

MINUTES



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

Los Angeles County Transportation Commission

April 24, 1991

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

Chairman Grabinski was in receipt of letters from Supervisor Dana appointing Sara Hirsh as his alternate and from Supervisor Hahn appointing Burke Roche as his alternate for today's meeting.
Members present:

Councilman Ray Grabinski
Mayor Pro-Tem Jacki Bacharach
Councilmember Judy Hathaway-Francis
Councilman Richard Alatorre
Jim Tolbert
Gerry Hertzberg, alternate for Supervisor Molina
Marv Holen, alternate for Supervisor Edelman
Burke Roche, alternate to Supervisor Hahn
Sara Hirsh, alternate to Supervisor Dana
Nick Patsouras, alternate to Supervisor Antonovich
Ray Remy, alternate to Mayor Bradley
Jim McCarthy, alternate for Jerry Baxter

Staff members present:

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

PRESENTATION OF RESOLUTION to Retiring Assemblyman Mike Roos, new President of "LEARN".

PRESENTATION OF APRIL ENVIRONMENTAL METRO AWARD - An award was presented to Whitman Ballenger of the Gardena Municipal Bus Lines by Chairman Grabinski for their outstanding contributions and innovative actions on environmental issues.

PUBLIC HEARING re. Necessity for the Acquisition of Real Property Interest described herein in certain real property located below:

- a. R81-B2-158 (Catellus Development) Southeast Corner of Sixth Street and Catalina Street, in the City of Los Angeles

Mr. Kelsey indicated that after evidence has been received, the Commission will be asked to approve the Resolution of necessity for the above 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?

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

Mr. Wiley: Yes, the project would result in energy savings, less parking demand and significant value to the citizens of Los Angeles.

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, this was the result of many community hearings, planning studies and environmental findings that lead us to believe that that is correct.

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

Mr. Wiley: Yes, the property the sub surface easement where the tunnel runs underneath the parcel and is needed in order to construct the project.

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.

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 which requires a motion.

Mr. Patsaouras moved adoption of the staff recommendation and Resolution of Necessity, which was seconded.

Mr. Kelsey indicated that "the record should reflect that the votes were unanimous and there were more than eight members present.

- b. R81-B2-123 (Arno S. Prinz & Madelyn Prinz) Southeast Corner of 6th and Berendo Streets, in the City of Los Angeles

Standard questions were asked by Mr. Kelsey and answered by Mr. Wiley concerning the above property.

Mr. Daniel Prinz, representing owners of the above parcel and Mr. Arno Prinz owner of the property, appeared before the Commission. Also submitted for the record was a report from the firm of Johnson, Neilson and Associates (construction engineers).

Seeing there were 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, which requires eight votes.

Ms. Bacharach moved adoption of the staff recommendation and Resolution of Necessity, seconded by Judy Hathaway-Francis.

Mr. Tolbert made a substitute motion that the staff recommendation be postponed until the end of the meeting, seconded by Ms. Judy Hathaway-Francis without objection. Motion carried.

At the latter part of the meeting, Parcel R81-B2-123 was brought before the Commission. Mr. Tolbert's concerns being satisfied, a motion to move the recommendation and Resolution of Necessity was made by Ms. Bacharach, seconded by Mr. Patsaouras. Without objection, motion carried.

Mr. Kelsey indicated for the record should show that eight or more people voted on the motion.

- c. R23-R21-AS515 (Anna Popper and Medea Simmonds Trust and Susan Martin) Southwest Corner of Nash Street and Maple Avenue, in the City of El Segundo

Standard questions were asked by Mr. Kelsey and answered by Mr. Wiley.

Michael Baltacs, attorney representing Anna Popper and Medea Simmons, requested continuance.

Ms. Bacharach moved adoption of the staff recommendation and Resolution of Necessity, seconded by Mr. Tolbert. Without objection, motion was carried.

APPROVAL OF MINUTES

Minutes of March 27, 1991 were approved as submitted.

