

# MINUTES



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

## JOINT LACTC/SCRTD BOARD MEETING

January 13, 1988

The joint meeting was called  
p.m. in the Board Room of t

an Bradley at 1:40  
r and Power.

A self-introduction of the S

's was made.

1988

### SCRTD

Jan Hall  
John Day  
Joseph Dunning  
Marvin Holen  
Erwin Jones  
Jay Price  
Gordana Swanson  
Ken Thomas  
John Dyer - Staff

Bradley  
Jacki Bacharach  
Jerry Baxter  
Robert Geoghegan  
Ray Grabinski  
Walter King  
John La Follette  
Christine E. Reed  
Ray Remy  
Blake Sanborn  
Barna Szabo  
Rick Richmond - Staff

Chairman Bradley asked John Dyer and Rick Richmond to review the Joint Liaison Committee's recommendations.

Mr. Dyer reported on the memorandum from Rick Richmond and himself dated January 5, 1988 concerning the actions that were taken at the joint board meeting on November 23 and summarized the following alternatives:

Alternative 1: LACTC would be responsible for transportation network, rail corridor priorities and route refinement

study. A Joint Powers Authority would be responsible for preparation of EIS/EIR, approval of project, conduct of final design and construction. The SCRTD would be responsible for pre-operations and operations. The Joint Powers Authority would assume the functions that are presently the overlap functions.

Alternative 2: The LACTC would be responsible through project approval, the Joint Powers Authority would be responsible for final design and construction and the SCRTD would be responsible for pre-operations and operations.

Mr. Richmond summarized Alternatives 3 and 4:

Alternative 3: Does not involve the establishment of a Joint Powers Authority. LACTC assumes responsibility for all rail planning activities, preparation of EIS/EIRs, and project approvals. SCRTD would assume responsibility for building all light and heavy rail projects.

Alternative 4: LACTC will hand over a project at a fairly preliminary stage where a corridor has been identified and the project would go into a route refinement study. The Joint Powers Authority will assume responsibility from the route refinement stage, preparation of EIS/EIR, approve project, conduct of final design and then transfer to the SCRTD for construction and operation.

Mrs. Hall and Mr. Remy gave a dual presentation of the Joint Liaison Committee's recommendation. Mrs. Hall indicated that the Joint Liaison Committee recommended that Alternative 3 be investigated.

Mr. Remy also reported on the Liaison Committee's recommendation. He indicated that if Alternative 3 is chosen, that staff be given directions to go back and look at that alternative to see what implementing actions would be necessary.

Discussion followed.

It was moved by Mr. Joe Dunning to recommend the adoption of Alternative 3, which was seconded.

Further discussion followed.

Mrs. Bacharach offered an amended motion that the motion only include that the boards approve the hand-off point of project approval with further staff analysis on whether the hand-off is to a JPA or an existing agency.

Mr. Dunning moved to include in his motion the hand-off point and Alternative 3.

Mrs. Bacharach made an amendment to Mr. Dunning's motion that the boards ask staff to study Alternatives 2 and 3, seconded by Mr. Grabinski.

The Chair ruled Mrs. Bacharach's amendment as out of order.

Mr. Grabinski commented that at the last joint board meeting the discussion was on a study for a Joint Powers Authority. He asked why staff could not study at least two of the recommendations. He favors Alternatives 1 and 2 and asked for an explanation. He also suggested looking at other opportunities.

Chairman Bradley indicated that the Joint Liaison Committee looked at all four alternatives and concluded that Alternative 3 was preferable.

Mr. Holen asked that the staff report address how the operators' involvement in the route alignment can be worked out, and supports the motion favoring Alternative 3.

Mr. Dyer indicated that staff would return with a program implementation plan.

Public comments were received from the following person:

Peter Baxter  
Bryan Allen  
Sheldon Walter

A voice vote of SCRTD members was taken and the motion was carried unanimously.

On behalf of the LACTC, Mr. Walter King moved to approve Alternative 3 which was seconded by Mrs. Reed.

The voice vote on Mr. King's motion was as follows:

Yes: Sanborn, King, Geoghegan, Szabo, Reed, Bradley,

No: La Follette, Bacharach, Grabinski

Motion passed 6 to 3.

Mrs. Hall indicated that the LACTC will be considering SCRTD's request for a one-time waiver of LACTC's policy prohibiting trades of Local Return Funds for farebox revenues and asked the LACTC Commissioners to hear their reasons why this is a one-time only trade.

Mr. Dyer summarized SCRTD's request and asked that the LACTC give serious consideration to the request.

