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

LOS ANGELES COUNTY TRANSPORTATION COMMISSION

AUGUST 23, 1989

The regular Commission meeting was called to order by Chair Reed at 1:45 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 Mayor Bradley designating Anton Calleia as his alternate in Mr. Remy's absence for today's meeting.

Members in attendance:

Councilmember Christine E. Reed
Mayor Jacki Bacharach
Councilman Ray Grabinski
Supervisor Peter Schabarum (for Item #7 only)
Carole Stevens
Mike Lewis, alternate to Supervisor Schabarum
Walter King, alternate to Supervisor Hahn
Barna Szabo, alternate to Supervisor Dana
John La Follette, alternate to Supervisor Antonovich
Councilman Michael Woo, alternate to Councilman Holden
Anton Calleia, 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
Therese Hernandez, Secretary

PUBLIC HEARING

Chair Reed opened the public hearing and indicated that she had been advised by County Counsel that the Commission can hold one hearing as it applies to all of the parcels regarding Necessity for the Acquisition of the Permanent Fee to several small irregularly shared portion of several separately owned real properties, which real properties are located at and owned. Those who wished to testify at the public hearing were sworn in by Mr. Kelsey, County Counsel.

Mr. Kelsey indicated that this hearing will include the eight parcels of property located in the City of Compton which is for the Rosecrans/Alameda Overpass Corridor project. He described the parcels as follows:

1. Location: 123 East Rosecrans Avenue, Compton, California 90220 (the northwest corner of the intersection of Rosecrans Avenue and Mulberry Street); Owners: Maria G. Banuelos, Sergio A. Banuelos, Gloria Ann Hooks, and Jefferson Hooks, Jr. (Commission file number R01-R21-AS089).
2. Location: 134 East Rosecrans Avenue, Compton, California 90220 (the southwest corner of Rosecrans Avenue and Tamarind Avenue); Owner: Irving J. Bennett (Commission file number R01-R21-AS091)
3. Location: 212 East Rosecrans Avenue, Compton, California 90221 (the southeast corner of Rosecrans Avenue and Tamarind Avenue and the southwest corner of Rosecrans Avenue and West Alameda Street); Owner: Yerevan Corporation (Commission file number R01-R21-AS094)
4. Location: 325 East Rosecrans Avenue, Compton, California 90221 (the northwest corner of the intersection of Rosecrans Avenue and Rose Avenue); Owners: Thelma G. Rogers and Dr. William C. Rogers (Commission file number R01-R21-AS097)
5. Location: 400 East Rosecrans Avenue, Compton, California 90221 (the southeast corner of Rosecrans Avenue and Rose Avenue); Owners: Herminia Silva and Jose (AKA Joe) Manny Silva (Commission file number R01-R21-AS100)
6. Location: 425 East Rosecrans Avenue, Compton, California 90221 (the northwest corner of Rosecrans Avenue and Spring Avenue); Owners: Charles Dickson and Darlene Dickson; (Commission file number R01-R21-AS101)

7. Location: 500 East Rosecrans Avenue, Compton, California 90221 (the southeast corner of Rosecrans Avenue and Spring Avenue); Owner: Orloff Building Co. (Commission file number R01-R21-AS347)

8. Location: 311 East Rosecrans Avenue, Compton, California 90221 (the northeast corner of Rosecrans Avenue and Alameda Street); Owners: Ki Sook Kim and Yon Kyu Kim; Commission file number R01-R21-AS348)

Mr. Kelsey indicated that after the evidence is received, the Commission will be asked to approve the Resolution of Necessity for each separate parcel. Each Resolution will require eight votes by the Commission.

Mr. James Wiley, Manager of Real Estate, was asked the following questions by County Counsel to present the evidence to support the Resolutions.

Kelsey: Did you prepare the staff report which appears in agenda starting at page 11?

Wiley: Yes, I did.

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

Wiley: Yes, they are.

Kelsey: As to these parcels, does the public interest in the Necessity require the acquisition of subject properties?

Wiley: Yes, we believe it does. In the City of Compton today, it is very difficult to move on an east to west direction or west to east direction because of two railroad crossings that run through the length of the city on a north-south alignment. The purpose of this project is to provide a way for motor vehicle traffic to go over one of those rail alignments and to facilitate traffic movement through the city in the east-west direction.

Kelsey: You just stated why the public interest necessity requires the subject project, is that correct?

Wiley: Yes.