CHAIRMAN'S REPORT

- a. Chairman Ray Grabinski appointed members for the Joint Development Ad-Hoc Committee. The Committee will be composed of two representatives from the Rail Construction Corporation and four representatives from the Commission. They are :
 - Don Knabe (Chair)
 - Ray Remy
 - Jacki Bacharach
 - Nick Patsaouras
 - Judith Hopkinson
 - Don McIntyre
- b. Status of Women Minority Business Owned Contracts with LACTC - LACTC efforts to date include \$72.4 million for the Metro Blue Line and the Metro Red Line combined. Staff is still gathering data on the Green Line efforts and will report regular updates as part of as the status of each of the projects in the future.
- c. Commissioner Goals for 1991 - (see attached)

COMMISSIONERS' REPORT

(None)

REPORT OF COMMITTEE CHAIRS

- a. **Finance and Programming Committee**

Mr. Holen gave a report on the actions taken by the FPC on April 18, 1991.
- b. **Legislative and Intergovernmental Services Committee**

Ms. Judy Hathaway-Francis gave a report on the LISC meeting on the actions taken April 10, 1991.
- c. **Planning and Mobility Improvement Committee**

Ms. Bacharach reported on the PMIC meeting of April 17, 1991.

Mr. Peterson read the following:

Parties of interest who have made a contribution of \$250.00 or more in the past twelve months to any members of the Commission are asked to come forward and state for the record the Commissioner to whom such contribution was made and to identify the item involved.

CONSENT CALENDAR (Discussion at Commission or Public Request) -
(Items 1 - 39)

Motion made by Ms. Bacharach, seconded by Mr. Patsaouras, to approve Consent Calendar Items #1 - 39, with the exception of Items 12, 13, 14, 16, 21, and 38. Mr. Hertzberg and Ms. Hirsh abstained on Item #24. Item #21 was pulled until the next meeting. Hearing no objection, motion carried.

1. AB 258 (Frizzelle) - Toll Road Authorization - Adopted staff recommendation to support AB 258 with amendments, and further directed staff to request an additional amendment requiring affected city approval of any transportation facility constructed pursuant to this bill.
2. AB 298 (Clute) - Advance of Local Funding - Approved staff recommendation to support AB 298 for Advance of Local Funding
3. SB 211 (Robbins) - San Fernando Valley Metro Rail - Approved staff recommendation to support SB 211. The measure contains a provision stating that the description of the rail system in the San Fernando Valley does not limit the Commission's ability to select any route configuration or alignment or prevent consideration of other rail technologies.
4. SB 805 (Bergeson) and SB 1219 (Bergeson) - Caltrans Contracting for Services - Approved staff recommendation to support SB 805 and SB 1219.
5. SB 1139 (Killea) Relating to Pay-As-You-Drive Insurance - Approved staff recommendation to support SB 1139.
6. AB 2109 (Katz) Relating to Parking Subsidies - Approved staff recommendation to adopt a "neutral, seek amendments" position on AB 2109, and directed staff to encourage the author to better coordinate the bill's language with the AQMD's Regulation XIV program.

7. AB 505 (Eaves) Relating to Motor Vehicle Idling - Approved recommendation to adopt a "neutral, share concerns" position on AB 505 and directed staff to share with the author its concerns about restricting transit operators' flexibility and control over operation decisions.
8. AB 1410 (Lempert) - Social Services Transportation Coordination - Approved staff recommendation to support AB 1410. Adopted a "support with amendments" position on AB 1410 and directed staff to clarify that the state agencies are required to provide the budget and trip information to the county transportation commissions and not the local agency.
9. AB 837 (Elder) - Relating to the Alameda Corridor - Adopted the staff recommendation to support AB 837 with amendments, one to define "consolidated transportation corridor" and one to require that the Alameda Corridor Transportation Authority (ACTA) coordinate its bond program with the Commission's. However, deleted the second amendment to require the Alameda Corridor Transportation Authority to coordinate its bond program with the Commission's.
10. Contract of State Representation: GP-013 - Approved staff recommendation to authorize the Executive Director to make the following amendment to the Neilsen, Merksamer, et. al. contract: "amend the contract so as to provide that is be placed on a fiscal year basis, from July 1, 1991 to June 30, 1992, at a cost not-to-exceed \$100,000."
11. Award of Contract for Purchase of General Office Products/Supplies Staff - Approved staff recommendation to provide funding for a two year period with an option to extend this term for an additional year by mutual agreement. Boise Cascade Office Products has been identified as the lowest responsive and responsible bidder in meeting the Commissions needs.
15. Study of Possible Rail Alignments for connecting Northeast San Fernando Valley with Metro Rail System - Approved staff recommendation to study to determine the best corridor for linking the Northeast Valley with the Metro Rail system.
17. Chinatown Station Siting - Approved staff recommendation in concept selection of Alternative Four as the approved location for the Chinatown station; and instructed staff to execute a contract with Michael Brandman Associates to prepare the required environmental impact work to clear selection of Alternative Four.

