

MINUTE RECORD OF LOS ANGELES METROPOLITAN TRANSIT AUTHORITY

MEETING HELD ON THE Twenty-Ninth DAY OF December 1952

STANDARD FORM C34 PRINTED IN U.S.A.

CHARLES R. HADLEY CO., PATHFINDERS, LOS ANGELES, SAN FRANCISCO, NEW YORK, CHICAGO

REG. U.S. PAT. OFF. STANDARD MINUTE RECORD

A special meeting of the members of the Los Angeles Metropolitan Transit Authority was held at 2:10 p.m., December 29, 1952, at its offices at 2233 Beverly Boulevard, Los Angeles, California, with the following members present:

Walter J. Brunmark	Martin E. Pollard
Fred S. Dean	Lloyd S. Whaley
H. C. McClellan	Jim Wilson
B. O. Miller	

Present also at this meeting were:

James L. Beebe, Attorney
Ralph P. Merritt, General Manager
Stephen Wells, of Wells Agency

At the last meeting of this Authority held on December 15, 1952, a motion was made by Mr. McClellan, seconded by Mr. Dean and carried, that "this meeting be adjourned to meet in special session at 2 p.m. on Monday, December 29, 1952, at these offices, to take action on matters discussed at this session; and that the members of the Subcommittee of the Los Angeles Traffic and Transit Committee be requested to meet with this Authority in these offices at 4 p.m. of said date".

Meeting was called to order at 2:10 p.m. by the Chairman, who stated the purpose of the meeting. Minutes of December 15th were read. Mr. McClellan took exception to the wording of suggestions made by him as expressed in the minutes and requested that one certain paragraph be rewritten. Request was granted and Mr. McClellan said that he would re-write that particular statement of his and submit it to the Secretary for inclusion in the minutes. It was moved by Mr. Dean, seconded by Mr. McClellan, that after other numerous corrections, corrected minutes be approved, with the exception of the changes to be made by Mr. McClellan. Copy of his corrected statement will be attached. Motion carried.

It was suggested by Mr. Dean that all motions made during the meetings of the Authority be typed in capital letters in order that such motions might stand out from the balance of the minutes; also, that all motions should name the members making and seconding motions.

Chairman Pollard informed the members of the Authority that inasmuch as there was so much to be done by the Authority at this meeting, he had thought it advisable not to have a joint meeting with the Los Angeles Traffic and Transit Subcommittee at the conclusion of this session of the Authority. Mr. McClellan agreed that it was wise to postpone the joint meeting with the said Traffic and Transit Committee. Mr. Pollard said further that we could arrange to devote our next meeting to meeting with the said Traffic and Transit Subcommittee, provided that the various items now before this Authority could be disposed of today.

The Secretary read a communication from Chris Clausen, Science Editor of the Los Angeles Examiner, in which the writer said that the Examiner had recently published an article by him on the subject of the monorail transportation system; that as a result of the publication of that article he had received many letters and telephone calls from those who wanted to know more about monorail plans. He accordingly requested that he be permitted to attend the next meeting of the Authority. Mr. Wells said he thought that for the time being it was just as well that Mr. Clausen be not invited to attend the Authority meetings. Mr. McClellan objected to that statement saying that we should consider the position we would be in if we deny the information they seek; that we might be putting ourselves in a bad light if we reject the request of Mr. Clausen to attend our meetings. He thought it would be better policy if we could persuade them, to which Mr. Wells agreed.

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Moved by Mr. Dean, seconded by Mr. McClellan, that the matter be referred to Mr. Wells for him to contact Mr. Clausen and advise him as to policy of the Authority. Motion carried.

The General Manager said that his attention had been called to a notice of a luncheon meeting of the Los Angeles Ad Club to be held on January 6th in the Pacific Ballroom of the Statler Hotel in Los Angeles, on which occasion the principal address would be made by Harry Morrison, General Manager of the Downtown Businessmen's Association, on the subject of "The New Year in Traffic and Transit". Mr. Merritt suggested that one of the members of this Authority get in touch with Mr. Morrison prior to that meeting to learn something of the nature of his address. Mr. McClellan stated that some progress had been made in his efforts to get the cooperation of this Association, and that he considered it to be quite in order that some member of the Authority talk to Mr. Morrison and endeavor to see that no misleading statements relative to transportation and traffic conditions be made. Chairman Polard agreed to have a talk with Mr. Morrison and supply him with correct information.

The Chairman then proposed that consideration be given to subjects on the agenda and that the report of the General Manager would be the first to be discussed.

Mr. McClellan said that he had spent a great deal of time and had given considerable study to the minutes of the meeting of December 15, as a result of which he was prepared to make some recommendations on the same, and that he would like to have them read before the Authority by its Chairman; that he had copies of a document to present to the members of the Authority which he had prepared covering his thinking

on the recommendations of the General Manager based on the results of Mr. Merritt's meetings in Washington and elsewhere.