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

Wiley: Yes, we believe it is. This is one of the few streets that runs in this direction that can be easily modified to provide this overpass. It will facilitate traffic movement and enhance the ability to move through the City of Compton.

Kelsey: Are the properties to be acquired necessary for the subject project?

Wiley: Yes, they are. As part of this project Rosecrans will be widened and the overpass will be placed in the middle of the street with a one-way street on each side of the overpass. This one-way street on each side will be approximately 15 feet wide, whereas today Rosecrans is a six-lane street all at one grade. It will be necessary to increase the curb return radius on a number of corners to facilitate the ability of emergency vehicles and other commercial vehicles to turn from the side streets onto the one-way service road or to move in the other direction from the service road onto the side streets. The staff report goes into greater detail as to why each parcel is necessary.

Kelsey: Has an offer to acquire these properties based upon the approved just compensation been made to the owners?

Wiley: Yes, offers were made to each of the owners in writing.

Kelsey: Madam Chair, I request that the complete staff report, including the Declaration of John C. Miller, be received by the Commission as evidence.

Chair Reed indicated that the report be so received.

At this time, Mr. Kelsey asked for any other witnesses to come forward to testify. He called for each parcel.

123 East Rosecrans Avenue (AS089): Mr. Sergio A. Banuelos, owner of Calamex Market, testified before the Commission.

Questions were asked by Commissioners Bacharach and Grabinski. Mr. Scott Wieble, attorney with Richards, Watson & Gershon, special counsel to the LACTC, was introduced to the Commissioners who explained the process. Much discussion followed.

After the testimony was heard, Mr. Grabinski offered a motion to approve the staff's recommendation, adopt the Resolution of Necessity, and gave direction to Mr. Wiley to meet with Mr. Banuelos again, to which Mrs. Bacharach seconded. A roll call vote was taken:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski,
Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

134 East Rosecrans Avenue (AS091): (None) Motion was made by Mr. King, seconded by Mr. La Follette, to adopt the Resolution of Necessity. Hearing no discussion, roll call vote was taken:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski,
Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

212 East Rosecrans Avenue (AS094): (None) Motion made by Mr. King, seconded by Mr. La Follette, to adopt the Resolution of Necessity. Hearing no discussion, roll call vote was taken:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski,
Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

325 East Rosecrans Avenue (AS097): (None) Motion made by Mr. Grabinski, seconded by Mrs. Bacharach, to adopt the Resolution of Necessity. Hearing no discussion, roll call vote was taken:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski,
Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

400 East Rosecrans Avenue (AS100): (None) Mr. King moved, seconded by Mr. La Follette, to adopt the Resolution of Necessity. Hearing no discussion, roll call vote was taken:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski, Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

425 East Rosecrans Avenue (AS101): Darlene Dixon, resident at 423 East Rosecrans, Compton, testified in this partial take parcel. Chair Reed asked if the Commission is contemplating temporary relocation when it is an occupied structure. Mr. Wiley indicated that a relocation agent is working with the various parties involved in the project. If after the contractor's bid is reviewed, relocation is found to be necessary, the Commission will provide relocation assistance. Mr. Wiley will meet with Mrs. Dixon.

Mr. King offered a motion, seconded by Mr. Szabo, to adopt the Resolution of Necessity. Roll call vote:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski, Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

500 East Rosecrans Avenue (AS347): (None) Motion made by Mrs. Bacharach, seconded by Mr. King, to adopt the Resolution of Necessity. Roll call vote:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski, Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

311 East Rosecrans Avenue (AS348): (None) Motion made by Mrs. Bacharach, seconded by Mr. King, to adopt the Resolution of Necessity. Roll call vote:

Yes: King, Szabo, La Follette, Calleia, Woo, Grabinski, Bacharach, Stevens, Reed

No: Lewis

Motion was carried.

Mrs. Reed asked staff to reference the specific project in the title paragraph of these parcel acquisitions in future agendas.

CONSENT CALENDAR (Discussion at Commissioner or Public Request)
(Items 1 thru 25)

Mrs. Reed asked for a motion to approve the Consent Calendar Items. Mr. Woo asked to be recorded as abstaining on Items Nos. 8, 9, 10, 11, 12, and 13 -19 because his office had not had an opportunity to see if he has any political conflicts of interest and noted to avoid any such problem.

Mrs. Reed indicated that the record will show Mr. Woo's request to abstain on the above-mentioned items.

Mr. Grabinski requested to hold Item #7 for further discussion and Mrs. Reed indicated to hold Item #13 as requested by the public.

