

MINUTES



LOS ANGELES COUNTY TRANSPORTATION COMMISSION 403 West 8th St., Suite 500, Los Angeles, CA 90014 (213) 626-0370

LOS ANGELES COUNTY TRANSPORTATION COMMISSION

APRIL 26, 1989

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

Mr. Peterson indicated that he is in receipt of a letter from Supervisor Edelman designating Richard Callahan as his alternate for today's meeting.

Members in attendance were:

Councilmember Christine E. Reed
Mayor Jacki Bacharach
Councilman Ray Grabinski
Marcia Mednick
Mike Lewis, alternate to Supervisor Schabarum
Walter King, alternate to Supervisor Hahn
Richard Callahan, alternate to Supervisor Edelman
Barna Szabo, alternate to Supervisor Dana
Ray Remy, alternate to 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
Ilda Licon, Senior Secretary

PUBLIC HEARING: re: Necessity for the Acquisition of the Permanent Fee for the following parcels:

Parcel No. R01-R21-AS304 - Herley, Owners
Parcel No. R01-R21-AS331C - Meyers, Owners

County Counsel opened hearing and asked if anyone wished to testify on the acquisition of permanent fee for the following parcel:

Parcel R01-R21-AS304 located at 1790 Long Beach Blvd., Long Beach

Mr. James Wiley, Manager of Real Estate for the Commission was sworn in. County Counsel asked Mr. Wiley the following questions:

- Q. Did you prepare staff's report which appears in the Agenda?
- A. Yes
- Q. Are the matters contained in the report true and correct?
- A. To the best of my knowledge, they are.
- Q. Does the public interest and necessity require the subject property?
- A. Yes, as stated in the staff report, the primary reason is that the rail transit project will provide transportation for 35,000 person, reduce bus and auto traffic and reduce the need for parking in downtown L.A. and downtown Long Beach.
- Q. Is the project planned or located in a manner that will be most compatible with the greatest public good and least private injury
- A. Yes it is, the staff report goes into detail on the EIR meetings, hearings and workshops that took place in establishing the alignment, which was a product of great public input and was approved by the Commission.

Q. Is the property to be acquired necessary for the subject project?

A. Yes it is, it is located at the intersection of Pacific Coast Highway and Long Beach Blvd., a congested intersection. With the addition of the rail line, Caltrans, responsible for Pacific Coast Highway, and the City of Long Beach, responsible for Long Beach Blvd., both require an additional right-hand turn lane south of the Pacific on the east side of Long Beach Blvd. The subject property is necessary to implement the right turn lane.

Q. Was the offer to acquire the property based upon the approved just compensation made to owner?

A. Yes, it was made on 12/14/88.

County Counsel recommended that the Chair receive the staff report into evidence. Chair Reed received the staff report.

There were no other witnesses testifying.

Mr. King made a motion, which was seconded, to adopt the staff recommendation and adopt a resolution of necessity on Parcel R01-R21-AS304. Roll call was taken:

Yes: Lewis, King, Szabo, Callahan, Remy, Grabinski,
Bacharach, Mednick, Reed

No: None

Motion approved unanimously.

Chair Reed opened the hearing on the following parcel:

Parcel R01-R21-AS331-C located at 906 Pacific Avenue, Long Beach

County Counsel asked Mr. Wiley the following questions:

Q. Did you prepare staff's report which appears in the Agenda?

A. Yes

Q. Are the matters contained in the report true and correct?

A. To the best of my knowledge, they are.

- Q. Does the public interest and necessity require the subject property?
- A. Yes, as stated in the staff report and outlined in my testimony in the previous hearing the project is necessary to improve transportation in this county.
- Q. Is the project planned or located in a manner that will be most compatible with the greatest public good and least private injury
- A. Yes, it aids in circulation around downtown L.B. and meets the required criteria.
- Q. Is the property to be acquired necessary for the subject project?
- A. Yes. With the addition of the loop, alignment in downtown Long Beach, an additional traction power substation is required to power the system. The subject site is located in the best location to service the alignment with electrical power.
- Q. Was the offer to acquire the property based upon the approved just compensation made to owner?
- A. Yes, it was made on 2/24/89.

County Counsel recommended that the Chairwoman receive the staff report into evidence. Chairwoman Reed received the staff report.

There were no other witnesses testifying.

Ray Grabinski made a motion, which was seconded, to adopt the staff recommendation and develop a resolution of necessity on Parcel R01-R21-AS331C. Roll call was taken:

Yes: Lewis, King, Szabo, Callahan, Remy, Grabinski,
Bacharach, Mednick, Reed

No: None

Motion approved unanimously.

