

The regular monthly meeting of the Los Angeles Metropolitan Transit Authority was held at the offices of the Authority, 2233 Beverly Boulevard, Los Angeles, California, on Tuesday, July 7, 1953. The meeting was called to order at 3:10 p.m. by the Chairman with the following members present:

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

Also in attendance: Ralph P. Merritt, General Manager  
James L. Beebe, General Attorney

#### Approval of Minutes

The minutes of the previous meeting of June 11, 1953, were read by the Secretary and corrected. On motion duly made, seconded and carried, the corrected minutes of June 11, 1953, were approved.

#### Communications

The Secretary presented a copy of a report by Lloyd M. Smith, President of the Board of Public Utilities & Transportation Commission of the City of Los Angeles, entitled "An Introduction to the Study of Public Transportation in the Los Angeles Metropolitan Area". The Secretary has requested that all members of the Authority be supplied with copies of this report.

A letter was received from Mr. B. O. Miller, member of the Authority since its organization, stating that he had submitted to Governor Warren his resignation as such member.

It was moved by Mr. Whaley, seconded by Mr. Dean, that a resolution be adopted by the Authority expressing its sincere appreciation of the valued services rendered by Mr. Miller as one of its members, and the deep regret of all members as to the voluntary retirement of Mr. Miller as a member of this organization. The motion carried, all members voting aye.

The Secretary was directed to prepare such a resolution and deliver same to Mr. Miller and to deliver a copy to the Los Angeles Chamber of Commerce. Copy of Resolution No. 20 is attached.

Discussion was had as to what should be done by the Authority regarding the appointment of a successor to the vacancy made by Mr. Miller's resignation. Mr. McClellan submitted the names of three persons who he suggested might be considered at this time, such names to be submitted to the Los Angeles Chamber of Commerce for its consideration. These persons are:

Earle Grover, President, Apex Steel Corporation  
Dwight Clarke, Retired President, Occidental Life  
Insurance Co.  
Frank Rush, Retired President, The Pacific Telephone  
& Telegraph Co.

Mr. McClellan also suggested that if other members of the Authority desired to submit names of potential nominees to the vacancy, they should submit such names to the Chairman or Secretary on or before Friday, July 10, 1953; and that if any discussion of the suggested names be necessary it be done by telephonic conversation, otherwise that the list should stand and be submitted to the Los Angeles Chamber of Commerce for submission to Governor Warren.

Unfinished Business

A communication was read from the General Attorney, Mr. James L. Beebe, including a statement of amount due him for legal services and expenses from March 3, 1953, to June 30, 1953, inclusive, in the sum of \$1000. It was moved by Mr. Dean, seconded by Mr. Whaley, that the bill of the General Attorney be paid. Motion carried, all members voting aye. Voting no, none.

The subject of the bill for expenses submitted by Stephen L. Wells, Public Information Counsel, in the amount of \$1010 was taken up but the matter was held in abeyance until later in the meeting.

Reports

A copy of the Treasurer's report was distributed to each of the members. As this is not the final report for the fiscal year of 1952-53 no action was taken at this time.

It was moved by Mr. McClellan, seconded by Mr. Dean, that the Chairman and Secretary be and are hereby authorized to return to the County any unexpended balances remaining in the administrative funds of the Authority after all bills for services, supplies and other necessary expenses have been paid to and including June 30, 1953. Upon roll call motion carried, all members voting aye. No votes, none.

The General Manager presented a resolution requesting the Board of Supervisors to make available the funds included in the County budget for 1953-54 for administrative purposes of the Authority, reading as follows:

WHEREAS the Board of Supervisors of Los Angeles County appropriated to the Los Angeles Metropolitan Transit Authority funds for the administration of the Authority from July 1, 1952, to June 30, 1953, and

WHEREAS the Board of Supervisors of Los Angeles County by contract made available to the Los Angeles Metropolitan Transit Authority the sum of \$100,000 for the making of an economic engineering study to determine the feasibility of a monorail system or other more appropriate type of transit from the San Fernando Valley through Los Angeles to Long Beach, and

WHEREAS such a contract was made by the Authority with Coverdale & Colpitts of New York as the Chief Consulting Engineers for a total cost within the appropriation and less than the previous estimates of such a contract, which includes the participation of Coverdale & Colpitts, Chief Consulting Engineers,

Gibbs & Hill of New York, and the Los Angeles firm of Ruscardon Engineers, and the Los Angeles Metropolitan Transit Authority, which is actively participating in the contract and must necessarily continue its administrative relationships with this contract until its completion in order that the contract may be effectively coordinated and carried out to completion by December 31, 1953.

NOW THEREFORE BE IT RESOLVED, That the Los Angeles Metropolitan Transit Authority respectfully requests the Board of Supervisors, Los Angeles County, to make available as of July 1, 1953, the appropriated sum of \$35,000 for administrative purposes of the Authority and respectfully requests that a contract be entered into, similar in general purposes to that which existed between the Authority and the Supervisors for the year 1952-53, for administrative purposes to cover the year 1953-54.

