

# MINUTES



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

## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

May 25, 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.

### Members in attendance were:

Supervisor Peter Schabarum  
Mayor Pro Tem Jacki Bacharach  
Council Member Christine E. Reed  
Marcia Mednick  
Walter King, alternate to Supervisor Hahn  
Robert Geoghegan, alternate to Supervisor Edelman  
Barna Szabo, alternate to Supervisor Dana  
John La Follette, alternate to Supervisor Antonovich  
Ray Remy, alternate to Mayor Bradley  
Councilman Ray Grabinski, alternate to Councilman Tuttle  
Jerry Baxter, Ex-Officio for State of California

### Staff members present:

Paul Taylor, Acting Executive Director  
David Kelsey, Assistant County Counsel  
Kathy Torigoe, Executive Secretary  
Annette Mendoza, Senior Secretary

**PRESENTATION OF RESOLUTIONS**

Presentation of Resolutions was made by Chairman Schabarum to Charles Abbott and Roger Stanard, who were citizen members of the Rail Construction Committee, in appreciation for their dedicated service on the committee.

**APPROVAL OF MINUTES**

The minutes of April 27, 1988 were amended as follows: Page 4, under AB 1696, Mr. Szabo moved for approval; and on page 7, under Transportation Occupations Program, the motion was carried with no objection. The minutes were approved as amended.

**REPORT OF THE EXECUTIVE DIRECTOR****A. Commissioner Travel Request**

Commissioners Reed and Szabo had expressed in attending the Independent Cities Association Annual Seminar in San Diego on July 7-10, 1988. Mr. King withdrew his request to attend APTA's Transit Board Seminar. A motion was made and seconded to approve the travel requests of Mr. Szabo and Mrs. Reed. Without objection, the motion was carried.

**B. Revisions to Proposed FY 1988-89 Budget**

Updated copies of the proposed budget were distributed to the members and for public inspection. The final budget will be submitted to the Government Relations and Finance Committee for review prior to the Commission's adoption at the June 22 meeting.

Also, a summary report on the sale of the sales tax revenue refunding bonds Series 1988-A was distributed to the members for their information.

**C. Notice of Meetings**

The Commission meetings for June and July will be held at the Department of Water and Power, 15th floor. The notice was received and filed.

**PUBLIC HEARING RE. CONDEMNATION OF PARCEL NO. AS-331 - SULIT**

Mr. Grabinski moved that Item No. 6 be postponed, seconded by Mrs. Reed. Hearing no objection, this item was continued to a future Commission meeting.

**FINANCIAL PLAN FOR METRO RAIL (MOS-2)**

Mr. Taylor indicated that he is in receipt of a letter from Mr. Woo requesting that Item No. 24 on the financial plan for Metro Rail be continued to a future Commission meeting. Mrs. Reed moved that this item be continued, seconded by Mr. Geoghegan. Hearing no objection, the motion was carried.

**PUBLIC HEARING RE. PROPOSED FY 1988-89 BUDGET**

Public hearing was opened for public comment by Chairman Schabarum. Hearing none, Mrs. Reed moved to close the public hearing and continue this item to the June 22 meeting, seconded by Mrs. Bacharach. Without objection, the motion was carried.

**STAFF REPORTS**

## Automation of Norwalk-El Segundo Project

At the last Commission meeting, several issues were raised regarding automation and power source for the Norwalk-El Segundo line. Mr. Taylor summarized those issues raised by the Commissioners. Two workshops were held and attended by Commissioners and their alternates.

The Committee recommended that the Commission approve automation for the Norwalk-El Segundo line with third-rail power distribution and a lighter-weight version of the vehicle used on the Long Beach line.

The RCC also recommended that staff be directed to:

- o prepare a detailed system definition and specifications for the vehicle and automatic train control equipment;
- o engage in discussions with the CPUC regarding application of General Orders to an automated system;
- o prepare job descriptions for Rapid Transit Attendants to facilitate upcoming union negotiations;
- o revise the TransCal contract to accommodate the automated transit system concept, and commence final design activities accordingly.