Mrs. Bacharach moved, seconded by Mr. Grabinski, to approve Consent Items 1 through 25 with the exception of Items #7 and #13. Hearing no objection, motion was carried.

1. Approval of July 12 and July 26, 1989 Minutes.
2. Employment Assistance Program - GRF tabled this item until the staff review of employee benefits is presented to Committee members at a workshop in October.
3. Joining of the International Union of Public Transport - GRF recommended that the Commission join the International Union of Public Transport for an annual subscription fee to non-operating transit agencies of \$600.00. Staff also recommended that the Commission approve travel expenses for Mr. Barna Szabo to attend this year's bi-annual UITP Congress.
4. SB 286 (Campbell) - Truck Traffic Restrictions - GRF recommended the Commission oppose, based on Commission policy outlined in LACTC's highway plan, "On The Road to the Year 2000." Reducing truck traffic during peak periods is one of the strategies identified for managing congestion.
5. AB 1787 (Katz) - Training Requirements for Bus Drivers - GRF recommended the Commission monitor, share suggested amendments with the author. Two additional amendments are recommended by the Committee to ensure that the law does not apply to (1) operators with 5 or less buses, and (2) operators of buses that are less than 29 feet in length. The Committee

instructed staff to share with the author the Commission's concern that the bill's provisions will have a significant financial impact on transit operators.

6. AB 1130 (Sher) - Funding for SCAQMD from Vehicle Registration Fee - GRF recommended the Commission oppose AB 1130, unless it is amended, rather than the staff recommendation of support if amended. Amendments include: (1) Require the AQMD board to annually develop jointly with the appropriate RTPA and CTC an expenditure plan; (2) Require that a portion of the funds be provided to CTC's and RTPA's to implement the transportation measures; (3) Ensure equitable use of these new revenues, so that funds collected in any one county area are allocated for use in that county; (4) Ensure that administrative costs are kept to a minimum, by providing a cap on the amount that DMV can charge for collecting the registration fees; (5) Require that the expenditure plan be approved by a majority of the cities representing a majority of the population within the district, and the county.
8. Contract R01-T08-C258 - Trackwork - RCC recommended the Commission approve Change Order #011 in the amount of \$228,471.77. Sufficient contingency remains within the current AFE to cover the cost of this Change Order.
9. Contract R01-T01-C335 - Station Superstructure - RCC recommended the Commission approve Change Order #001 in the amount of \$415,000. Sufficient contingency remains within the current AFE to cover the cost of this Change Order.
10. Contract R01-T07-H825 - Transit Signalling System - RCC recommended the Commission approve Cost Plus Change Notice #11A in the amount of \$200,000.
11. Contract R01-T06-H812 - Overhead Contact System -RCC recommended the Commission approve Cost Plus Change Notice #42A in the amount of \$100,000.
12. Contract R01-S12-MC04R - Construction Management Vehicles - RCC recommended that the Commission approve an increase to the current AFE amount by \$17,715.11 (\$22,914.43 minus \$5,199.32) to a revised total AFE of \$462,715.11. This increase in AFE will enable staff to process this pending Change Order. No further changes are anticipated. The \$17,715.11 required as additional funding will be transferred from the Project Reserve.

14. Claim of Beulah Schiro - RCC recommended the Commission formally reject the claim of Beulah Schiro.
15. Formula Allocation Procedure - Removal of Funding Cap for dial-A-Ride Operators - Transit Committee recommended that the Commission not revise the funding shares given out to the operator in March, 1989 which represent a 14.5% increase in funding for which the budgets were based upon for FY 1990. They further recommended that the funding cap issue be examined further in conjunction with the readoption of the Formula Allocation Procedure.
16. FY 1989 Triennial Performance Audits - Phase I Results - TC recommended the Commission approve the FY 1989 Triennial Performance Audits including the consultant's findings and recommendations.
17. FY 1989 Triennial Performance Audit Phase II - Authorization to Proceed - TC recommended the Commission proceed with a Phase II Audit of the SCRTD, examining the SCRTD Risk Management Program and deferred action on other potential Phase II Audit areas.
18. Metro Rail Phase II Option for ATC Equipment - TC recommended that the Commission authorize \$633,086 of its share of Metro Rail Phase II costs so that SCRTD may exercise the option on Contract A620 ("Automatic Train Control") as requested. Staff agrees with District staff that exercising the option will be the most economical means to expanding the yard control equipment for Phase II. Committee requested that staff seek the assignment of this contract option to LACTC.
19. Amendment to contract R90-S11-D9001 with Manuel Padron and Associates for EIR and Transit Operations Analysis - TC recommended the Commission authorize the Executive Director to amend contract R90-S11-D9001 with Manuel Padron and Associates, a Disadvantaged Business Enterprise, in an amount not to exceed \$99,500 for the special transit operation studies described. This amendment will increase the contract ceiling to \$193,500, helping the Commission to meet its DBE goals.
20. Consolidated Transportation Corridor (Alameda Corridor) - Joint Powers Authority (JPA) Membership - TC recommended the Commission approve the following:

The Los Angeles County Transportation Commission after consideration of the importance of the Alameda Street

corridor route to improve surface transportation, both rail and highway, hereby approves and affirms its support for the formation of the Consolidated Transportation Corridor Joint Powers Authority whose formation is to facilitate the implementation of an improved transportation corridor generally along Alameda Street from Los Angeles to the ports in San Pedro Bay.

Jacki Bacharach, an elected official and a member of the Commission, is hereby designated as this body's representative on the Governing Board of the Consolidated Transportation Corridor Joint Powers Authority. The Commission reserves the right to redesignate the same or other elected officials from time to time to represent the Commission on said Joint Powers Authority.

21. Investigation of Methods to Improve Call Box Access for Disabled Persons - Streets & Highways Committee recommended the Commission authorize the expenditure of up to \$4,000 from unapportioned SAFE funds for Los Angeles County's share of a statewide study of ways to provide improved call box access for disabled persons.
22. HOV Lane Violation Revenues - SHC recommended that the Commission work with SCAG to advise courts of the new law to ensure that funds are deposited to the HOV account no matter who ultimately receives the funds.
23. Research on Parking Subsidies - This item was deferred by SHC.
24. Amendment to the LACTC Administrative Code to Insurance Membership on the Technical Advisory Committee - SHC recommended that the LACTC Administrative Code be amended to add four new members to the Technical Advisory Committee.
25. FAU Loan to the City of Pasadena - SHC recommended that the Commission approve increasing the City of Pasadena FAU balance by \$3.7 million with the following conditions:
 - o If the 1/2 cent sales tax (or other similar highway revenue source), is approved, \$3.7 million of the discretionary TSM funds will be transferred to the FAU Interest Account. This action will repay the FAU account and enable LACTC's current commitments to Interest funded projects to remain programmed.

- o In the event that no revenue increase programmable by the LACTC occurs prior to the end of the FAU program and prior to depletion of all Interest funds, the FAU loan would remain unreimbursed.

FURTHER DISCUSSION ON CONSENT CALENDAR ITEMS

7. Update on Reorganization Legislation - GRF recommended the Commission that efforts be made to amend SB 1 so that one of the City Selection Committee representatives is from a city of 100,000 or more in population, rather than 300,000, and that staff be directed to discuss with the author a letter of intent regarding the issue of assignment of labor contracts.

Mr. Szabo reported that the Senate Ways and Means Committee considered the bill and postponed action on it for two weeks. In the meantime, this Commission has sought a number of amendments to the bill in the last couple of weeks. Those amendments have been submitted to the author and have been considered.

Mr. Szabo moved approval of the committee's recommendation, seconded by Mrs. Bacharach.

Mr. Grabinski offered an amended motion that the Commission affirm its position of the 200,000 population number for one of those designated city seats and include other issue of the letter of intent, seconded by Mr. La Follette.

Supervisor Schabarum offered a substitute motion that this Commission rescind its position of support of SB 1 as taken on the occasion of this last meeting, seconded by Mr. La Follette. Motion was defeated by voice vote.

Vote on Mr. Grabinski's motion in two parts: (1) Substitute motion to retain the position of supporting 200,000 as the population floor level for one of those city seats. This is the Commission's original position. Motion was carried with two no votes. (2) Second half of the motion is that staff be directed to discuss with Senator Robbins a letter of intent from him regarding the issue of assignment of labor contracts.

Much discussion followed.

Vote on the second half of Mr. Grabinski's motion: Hearing no objection, motion was approved.

13. Contract R01-T01-H860 - Signs and Graphics - RCC recommended the Commission authorize the Executive Director to award Contract No. R01-T01-H860 to California Neon Products, the lowest priced responsive and responsible bidder. The contract award will be for a total contract price of \$1,523,299.00. A 10% contract reserve fund of \$152,701.00 is also recommended to cover the cost of changes and extra work, but will not be included in the contract award amount. Award of the contract will be contingent upon the Contractor acquiring the correct California State Contractor's License prior to formal award of the contract, receipt of required bonds, and resolution of any bid protest which is filed in a timely manner. Should California Neon projects which is filed in a timely manner. Should California Neon Products be unable to acquire the correct contractor's license, staff is directed to return to the Committee.