18. **Chatsworth Joint Development** - Approved staff recommendation with the following additional conditions: (1) The committee recognizes that a certain amount of time is needed to take the proposal through the LA City Council and its committees. At the same time, the committee recognizes that both the LACTC and the City need to move the item forward as quickly as possible in order to meet escrow closing dates on the property, and (2) The committee asked LACTC Staff to return to the Commission with a set of joint development goals and objectives.
19. **Confirmation of Street and Highway Subcommittee, Technical Advisory Committee** - Approved staff recommendation to confirm the membership of the Highways and Freeway Subcommittee.
20. **Route 14 Vanpool Project** - Approved staff recommendation to allocate \$61,500 in Proposition A Incentive Special Demonstration funds towards the proposed vanpool project for the period May 1, 1991 through May 1, 1993, with the following amendments: (1) As part of the project evaluation, LACTC and CTS Staff will have before and after questionnaires completed by project participants, (2) In addition, LACTC and CTS staff will conduct exit interviews of project participants, and (3) The committee requested a progress report six months subsequent to project initiation.
21. **Amendment to Contract with Angus McDonald & Associates/Wilbur Smith & Associates.** This item was pulled from the agenda.
22. **Approval of Contract Award for Freeway Service Patrol Tow Operators** - Approved staff recommendation to authorize the award of the Freeway Service Patrol contracts to the private tow operators subject to the availability of Proposition C funds. Authorize the Executive Director to execute contracts with the recommended tow operators subject to the availability of Proposition C funds.
23. **Approval of Funding for the Cabrillo Mole Reconstruction Project** - Approved staff recommendation to allocate \$60,000 from Proposition A Discretionary Incentive uncommitted funds to the City of Avalon to award a design contract for a new terminal building. This will supplement the FY 1990-91 \$100,000 Proposition A Discretionary Incentive grant.

24. **Approval of Contract Award for the Senior Lien Bond Underwriter and Bond Counsel** - Approved staff recommendation that the Commission select Merrill Lynch as Senior Managing Underwriter and also recommended that the firms listed below be chosen as Co-Managing Underwriters for the proposed \$500 million bond issue.

Artemis Captial Group
Bear Stearns
Dean Witter
First Boston
Goldman Sachs
Grigsby, Brandford, Powell
I.C. Rideau
Lehman Brothers
Prudential-Bache
Samuel A. Ramirez & Co.
Smith Mitchell & Assoc.
Smith Barney
Sutro & Co.
W.R. Lazard

In addition, the Committee recommended that the Commission established pools of underwriters based on our latest review of thirty-five (35) proposals. The Commission will select underwriters for debt issues over the next three (3) fiscal years from the following pool lists:

Senior Underwriters

Bear Stearns
First Boston
Goldman Sachs
Lehman Brothers
Merril Lynch
Smith Barney

Co-Manaqers

Artemis Captial Group
Dean Witter
Grigsby, Brandford, Powell
I.C. Rideau
Prudential-Bache
Samuel A. Ramirez & Co.
Smith Mitchell & Assoc.
Sutro & Co.
W.R. Lazard

Small Issue Underwriters

Donaldson, Lufkin & Jenrette
M.R. Beal & Co.
Reinoso & Co.
Stone & Youngberg

This item was amended on a per transaction basis.