CONSENT CALENDAR

Chair Reed presented the consent calendar items 1 thru 27. She stated Item #21 requires 8 affirmative votes. Barna Szabo requested Item #7 be held for discussion. Mr. Remy requested Item #5 be held for discussion.

Neil Peterson read into the records: Parties of interest who have made a contribution of \$250 or more in the past twelve months to any member 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. (None)

Mrs. Bacharach moved, which was seconded, to approve Consent Calendar Items 1 - 27 with the exception of Items 5 and 7. Mr. Callahan asked to be noted as a "no" vote on Items #3 & #6. Chair Reed noted that Item #21 was adopted unanimously with 9 affirmative votes.

1. Approval of Minutes of March 22, 1989. The Minutes of March 22, 1989 were approved as submitted.
2. Government Relations & Finance Committee (GRFC) recommended the Commission approve release of LACTC's FY 1989-90 Transportation Development Act (TDA) Guide to claimants and authorize its submittal to the Southern California Association of Governments.
3. GRFC recommended the Commission oppose SB 1696 and SB 1697 (Robbins), which would impose design and funding requirements on rail transit in the San Fernando Valley. The 1989 LACTC Legislative Agenda states an oppose position on measures which would interfere with the Commission's voter-approved authority under Proposition A to set priorities for transportation improvements funded by local revenue.
4. GRFC recommended the Commission oppose AB 961 (Bane) - Construction of elevated guideways.
6. GRFC recommended the Commission oppose AB 2009 (Polanco) and notify the League of California Cities - Los Angeles County Division of its position on restrictions on transportation zone authority.
8. GRFC recommended the Commission support AB 1333 (Mountjoy) - Pension plans of transit operators.

9. GRFC recommended the Commission adopt the proposed policies relating to the 1991 reauthorization of the federal Surface Transportation Assistance Act.
10. Rail Construction Committee (RCC) recommended the Commission approve an increase to the current Authorization for Expenditure (AFE) amount of \$120,000 to a revised total AFE of \$445,000 for Contract No. R01-S12-MC04R for leased vehicles for the Long Beach-Los Angeles rail transit project. This increase in AFE will enable staff to cover the costs for insurance (\$86,310) and to have a reserve of \$33,690 for anticipated changes. The \$120,000 required as additional funding will be transferred from the project reserve.
11. RCC recommended the Commission approve credit Change Order No. 189 in the amount of \$408,650 for Contract No. R01-T01-C2125 (Satellite Yard to L.A. River Bridge) for the Long Beach-Los Angeles Rail Transit Project.
12. RCC recommended the Commission formally reject the claims of Matt Ardakani, Raquel C. Delgado, and Julia Gray.
13. RCC recommended that LACTC and Caltrans should endorse and implement "schedule assurance actions" for the Norwalk-El Segundo construction (I-405/105 Interchange Project). These actions are designed to assure no further slip in the schedule for Contract No. 37 and should be applied as a complete package. The actions include the following additions to the contract:
 - a) Provisions for CPM schedule specifications;
 - b) Incentive clause of \$8,000 per calendar day up to a maximum of \$400,000;
 - c) Cooperation clauses to provide for access by other contractors.
14. RCC recommended the Commission approve the Norwalk-El Segundo Compton Station to straddle over Compton Boulevard and that design and construction begin.
15. RCC recommended the Commission approve the following for Contract No. R01-S12-MC001 (Transit Construction Management) for the Long Beach-Los Angeles rail transit project:
 - a) Approve the acceptance of the subject contract complete as of September 30, 1987, and authorize the recording of the Notice of Completion;
 - b) Authorize the release of final payment in the amount of \$33,993.