Mrs. Bacharach summarized this item.

Mr. Jose Roma of Federal Sign appeared before the Commission and filed a formal protest in regards to the staff recommendation to award the contract to California Neon Products and had complaints concerning the bidding process and contents of the bids as they were reviewed and accepted by the staff and committee.

Subcontractors of Federal Sign also appeared before the Commission to oppose awarding of the contract to California Neon Products:

Robert Gurney
Suzanne Bourge of Jeffco Benders, Inc.
Lynn Parry of National Visual System, Inc.

Mrs. Reed asked Mr. Kelsey about this matter of the recommendation to award a bid to a contractor without an appropriate state contractor's license. Mr. Kelsey indicated that the state law requires the contractor have the appropriate license to do the work and the government agency insure that they have the license when they make the award. It is a fairly common agency practice to allow an apparent low bidder to correct a defect in his license up until the time of the award.

Mr. R. Tom Flahive, Vice President of California Neon Products, also appeared before the Commission.

Mrs. Reed offered a motion to take no action on this item until the next meeting, which was seconded. Hearing no objection, motion was carried.

STAFF OR COMMITTEE REPORT

Mrs. Reed indicated that a request was made to move Item #28 up in front of Item #26.

28. Actions Related to Right-of-Way Protection - TC recommended the Commission find that the projects (acquisition of parcels R99-R21-AS800, A801 and AS802) will not have significant impacts on the environment and adopt the negative declarations. These findings are based upon the determination that there is no substantial evidence that the projects may have a significant impact on the environment.

It is further recommended the Commission authorize the Executive Director to acquire parcels R99-R21-AS800, AS801 and AS802 with the following conditions:

1. That the properties shall not be used for any types of uses other than the types of uses in existence on the properties upon the date of acquisition.
2. That any proposal to change, expand, or modify an existing use on the properties shall be preceded by appropriate environmental analysis. Environmental analysis may not be required to remove an existing use.

In addition, TC recommended that the Commission authorize the Executive Director to negotiate for the acquisition of Parcels R99-R21-AS806 and AS807 (owned by Trust Services of America, Inc.

TC recommended that the Commission authorize an appraisal of the SPTC's Burbank Branch.

The Committee further recommended that the Commission loan the City of Santa Monica \$6.9 million from its Prop. A rail funds to be repaid by the City from funds generated by leases on the property and other funding sources, with interest.

Mr. La Follette withdrew from any discussion on this item.

Mr. Szabo moved to approve the committee's recommendations which were seconded.

The following persons appeared before the Commission:

1. Vince Hall, Hull Bros. LBR.
2. Karen Constine, Rep. for Councilwoman Flores

3. Ryan Snyder, Executive Director of Los Angeles Transit Improvement Coalition
4. Tom Herman, Eastern Sector Transit Coalition
5. Teri Malts, Calmat Co.
6. David G. Cameron
7. S. Witkin, Corbin Palms - WSTC
8. Marilyn Minkle, Western Sector Transit Coalition
9. Alisa Katz, Rep. of Councilman Yaroslavsky
10. Julie Fine, Western Sector Transit Coalition
11. Alan Fischel
12. Catherine Wing, Western Sector
13. Hank Dittmar, City of Santa Monica
14. Michael Bustamante
15. Pedro O. Elizondo

A discussion of Item #28 followed. Mr. Szabo offered a motion that, on the Santa Monica parcel, the language reflect the approval of the allocation from the Santa Monica Bus Line TDA rail reserve fund for \$10.49 million; that the parcel being purchased remains as an asset in that rail reserve fund and that the loan document to the city should reflect language that the parcel cannot be used for any purchase other than a transit or transportation purpose; and the Commission retains review and approval rights on change of use. Motion was seconded by Mrs. Reed. Hearing no objection, motion was carried.

Roll call vote was taken on this item:

Yes: Lewis, King, Szabo, Calleia, Woo, Grabinski,
Bacharach, Stevens, Reed

No: None

Motion was carried.

26. Recommendation for DBE Program Guidelines Post Richard V. Croson Decision - Although the full affect of the Supreme Court's decision on affirmative action programs is not known at this point, Government Relations & Finance Committee recommended the following short-term and long-term solutions be implemented.

