

# MINUTES



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

## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

September 28, 1988

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

Mr. Taylor was in receipt of a letter from Supervisor Edelman designating Richard Callahan as his alternate in Mr. Geoghegan's absence.

### Members in attendance:

Councilmember Christine E. Reed  
Mayor Pro-Tem Jacki Bacharach  
Councilman Ray Grabinski  
Councilman Michael Woo  
Marcia Mednick  
Walter King, alternate to Supervisor Hahn  
Richard Callahan, alternate to Supervisor Edelman  
Barna Szabo, alternate to Supervisor Dana  
John La Follette, alternate to Supervisor Antonovich  
Ray Remy, alternate to Mayor Bradley  
Mike Lewis, alternate to Supervisor Schabarum  
Jerry Baxter, Ex-Officio for State of California

### Staff members present:

Paul Taylor, Acting Executive Director  
David Kelsey, Assistant County Counsel  
Annette Mendoza, Senior Secretary  
Therese Hernandez, Secretary

**PUBIC HEARING**

Public Hearing regarding Findings of Necessity for acquisition of Parcel R01-R21-AS186 - Warren C. Sams and Ruth Sams.

Mr. Taylor gave a brief synopsis regarding acquisition of said described property. Vice Chairperson Reed opened the hearing for public testimony at 1:46 p.m. No testimony was presented at meeting. Vice Chairperson Reed closed the public hearing at 1:47 p.m

Mr King moved to adopt staff's recommendation; motion was seconded.

Roll call was taken:

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

No: None

Hearing no objections; motion carried to adopt findings and resolution of necessity.

**CONSENT CALENDAR (Items 1-17)**

Mr. Woo moved that the Commission approve by consent calendar Items 1-17, and hold Items 11 and 15 for discussion. Hearing no objection, the motion was carried with Mr. Lewis abstaining on Item 6 and Mrs. Mednick abstaining on Item 8.

1. The minutes of August 24, 1988 were approved as submitted.
2. Commission approved a three-year contract with Pandick Technologies, Inc. for reprographic services. For use of a variety of reprographic equipment, paper, staff and services on and off site Pandick will be compensated at rates of \$.060 per copy for the first 408,000 copies per month and \$.034 per copy thereafter. \$377,100 has been budgeted for the current fiscal year.
3. Commission adopted the classification and compensation study with the following provision: the salary bands M, N, and O for senior staff should be considered tentative pending the appointment of a permanent Executive Director and potential organizational changes between the Commission and the SCRTD.

4. Commission authorized staff to enter into a Memorandum of Understanding with SCRTD to mutually study the benefits and feasibility of a joint headquarters facility.
5. Commission awarded a \$100,000 contract to the DMR Group, Inc. to conduct a management information needs analysis and make recommendations on software and hardware selection.
6. Commission rejected the claim of Joyce R. Valdez.
7. Commission authorized the Acting Executive Director to execute Amendment No. 4 for Contract R01-S12-MQ01, Project Management Oversight, for a not-to-exceed amount of \$1,779,800 with Deloitte/Kellogg Joint Venture subject to satisfactory consummation of contract negotiations. This will increase the total contract price from \$3,782,568 to \$5,562,368. In addition, it is requested that the Commission authorize a contingency amount of \$1,279,700 to cover Claims Mitigation and Project Management Assistance.
8. Commission approved the following increase to the contract with Richards, Watson & Gershon for legal services through June 30, 1990: general counsel, \$945,000; real estate, \$1,876,000; and litigation/defense, \$1,729,000; for a total of \$4,550,000. These services will be charged to the general Transit Development budget.
9. Commission authorized the Acting Executive Director to award Contract R01-S12-MC006 to Enterprise Rent-a-Car/Leasing, the only responsive and responsible bidder. The contract award will be for a total contract price of \$198,679.50. A 20% contract reserve fund of \$39,735.90 is also recommended to cover the cost of changes, but will not be included in the contract award amount. Award is contingent upon resolution of any bid protest timely-filed.
10. Commission approved Change Order #135 for Contract C2125, Mid-Corridor Sitework, etc., in the amount of \$356,940 to increase the current contract amount from \$45,445,324 to \$45,802,264. The funding will be transferred from the Project Reserve.
12. Commission approved funding of DASH/Central City Shuttle for the remainder of FY 1989.
13. Commission upheld the staff determination that the recreational transit trip proposed by Temple City is ineligible for Proposition A funding.