16. RCC recommended the Commission authorize the Executive Director to approve the amount of \$380,000 as an advance toward Transit Insurance Administrators' (TIA) contract amendment (Contract No. R012-S14-MR01 - Risk Management Services for the next fiscal year (7/1/89-6/30/90) and that TIA provide the Commission with recommendations for off-setting or mitigating the impact of the added survey costs for incorporation into that amendment.
17. RCC recommended the Commission approve credit Change Order No. 188 in the amount of \$209,560 for Contract No. R01-T01-C2125 (Satellite Yard to L.A. River Bridge) for the Long Beach-Los Angeles rail transit project.
18. RCC recommended the Commission approve Change Order No. 010 in the amount of \$521,682 for Contract No. R01-T01-C140 (L.A. CBD Approach) for the Long Beach-Los Angeles rail transit project. Sufficient contingency remains in this contract to cover the cost of this additional work.
19. RCC recommended the Commission approve an increase to the current Authorization for Expenditure (AFE) amount by \$2,296,343 to a revised Total AFE of \$31,416,343 for Contract No. R01-T01-C140 (L.A. CBD Approach) for the Long Beach-Los Angeles rail transit project. This increase in AFE will enable staff to process pending and anticipated changes. The \$2,296,343 required as additional funding will be transferred from the Project Reserve.
20. RCC recommended the Commission formally reject the claim of Southern California Edison Company for late filing of a claim against a government agency.
21. Streets & Highways Committee recommended approval of responses which were developed by the joint agency committee for incorporation in the LACTC Carpool Lane Plan, and authorize staff to prepare a final plan for printing and distribution.
- *22. Transit Committee (TC) recommended approval to award consulting services contract for Santa Clarita Valley transit needs study in the amount of \$90,622 to the Comsis Corporation with the subcontractors, Lewis Polin and Associates and Abrams-Cherwony and Associates.
23. TC recommended approval of authorization to request a Letter of No Prejudice from UMTA for a natural gas-powered transit bus demonstration and to authorize a short-term lease for fueling equipment.

24. TC recommended the Executive Director be authorized to award a contract to Bechtel Civil, Inc. for an estimated not to exceed amount of \$232,400 for transitional analysis contract work, Contract No. R86-D0003.
25. TC deferred action on the San Bernardino/Pomona Valley commuter rail study (Los Angeles County Request) and directed staff to rewrite report and prepare the Coast Main Line issues into a separate report.
26. TC recommended revision to Commuter Rail Proposal Review as follows:

(C) Ten-Year Basis for Commuter Rail Investment:

The Commission must be assured that a substantial investment in commuter rail will have a useful service life. In September, 1988, the Commission decided that a commuter rail investment shall not be made in a corridor unless Proposition A rail service is more than ten years away which could mean that other Commission rail investments in a corridor operable within ten years could be precluded, or, that another Proposition A rail facility may be constructed in a corridor only after commuter rail has been in operation for a reasonable time. This requirement could impact the development of rail projects in some corridors.

27. TC recommended approval of the Request for Proposals (RFP) to conduct the FY 1988-89 consolidated financial and compliance audits of Transportation Development Act (TDA) Articles 3, 4 and 8, STAF, Proposition A Local Return and Discretionary and UMTA Section 15 compliance certification audits.

DISCUSSION ON CONSENT ITEMS

5. Barna Szabo presented staff's report regarding SB 969. He stated the current changes introduced to this bill and staff's concern on the effect this bill will have on the LACTC.

Claudette Moody addressed the Commission and stated that staff met with representatives from SCAG, Senator Bergeson's office, Riverside CTC, San Bernardino CTC, Orange County Transportation Commission and Orange County to discuss concerns regarding language that would require formation of a countywide regional association (CRA) in L.A. County. She informed that group LACTC would not support an additional

transportation agency and presented an amendment stating that LACTC would be responsible for development of the regional plan in L.A. County. OCTC stated that if a CRA is not formed in the county, the CTC would retain the ability to develop the regional plan for that area.

There was concern on funding for SCAG. Senator Bergeson's representative stated he would amend the bill to specify SCAG would receive 3/4% TDA funds and that 1/4% would be allocated to the CRA; if the CRA was not formed, the 1/4% would go back to SCAG and be spent on the development of regional plans in that county.

Chairwoman Reed asked that the League of Cities be involved in this issue. Staff has contacted their transportation committee and will contact their staff.

Ray Remy stated his concerns that while the amendment in the short term would allow LACTC to retain the transportation function, in the long term it would not and that the bill still does not clarify regional decision making, and has a great fiscal impact on Los Angeles County.

Ray Remy made a motion that SB 969 be monitored by staff and that a letter be sent to Senator Bergeson outlining LACTC's concerns. Also, staff was directed to request the Rules Committee to refer the bill to the Senate Transportation Committee. Motion was approved with Mr. Lewis objecting.

7. Barna Szabo stated that there is an error in agenda on SB 1263 (Robbins) - Light Rail Construction Audit. He stated the recommendation should read "GRFC recommends the Commission oppose SB 1263." Mr. Szabo motioned, seconded by Jacki Bacharach to oppose SB 1263. Motion approved unanimously.
9. On Item 9, Mr. Remy and Mr. Szabo offered comments to clarify the Commission's position regarding the federal gas tax. The LACTC supports an increase in the state gas tax for transportation purposes. The Commission's support for a federal gas tax increase is secondary to support for an increase at the state level.

