Budget to increase appropriations for SCRTD operating costs by \$4,275,100 to \$32,401,000.
- 3) Authorize the transfer of funds, up to \$4,275,000, as necessary from the Proposition A Rail Account to the Rail Operations Fund to cover expenditures above those currently estimated in the Agreement for contracts, insurance premiums, or traction power as set forth in Exhibit A to the proposed Agreement.

Ms. Bacharach indicated that in addition to what was recommended there would be an additional costs from other things that LACTC has agreed to pay (i.e. traction power).

Ms. Bacharach moved, seconded by Mr. Holen. Motion was carried with Mr. Lewis voting "no".

7. Proposition A Discretionary Guidelines - Proposed Revisions -

(p. 82)

At the February 19 PMIC meeting, principles concerning the proposed revisions to the Proposition A Discretionary Guidelines were approved, as detailed in Attachment A. These principles were approved and submitted by the General Managers and Bus Operations Subcommittee.

The PMIC recommended approval of the principles shown on Attachment A with the following clarifications:

- a. Add to #9 (Operators agree to certain warranties) that operators will participate in the development of an integrated public transportation system ("METRO"); and
- b. Clarify #2 that the Dial-A-Ride formula allocation cap (0.25%) has been eliminated.

Approval of the above principles shown in Attachment A will allow staff to develop funding estimates immediately, so that operators can develop their Fiscal Year 1992 Short Range Transit Plans in a timely manner. Staff will return to the Commission with final guideline wording at the March 27 meeting. This item required 8 affirmative votes.

Ms. Bacharach explained that she had pulled Item #7 because PMIC was very pleased at the consensus that had been developed by the our staff and the operators. The Committee added to number 9 (Attachment A) the statement that "operators who accept our dollars will participate in the development of an integrated public transportation system or a "Metro" system. Since the meeting she had received calls from the operators asking to better define that statement. So she asked that language be inserted that says that LACTC wants the operators to warrant that they will participate in the development of an integrated public transportation system by inter-operator coordination or some words to that effect. Ms.

Ms. Bacharach moved that the principles be approved in concept. Mr. Holen seconded. Motion carried.

8. Selection of Consultant for Test of Market Management in the San Fernando Valley - PMIC recommended that the Commission staff be authorized to negotiate with Booz-Allen and Hamilton to rescope their proposal to increase the transferability of the process to other areas of the county.

Mr. Tolbert asked for this item to be pulled because it's missing the dollar amount.

Mr. Peterson indicated that the action of the committee was to authorize staff to negotiate a contract with the consulting firm and then to come back with a specific dollar amount. The staff was instructed as to how that dollar amount should be arrived at. And when we bring back that dollar amount hopefully we have reflected your concerns.

Ms. Bacharach moved the committee recommendation, Mr. Patsaouras seconded. Motion was approved.

9. Appointment of FY 1991 Transportation Development Act (TDA) Article 8 Hearing Board - PMIC recommends:
  - a. Appoint the TDA Article 8 Hearing Board as outlines below.
  - b. Select a Commissioner to serve on the TDA Article 8 Hearing Board.

Ms. Judy Hathaway-Francis was selected to serve on the Hearing Board. Motion was made by Jacki Bacharach and seconded. Without objection, motion was carried.

11. **Public Hearing - Southern California Commuter Rail Regional System Plan** - At the February 19 PMIC meeting, a public hearing was held to receive comments on the draft report developed for Senate bill 1402. No comments were received at the meeting. The Chair closed the public hearing but allowed for oral or written comments to be received by the full Commission at the meeting in February.

Public comment was made by Mr. Steven Crossmer who spoke on Prop 116.

Ms. Bacharach made a motion to close the hearing, Mr. Holen seconded. Hearing no objection, it was closed.

#### REPORT FROM COMMITTEE CHAIRS

- a. **Finance and Programming Committee**

Mr. Holen gave the report for FPC.

- b. **Planning & Mobility Improvement Committee**

Ms. Bacharch gave a PMIC update.

#### STAFF/COMMITTEE REPORT

28. **San Fernando Valley East/West Rail Study** - Planning and Mobility Improvement Committee (PMIC) recommended authorizing a Supplemental Environmental Impact Report for a Ventura Freeway Advanced Aerial Technology Alternative, and amending the Gruen Associated contract by \$207,000 to allow completion of this additional work. The Committee also made the following additional recommendation:

Staff was directed to return next month with a report stating what additional issues must be addressed on the Ventura Boulevard alignment, the cost of this additional consultant work, and the current status and availability of funds in the rail planning account.

Mr. Peterson indicated that Item #28 is a recommendation regarding the San Fernando Valley East/West Rail Study. A presentation was made by Pat McLaughlin, Director of the San Fernando Valley Area Team, on the results of the study as requested by Supervisor Antonovich and Commissioner Nick Patsaouras.