14. Commission approved FY 1989 Transit TIP Amendments authorizing UMTA Section 3 funds for 1) South Bay commuter Transportation Implementation Plan (CTIP): 21 intermediate-sized lift-equipped transit buses (UMTA share \$2.1 million); 2) Additional Suburb-to-Suburb and Replacement Service: 34 full-sized lift-equipped transit buses (UMTA share \$3.9 million). In addition, authorize the Acting Executive Director to: 1) apply for and, once approval is received, execute UMTA Section 3 grants for these projects; and 2) advertise for a public hearing on the above-mentioned projects, to be held on October 17, 1988, in accordance with Federal regulations.
16. Commission approved staff's revised set of recommendations for Commuter Rail Projects Policy Overview.
17. Commission approved a scope of work for consultant assistance to perform task related to the Ten-Year Bus Capital Plan and authorize the Acting Executive Director to issue a Request for Proposal (RFP).

#### DISCUSSION OF CONSENT CALENDAR ITEMS

11. Transit Committee recommends the Commission authorize staff to proceed with the Central Los Angeles 1995 Transit Plan by preparing and issuing a Request for Proposal. The study will require Proposition A Rail Development fund authorization of \$150,000; some elements of the study will be paid for or done by other agencies.

Mr. Taylor gave a brief staff report pertaining to Item 11. Mr. Remy asked that Exposition Park (both Coliseum and Museum) and the Greater Los Angeles Transportation Coalition be considered for membership on the technical committee because all have an interest in this project.

Mr. Remy moved Item 11 for approval; seconded by Mrs. Bacharach. Hearing no objection; motion carried.

15. Transit Committee recommends the Commission approve the scope of work for the triennial performance audit of transit operators and authorize issuance of a Request for Proposal (RFP).

Mr. Taylor gave a brief staff report pertaining to Item 15. Mrs. Bacharach mentioned that staff was asked to include the BOS comments under No. 1 in the scope of work and she felt they were not reflected in the report.

Mrs. Bacharach moved the recommendation with the addition that the audit should include measures of quality like on-time performance, customer satisfaction and the provision of clean buses; seconded by Mr. King. Hearing no objection; motion carried.

#### STAFF OR COMMITTEE REPORTS

18. Streets and Highways Committee recommends the Commission authorize the Executive Director to allocate \$9 million of FAU fund interest to the Cities of Pasadena, Huntington Park and Gardena and the County for the Cities of Alhambra, Rosemead, San Gabriel, El Monte, Industry, Walnut, West Covina, Monterey Park, South El Monte. Adopt timely use of funds, coordination, upkeep and TSM measure provisions for interest funds.

Mrs. Mednick moved the Committee's recommendation; seconded by Mr. King. Vice Chairperson Reed noted that all of these projects funded are going to be air-quality beneficial and that the Commission should take full credit for the regional effort with traffic signal synchronization.

Hearing no objection; motioned carried.

Vice Chairperson Reed asked that the Commission consider Item 20 before Item 19 - the Commission concurred.

#### ORDINANCES FOR ADOPTION

20. Adoption of an ordinance establishing a subsidiary corporation for rail transit design and construction, the interim organization for the subsidiary and the functions of LACTC and the subsidiary.

Mr. Taylor stated SCRTD forwarded a draft of the first phase of the Ernst & Whinney report and made an implied request that the Commission await completion of the second phase of the study before acting on realignment of rail transit responsibilities. Mr. Taylor said that after analyzing the study and for reasons given to the Commission in other reports, he recommends the Commission act on realignment of rail transit responsibilities today. Mr. Taylor proceeded to explain his analysis of the Ernst & Whinney study.

Mr. Taylor recommended the Commission adopt the Ordinance proposed as Exhibit A which establishes a single-purpose subsidiary for rail transit design & construction; the interim organization shown on Exhibit B; and the functions of LACTC and the subsidiary that are shown on Exhibit 3 of staff's report.

Vice Chairperson Reed asked if the Rail Construction Committee would serve as the interim corporate members for the purpose of drawing up the Articles and By-Laws of the subsidiary and what legal services would be used for the Articles of Incorporation and By-Laws. Mr. Taylor stated that his recommendation includes that the Rail Construction Committee function as the interim board for the purpose of recommending the Articles and By-Laws and that County Counsel would provide legal services for the Articles and By-Laws.