Roll call vote:

Yes: Roche, Holen, Patsaouras, Remy, Hathaway-Francis,
Bacharach, Tolbert, Grabinski

No: (none)

Abstain: Hertzberg, Hirsh

25. Approval of Contract Award to Fabricator for Art Work for Metro Blue Line Tunnel - Approved staff recommendation to authorize the Executive Director to award contract No. PO655, to Identity Services, Inc., for a sum not to exceed \$230,000.
26. Federal Aid Urban (FAU) Cash Allocations - Approved staff recommendation for payment authorization for ready-to-go highway projects from the City of Downey.
27. Revised Resolution Authorizing Executive Director to Execute State Funding Agreements for Southern Pacific Rail Right-of-Way Acquisition Project and Committing to Action Related to Hazardous Wastes on the State-Funded Project - Approved staff recommendation that the Los Angeles County Transportation Commission (LACTC) adopt the revised resolution.
28. Award of Suburb to Suburb Bus Bid - Approved staff recommendation and directed staff to return in 60 days with an evaluation of the potential of procuring additional vehicles for airporter service from LAX, contingent upon UMTA approval.
29. Resolution of Foothill Transit Zone Funding - At the 4/18/91 meeting, the Finance and Programming Committee appointed Commissioner Judy Hathaway-Francis as an arbitrator to work with SCRTD and LACTC staff in the resolution of funding for Line 270 (formerly Line 493). The results of these discussions will be presented at the April 24, 1991 LACTC meeting under the Committee Chair report.

SCCRCC/IJPA JOINT MEETING

30. Recommendation on Options for Locomotives - Approved staff recommendation that the IJPA request LACTC to exercise the option to purchase (10) additional locomotives.

31. **Selection of Geographic Information Systems (GIS) Consultant RFP No. R60-CR012** - Approved staff recommendation that the Interim Joint Powers Authority authorize the LACTC to enter into contract with Psomas and Associates to establish a geographic information system. The contract estimated cost for Phase I is \$99,347.
32. **Amendment to Hopkins & Sutter Legal Services Contract** - Approved staff recommendation that the IJAP approve an amendment in the amount of \$80,000 to the existing contract LACTC has with the firm of Hopkins & Sutter for the purpose of advising the Interim Joint Powers Authority on matters related to the federal railway laws and interstate commerce. The new contract will be \$130,000.

RAIL CONSTRUCTION CORPORATION
CONSENT CALENDAR

33. **Metro Blue Line - Contract H836, Safety and Security Communications System Contract Acceptance** - Approved staff recommendation to: (1) Approved the acceptance of the subject contract one hundred percent complete as of March 13, 1991, and authorize the recording of the Notice of Completion, (2) Authorized the release of the Contract balance of zero amount immediately upon acceptance of closeout and release of retention balance in the amount of \$112,490.48 upon completion of thirty (30) calendar days after the filing of the Notice of Completion, and (3) Approved the transfer of funds in the amount of \$58,686.00 to the Project Reserve. This amount represents a surplus over the total obligated Funds for Contract R01-T07-H836.
34. **Metro Blue Line - Contract C335, Long Beach Station Superstructures, Contract Acceptance** - Approved staff recommendation to: (1) Approved the acceptance of the subject contract one hundred percent complete as of March 15, 1991, and authorize the recording of the Notice of Completion, (2) Authorized the release of the Contract balance of \$53,950.00 immediately upon acceptance of closeout and release of retention balance in the amount of \$60,000 less \$5,000 for 3rd party back charges upon completion of thirty (30) calendar days after the filing of the Notice of Completion, and (3) Approved the transfer of funds in the amount of \$241,036.00 to the Project Reserve. This amount represents a surplus over the total obligated Funds for Contract R01-T01-C335.

35. Metro Blue Line, Contract H812 - Overhead Contact System, Change Order #35 - Approved staff recommendation that the Commission approve Change Order No 035 in the amount of \$486,847.00
36. Metro Blue Line, Contract C355R, Artistic Landscaping - Increase in AFE - Approved staff recommendation to approve an increase to the current AFE amount by \$105,906.00 to a revised total AFE of \$1,400,000.00
37. Metro Red Line, Segment 1 Water Leak Repairs - Contracts A147, A157, A167, A187 Change Orders - Approved staff recommendation to approve Change Order Numbers A-136 CO-007 \$400,000, A-147/157 CO-005 \$800,000, A-167 CO-142 \$800,000 and A-187 CO-013 \$1,000,000 to create an increased budget of \$2,000,000 for Force Account Work to repair water leaks.
39. Metro Red Line, Segment 1 and Segment 2 Ralph M. Parsons Company, Dillingham Construction, Inc. and Deleuw, Cather and Company Joint Venture, Amendments 13 & 14 - Approved staff recommendation to authorize the Executive Directory to execute Amendment No. 13, (MOS-1) in the amount of \$24,926,000, Amendment No. 14, (MOS-2) in the amount of \$129,380,824, and approved the necessary AFE increases as delineated in (MOS-1) and (MOS)