Mr. McClellan then said that it was his opinion that the Authority should be brought up to date on what it is trying to accomplish and to consider: (1) Proposal to negotiate with the Board of Supervisors; (2) Negotiate contracts; (3) Amendments to Assembly Bill 3112.

Chairman stated that as each one of the above-named subjects came under discussion Mr. McClellan would read that part of his written recommendations covering that particular subject.

The report of Mr. Beebe on proposed amendments to Assembly Bill 3112 was read and discussed. All members had been supplied with copies of the proposed amendments as prepared by the Attorney. Mr. Merritt informed the members that there was still one section of the present Act that was not included in the Attorney's report which was the last clause in the present Act, incorporated therein at the request of the Department of Water and Power of the City of Los Angeles. Mr. Merritt then read that clause, which is as follows:

"Sec. 13.4. The Legislature, in placing the Authority under the jurisdiction of the Public Utilities Commission and requiring it to make payments in lieu of taxes, has made exceptions to a long established policy because of the unique character of the Authority and the particular circumstances and conditions requiring its creation. It is not the intent of the Legislature that these exceptions be deemed, in any way, a precedent with respect to any other public corporation."

Mr. McClellan then read from his written statement in connection with the amendments. (Copies will be supplied to all members.)

Mr. Merritt said that the No. 1 Amendment, i.e., to widen the area and include all forms of transportation, can be introduced at any time; that it can be in the first or the second session as we choose.

The other two Amendments, i.e., the deletion of the provisions in the present Act making the Authority subject to regulation by the Public Utilities Commission, and subject to taxation, would seem to be advisable in order to make revenue bonds saleable; that it is advisable to learn from the Attorney General of California and other State agencies whether either or both might be accepted as emergency measures.

Mr. McClellan said that he personally felt it was necessary to make these changes in the Act in order to make the plan work ultimately; that he had gone on record with some of the top people of the Chamber of Commerce of Los Angeles, told them he was personally convinced of the facts as stated above, and they had expressed to him strong agreement on that point.

Mr. Brunmark posed the question: If we put this proposition up to the Chamber of Commerce and they are not in favor of it, what then? Mr. McClellan replied that it was the decision of this Authority and not the decision of the Chamber of Commerce which was important. It was generally agreed among the members that the Authority should make its own decisions and act upon them. Mr. Miller said that people should have an opportunity to express their opinion, that if they think they have lost their opportunity to do so, they would have a right to object.

Mr. McClellan said that the Authority had made some commitments to the Chamber of Commerce and that they have already given some cooperation; that he felt that these people can be of immeasurable help to the Authority in accomplishing its objectives. If they can't be enlisted there is no alternative but for the Authority to proceed without them. He said that there are two types of committees, Citizens

Committees and Advisory Committees. Our approach is through our relations with this (?) committee; we can get started on that course and wind up with two advisory committees recommended by the University Presidents' Report.

Mr. Dean said that it was his opinion that the cooperation of the Traffic and Transit Committee would be very helpful, but he did not think that we should wait for the committee to set the pattern for us to act upon, but that we should set a pattern ourselves and then tell that committee what we are going to act upon.

Mr. Miller thought there should be a countywide committee, not just a local committee; that is, a group of business people who are as much interested as we are. That we should give them an opportunity to come before the Authority and express their opinions.

Mr. Pollard said he was convinced that the Authority should go ahead and pass all the recommendations made by the Attorney and General Manager, then contact the Traffic and Transit Committee and ask for their support at that time; whether that support is obtained at first, or later, results will be the same. Furthermore, there is no great objection from that committee on the two points mentioned by Mr. McClellan that committee understands that these steps had to be taken and that committee should not be offended at the action of the Authority.

Mr. Miller thought that if the Committee is interested enough to want to meet with members of the Authority they should be given that opportunity, and after hearing them the Authority should vote for what is best; otherwise we might incur the antagonism of that Committee and the Authority would not be functioning in the best interest of the Committee in not meeting with them.

Mr. Brunmark stated that it was his impression that at least the majority of the members of this Authority had discussed and re-discussed the subject; that we had approved the program to have the amendments changed and had instructed our Attorney to make the necessary change. Therefore, before any final action is taken on them by the Authority, does it appear then that we must go back to the Los Angeles Chamber of Commerce for its approval?

Mr. McClellan said he thought it would be much better if we could negotiate an agreement with the Traffic and Transit Committee before we make any decision; that all changes are warranted and should be ultimately made; that the best way to get changes through would be to enlist the cooperation of some important people in this city; and he thought it best to sit down and talk it over with these people.