The Commission asked questions of County Counsel on the legality on the procedures that would follow adopting the Ordinance and implementing the subsidiary. Mr. Kelsey explained that the adopting the proposed ordinance would not take away any projects or staff from SCRTD and would not cause legal delays in our existing rail transit program.

Councilman Nate Holden commented on the proposed realignment of rail transit responsibilities. He urged the Commission to send Washington a message stating that both the LACTC and SCRTD are together on this project and that we support a full funding contract for MOS-2. Mr. Szabo read a letter from Paul Taylor, dated September 22, 1988, to Mr. DelliBovi, UMTA Administrator, which reflected Mr. Holden's comments. Mr. Holden suggested that the Commission take action to ratify the actions requested in Mr. Taylor's letter. Mr. King made a motion that the Commission endorse the statements made in Mr. Taylor letter dated September 22, 1988 (attached) stating the Commission's full support for MOS-2. Mrs. Bacharach requested that it also be sent to the entire congressional delegation. The motion was seconded by Mr. Szabo.

County Counsel advised Vice Chairperson Reed that the Commission must have a procedural vote to add the item to the agenda. Pursuant to the fact that Mr. Holden has just returned from Washington and brought us this information, we must recognize, according to the Brown Act, that this came up after the agenda was posted and published.

Mr. Remy moved the procedural motion to add this matter of reaffirmation of the Commission's position on MOS-2 to the agenda; seconded by Mrs. Bacharach. There was a unanimous voice vote. Hearing no objection; motion carried.

A vote was taken on Mr. King's motion. Hearing no objection the motion passed.

SCRTD Board of Directors members Marv Holen and Jan Hall and General Manager Alan Pegg addressed the Commission on their concerns and their advocacy of cooperative efforts for accomplishing mass transit objectives for Los Angeles. They suggested that Commission set aside consideration of rail reorganization until after the full funding contract is completed for Phase 2 of the Metro Rail Project.

Mr. Lewis moved to approve the staff recommendation and adoption of the Ordinance as contained in Exhibit A; seconded by Mrs. Bacharach.

Several Commissioners had further questions and comments pertaining to the Ordinance.

Mr. Remy offered an amendment to the ordinance stating that such ordinance shall become effective upon the initial consolidation of the Metro Rail project construction phases with the work of this corporation.

Vice Chairperson stated that her understanding was that the ordinance simply asks people to start working on the Articles of Incorporation and By-Laws and that we don't have a legal entity until the Articles and By-Laws are adopted. Mr. Kelsey stated that this is true, but that Mr. Remy's suggestion could legally be implemented that the Ordinance be amended to take effect on the happening of an event in the future.

Mr. King seconded Mr. Remy's motion.

Mr. Kelsey read the exact language of Mr. Remy's motion pertaining to the effective date of Ordinance that should be placed under Article 9 of the Ordinance as follows: "This Ordinance becomes operative upon the assumption by the Commission of the design and construction responsibilities for any phase of Metro Rail."

Mr. Lewis proposed to amend Mr. Remy's amendment that a specific time period be inserted into the proposed language by adding a "shall be no later than January 1, 1989" clause; seconded by Mr. La Follette.

Mr. Kelsey read that entire Article 9 section with the proposed language: "This Ordinance becomes operative upon the assumption by the Commission of the design and construction responsibilities for any phase of Metro Rail or by January 1, 1989, whichever occurs earlier."

Mr. Szabo asked counsel if this motion passes does it have any effect on the Commission's grant application for full funding of Metro Rail Phase 2. Mr. Kelsey stated that the Commission already took action on the full funding contract, which stands separate from this action.

Roll call was taken on Mr. Lewis' amendment:

Yes: Szabo, La Follette, Bacharach, Reed, Grabinski, Lewis

No: King, Callahan, Remy, Woo, Mednick

There was a 6 to 5 vote - motion carried.

Roll call was taken on Mr. Remy's amendment:

Yes: King, Szabo, La Follette, Remy, Woo, Bacharach, Reed, Grabinski, Mednick, Lewis

No: Callahan

There was a 10 to 1 vote; motion carried.

Roll call was taken on the adoption of the Ordinance as amended:

Yes: King, Szabo, La Follette, Woo, Bacharach, Reed, Grabinski, Mednick, Lewis

No: Callahan, Remy

There was a 9 to 2 vote; motion carried.

19. Transit Committee recommends the Commission:

- (1) Review with the City of Los Angeles the status of Metro Rail extensions in West Los Angeles and East Los Angeles and the federal process for funding of extensions. Seek consensus of the City Council on an approach (e.g., schedule, priorities) to the federal government on three potential extensions of Metro Rail: West Los Angeles, East Los Angeles and San Fernando Valley.