FURTHER DISCUSSION ON CONSENT CALENDAR

12. Call Box System Upgrade/Expansion Contract - Approved staff recommendation to receive a report on the history and planned upgrade of the call box system in Los Angeles County, and approved staff recommendation to negotiate a contract for call box system installation and ten-year maintenance with GTE Mobile Communications in an amount not to exceed \$15,331.232.

Carolyn Trujillo owner of C.T. Constructors, alleged that the GTE Subcontractor, Structural Construction does not have the correct license to install call boxes.

Motion was made by Ms. Bacharach, seconded by Ms. Hathaway-Francis. Without objection, motion carried.

13. Greenways Implementation - Approved staff recommendation to develop a community-based Urban Greenways Program and directed staff to report back in one month with a plan for a full-scale marketing greenways demonstration and report back in six months with a planned implementation program. Staff was also directed to meet with North Hollywood Chamber to obtain information from their Green Belt experience.

Ms. Hathaway-Francis would like it stipulated that cities not be expected to direct their Prop A. and Prop C. dollars in this fashion.

Motion made by Ms. Bacharach, seconded by Mr. Patsaouras. With two "no" votes, motion carried.

14. **Incorporation of San Fernando Valley East/West Rail Alternatives into Private Sector Initiative** - Staff recommendation is to expand the scope of the Request for Proposals (RFP) for the LAX/Palmdale Project with the following modification: add the solicitation of proposals for the adopted Burbank/Chandler alignment and to recover costs of these studies.

Motion made by Mr. Patsaouras, seconded by Mr. Hertzberg.

Roll call vote:

Yes: Hertzberg, Roche, Holen, Patsaouras

No: Hathaway-Francis, Bacharach, Grabinski

Abstain: Hirsh, Remy, Tolbert

Motion failed.

Ms. Hathaway-Francis asked that on budget impacts and contract actions that we recoup some of our investment from the private sector. Ms. Bacharach suggested that somebody add in to the motion that they recover the cost of these studies.

Mr. Patsaouras made a motion to move with amendments, seconded by Ms. Hathaway-Francis. Motion carried with Ms. Bacharach opposing.

The motion would incorporate that we do everything possible to recover the costs.

16. **Exposition Right-of-Way RFP for feasibility study (Vermont Avenue to Santa Monica)** - Approved staff recommendation to:
(1) Prepare a preliminary study, not to exceed \$200,000, precedent to preparation of an Environmental Impact Report that would focus on the most promising alternatives, (2) Return to the Commission with the preliminary study results prior to Commission authorization of an Environmental Impact Report, (3) Work with the City of Santa Monica towards sharing in the funding of the studies, and (4) Prepare a glossary of terms for various rail planning study processes.

Motion was made by Mr. Holen, seconded by Ms. Bacharach.

The following persons appeared before the Commission.

Mr. Charles Stewart, Chief Deputy to State Senator Diane Watson spoke in support of the preliminary study and full EIR process.

Maria Chong Castillo, Deputy for Zev Yaroslavsky, read a statement in behalf of the Councilman in support of the staff recommendations for the preliminary study.

Mr. Alan Fischel, Chairperson for the Committee to Preserve the Right-of-Way, - support of a full EIR.

Bob Biller, Vice-President of External Affairs at USC and Margaret Farnum of the Coliseum Commission representing the Blue Line Extension Task Force, spoke in support of EIR.

Alan Wimmergren, Committe to Preserve the Right-of-Way, - support of Exposition Right-of-Way.

Russell Davies, Committee to Preserve the Right-of-Way, - support of a full EIR.

Dick Heard, representing Westwood Gardens Civic Association, - support of a preliminary study.

Joann Hald, representing the West of Westwood Homeowners Association, - support of preliminary study for Exposition Right-of-Way.