Meeting was adjourned at 2:50 p.m.



RICK RICHMOND  
Executive Director

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## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

January 13, 1988

The regular Commission meeting was called to order by Chairman Bradley at 2:50 p.m. in the Board Room of the Department of Water and Power.

### Members in attendance were:

Mayor Tom Bradley  
Mayor Pro Tem Jacki Bacharach  
Councilwoman Christine Reed  
Councilman Ray Grabinski  
Blake Sanborn, alternate to Supervisor Schabarum  
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  
Jerry Baxter, Ex-Officio for State of California

### Staff members present:

Rick Richmond, Executive Director  
David Kelsey, Assistant County Counsel  
Kathy Torigoe, Executive Secretary  
Maria White, Secretary

### CHAIRMAN'S REMARKS

Chairman Bradley indicated that this will be his final meeting as chairman of this Commission and thanked everyone for the cooperation extended to him. He believed that the Commission had

an outstanding year. The work in dealing with legislation in Sacramento required a tremendous effort and time on part of many members of this Commission. Without that spirit of sacrifice by the members, this year might have been a dismal one. The Commission had accomplished its goals and he is proud of what the Commission has been done in the course of the year. He thanked the members for the opportunity to serve as chairman of the Commission. He indicated that Mr. Ray Remy would serve as his alternate when he leaves the meeting.

Chairman Bradley asked to have an item taken out of order. Hearing no objection, the Herzog matter was taken out of order and discussed first.

#### RAIL CONSTRUCTION COMMITTEE

##### Complaints Against Herzog Contracting Corp.

Mrs. Bacharach reported that former employees of Herzog appeared before the Rail Construction Committee this morning under the Committee's Public Comment period. The former employees had complaints against Herzog. The Committee members received a report describing some of the complaints. Commission's staff is conducting an investigation and has referred this matter to the proper agencies to continue the investigation. A report will be made to the RCC members and this matter will be discussed at the February 5 RCC meeting so that immediate action can be taken.

The following persons appeared before the Commission, under X. Public Comment, to describe their complaints against Herzog Contracting Corporation:

C. Edward Corbett, Westminster Neighborhood Association,  
Inc.

Kenneth Allen Savage, Former employee of Herzog

Dennis Johnson, Former employee of Herzog

Shelton Dancley, Former employee of Herzog

Bryan Allen also appeared before the Commission and commented on the First Street option for the Pasadena Corridor for rail development. He also commented on an IRC item, expansion of gas tax authority, that the staff recommendation is mistaken in recommending no legislative action at this time.

#### ELECTION OF VICE CHAIR

Chairman Bradley asked for nominations for Vice Chairman of the Commission. Mrs. Bacharach nominated Christine E. Reed, seconded by Mr. King. Mrs. Bacharach moved to close the nomination which was seconded. Mrs. Reed was elected by unanimous vote.

**REMARKS BY VICE CHAIR**

On behalf of the Commission, Mrs. Reed thanked Mayor Bradley for all of his time and effort over the past year as Chairman for the Commission, specifically the successful effort in negotiating the reorganization legislation in Sacramento which was vetoed by the Governor. Mrs. Reed also mentioned some of the accomplishments during Chairman Bradley's tenure as chairman.

In appreciation for his dedicated service to the Commission, Mrs. Reed presented Mayor Bradley with a plaque on behalf of the Commission.

Mayor Bradley commented that Mr. Richmond is leaving the Commission and thanked him for his service to the Commission and the community.

**APPROVAL OF MINUTES**

On page 3 of the December 16 minutes, under the statement on reorganization legislation regarding sending a joint letter to the State Legislature, Mrs. Bacharach moved that the following clause be included in the recommendation: "...The local officials are prepared to be accountable for effective progress in a timely manner toward such consolidation." The minutes were approved as amended.

**PUBLIC HEARING RE. NECESSITY FOR THE ACQUISITION OF PARCEL R01-R21-AS102 - STRAUSS FAMILY TRUST**

Vice Chair Reed indicated that the public hearing will be held on the condemnation of the Strauss Family Trust property located at the northeast corner of Willow Street and West America Street.

Mr. Richmond and others indicating a desire to testify at the public hearing were sworn in by Mr. Kelsey, County Counsel.

Mr. Richmond provided an introduction and summarized the staff report to the Commission on the required public hearing regarding the necessity of acquisition for Parcel R01-R21-AS102 owned by the Strauss Family Trust. Under the Eminent Domain Law governing the Commission's property acquisition, the Commission must make four findings in order to adopt a resolution of necessity to condemn the property. The staff report was entered into the record of the hearing as evidence. A copy of the staff report is incorporated with these minutes and made a part hereof by this reference.