- (2) Consistent with LACTC's high-priority emphasis on an east-west corridor in the San Fernando Valley, request the City of Los Angeles use City funds to study the San Fernando Road route.
- (3) Drop the following alternatives and alignment segments from the San Fernando Valley EIR study process:
  - (a) Southern Pacific Coast Main Line
  - (b) L.A. River Flood Control Channel
  - (c) Victory Boulevard between I-405 and Lankershim
  - (d) Lankershim between the Coast Main Line and Chandler/Lankershim
  - (e) The Hollywood Freeway between the Coast Main Line and Chandler Boulevard

Vice Chairperson Reed stated that before testimony begins Mr. Woo has an alternate recommendation in response to some of the reactions to the past consideration of the Transit Committee's consideration of the City Council's recommendation. Mr. Woo's recommendation is as follows:

The Commission prepare a Notice of Preparation to begin the formal EIR process, instead of sending the issue back to L.A. City Council, on two alternatives:

- 1) Ventura Freeway - extension of Metro Rail, specifically excluding double decking the freeway
- 2) Burbank Branch route from Warner Center to North Hollywood in 3 configurations:
  - a. full subway
  - b. trenched, bermed and fenced section (including the Vineland Extension from North Hollywood to Universal City).
  - c. some combination of full subway and trenched, bermed and fenced section.

Mr. Woo also proposed consideration of San Fernando Road route be added conditionally to the Commission study; he will ask City Council to put up \$150,000 out of Prop A fund toward that goal and furthermore ask the County Board of Supervisor to put up \$50,000 toward that part of the study. The goal would be to have that secondary route also considered at the same time that the main routes are being studied by the Commission. Furthermore, he would add the recommendations from Commission staff about dropping consideration of 5 alternatives. Lastly he agreed with Transit Committee's recommendation to review with the City of L.A. the status of Metro Rail in West L. A. and East L.A.

Vice Chairperson Reed mentioned the Commission has received numerous phone communications and letters that have been entered into the records and have been made available to all Commissioners.

The Commission heard testimony from the public.

Caroline Westheimer, Senator Herschel Rosenthal - opposes East-West light rail line in the form of an above, at, or below grade trenched, bermed or cut-and-cover system.

Nate Holden, L.A. City Council - would not support the City of L.A. contributing \$150,000 of Prop. A funds. Supports studying all alternatives.

Rabbi Marvin Sugarman, spiritual leader - opposes light rail line on Chandler Boulevard

Fred N. Geines, member, Citizen Panel on Transportation Solutions for the SFV - adopt Transit Committee recommendation and go forward with the two East-West routes

Robert Silver, Eastern Sector Transit Coalition (ESTC) - favors underground metro rail across SFV, opposes light rail

Lester Kushner, H. H. Homeowners Association - opposes light rail

Julie Fine - Western Sector Transit Coalition - favors metro rail subway - San Fernando Road route, opposes Burbank Branch

Gerald Silver, Coalition of Freeway Residents - opposes light rail and double-decking freeway, for San Fernando route

June E. McShane, Central Coalition of Home Owners, Board of Director Reseda Communities Association - opposes East-West rail line, supports North-South line

Dr. S. Feuerstein, Chandler Homeowners Assoc., ESTC, Adat Ari El - opposes light rail, Burbank/Chandler line, supports only highest ridership corridor for subway metro rail

Sanford Paris, President Valley Industry & Commerce Assoc. - favors EIR on two routes recommended by Citizens Committee and forwarded by L.A. Council.

Rabbi Aron Tandler, Shaarey Zedek Synagogue - opposes light rail, favors subway metro rail

Carol Schdry, ESTC - opposes Burbank/Chandler, favors subway metro rail

Jeanne Hoyt, Western Sector Transit Coalition - opposes Chandler/Burbank, favors metro rail subway

Mae Greenhalgh, Western Sector Transit Coalition - supports only Pacific Coast Main Line route

Florence Swait, Western Sector Transit Coalition - opposes Burbank/Chandler/Victory/Topham, supports subway metro rail

Thelma Batchelder, N. H. Residents Association - opposes Burbank/Chandler, supports San Fernando route

Derrick Williamson, Western Sector Transit Coalition - opposes light rail in any form near Topham or Victory, favors subway metro rail