Mr. Patsaouras also mentioned refining and identifying the costs versus benefits between the Burbank and Ventura Boulevard subways, including the phased segment costs.

Public comment was made by Gerald A. Silver, President Homeowners of Encino, who spoke in opposition to Item #28.

Donald B. Eitner, Executive Vice-President of Universal City, North Hollywood Chamber of Commerce, spoke on his concerns of the North Hollywood station.

Ms. Bacharach moved the Committee's recommendation. Mr. Patsaouras seconded.

Roll call vote:

Yes: Mr. Lewis, Holen, Patsaouras, Ms. Ellison, Ms. Hathaway-Francis, Ms. Bacharach, Grabinski

Motion was carried with Mr. Tolbert abstaining.

29. Private Sector Proposal for Los Angeles County - At the February 19 PMIC meeting, the Committee approved staff recommendations with the following clarifications:
- a. Modify recommendation #1 to approve program "initiation" instead of "implementation".
  - b. The pursuit of the proposed program is contingent upon the successful negotiation of cost sharing agreements with other public sector agencies. Staff should return to the Commission with the results of these negotiations.
  - c. Provide the Commission with the status of uncommitted Proposition A Incentive Funds.
  - d. Provide the Commission with a breakdown of how the \$200,000 requested by staff would be expended.

- e. Provide the Commission with a report on the status of Magnetic Levitation System developments. Staff will provide a written report and a presentation on the status of these systems at the Commission's February 27, 1991 meeting.

Additionally, staff was directed to: (1) pursue legislation which would give the Commission powers like those in CALTRANS AB 680 program, i.e., it could accept projects proposed by developers anywhere in L.A. County; and, (2) to present recommendations at the March PMIC meeting concerning how the East/West Valley line might be funded, designed and constructed with private sector involvement.

Mr. Peterson indicated that Item #29 is the follow-up to the Private Sector Initiative Report that was approved in October. The state took the lead in this concept, under AB 680. The State process occurred and they selected four projects. Unfortunately, the one project in LA County was not selected and only one transit project.

Mr. Lewis asked, at what point in the process do you anticipate making a decision or selection on the developer?

Mr. Peterson indicated that the RFQ's will go out March 1st, they will come back the following month and then within a month of that we get down to the short list. The RFP's would go out June 1st and then by September LACTC would be in a position of awarding the contract.

Michael Post, Resident of Westchester spoke on the MAGLEV Proposal.

Ms. Bacharach made a motion, for LACTC to recommend this for initiation, not necessarily to implement it, but that pursuing this program is contingent upon cost sharing arrangements with other agencies, such as the airport commission; receive a status report on LACTC's uncommitted funds (this is coming out of Prop A incentive funds) but we cannot proceed unless we get some cost sharing from other agencies; the Commission pursue legislation which would allow us to broaden this concept out to all areas of the county not just to one corridor; and to present recommendations at the next meeting on whether the Valley East/West Rail Line might be funded in this way.

Mr. Holen seconded. Motion carried

Mr. Patsaouras made a motion that the EIR study for Monorail between Warner Center and North Hollywood include the extra distance between North Hollywood, the Hollywood Bowl and Hollywood/Highland.

Mr. Holen moved reconsideration of item #28, seconded by Mr. Patsaouras. Without objection motion carried.

Ms. Bacharach indicated that on the Burbank alignment there is a direct connection to the North Hollywood Station, but on the other two alignments there is not any connection to the North Hollywood Station and we would be building the line from Universal City to North Hollywood as a stub would like to know if there is gonna be any additional study. Mr. Patsaouras indicated that LACTC would have to include in that study the viability of a stub between the Universal Station and the North Hollywood Station and whether that is something that becomes an offset. He requested adding that to the motion.

After discussion, Mr Patsaouras withdrew his motion.

Mr. Holen stated that the motion was to extend/define the study to include the section between Hollywood/Highland and the North Hollywood Station, including a station at the Hollywood Bowl so that the \$207,000 dollars is the only amount appropriated so far to go through the Committee, the Committee may recommend additional funding on a basis which everyone feels comfortable with.

Mr. Gerald Silver (public comment) commented on the Hollywood/Highland and the North Hollywood Station.

Mr. Lewis suggested that the preference would be to let the matter that we approved go ahead and this item which Nick brought up be sent back to committee for separate analysis and funding.

Mr. Patsaouras moved, seconded by Ms. Hathaway-Francis. Without objection, motion carried.