Mrs. Reed opened the public hearing for testimony from the public relative to the property located at the northeast corner of Willow Street and West America Street.

Ms. Muriel McKenzie, President and 100% shareholder of MSB Enterprises, doing business as Carpet World at 261 East Willow in Long Beach, and a leasee of the Strauss Family Trust property, testified before the Commission.

Ms. McKenzie testified that the building which her firm now occupies on a long-term lease is scheduled to be taken by eminent domain proceedings by the Los Angeles County Transportation Commission for use as part of a parking lot for the light rail transit station to be constructed at the intersection of Willow Street and Long Beach Boulevard. When first appraised of the rail project, she was advised that while there would be a station and a parking lot at the intersection, her premises would not be needed as a parking area otherwise available would be more than adequate by the anticipated ridership. At some later date, she was advised that the Commission was considering acquiring the lot and building she occupies and the entire block could be converted as a parking facility. While she understands that a solution to the public transportation problem is paramount, present use of this additional space would constitute a premature and perhaps an unnecessary expenditure of taxpayers' money in acquiring, demolishing, grading, paving and/or fencing or walling additional property which may never be needed for the operation of this transit line. She asked that the Commission reconsider its plan and postpone purchase or at least demolition and use of this particular parcel, thereby allowing Carpet World to continue its operation until it is determined without a doubt that the addition of parking spaces is required.

Mrs. Reed asked for any comments from the Commissioners. She indicated that there are no representatives of the property owners present.

Mr. King moved, seconded by Mrs. Bacharach, to approve the Resolution of Necessity declaring certain real property necessary for public purposes authorizing the acquisition of approved staff recommendation.

Mr. Grabinski requested that the property owners be allowed a maximum amount of time to occupy the property.

Mr. Richmond indicated that the length of time to acquire the property will be depend on the courts for a settlement to be worked out. He also clarified for the record that acquiring of additional parking spaces on the site will help avoid spill-over parking in surrounding streets in the neighborhood areas.

A roll call vote was taken on the motion which requires eight affirmative votes:

Yes: Sanborn, King, Geoghegan, Szabo, La Follette,  
Bacharach, Reed, Grabinski, Remy

No: None

Motion passed.



**COMMITTEE REPORTS****FINANCE REVIEW COMMITTEE**

It was requested that the FRC items be taken out of order.

Mr. Sanborn reported on the FRC meeting of January 11, as follows:

SCRTD's Request for One-Time Waiver of LACTC Policy  
Prohibiting Trade of Local Return Funds for Farebox Revenues

The FRC approved the staff recommendation to maintain a consistent policy and not approve Local Return trades which result in a net loss of transit revenues available for use in Los Angeles County. This vote was unanimous on the part of the FRC. Mr. Sanborn requested that members of the Commission review the data provided entitled, "Cities' response to SCRTD's trade proposal."

Mr. Sanborn moved approval of FRC's recommendation, seconded Mrs. Bacharach.

Mr. Howard O. Watts, RTD bus rider, commented on his objection to allowing SCRTD to a one-time waiver of Local Return trades.

Mr. Harold Croys, Mayor Pro Tem, City of Lomita, commented that the Lomita City Council voted to request this waiver. Also, as President of the California Contract Cities Association, this item came before the Board and was referred to the Resolutions Committee for action for a report next month and so was not aware that this item would be on the LACTC agenda so soon. Further, it is his understanding that this item will come before the South Bay Cities Association meeting on January 28. He feels that the responses shown in the agenda are not necessarily correct and may change within the next two weeks.

Mrs. Reed explained that the reason this item was placed on the LACTC's agenda so quickly was at the request of the SCRTD.

Mr. James Seal, California Bus Association, commented in support of the LACTC staff's recommendation.

Mr. Bryan Allen commented that he has no disagreement on staff's recommendation but if SCRTD's request is granted, that it be restricted to capital purposes and not allow SCRTD to switch any capital funds to operating purposes.

Some discussion followed.

Mr. Remy inquired as to what actions on the part of SCRTD would be necessary to insure that the requested trades would be "one-time" only, as indicated by SCRTD. Mr. Richmond

responded that the SCRTD would have to adopt an FY 1988-89 balanced budget and take action on any associated fare increases and/or service reductions for the Commission to be reasonably assured that these trades would be "one-time" only.