STAFF OR COMMITTEE REPORTS

28. Barna Szabo motioned that the Commission monitor AB 2277 (Wright) and communicate our concerns to the author. Ms. Bacharach clarified that this recommendation should also state the Commission's opposition to a formula allocation provision, No. 9, in the matrix in staff's report. Motion passed unanimously.

29. Barna Szabo reported on the LACTC/SCRTD Joint Committee on reorganization. He stated that SCRTD has developed draft legislation relating to LACTC's authority to allocate transit funds.

Jim Parker, Gardena Municipal Bus Lines, representing the municipal operators, stated opposition to a state mandated allocation formula of Proposition A funds.

Jacki Bacharach asked if the legislation has been discussed by the SCRTD Board or just at the Committee level. Rebecca Barrantes, representing SCRTD, stated that discussions have been only at the Committee level.

Mr. Szabo made a motion that the Commission oppose the SCRTD proposed legislation relating to fund allocation for the following key reasons:

- a) The proposed legislation would inject the state into decisions on the use of local transit funds;
- b) The proposed legislation would interfere with the LACTC's ability to determine the most effective use of Proposition A discretionary monies.
- c) The proposed legislation would essentially eliminate the LACTC's Incentive Program, which has been used to fund innovative, cost-effective projects.

Mr. Grabinski raised concerns on taking a position on this issue. He stated that since this issue is not being solved at the committee level, the Chairmen of both agencies should meet and discuss this issue.

Ms. Reed stated that even with 3 members each from the Commission and the SCRTD Board on the Joint Committee, discussions stop at the funding allocation. If the Commission wants to change its position on the formula, Mr. Szabo will continue going to the meetings, but if it doesn't change its position, there's no point for these meetings.

Ms. Barrantes of SCRTD disagreed and stated this is part of the proposal and only an item of discussion.

Mr. Holden also agreed that LACTC should continue discussions on legislation with the SCRTD.

Mr. Callahan stated we should continue the joint meetings as many other the issues have been resolved.

Ms. Bacharach stated that the Committee's charge was to discuss reorganization. Also, LACTC could not sit down with RTD discuss the funding formula without involving other interested parties such as the muni operators.

Barna Szabo agreed with Mr. Callahan that other outstanding issues have been identified and resolved by the Joint Committee but the Committee's specific charge is to deal with reorganization. RTD's proposed legislation on funding allocation contradicts LACTC policies. The formula should not be discussed in the context of reorganization. Any change in the formula should be done locally and not by state statute.

Mr. Szabo stated that if this is not resolved, meetings on reorganization must conclude. We should continue to meet on all the other outstanding issues--either changing the charge of the Committee or sending the issues to another committee.

Mr. Holden asked County Counsel if the legislation could change the percentage disbursement of the Proposition A funds without going back to a vote of the people. County Counsel will come back to the Committee with an Opinion. Mr. Holden stated that we should be able to rewrite the Proposition A Guidelines and resolve the discretionary fund issue at that level.

Mrs. Reed summarized the Commissions concerns:

1. Several Commissioners are reluctant to terminate the discussions regarding reorganization.
2. Others feel very strongly that the formula funding issue is not an appropriate issue to be negotiated at the joint reorganization committee.

Mrs. Reed suggested LACTC communicate to RTD the hope that we will be able to continue the meetings. However, if formula funding is a concern, this will be directed to our Transit Committee and the Bus Operations Subcommittee.

Mr. Szabo amended his motion to read: The Commission is urging the reorganization committee to continue its meetings with SCRTD. However, if the formula funding becomes a major item of discussion, it needs to be transferred from that committee to the appropriate committee at the Commission so that the BOS is involved. The reorganization committee is a legislative committee and it is not authorized to enter into any negotiations on this issue. Any substantive discussion on this issue must be referred to the Transit Committee and BOS. Motion passed unanimously.

30. Mr. Szabo reported that the GRFC recommends the Commission support, if amended as outlined in staff's report, SB 300 (Kopp) and AB 471 (Katz). Mr. Szabo will report back to the Commission on the status of these bills.

Mr. Szabo moved approval, Mrs. Reed seconded. The motion was carried.

31. Mr. Lewis reported that the Transit Committee recommends the Commission approve Strategies 1, 2, and 4 of the Strategy for Funding Bus Capital Needs in Los Angeles County. Strategy 3 was previously approved by the Commission.