Helen Margulies, ESTC - opposes Burbank/Chandler, favors subway

Stuart Wagner, ESTC - opposes light rail, only favors subway

David Riback, citizen - opposes light rail, favors subway

Marilyn A. Minkle, Western Sector Transit Coalition - opposes Chandler/Burbank/Topham/Oxnard route, favors Coastal Corridor to the Valley, Northward on the 405 and westward on the Ventura

Clifton Rosett, citizen - opposes light rail except San Fernando route, favors subway

John Paliwoda, Steering Committee of the Western Sector Transit Coalition - opposes Burbank/Chandler/Topham/Oxnard branch, favors subway

Sheldon H. Walter, Consultant, Los Angeles Rail Transit (non-existent) - favors rail transit

Larry Fine, Western Sector Transit Coalition (didn't speak, someone else stated his views) - opposes Burbank Branch/Chandler, favors San Fernando route or subway

Deborah H. Humphrey, Coalition of Freeway Residents - opposes light rail or double-decking on Ventura Freeway, favors subway

Vice Chairperson Reed moved the Transit Committee recommendation, Jacki Bacharach seconded.

As a substitute, Mr. Woo moved his previously stated recommendation, seconded by Marcia Mednick.

Mr. Szabo stated his concerns on studying routes that we may not be able to implement and felt we should spend funds on routes that can be implemented. He asked that LACTC study a route in the center of the Valley on an existing railroad right-of-way. Mr. Szabo offered an amendment to Mr. Woo's substitute motion to remove the Southern Pacific Main Line from the list of deletions and add it in to the list of alternatives to be studied in the EIR review process. Mr. King seconded.

After further discussion on the recommendations, the Commission took roll call on Mr. Szabo's amendment:

Yes: King, Szabo

No: Callahan, Remy, Woo, Bacharach, Reed, Mednick

Abstain: La Follette

There was a 2 to 6 vote, 1 abstention; motion failed

Ms. Bacharach asked for clarification on Mr. Woo's San Fernando Road route. It was noted that language would be included that the San Fernando Road study would be a route refinement study if funds were made available by the City and/or County.

There was further discussion on Mr. Woo's substitution recommendation.

Roll call was taken on Mr. Woo's substitute recommendation:

Yes: King, Callahan, Szabo, La Follette, Remy, Woo,  
Bacharach, Reed, Mednick

No: none

Motion carried.

#### REPORT OF EXECUTIVE DIRECTOR

31. Paul Taylor presented staff's report regarding immediate need for legal counsel to advise SAFE regarding the County's request for reimbursement for telephone reconnection fees; no action by the Commission is required but Mr. La Follette asked that staff return the item with more information for further consideration.

CLOSED SESSION

Vice Chairperson Reed stated that legal counsel advised that the acquisition of property in El Segundo could be covered in open session.

Vice Chairperson Reed made a motion that the Commission make a Finding of Just Compensation in the amount of \$199,000 and authorize the Acting Executive Director to make an offer to the owner, Chevron USA, Inc. to acquire the property located in the City of El Segundo as described in the real estate report. Mr. La Follette seconded.

Roll call was taken on Vice Chairperson Reed's motion:

Yes: King, Callahan, Szabo, La Follette, Remy, Woo, Reed,  
Mednick

No: none

There was a 8 - 0 vote. Motion carried.

NOTICE OF MEETINGS

Because of the upcoming holidays the Acting Executive Director recommended that the regular LACTC November 23 meeting be moved to the fifth Wednesday, November 30. Vice Chairperson Reed made a motion to shift the Commission meeting from November 23 to November 30, but to keep the committee meetings the same. Mr. King seconded. With no objection the motion passed.

In December, staff suggested the LACTC regular meeting be moved to December 14, the Commission concurred.

Mr. Szabo asked hold a special closed session meeting on October 12, 1988, for personnel matters at 1:30 p.m. Vice Chairperson asked the Acting Executive Director to send out a special notice and call all the Commissioners on this meeting.

REPORT OF CHAIRMAN

In view of reports that have come out in the press recently about conflicts of interest experienced by some Commission members in connection with the limitation of campaign contributions, Mr. Woo made a motion that the Commission direct staff to come back to the

Commission with recommendations on a better system of notifying Commission members as well as identify potential conflicts of interest. Vice Chairperson Reed seconded the motion.

With no objection, motion passed.

Meeting adjourned at 5:30 p.m.

PAUL TAYLOR  
Acting Executive Director

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