Dennis Zane, former Mayor of the City of Santa Monica, in support of general direction of committee recommendation, but clarify its action.

Mr. Moser, L.A. Transit League, in support of EIR.

Ms. Bacharach moved approval of the committee recommendation with the understanding that working with Santa Monica towards sharing is consistent with what we've done with other cities in similar stages of study. Motion was seconded by Mr. Patsaouras. Without objection, motion carried.

38. **Metro Green Line - Award Contract C100-I-105 to Compton Blvd.** - Staff recommended that the Executive Director be authorized to award Contract C0100, Metro Green Line Guideway Structures to the lowest responsive and responsible bidder, Kiewit-Pacific Company, pending resolution to any and all protests that may be timely filed.

The Board recommended that the Commission authorize the Executive Director to award Contract R23-T01-C0100 Metro Green Line Guideway Structures to Steve P. Rados, Inc., the lowest bidder, in the amount of \$59,828,710 pending resolution to any and all protests that may be timely filed.

The following persons appeared before the Commission.

Parke Ball, representing Kiewit Pacific
Bernard Kamine, attorney representing Kiewit Pacific
Alexander Rados, President of Steve P. Rados, inc.
Stephen Rados, Sr. Vice President of Steve P. Rados, Inc.

Motion made by Mr. Tolbert to approve the staff recommendation seconded by Ms. Bacharach. Opposed by Mr. Patsaouras, motion carried.

STAFF/COMMITTEE REPORT

40. Adoption of Prop. A and Prop. C Guidelines

- A. Prop. A Discretionary Guidelines - On 4/17/91, the PMIC approved the staff recommendations listed below.
1. Adopt the Proposition A 40% Discretionary Guidelines (Attachment A).
 2. Approve the Proposition A 40% Discretionary Guidelines with the following understandings:
 - a. The policies and guidelines apply only to the allocation and expenditure of Proposition A Discretionary funds. Existing procedures for the allocation and expenditure of Section 9, TDA and STA funds are unaffected by these guideline revisions.

- b. The Executive Director will work with operators to develop a methodology for making adjustments to the "base service" funding levels in response to changes in base services within three months of adoption of the Proposition c 40% Discretionary Guidelines.
- c. The Executive Director will work with operators in evaluating eligible costs and eligible revenues for use in calculating the farebox recovery ratio within the next year.

The committee also approved additional language for Section 3.1 of the Guidelines, as follows:

"For those operators who are cost-effective and who draw down less than 50% of their current annual allocation of Discretionary funds, the following shall apply:

- o Operators can use up to 20% of their annual allocation of Discretionary funds for fare subsidy purposes; and
- o that amount shall be deducted from the operating expenses when calculating the 38% farebox (plus local contribution) recovery TPM standard.

Ms. Bacharach moved approval of the Committee recommendation, seconded by Mr. Tolbert. Mr. Holen amended the motion to add to Prop. A Discretionary Program Guidelines the stipulation that with respect to Sections 10.1 and 10.2, that the withholding of funds, termination of the MOU or imposition of any financial penalty on an operator will require eight affirmative votes of the Commission, seconded by Ms. Hathaway-Francis. By voice vote, all were in favor with the exception of Ms. Bacharach voting "no" on the amended motion.

Mr. Jim McLaughlin, City of Los Angeles, indicated that he was in support of the RTD's position.

- B. Prop. C Guidelines - The Committee approved the Prop. C Guidelines for the 20% Local Return, 10% Commuter Rail, 5% Security and 25% Transit-related Improvements to Freeways and Highways as described in the attachments to the April 10th staff report with the following modifications:

The 25% Transit-related Improvements to Freeways and Highways component should be amended to specifically include regulations of peak hour, Truck Traffic Management Programs as eligible projects.

TMA's are eligible for Prop. C but that the funding should be restricted to "seed money" rather than ongoing operational funding.

Regarding the Prop. C 40% Discretionary Program, the Committee reviewed the attached April 11, 1991 agenda report summarizing the discussions at the April 11th General Manager's meeting and took the following actions:

The Committee approved in concept the recommended Prop. C 40% Principles/Interim Guidelines as modified:

Principle #4: Specify that funding commitments for each of the four components under the 40 % Discretionary program will be reevaluated every three years, at a minimum, in accordance with the priorities specified in LACTC's long-range transportation financial plan, upon adoption. Indicate that projects will be subject to the Transportation Improvement Program (TIP) review and approval process.