Short-Term - Immediately amend the existing program, which includes contract-specific goals, by following the guidelines of the City of Los Angeles including:

- Inclusion of race-neutral language which incorporate "All Other Socially and Economically Disadvantaged Individuals" into the requirements for participation.
- Place stronger reliance on bidders "Good Faith Efforts" to obtain participation by DBEs, WBEs and other socially and economically disadvantaged individuals.
- Establish a self-certification process for DBE firms permitting them to certify that they comply with the Commission requirements and standards established for socially and economically disadvantaged individuals.
- Modify Contract Compliance Manual (Section E), consistent with above requirements.
- Undertake extensive outreach to Disadvantaged Business Enterprises and prime contractors to fully inform them about the Commission's program.

Long-Term Strategies - Reassess the adequacy of the Commission's program in light of the more stringent standards laid down by the Court. Determine if a factual predicate can be established to justify the program including:

- A. Participating with the City of Los Angeles consultant contract study which will ascertain the statistical and factual basis, if any, for a minority-owned and women-owned Business Enterprise Program. This effort appears necessary to demonstrate a linkage between racial discrimination and its effect on the formation of minority businesses with the County. Such evidence is a constitutional prerequisite to a lawful race-conscious affirmative action program.
- B. Identify those specific minorities subjected to the effects of discrimination and narrowly tailor programs to provide remedies for those specific groups actually subject to past discrimination in the area.
- C. Establish periodic review of established goals to ensure the program is achieving its intended purpose.
- D. Establish a self-monitoring certification process to determine the compliance and effectiveness of individual MBE/DBE/WBE programs.

Mr. Szabo moved approval, seconded by Mrs. Reed. The motion passed unanimously.

27. Funding for First Portion of Metro Red Line Phase II - TC recommended that the Commission (1) authorize the Executive Director to execute a contract with the City for its financial share of the First Portion of Phase II. A copy of this contract is part of the draft FFGA; and (2) Authorize the Executive Director to execute all other necessary documents for the FFGA, including Section 13(c) side letter agreements. In these side letter agreements, the Commission would agree to apply and be bound by the terms of the Section 13(c) agreements executed between SCRTD and its unions for MOS-1.

Mr. Woo moved approval of the recommendation. Ms. Reed seconded the motion. A vigorous discussion followed. Mr. Lewis asked for an amendment on page 9 to the City agreement that reads as follows:

"The Commission will, if necessary, identify and implement modifications to the first portion of Phase II to assure that the first portion of Phase II does not exceed the budget." He deleted the next sentence and the remainder of the agreement would stay the same. Motion was seconded.

Mr. Woo made a motion, which was seconded, that only "by more than 10%" be deleted and that the rest of the wording be left the same as the City would like the right of concurrence.

A vote was then taken on the motion.

Yes: Mr. King, Mr. Callahan, Mr. Woo, Ms. Stevens, Mrs. Reed, Mr. Szabo.

No: Mr. Lewis, Mr. Grabinski, Ms. Bacharach.

Motion carried.

Ms. Reed called for a roll vote on the entire motion. Mr. Lewis asked that the motion be divided and that paragraph 2 be voted on separately.

Roll call vote on the contract with the City for the first portion of Phase II as that contract has been amended:

Yes: Mr. King, Mr. Szabo, Mr. Calleia, Mr. Woo, Ms. Stevens, Mrs. Reed.

No: Mr. Lewis, Mr. Grabinski, Ms. Bacharach.

The contract is approved.

Roll call vote the other half of the question.

Yes: Mr. King, Mr. Calleia, Mr. Woo, Mr. Grabinski,
Ms. Bacharach, Ms. Stevens, Mrs. Reed.

No: Mr. Lewis, Mr. Szabo.

Motion was approved.

29. Federal Government Representation - GRF recommended the Commission approve the following contracts for federal representation services: (1) Madison and Sullivan - One year contract at \$7,500 per month; (2) Baker, Worthington, Crossley, Stansberry & Woolf - One year contract at \$7,500 per month. The 1989/90 budget provides funds to cover these contracts.

The motion was made to retain the two firms for one year, which was seconded. Mr. Woo will be shown as abstaining. Hearing no objection, contracts were approved.

The Commission then went into Executive Session.

Mrs. Reed reconvened the Commission meeting, stating that no action was taken in the Executive Session.

ADJOURNMENT

Meeting was adjourned at 5:50 p.m.



NEIL PETERSON
Executive Director

NP:kyt:rf

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