Mr. Remy offered a substitute motion to authorize the one-time only trade to SCRTD based upon the conditions just identified by LACTC's Executive Director, which was seconded by Mr. Geoghegan.

Further discussion followed.

A roll call vote was taken on Mr. Remy's substitute motion:

Yes: King, Geoghegan, Remy

No: Sanborn, Szabo, Bacharach, Reed, Grabinski,  
La Follette

Motion failed.

Voice vote on the FRC's recommendation to deny the SCRTD's request for a one-time waiver. All present were in favor of the motion with the exception of a "no" vote by Mr. Geoghegan and Mr. Remy.

Motion passed.

#### Review of SCRTD Law and Labor Contract Provisions

Mr. Sanborn indicated that this was a request of the Board of Supervisors. The FRC approved the following staff recommendations:

1. Authorized the Executive Director to transmit the findings contained in the staff report to the Board of Supervisors and SCRTD.
2. Directed staff to return to the FRC with the action taken by the LACTC to withhold subsidy funds during the 1982 SCRTD strike. The Committee also requested that staff develop recommended language for a policy for withholding funds during work stoppages applicable to all public transit operators.
3. Advise SCRTD of the Commission's intent to consider automated operation of light rail lines, and that future labor contracts should be flexible enough to permit such operation.

The Committee deferred to the IRC staff recommendations regarding changes to SCRTD statutes.

Mr. Sanborn moved for approval, seconded by Mrs. Bacharach.

Mrs. Reed advised the Commission that on Point #2 of the above recommendation, staff has advised her that the policy which the Commission adopted in 1982 applied to all the public transit systems in the county.

Mrs. Reed asked staff if this report could be transmitted to the relevant unions at the SCRTD.

Mr. Geoghegan commented that this report is an outgrowth of a motion that was introduced at the Board of Supervisors meeting. Although the motion was adopted by the majority of the Supervisors, Supervisor Edelman opposed it and he is voting accordingly.

The motion was approved by all those present with one objection by Mr. Geoghegan.

FY 1988 Transportation Improvement Program (TIP) Amendment - SCRTD Metro Rail

The FRC approved an amendment to the FY 1988 Los Angeles County TIP to include an additional \$59.7 million (\$44.8 million Federal Section 3/\$14.9 million local match) for the SCRTD Metro Rail MOS-2 project. Of this \$59.7 million, \$5.7 million is authorized for immediate expenditure for preliminary engineering pending UMTA approval of the SCRTD requested Letter of No Prejudice.

Mr. Sanborn moved approval of the recommendation, seconded by Mrs. Bacharach. Hearing no objection, the motion was carried.

Authorization for Bridge Funding Extension on Line 685

The FRC approved the City of Rancho Palos Verdes' request for a six-month extension of bridge funding (from January 1 through June 30, 1988).

Mr. Sanborn moved approval of the recommendation, seconded by Mrs. Bacharach. Hearing no objection, the motion was carried.

Information Items

Staff reports were presented on the following:

1. Report on Proposition A funds by County Auditor-Controller
2. SAFE status
3. Selection of tire vendors in North Los Angeles County for social service transportation operators

**INTERGOVERNMENTAL RELATIONS COMMITTEE**

Mrs. Reed reported on the IRC meeting of January 13, 1988 as follows:

**Legislation Related to SCRTD Law**

The IRC reviewed six proposed amendments to SCRTD law to clarify legislative intent and possibly reduce SCRTD operational costs. The IRC recommended that the Commission: 1) direct staff to seek an author for legislation incorporating the six proposed amendments, and 2) seek SCRTD concurrence with and support for the development of this legislation.

Mrs. Reed moved approval of the IRC recommendation, seconded by Mrs. Bacharach. The motion was approved with one objection (Mr. Geoghegan).

Mr. Sheldon Walter appeared before the Commission and commented on SB 18 and Metro Rail.

**LACTC's State Legislative Consultant Contract**

IRC considered the proposed renewal of the LACTC's contract with Capital Representation Group (Tim Egan) to cover the period of January 1, 1988 - December 31, 1988. Capital Representation Group provides legislative services for the LACTC in Sacramento. The Committee recommended the Commission renew the contract with Capital Representation Group (Tim Egan) with a six percent increase in the retainer fee.

Mrs. Reed moved approval of the recommendation, seconded by Mrs. Bacharach. Without objection, the motion was carried.