Discussion followed.

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

Mr. King reported on his tour of the Docklands Light Railway.

Mr. Taylor indicated that a video tape of the Docklands Light Railway and a tape of LACTC rail construction progress will be shown to the members at the end of the meeting. Discussion followed.

Mr. Hal Croyts, Mayor of City of Lomita and Past President of the South Bay Cities Assn., spoke in support for the fully-automated rail system.

Hearing no objection, the motion was carried.

#### Preliminary Draft AQMP Transportation Control Measures

In lieu of the staff recommendation, the Transit Committee recommended that:

1. LACTC should advise SCAG of LACTC plans and programs which are consistent with the Transportation Control Measures included in the Draft SCAG document.
2. LACTC staff should prepare and submit to SCAG an analysis of the cost required to implement the proposed capital projects; the logistical and engineering constraints of implementing the capital program; and LACTC's recommendation of capital programs that can be implemented by the target year.
3. LACTC staff is directed to report back to the Commission with an analysis of the Transportation Control Measures proposed in the Draft AQMP scheduled for publication in June.

Mrs. Reed moved for approval, seconded by Mrs. Bacharach, to approve the committee recommendation. Hearing no objection, the motion was carried.

Mr. Remy offered an amended motion but it died for lack of a second.

Hearing no further objection, the motion was carried.

#### Reorganization of Rail Transit Responsibilities

Mr. Taylor gave a staff report and staff recommendation that the Commission approve in concept the establishment of a subsidiary non-profit corporation for rail design and construction. Furthermore, authorization is requested to engage a management consultant and invite RTD staff to assist in development of a plan to implement consolidation of Metro Rail and light rail design and construction in such a corporation. The Transit Committee voted 4-1 to approve the staff recommendation. The Rail Construction Committee, on a 1-1 vote, took no action.

Discussion followed.

Mr. Alan Pegg, Interim General Manager of RTD, appeared before the Commission to request that this item be delayed until such time as a joint process can be reconvened and the input which the RTD Board and the LACTC had sought to establish can be combined in this process and the reorganization can move forward with the agencies working together.

Questions were asked of Mr. Pegg by the Commission.

The Chair asked Mr. Taylor to give an overview of past meetings of the two agencies.

Mr. Schabarum offered some comments that consolidation of both agencies should not be delayed.

Mr. Schabarum moved to approve the staff recommendation, seconded by Mr. La Follette.

A substitute motion was offered by Mr. Remy that the Acting Executive Directors of LACTC and RTD review the alternatives D and E as well as the proposal for the subsidiary corporation and report back at the next meeting as to their findings. Motion was seconded by Mr. King. Mr. Schabarum supported Mr. Remy's substitute motion.

Roll call vote on Mr. Remy's substitute motion:

Yes: King, Geoghegan, Szabo, Remy, Mednick, Schabarum

No: La Follette, Grabinski, Bacharach, Reed

Substitute motion was carried.

It was suggested that Mr. Taylor attend the SCRTD Board of Directors' meeting tomorrow.

#### CONSENT CALENDAR

Chairman Schabarum asked for public comment. Hearing none, the meeting continued.

Mrs. Reed moved approval of Items 12 to 15, 17 to 23, with the exception of Items 11, 16, and 25, by Consent Calendar which was seconded by Mrs. Bacharach. Hearing no objection, the motion was carried.

12. SB 2600 (Garamendi) - Motor Vehicle Fuel Tax Indexing of the State Gas Tax

Support in concept and review the bill again once the author identifies the percentage at which the gas tax would be indexed or when other amendments are made.

13. SB 2824 (Vuich) - Rail Separation Projects

Monitor SB 2824 with the following direction:

- a) indicate to the author the Commission's support in principle with the intent of the legislation; b) indicate the Commission's concern with the ten-year limit in applying for additional funds from the program.

14. AB 665 (Johnson) - Productivity Improvement Committee

Support both the provision on productivity improvement committees and the provision which would increase the compensation rate for county transportation commission members.