30. Southern California Regional Rail Joint Powers Authority - At the February 19 PMIC meeting, the composition and voting rights for the Southern California Regional Rail Joint Powers Authority were discussed. The recommendation was approved by the PMIC with the following addition:

In order for there to be a Quorum and for action to be approved, there must be a minimum of three (3) counties represented and six votes present.

Mr. Lewis suggested that if we are going to proceed today to approve the participation in this Joint Powers Authority, we should ask that the voting arrangement be changed to require two thirds vote on items, rather than the current six that would be called for in the current voting arrangement and he made a motion to that effect.

Ms. Bacharach moved the committee recommendation with the addition that a quorum for action be a minimum of three counties and six votes present. Seconded by Mr. Holen.

Mr. Lewis made a substitute motion. He requested to amend the motion rather than make a substitute motion; to require a condition of the Joint Powers Authority one of the six affirmative votes has to be one of LA Counties votes. Or a super majority vote.

Ms. Hathaway-Francis seconded for a super majority.

Ms. Ellison amended the amendment, to be one of six or super majority on major issues.

Ms. Bacharach seconded and asked for major issues to be defined. Would like to have to have it voted on as an amendment and original.

Mr. Lewis: The question was can we define what item should be voted on by super majority and it seems to me it should be the budget, award of contracts, selection of operator, fare structure, redefinition or reallocation of votes, and a decision or not as to whether they are going to have their own staff.

Mr. Peterson indicated that the amended amendment that you're voting on is that we go back to the counties and suggest that we change this voting arrangement by one of two ways. One is that super majority votes are required, in other words eight votes for any major decision, which would by definition mean, that one LA County Representative would have to vote yes and we define major as fare structure, reallocation of votes, staffing decisions, budget decisions, contract and operating agreement decisions. The other option we will give them is that six votes are required to pass anything, one of those six votes has to be an LA County vote. That's the amended motion that is on the floor.



Roll call on Commissioner Lewis' amended amendment:

YES: Lewis, Fukai, Holen, Patsaouras, Ellison, Hathaway-Francis, Grabinski

NO: Bacharach

Abstention: Mr. Tolbert

Vote on the main motion as amended was approved

EXECUTIVE DIRECTOR'S REPORT

31. Commission Travel Request

Commissioners Bacharach, Hathaway-Francis, Tolbert and Lewis have requested attendance to the APTA Legislative conference in March. Commissioner Bacharach of the Transportation Committee to the League of Cities. Commission's approval was requested.

Motion was made and seconded. Hearing no objection, motion was carried.

32. CAC Member Nomination

Upon the recommendation of Commissioner Tolbert, Mr. Gerald Knighter has been nominated to the Citizens Advisory Committee by Mayor Bradley. Confirmation by the Commission was requested.

Motion was made and seconded. Hearing no objection, motion was carried.

INFORMATION ITEMS

34. Bus Capital Project Priority List - Once guidelines are adopted for Proposition C, the CMP, and the Americans with Disabilities Act, the Commission will review the priority list to reflect the Commission priorities prior to undertaking the FY 93 SRTP preparation process.

Ms. Bacharach would like everyone to take the opportunity to look at Prop C Guidelines and get back to the PMIC Committee. These are the guidelines that staff will be using to construct all Prop C allocations. At the Legislative Committee, Ms. Bacharach stated that the allocation to cities is wrong and the accounting is wrong. She would like a corrected version on how Prop A is being allocated to cities. Would also like to have a report on contracts, because there are still contracts that are being let over \$50,000, that when combined are over \$50,000. In addition, she requested the LACTC Awards Program be referred to the Legislative Committee.

PUBLIC COMMENT:

John Walsh spoke on Item #23 and the Blue Line

CLOSED SESSION

AT 4:40 P.M., the Commission recessed into closed session pursuant to Government Code Sections 54956.8/54956.9, to discuss real estate matters, and pending litigation.

- o AA-002, U.S.A. investment Inc. is the owner, 6141 W. Century,
- o A1-037 located between Vignes and Center St., Maier Brewing Company is the owner.

This is also to authorize entry of right-of-way agreements for Metro Green Line for five properties.

- o AS513T located at Nash and Mariposa owned by Kathleen Feuerstein
- o AS530 located at Douglas Street owned by National Medical Enterprises

- o AS531 located at Rosecrans Avenue owned by Continental Development Corporation
- o AS534 located at Douglas Street and Imperial Highway owned by Rockwell International
- o AS535 located at Douglas Street and Park Place owned by the Farr Company

An additional reason for the closed session was to discuss actual litigation in John Vernon versus LACTC.

As a result of the closed session the Commission authorized an offer of Just Compensation of \$13,670,000 to the USA Investments Company and authorized right of entry permit negotiations for the Green Line.

**ADJOURNMENT**

Meeting adjourned at 5:38.



NEIL PETERSON  
Executive Director

NP:yr