This shall be known as Resolution No. 19.

Upon motion made by Mr. McClellan, seconded by Mr. Dean, the resolution as read was adopted.

Motion was made by Mr. McClellan, seconded by Mr. Dean, that the General Manager be authorized to appear before the Board of Supervisors of Los Angeles County to present the resolution as adopted, pointing out the contractual obligations involved, and personally make request that funds allocated to the Authority in their annual budget be made available as soon as possible. Motion carried, all members voting aye.

The General Manager next read a report entitled "Progress Report on Engineering Contract between the Authority and Coverdale & Colpitts", being a statement of the progress made to date by the cooperative efforts of all four of the parties to the general contract with Coverdale

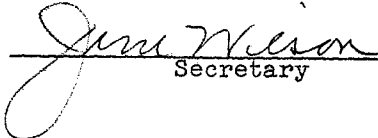
New Business

& Colpitts, namely: Coverdale & Colpitts, Gibbs & Hill, Ruscardon Engineers, Donald Baker, and the Administrative Staff of the Authority.

The General Manager read and distributed copies of a written recommendation regarding the establishment of an advisory committee to the Authority. Discussion was had as to the necessity of action at this time. It was the consensus of opinion that no action should be taken until the Coverdale & Colpitts report is completed in order to have something substantial to submit before action is taken in regard to the General Manager's recommendation. On motion made by Mr. McClellan, seconded by Mr. Dean, that the said recommendation be tabled, the roll was called and motion carried.

The question of the bill submitted by the Public Information Counsel was discussed. Motion was made by Mr. Dean, seconded by Mr. McClellan and unanimously carried, that authorization be given the Chairman and Secretary to pay the expense bill of \$1,010.89 and also to pay bill rendered for expenses incurred during the month of June, 1953, if and when such bills are approved by the General Manager. Motion carried, six members voting aye. Voting no, none.

There being no further business, the meeting was adjourned at 5:05 p.m.

  
Secretary

Los Angeles Metropolitan Transit Authority

MINUTE RECORD OF

MEETING HELD ON THE

Seventh

DAY OF

July

1953

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

RESOLUTION NO. 20

WHEREAS Mr. B. O. Miller was appointed a member of the Los Angeles Metropolitan Transit Authority by the Governor of California at the time of its organization on March 3, 1952; and

WHEREAS Mr. Miller has rendered most valuable service to this Authority during the period of his membership therein; and

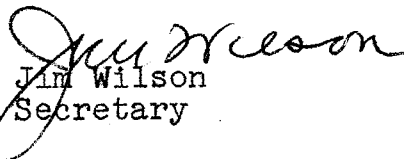
WHEREAS he now finds it necessary for him to sever his connection with the Authority as one of its members, and has requested the Governor of the State of California to accept his resignation as such member: Now therefore be it

RESOLVED, That the members of the Los Angeles Metropolitan Transit Authority in regular session assembled on this seventh day of July 1953, do hereby express their sincere and hearty appreciation of the excellent services rendered by Mr. B. O. Miller during the period of his incumbency; as well as of the extremely pleasant and harmonious relationships which have existed between him and the other members of the Authority and of its administrative staff; and be it further

RESOLVED, That the members of this Authority deeply regret that it has become necessary for Mr. Miller to retire from membership in this organization and hereby extend to him their best wishes for his health, happiness and prosperity; and be it further

RESOLVED, That a copy of this Resolution be presented to Mr. B. O. Miller; that a copy of same be spread upon the minutes of the meeting of the Authority as of July 7, 1953, and that a copy be delivered to the Los Angeles Chamber of Commerce.

Respectfully submitted,

  
Jim Wilson  
Secretary

LAW OFFICES OF

O'MELVENY & MYERS

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LOS ANGELES  
13

6920 SUNSET BOULEVARD  
HOLLYWOOD  
28  
CABLE ADDRESS "MOMS"

WILLIAM W. CLARY	MAYNARD J. TOLL
HARRY L. DUNN	JACKSON W. CHANCE
JAMES L. BEEBE	JAMES M. IRVINE, JR.
PIERCE WORKS	SIDNEY H. WALL
HOMER I. MITCHELL	RICHARD C. BERGEN
CLINTON LA TOURRETTE	WILLIAM P. MARTIN
GRAHAM L. STERLING, JR.	DEANE F. JOHNSON
W. B. CARMAN	RAY H. LINDMAN
	JAMES C. GREENE
	WILLIAM W. ALSUP

JOHN A. POWELL	EVERETT B. CLARY
FREDERICK N. EDWARDS	BENNETT W. PRIEST
ADRIAN C. STANTON	JAMES E. CROSS
LAUREN M. WRIGHT	E. HARLEY WALTHER
RODNEY K. POTTER	JAMES W. BEEBE
PHILIP A. LOOMIS, JR.	RICHARD B. RAGLAND
GEORGE F. ELMENDORF	WARREN M. CHRISTOPHER
ROBERT W. LEWIS	WILLIAM E. WILEY, JR.
RUTH ANN SAYLES	RICHARD F. IGL
HOWARD J. DEARDS	ROY E. POTTS
EDWARD C. FREUTEL, JR.	ROGER WILLIAMS
FRANKLIN T. HAMILTON	R. BRADBURY CLARK
JAMES E. DUNLAP	GILBERT E. HAARK
PHILIP F. WESTBROOK, JR.	WENDELL B. WILL
HUGH L. MACNEIL	WILLIAM L. SCOTT
CLYDE E. TRITT	EDWARD B. SMITH, III
ERNEST M. CLARK, JR.	