15. Commercial Driver Testing and Licensing - Federal Regulations and State Legislation (SB 2594)

Support with the clarification that a waiver for drivers of general paratransit vehicles would only extend to vehicles used for intrastate travel.

17. Claim of Martin Garcia Santillan

Reject by operation of law the claim of Martin Garcia Santillan.

18. SAFE Consultant Selection

Select the firm of Techplan to prepare a call box implementation upgrade plan and approve the contract with Techplan for these services.

19. Delayed State Transportation Improvement Program

Amend the 1989-93 Los Angeles County Transportation Improvement Program (TIP) to include the following additional projects:

Priority	Route	Description	Cost
1		Soundwalls	\$ 26.0 M
	91	Atlantic to Cherry	
	91	Paramount to Downey	
	101	6th to Mission	
	60	Wilcox to Vail	
	101	Winnetka to DeSoto	
	60	Nogales to Walnut	
	101	Beaudry to Vermont	

	5	Route 2 to Fletcher	
	710	Atlantic to Alondra	
	60	Turnbull to Stimson	
	605	Del Amo to South	
	134	Glendale to Verdugo	
	60	Euclid to Third	
	91	Lakewood to Woodruff	
2	101	Van Nuys to Hayvenhurst Widen.	3.0M
3	405	Rte 90 - Rte. 605 Restripe HOV	180.0
4	118	Ventura Co to Rte. 405 Widen.	40.0
5	60	Rte. 57 to San Bernardino Line	15.0
6	126	Ventura Co. to Rte. 5 Widen	15.0
7	57	Rte 60 to Orange Co. Line Widen HOV	5.0
8	138	Complete Widen. Rte. 14 to 18 & Spot widen between Rte. 5 & 14	15.0
9	71	Const. Ph. I Fwy & Rt. 60/71 IC	125.0
10	30	Foothill to Williams Widen, Realign	5.0
11	710	Slauson to Rte. 5 Widen	20.0
12	10	HOV Ramp	5.0
			\$454.0

20. AB 84 State Highway Project Development List:

Approve the following preliminary list of highway projects and transmit to SCAG for inclusion in the RTP:

Route	Description	Cost
91	Full HOV	\$130 million
710	Gap Closure	450 "
71	New Freeway Construction	90 "
30	New Freeway Construction	75 "
10	Transitway to San Bernardino County Line	300 "
14	Add lanes through Lancaster	220 "
5	Widen HOV/Rail - Rte. 605 to Downtown	600 "

Direct staff to work with Caltrans to determine other candidate projects; refine and finalize the AB 84 list during the next six months.

## 21. Comments on SCAG Mobility Plan

Technical Advisory Committee concurred with the staff's recommendations, with the following additions:

- o Staff's recommendation should be modified to clarify that "Tier One" projects are those projects that can reasonably be expected to be funded from existing or expected revenues.
- o There should be more emphasis on the role of the bus system in meeting mobility needs.
- o There should be more specific discussion in the Mobility Plan regarding feeder bus review at the origin and destination trip ends, if park-and-ride lots and line-haul transit are to work effectively.
- o The Mobility Plan needs additional technical data and analysis to back up the policy recommendation. Specific areas where additional technical work is needed include:
  - Relationship of capital to operating costs, both on an annual and "end state" basis.
  - More analysis of what could be done with additional funding, specifically, if Proposition 71 and/or Proposition 72 pass.
  - More information of financial and regulatory impact on the private sector.

The Streets and Highways Committee concurred with TAC's recommendation with the following exceptions:

- o Remove the third bullet under Recommendation #3 which requests SCAG to add Glendale Freeway to the Mobility Plan HOV map.
- o Refer to the Transit Committee the question of whether LACTC should initiate a commuter rail study or take a more active role in the Caltrans Commuter Rail Study.
- o Schedule a LACTC Commissioner Workshop on HOV lane issues for Friday, June 3.