Mr. Lewis moved approval, Mrs. Reed seconded.

Mr. John Richeson, Assistant General Manager for Equipment Facilities at SCRTD, addressed the Commission stating that this policy doesn't address the long-term financing, including the soon-to-be released UMTA Section 308 rules on 12-year leasing. He stated SCRTD's concern of an insufficient supply of capital funds to meet the annual replacement requirements necessary to stay in compliance with EPA standards. Mr. Richeson requested that this issue be moved to another discussion by the Commission and give SCRTD a chance to examine all the ramifications.

Mr. Sims stated that two years ago the Commission took a policy position that prohibits the operators from using the equipment trust certificates for buying routine capital replacement items, which includes bus purchases. The reason for this position is that the use of equipment trust certificates allows you to save capital dollars up front, but increases the total cost of the purchase depending on the interest rate. It saves on the capital account, but increases the annual operating expenses. This results in paying more in the end.

After further discussion, Mr. Lewis stated that the Transit Committee will have another look at additional long-term financing options

Mr. Lewis motioned for approval, motion approved.

Mrs. Reed reported that a number of information items were transmitted with the agenda.

INFORMATION ITEMS

32. Office Space Proposal
33. Proposed LACTC Budget FY 1989-90
34. Section 13(c) Agreement for Metro Rail MOS-2
35. Update on SB 1
36. Governor Deukmejian's Transportation Financing Proposal
37. Legislative Matrix
38. LACTC/SCRTD Implementation Committee
39. Long Beach-Los Angeles Rail Transit Project Forecast
40. FAU Lapsing Report
41. Air Conformity Procedures and the RTIP
42. SCRTD Transfer Policy - Transit Committee was advised that the SCRTD has scheduled a public hearing to consider requiring a 50-cent surcharge for passengers using an "interagency transfer." Staff was directed by the Committee to analyze this issue and report back next month.
43. Countywide Insurance Pool for Cities
44. Claim for Damages by Cheryl Cooper

REPORT OF EXECUTIVE DIRECTOR

45. Neil Peterson reported to the Commission on the Metro Rail Phase II full-funding contract. He reviewed with the Commission his report covering the previous commitments and current understandings of the LACTC for Phase II of Metro Rail. He stated that he will be submitting the Full-Funding Grant Application along with his report to UMTA on April 27.

Mr. Remy made a motion that Mr. Peterson's report be transmitted to interested parties and LACTC's funding partners. Seconded by Mr. Szabo.

Mr. Remy asked that Item #7 of Mr. Peterson's report be corrected on the last line to readand the Wilshire/Western Station on the west...

Hearing no objection the motion was carried.

Mr. Peterson reported that the Commission has received a Special Award for Outstanding Public Service from UMTA Administrator Al DelliBovi. This award is based on the efforts made by the Commission on pursuing contracting with various cities, (bus service continuation project, the transportation zone, etc.)

46. Federal Legislative Representative

Mr. Peterson reported that Irving Smith, our legislative representative in Washington, will not be renewing his contract which expires in June. The GRFC will be reviewing LACTC's needs and discussing how to proceed to fill that need in the future.

47. Mr. Peterson reported that APTA's 1989 Rapid Transit Conference is June 4-8. Mrs. Reed asked that the members let staff know if they plan to attend.

48. Mr. Peterson reported that Mrs. Reed nominated Daniel Kingsley to serve on the Citizens Advisory Committee. Motion was made by Jacki Bacharach, which was seconded, to approve Mr. Kingsley's appointment.

Hearing no objection, motion was carried.

49. Notice of Meetings

Notice was received and filed.

REPORT FROM CHAIR AND COMMISSIONERS

The Chair reported spending three days in Washington with staff testifying before the Transportation Appropriations Subcommittee of the House and meeting with Members of the House and Senate to discuss the appropriation for this year on Metro Rail.

Jacki Bacharach reported on Century Boulevard becoming a through street. An opening ceremony was held in Watts with Councilwoman Flores and other community members. It was a very successful event.

Mr. Remy asked the status of Secretary Skinner's visit to the Los Angeles area. Mr. Peterson stated he would follow up on this item and return to the Commission.

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CLOSED SESSION: At 4:10 p.m., the Commission recessed into closed session to confer with Counsel and staff on Administrative proceeding for CTIP project.

ADJOURNMENT

Meeting was adjourned at 5:00 p.m.



NEIL PETERSON
Executive Director

NP:bn:kyt

Attachments