June  
15th  
1953

IN REPLY REFER TO

S-5283

SUBJECT

Los Angeles Metropolitan  
Transit Authority  
2233 Beverly Boulevard  
Los Angeles, California

Gentlemen:

You have asked our opinion upon the following question:  
Does the Los Angeles Metropolitan Transit Authority have power to make a county-wide survey of factual information basic to the establishment and location of its mass transportation lines in the county, or is its power to make a survey limited to the territory described in Section 1.1 of the Los Angeles Metropolitan Transit Authority Act?

The Act contains some ambiguities as to the jurisdiction of the Authority. The recitals in Section 1.1, which do not create the Authority but are a legislative declaration of the necessity for it, are limited to a portion of the county (hereinafter sometimes called restricted territory), namely:

" . . . that portion of Los Angeles County within the area of the entire San Fernando Valley west of the west boundary of the City of Glendale, and within four (4) miles on each side of the main channel of the Los Angeles River from San Fernando Valley to the mouth of the river at Long Beach . . ."

"Rapid transit" as defined in Section 2.7 is defined as monorail service in the same restricted territory as is mentioned in Section 1.1 together with certain supplemental feeder bus lines. Whether these feeder bus lines are limited to the restricted area is not clearly stated in said Section 2.7. But in Chapter 3 of the Act, which provides for the creation and organization of the Authority, Section 3.1 states:

"There is hereby created the 'Los Angeles Metropolitan Transit Authority.'"

Section 3.3 states:

"The powers and activities of the authority are limited to the county. The territorial limits of the authority shall not be diminished or decreased so long as any bonds issued under this act are outstanding and unpaid."

In the chapter on General Powers, Section 4.4 states:

"The authority shall have power to acquire, construct, complete, develop, own, operate and maintain the system in the county; including power to acquire by purchase, lease, gift or otherwise all or any part of any patents, licenses, rights, interests, engineering studies, data or reports owned or held by any person and determined by the authority to be necessary, convenient or useful to the authority in connection with the acquisition, construction, completion, development, ownership, operation or maintenance of the system."

Section 4.6 states in part:

"The authority may exercise the right of eminent domain for the condemnation of real property or any right or interest therein for its use within the county . . ."

The Authority has power to make any surveys necessary or convenient for its location of monorail and supplemental feeder bus service in the territory defined in Section 1.1. It has power under Section 4.5 to enter agreements with any public utility operating transportation facilities for the joint use of property of the Authority or the utility and for the establishment of through routes, joint fares and transfer of passengers. Under Section 4.11 the Authority may contract with any public corporation upon such terms and conditions as the Authority finds is for the Authority's best interests. Section 4.20 provides:

"One of the purposes of this act is to coordinate any operations of the authority with the operations of any existing transit facilities."

In a preliminary survey, then, by which the Authority is endeavoring to ascertain the basic facts of population, routes, methods of travel, etc., for the purpose of establishing its lines, it may and should have studies by engineers of all matters which might affect the location and operations of its system. These may, indeed in many cases must include studies of population, industry, traffic movement, etc., outside the restricted area.

The Authority is not given power to lay out or propose a transportation plan for the county or any part of the county other than its area as defined in Section 1.1, repeated in Section 2.7. But in laying out a long monorail line which



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extends virtually across the county the engineers employed by the Authority should study and report upon possible or probable competitive lines, and also upon traffic which might be derived from public utility lines outside the restricted area through establishment of through routes, joint fares or transfer of passengers, as provided in Section 4.5, or upon traffic which may be received from cities or other public corporations without the restricted area or brought into the restricted area by automobile. An intelligent survey for the Authority requires a study of population growth, industrial growth and movements of people in most parts of the county.

The restricted area within which the Authority may build and operate monorail facilities covers a large part of Hollywood, in central Los Angeles varies from west of Western to slightly east of it; extends into South Pasadena on the east and extends substantially west of Alameda Street in the harbor and back harbor area. A fast, reasonably priced operation probably will draw substantial traffic from outside the restricted area. A report which projects population, industrial and business growth in most parts of the county and which projects transportation facilities in such areas -- whether in competition with or cooperating with the Authority -- would aid the Authority in its planning. In our opinion the Authority has power to employ engineers to make a report upon any factors which will aid the Authority in its planning for service within its restricted area.

In our opinion the present contract with Coverdale & Colpitts is within the powers of the Authority and is valid.

Respectfully submitted,

*O'Melveny & Myers*