The Transit Committee concurred with TAC's recommendation with the following exception:

- o Delete the comment relating to the Route 60 rail project.

The Transit Committee also recommended that staff propose a Commission policy on its role in and funding sources for development of commuter rail routes in the County.

22. FY 1989-90 Short-Range Transit Plans

Approved the recommendations contained in the staff report and requested that staff analyze and return with information regarding vehicle useful life requirements. This information should address mileage versus age and vans versus sedans. If the analysis indicates that a change in LACTC policy is warranted, then an appropriate TIP amendment should be prepared for operators affected by the change.

23. Proposition A Local Return Financial and Compliance Audit Summary - Extension of Audit Agreement with Simpson & Simpson

Recommended that (1) FY 1986-87 Local Return financial and compliance audits be received and filed; (2) improvements and actions identified in the staff report be approved; and (3) the Commission extend the contract of Simpson & Simpson/Quezada Navarro & Company per the present agreement for a one-year period to perform the FY 1987-88 Local Return and Section 15 audits at a price not to exceed \$250,000.

**CONSENT CALENDAR ITEMS WITH DISCUSSION**

11. Restructuring of LACTC Advisory/Technical Committees

The staff recommendations are as follows:

1. Except as noted below, all LACTC advisory/technical committees would continue, and would normally meet only once per month.
2. The Technical Advisory Committee (TAC) would become the primary source of technical advice regarding intermodal issues. In order to perform this function, staff is proposing an expansion of the committee membership.

3. The E&D TAC would continue, but would meet bi-monthly, or quarterly.
4. The Highways and Freeways Subcommittee and the Transit Productivity Committee would be abolished.
5. The BOS and PAROS would continue, but would report directly to the Transit Committee, rather than through TAC. The BOS and PAROS would address only those issues directly affecting the membership (e.g., BOS would only address issues relating to, and only to, the SCRTD and "included municipal operators."

The Government Relations/Finance Committee approved the staff recommendation with the following amendments:

- o Add the Los Angeles Area Chamber of Commerce and the Southern California Automobile Club to the Technical Advisory Committee (TAC).
- o Clarify the Paratransit Operators Subcommittee (PAROS) membership on TAC to two.
- o Direct staff to work with the advisory committees to define the scope of their responsibilities.
- o Direct staff to send the TAC agenda to all Advisory Committee members.

Mrs. Reed moved approval, seconded by Mr. Schabarum. Hearing no objection, the motion was carried.

16. Authority and Role of LACTC in Determination of Illegal Discrimination by Contractors

Staff recommended that the Commission establish the following policies:

1. It is the policy of LACTC that only a final determination by a court or agency of competent jurisdiction that a contractor had illegally discriminated against an employee who was working on a Commission contract would constitute a finding that the contractor had breached the non-discrimination provisions of Commission contracts. The determination of the appropriate sanction would remain with the Commission. (This policy is consistent with the policy of the County of Los Angeles, the State of California and the U.S. Government that the contracting agency or awarding authority is not involved in adjudicating whether a contractor has violated non-discrimination or affirmative action provisions of contracts.)

2. Staff should add to LACTC's construction contracts provisions permitting LACTC to assess liquidated damages for breach of nondiscrimination provisions. (A liquidated damages clause would provide the Commission with a powerful sanction in addition to contract termination and contractor debarment. The liquidated damages clause would provide that a contractor who breaches the contract's nondiscrimination provision is subject to liquidated damages payable to the Commission in a specified sum of money per day for each person against whom the contractor discriminated.)
3. Staff should establish and publish hearing procedures which comply with due process requirements applicable to:
  - a. the determination whether a contractor is not a "responsible" bidder.
  - b. the assessment of liquidated damages for breach of the nondiscrimination clause of Commission contracts. (This same procedure could be utilized where other sanctions may be imposed on contractors. For example, the Commission's Labor Compliance Manual, Section 4.0 "Labor Compliance Requirements," sets forth various monetary sanctions for a contractor's failure to pay prevailing wages.)
  - c. the determination whether a contract should be cancelled, terminated or suspended for the contractor's breach of the nondiscrimination provisions, or any other breach of the Commission agreement.
  - d. the determination whether a contractor should be debarred from entering into future Commission contracts. In this context, consideration would be given to establishing a time limit for debarment and provisions whereby a contractor can petition to have the debarment lifted.