Principle #5: Modify to read: "Applicants recognize the LACTC commitment to fund rail operations as the rail system is completed, as well as the need to continue to fund existing transit operations."

On April 24, the Committee approved the proposed language for the Bus System Capacity Expansion component of the Prop. C 40% Discretionary Guidelines, with the understanding that staff will continue to work with the transit community, cities, and other interested parties to develop the final Prop. C 40% Discretionary Guidelines.

Vote on the main motion made by Ms. Bacharach, seconded by Mr. Holen. Without objection, motion carried.

Ms. Bacharach moved approval on the Prop. C Guidelines, seconded by Mr. Tolbert. Without objection, motion carried.

41. Overview of SAFE Program (Oral Presentation) - Presentation on Call Boxes was presented by Mr. Bob, Cashin, LACTC Area Director for the South Bay Area Team.
42. Status of Americans with Disabilities Act (ADA) Implementation - was held over to the next meeting.

EXECUTIVE DIRECTOR'S REPORT - Information items only.

43. Commission Assignment Tracking system
44. LACTC Retreat Follow-Up
45. Monthly Executive Director's Report
46. Notice of Meetings

Ms. Hathaway-Francis requested that a letter that was sent to Dave Barnhart by cities that are along the 710 requesting that they be able to work through with LACTC to do something about an interchange off the 710, Slauson Avenue, Bell, Bell Gardens, Commerce, Maywood, Huntington Park and Vernon. She asked if the proper committee work with staff and submit back to the Commission.

PUBLIC REQUEST

Mr. Walsh spoke on agenda Item #37 - Metro Red Line, Segment 1 Water Leak Repair.

INFORMATION ITEMS (distributed to Commissioners only)

47. Update on Smart Corridor Project Elements
48. Regional Governance Legislation
49. Energy policy and legislation Staff
50. Legislative Matrix
51. MIS Application Briefing Staff
52. San Fernando Valley East/West Rail-Ventura Boulevard Alternative
53. Prop. A Local Return Fund Balances Status Report
54. Preliminary Draft - Congestion Management Program
55. Smart Corridor Program
56. Progress Report on Transit Service Expansion Program
57. Blue Line Monthly Report
58. Monthly Treasurer's Report on Cash and Investment

CLOSED SESSION

At 6:40 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.

- MOS-2 Project - Wilshire/Vermont Station
 - B2-151 Wells Fargo Trust
 - B2-113 The Greenery natural Kitchen/Rhee, et al
 - B2-113 Rhee Trust
 - B2-115 Laurence Kaplan
 - B1-152 Beverly Larner, et al
- o Southern Pacific and Santa Fe Commuter Rail

As a result of the closed session, the Commission authorized Just compensation for the following properties:

- o B2-151 Thrifty Corporation/Wells Fargo Trust at \$160,485
- o B2-152-6 Beverly Larner at \$75,000
- o B2-152-7 Jack Moy & Yeonhee Moy, DBA Pancho's Mexican Food at \$80,300
- o B2-152-8 Chang Hun Lee, Myung Sook Ahn Lee, DBA Arigato's at \$60,000.
- o B2-152-9 Sung Boo Kwon, Ha Kyo Kwon, DBA Western Shoes and Western pizza at \$80,000
- o B2-152-10 JuKwan Lee, Soo Sa Lee, Brian Lee, DBA 23 Minutes Photo at \$110,000
- o B2-115 Dr. Laurence Kaplan at \$569,825
- o B2-115 Dr. Smotrich at \$83,235
- o B2-115 House of Stewart at \$113,460
- o B2-113 The Greenery Natural Kitchen/Rhee, et. al. at \$70,215
- o B2-113 AT & T at \$65,000
- o B2-113 Ichiriki Restaurant at \$82,650
- o B2-113 Oscar's Photo at \$136,435
- o B2-113 Corporate Cookie at \$60,000
- o B2-113 Wilshire Self-Storage At \$348,825

ADJOURNMENT

Meeting adjourned at 7:40 P.M.


KATHY TORIGOE
Executive Secretary

NP:yr