Mr. McClellan stated further that ultimately we should have two committees -- not to dictate to us but to help us in marketing our own conclusions---; one, a committee of people of standing in the community, not technically-minded; another, a group of engineers who could help us keep before the public the program we have and the confidence in making the program go. He said he felt after agreement was had between the Chamber of Commerce and the Authority that the former would step out of the picture. He said he believed there were two sides to this proposition. He then read from his report of this date. (All members of the Authority have copies of this report.)

In regard to the above report, Mr. Pollard indicated that the \$100,000 would include the \$50,000. He thought we might be able to get the money without touching the \$50,000 and said he would have an opportunity to talk to the Committee about this. He felt that we should not

talk to the Board before talking to the Committee, that if the Board was not willing to go along, we would find the \$50,000 elsewhere. He stated he had been told by the Board of Supervisors that they would stay with us and see us through; that when we begin to show some progress they will be willing to give us more money. He added he thought it was a question of mutual cooperation; they will help us with this problem if they believe we are on the right track. However, if we are not careful they may get the impression that we can't do a thing until we check with them and that is in violation of our Authority that we should have to check with some other body.

Mr. Miller suggested that we let the different Chambers tell us what they think, after which we will then use our own best judgment; let them come up and express their thoughts, then we can do what we think best. He thinks we should be remiss if we do not give them an opportunity to come in and discuss the project.

Mr. McClellan stated he thought we should go before the Legislature at the earliest possible moment, but should not go before it with more than the first two points. Mr. Beebe inquired as to which two points were being separated and Mr. Pollard replied that they were relief from taxation and from regulation by the Public Utilities Commission.

Mr. Beebe called attention to the fact that there are constitutional limits on what we can pass as emergency legislation. He said there had been little litigation on that subject but what there is has in no way really clarified the point. The two cases in California in which it has been considered are: One in which the State Director of

Finance had been given a good many powers for the leasing of State oil land. The court held that this could not be passed as emergency legislation to take effect immediately. The other case cited by him had to do with the reorganization of the National Guard of California and came up immediately after a declaration of war. The decision of the courts with respect to these two instances was explained by him.

Insofar as removal of provision for the regulation of the Authority by the State Public Utilities Commission was concerned, he thought the ruling of the court in the first case cited might be considered.

Moved by Mr. Miller, seconded by Mr. Dean, that the recommendations of Mr. McClellan, as submitted in writing at this session, be included in full in the minutes of today's meeting. Motion carried.

Mr. Beebe explained the different sections of his report. He said that a toll bridge carries express tax exemption and several other Acts carry tax exemptions. He said that Sec. 13.4 should be repealed complete. He stated that the question of franchises was a serious problem and discussed this at some length.

Mr. Merritt said that Mr. Graves had made the statement that the necessity of mass rapid transit was very important to balance the free-ways. His representative asked that we get in touch with them and meet with them to the end that we may work in cooperation with them.

Motion was made by Mr. Miller, seconded by Mr. McClellan, that the General Manager make inquiries of any persons who might be opposed (to the amendments?) and see how strong the opposition might be. No vote.

Mr. Beebe made the statement that the State Legislature must adjourn not later than thirty days after opening of its first session in January. There should be time to get the amendments in proper form in

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order that the General Manager of the Authority could have the opportunity to discuss them with the proper officials. He should have his instructions not later than January 15, 1953. (Should be not later than January 10. New ruling --Secretary)

The Chairman said we should either take action on the four amendments or ask Attorney to prepare in final form, with addition of other amendments discussed today; that he should get them back to us by January 9 for final adoption of all the amendments on that day.

Mr. Miller said he would like to see the Committee invited in to discuss these with us; that they should have an opportunity to express themselves, and that they could be very helpful to us.

Mr. Dean stated he would like to have the amendments in final form at the luncheon meeting with the Committee, then have the regular meeting afterward. He asked whether the Committee would have a chance to read the amendments before the meeting. Mr. Pollard replied that he thought it would be better for the Committee to get all information from the Authority before reading the amendments.

Mr. McClellan contended that we should enlist the support of the Committee; that they should be given a fair look at the amendments and the papers should be plain spoken and to the point. He felt that the Committee should understand what we intend to do and give their counsel.

Mr. McClellan stated he wanted to find out what the strength of the opposition was to any of these measures and what the probable results of this would be.

Mr. Beebe re-stated the four points as follows:

1. Countywide area
2. Get powers extended so that we are not dealing simply with monorail
3. Has to do with whether property of the Authority should or should not be taxable
4. Removal of jurisdiction of Public Utilities

Mr. Pollard thought we should secure the cooperation of the Committee, but if this was not possible, then we must go our own way. Mr. McClellan said we must form some plan in which we can all share, that without this we will be beaten. Mr. Pollard stated he was willing to take chances with the group.