The Rail Construction Committee approved staff's three recommendations and added a fourth one:

4. Staff should explore with the State Department of Fair Employment and Housing (DFEH) how to establish

a mechanism for LACTC to refer allegations of discrimination directly to DFEH for expedited adjudication. This may include LACTC compensating DFEH for priority consideration.

Mr. Grabinski asked for some clarification on #1 - "...policy of LACTC that only a final determination...." What can LACTC do if there is a determination short of final? He asked that Counsel look into this further. He also asked if LACTC should hold hearings periodically to identify allegations.

Mr. Taylor indicated that he would explore this matter with the DFEH when he meets with them.

Mrs. Reed moved the approval of the committee recommendation with the additional commitment of Mr. Taylor to do further staff work, seconded by Mr. Szabo. Hearing no objection, the motion was carried.

25. Metro Rail Extensions Beyond MOS-2: Staff recommended that the Commission apply for UMTA funds totaling \$1,650,000 to begin conducting an environmental analysis of alternative alignments that would extend Metro Rail west from an MOS-2 Wilshire/Vermont station to the vicinity of Westwood, and east from Union Station to the vicinity of East Los Angeles.

Mrs. Reed moved the approval of the recommendation as it came forward from the Transit Committee, seconded by Mrs. Bacharach. Motion was carried with a "no" vote by Mr. Geoghegan and an abstention by Mr. Remy.

#### PUBLIC COMMENT

Stella Epstein, American Association of Retired Persons (AARP), asked the Commission to maintain the senior subsidies for transportation by using the funds controlled by cities and discretionary funds controlled by the LACTC. She feels that if the supervisors, city council members, RTD, and the union will work together, that a viable solution will be found and this will allow the RTD to maintain its present fare structure.

David Palmer, Transportation Planner with the Los Angeles Unified School District, expressed his appreciation for including him on the LACTC mailing list and keeping the district informed on the Commission's activities.

**CHAIRMAN'S COMMENTS**

Chairman Schabarum commented on the following:

1. Councilman Yaroslavsky's subsidy plan of 35-cent rush hour bus fare.
2. Mr. Pegg's comments on the proposed reorganization plan on the agenda for SCRTD's Board meeting tomorrow meeting.
3. The RTD's attempt to adopt a balanced budget for the next fiscal year.
4. RTD's collective bargaining with the unions.

**CLOSED SESSION**

Mr. Taylor recommended a closed session for two purposes: to discuss actual litigation in the recently-filed case of United Transportation Union vs. LACTC and to discuss offers of compensation and authorize the Acting Executive Director to (a) acquire a parcel owned by Dunn Edwards Corporation located at 1838 South Flower Street, (b) to lease space at 2029 Florence Avenue, (c) and to sell a surplus portion of parcel AS047.

Mrs. Reed moved that the Commission go into closed session for the purposes stated above, which was seconded. Without objection, the motion was carried.

At 4:55 p.m., the Commission continued their meeting.

Mr. Kelsey phrased the suggested motion that: 1) the Commission authorize the Acting Executive Director to sell a surplus portion of parcel AS047 to Vincent G. Di Maggio for the purchase price of \$440,000; 2) authorize the Acting Executive Director to accept the offer to sell from Dunn Edwards parcel AS349 for the price of \$342,475; and 3) authorize and ratify the action of the Acting Executive Director to lease space at 2029 Florence Avenue at a price not to exceed \$230,000.

Mrs. Reed moved for approval, seconded by Mrs. Bacharach. Without any objection, the motion was carried.

Meeting was adjourned at 4:57 p.m.

  
PAUL TAYLOR  
Acting Executive Director

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