**UMTA 504 Accessible Service Regulation - Proposed Changes**

The IRC considered comments to UMTA on how to amend current regulations dealing with special accommodations in mass transit services for persons with developmental disabilities and other mental or visual impairments. The IRC recommended that the Commission submit to UMTA the comments prepared by staff, which support additional accommodations in serving these groups.

Mrs. Reed moved approval of the IRC recommendation, seconded by Mrs. Bacharach. Without objection, the motion was carried.

### LACTC and County Taxing Authority

It was noted that in response to a citizen request, the IRC reviewed a staff report explaining the current taxing authority for transportation purposes of the LACTC and the County of Los Angeles.

### Service Authority for Freeway Emergencies (SAFE) - Status Report

An update on the creation of a SAFE in Los Angeles County was presented. Forty cities and the Los Angeles County Board of Supervisors have approved the creation of a SAFE, with the Commission as the designated authority. Three more cities are needed to approve the creation of the SAFE.

### Legislative Matrix

Several amendments to the Legislative Matrix were noted, including:

AB 138 (Leonard), a bill mandating the air quality district to identify the "cleanest-burning available fuel" for stationary and mobile sources, has been amended to make its requirements permissive. The Commission's position was changed to "monitor," pending further review.

AB 374 (McClintock), a bill which would amend the HOV project approval process, is scheduled for consideration before the Assembly Transportation Committee on January 14. It was noted that a letter stating the Commission's opposition to the bill was sent to its author and committee members.

AB 457 (Moore), which provides funds for LACTC's SMART Street demonstration project, is pending in the Senate Appropriations Committee suspense file. It was noted that the Governor has included \$4 million in his budget for the project identified in AB 457.

AB 1697 (Katz), which previously proscribed the transition process for transportation agency reorganization in Los Angeles County, has been amended to address speed limits. The Commission's position was changed to "monitor".

AB 2626 (Duplissea), a bill requiring public transit operators to contract for 3 percent of their transit services, failed passage in the Assembly Transportation Committee.

SB 140 (Deddeh), a bill to amend the STIP process, has been amended to include SB 176 (Deddeh), a transportation bonding proposal. The Commission's position on SB 140 was changed to "monitor," pending further review.

**RAIL CONSTRUCTION COMMITTEE**

Mrs. Bacharach reported on the RCC meeting of January 13, as follows:

Transcal Contract to Design Century/El Segundo Rail Transit Project

The RCC recommended that the Commission authorize including in the contract with TRANSCAL II a prohibition on any of the joint venture firms serving in any capacity as construction management consultant on the Century/El Segundo Project.

Mrs. Bacharach moved for approval, seconded by Mr. King.

Mr. Tom Wilson, Office Manager for DeLeuw Cather & Co. in Los Angeles, appeared before the Commission and commented on a separate construction manager and feels that the Commission needs to send out a signal to industry that the Commission is still looking for competition and to encourage consultants to continue to expand their energies and efforts to help the Commission in the completion of the Proposition A projects.

Without objection to the above motion, the motion was carried.

The RCC further recommended the Commission approve the necessary budget line item transfer and authorize the Executive Director to execute a contract with TRANSCAL II for an amount not to exceed \$15,287,445, on the condition that services be performed with labor rates averaging approximately the average rate in the final proposal presented today (\$49.17 per hour) with penalties for changes in key personnel without LACTC's authorization.

Mrs. Bacharach moved for approval of RCC's recommendation, seconded by Mr. King. Hearing no objection, the motion was carried.

**RAPID TRANSIT COMMITTEE**

Mrs. Bacharach also reported on the RTC meeting of January 13, as follows:

Sinclair/Tudor Contract Ratification

The RTC recommended the Commission authorize the Executive Director to execute a contract with Sinclair/Tudor for an amount not to exceed \$330,000 for the study of an eastern extension of Metro Rail.

Mrs. Bacharach moved approval of the RTC's recommendation, seconded by Mr. King. Hearing no objection, the motion was carried.

**STREETS AND HIGHWAYS COMMITTEE**

The next meeting is scheduled for February 8.

**EXECUTIVE DIRECTOR'S REPORT**

A. APTA Legislative Conference is scheduled for March 13-16 in Washington, D.C. Interested member should notify Kathy Torigoe so that the necessary arrangements can be made.

**PUBLIC COMMENT**

This portion was covered earlier in the meeting.

**NOTICE OF MEETINGS**

The next Commission meeting will be held at the Hall of Administration.

Notice was received and filed.

**ADJOURNMENT**

The meeting was adjourned at 4:25 p.m.

  
RICK RICHMOND  
Executive Director

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