A motion was made by Mr. Miller that the regular monthly meeting of the Authority of January 6, 1953, be cancelled and instead thereof a special meeting of this Authority be held in Room 404 of the Jonathan Club at 545 South Figueroa Street, Los Angeles, California, on Friday, January 9, 1953, at 12 o'clock noon, for the purpose of transacting such business as may properly come before it. The motion was seconded by Mr. McClellan and carried.

Mr. Merritt stated that possibly the most satisfactory way to simplify the engineering contracts would be to eliminate the contract proposed to be made with Monorail and Monorailway for the services of Gibbs and Hill. He said that Mr. Lyon, President of Monorailway, was out here just before Christmas and he, Mr. Merritt, asked Mr. Lyon and Mr. Roberts to come to this office where he stated very clearly to them what the Authority might require in the way of engineering to secure, within limits of money made available by the Board of Supervisors, reports covering traffic engineering, including origin and destination potentials; and, second, economic engineering reports including capital cost of monorail and the operating costs. Mr. Merritt said he suggested to

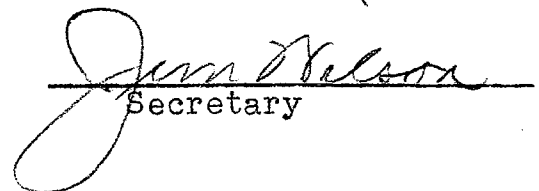
these gentlemen that they should be willing to give freedom to their engineers, Gibbs and Hill, to act as engineers for Coverdale & Colpitts in preparing capital and operating costs of monorail as a portion of the economic reports. Mr. Lyon and Mr. Roberts expressed their desire to cooperate as requested.

Mr. Merritt read a letter from Coverdale & Colpitts outlining a tentative plan for an engineering contract. (All members have received a copy of this letter.)

Mr. McClellan said he thought it should not be necessary to make an overall countywide study, but that if we could not make such a study we should at least have a pretty good case of what would not interfere with property development later on. He agreed that it would be impossible to make a countywide study at a cost of \$50,000. Mr. McClellan then read a portion of his report.

Mr. Pollard said that the Authority has adopted the University Presidents' report in principle only, and that we did not want to tie ourselves specifically to its recommendations. That we should make rapid progress and decide quickly as to what we propose to do. He then read a report he had written to Governor Warren as to progress made by the Authority thus far, but said that some slight changes would have to be made in it before mailing it to the Governor.

Moved by Mr. Dean, seconded by Mr. Brunmark that, there being no further business, the meeting adjourn. Carried. Meeting was adjourned at 5:10 p.m.


Secretary

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COVERDALE & COLPITTS
Consulting Engineers
120 Wall Street
New York 5, N.Y.

December 24, 1952

Mr. Ralph P. Merritt, General Manager
Los Angeles Metropolitan Transit Authority
2233 Beverly Boulevard
Los Angeles 4, California

Dear Mr. Merritt:

We have your letter of December 19th with enclosure and today Mr. W. A. Gordon, my partner, and I lunched with Mr. Frank Lyon, President, Monorailway Corporation of New York, and discussed with him in detail the results of his recent trip to Los Angeles. We will be very glad to operate in accordance with the framework which you have laid down, that Donald M. Baker of Los Angeles will be Consulting Engineer on Transit and will undertake to choose the line which is to be developed and also obtain the necessary information as to origin and destination of passengers who might be potential users of the proposed new line. We would also be glad to associate with ourselves the firm of Gibbs and Hill, Consulting Engineers, to develop estimates of capital cost of the monorail system and the annual maintenance and operating costs. I have not been able, since the discussion with Mr. Lyon, to reach Mr. Ernest Johnson of Gibbs and Hill to discuss this arrangement with him but I am sure that satisfactory arrangements can be made. In the absence of knowledge of what Gibbs and Hill's charges are to be we will have to talk in terms of compensation to ourselves with the understanding that any payments made to Gibbs and Hill would be on the basis of their exact charges.

As to origin and destination information we would attempt to secure and tabulate this in such a way that it may be useful in connection with a survey of general transportation conditions throughout Los Angeles County. We are somewhat familiar with the problem under discussion and it would be a desire that any work which we do in this connection would be in a pattern that could fit into the larger design. Of course, you know that there are limitations involved in expenditures since the matter of obtaining information as to origin and destination of passengers is an expensive proceeding, but within the limits of funds available to us we would attempt to set up information in such form as to be useful in a study of the entire area.

Our partner, Mr. W. A. Gordon, who is thoroughly experienced in railway and other transportation work and who conducted the survey which this firm made of the railway system in Germany, will be in active charge of this work. Mr. Gordon is to be on the West Coast during the week beginning January 4th and will be in contact with you before he leaves New York so that you may arrange with him a time for

