

LOS ANGELES METROPOLITAN TRANSIT AUTHORITY

Minutes of Regular Meeting of
the Members of the Authority

September 16, 1958

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Upon notice duly given, the members of the Los Angeles Metropolitan Transit Authority met at a regular meeting at the Authority's Board Room, 1060 South Broadway, Los Angeles 15, California, at 3:00 o'clock p.m. on September 16, 1958, at which time the Chairman called the meeting to order.

Chairman Carl P. Miller, Members Fred S. Dean, Hayden F. Jones, Russell A. Quisenberry, Arthur J. Will and Clarence A. Winder attended. Member Don Belding was absent. Also present were Executive Director Ralph P. Merritt; General Attorney Gerald G. Kelly; General Manager Cone T. Bass; Public Relations Director James H. Raport; Controller Wm. W. Wakelee; Ernest V. Gerlach of Coverdale & Colpitts, Consulting Engineers of the Authority; Secretary Virginia L. Rees; Administrative Assistant James H. Lyons; Stephen O'Donnell and John Wagner of the Public Relations Department; Roderick M. Hills of Musick, Peeler & Garrett; representatives of the press; and the public.

The minutes of the regular meeting held on September 2, 1958 were approved.

it is mutually understood and agreed between the parties
hereto as follows:

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Legislative Program

After discussion, upon motion duly made, seconded and unanimously carried, the following resolution was adopted:

WHEREAS, certain improvements can be made in the Metropolitan Transit Authority Act of 1957;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director and General Attorney be authorized to prepare an appropriate legislative program of the Authority and that after its approval by the Authority that they be authorized to present it to and represent the Authority before the Legislature.

Agreement with Pacific Electric Railway Company

After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the Executive Director and Secretary be and they are hereby authorized to execute on behalf of the Authority the Agreement between the Authority and Pacific Electric Railway Company discussed at this meeting and attached hereto as Exhibit 1, which agreement extends certain provisions of the February 28, 1958 agreement between the parties to December 31, 1958.

Refund from Pacific Electric Railway Company

After discussion, upon motion duly made, seconded and unanimously carried, the following resolution was adopted:

WHEREAS, the Authority at its meeting on July 1, 1958 approved the final purchase price for Los Angeles Transit Lines and Metropolitan Coach Lines assets together with adjustments and refunds; and

WHEREAS, the General Attorney at the meeting of the Authority on September 16, 1958 reported that

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he had received from Pacific Electric Railway Company a refund check in the amount of \$48,739.57 covering adjustment of estimated net salvage value of certain rail passenger cars and electrical facilities;

NOW, THEREFORE, BE IT RESOLVED that said check be accepted and that the Controller be authorized to deposit the proceeds of same in the Construction Fund.

Extension of Agreement with P. E. Railway Company

After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the Executive Director and General Attorney, with the assistance of the Consulting Engineer, be and they are hereby authorized to negotiate with representatives of Pacific Electric Railway Company regarding those services which are now being provided by Pacific Electric Railway Company pursuant to the terms of Paragraph II of that Agreement dated February 28, 1958 as amended July 31, 1958, and which obligations expire September 30, 1958.

Rules and Regulations

After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the Rules and Regulations of the Authority be and they are hereby amended by deleting Section 2.6 thereof and substituting therefor the following:

2.6 The Treasurer.

- A. The Treasurer is the chief financial officer of the Authority and under the direction of the Executive Director is responsible for the

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fiscal affairs of the Authority in full compliance with the law and with the terms of the Trust Indenture. He may also serve as Controller without additional compensation if so appointed by the Authority. He is also responsible for the financial relationships of the Authority with the Trustee, bond holders, banks, investment houses and others, including independent public auditors. The Treasurer reports and is accountable directly to the Executive Director. He is responsible for the cash position and the government bond portfolio. He establishes and administers policy as to general accounting, and in cooperation with the Executive Director, the independent public auditors, the consulting engineer, and operating officers he determines the systems, forms and reports to be made and used by the accounting sections. He is responsible for the preparation of the annual report to the bond holders and all financial reports to the Executive Director and the Authority. He is responsible for the gathering, organizing, coordinating and analysis of material for all budgets and for the preparation of the budget and submission of the budget to the Executive Director for his presentation to the Authority. The Treasurer will furnish statistical data when needed by the Authority Board or the Executive Director. The Treasurer is responsible for proper allocation of moneys to funds and accounts as specified in the Trust Indenture and will have such other duties and responsibilities as may from time to time be assigned to him by the Authority.

- B. The Treasurer shall maintain or cause to be maintained adequate and correct accounts of the properties and business transactions of the Authority, including accounts of its assets, liabilities, receipts, disbursements, gains and losses. The books of account shall at all times be open to inspection by any Member.
- C. The Treasurer shall deposit all funds in the name and to the credit of the Authority in such depositories as may be designated by the Authority, and shall disburse the funds of the

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Authority as may be directed by the Authority. Except for expenditures required by contracts entered into or assumed by the Authority, expenditures made in payment of public utility bills, expenditures made pursuant to a resolution of the Authority, expenditures made to transmit sums lawfully deducted from the pay checks of Authority employees, and the payment of wages, no funds of the Authority shall be disbursed unless the Authority shall have received a statement in writing, setting forth the amount claimed, the date due and the nature of the claim. Such statements shall be in the form customarily used in the business of the claimant, except that the Authority may require that the claim be filed on forms prescribed by the Authority. Such claims, excluding those arising under the procedure in Article VIII, shall before payment be approved as to legality by the General Attorney. All other expenditures referred to in this Article II, 2.6, C may be paid upon the authorization of the Controller or the Assistant Controller without the approval of the General Attorney. Amounts to be paid to the General Attorney for legal services and reimbursement of the General Attorney for amounts disbursed on behalf of the Authority shall be governed solely by Article VI, and reimbursements of expenses of the Members, officers and employees of the Authority shall be governed solely by Article VII and the regulations established thereunder.

- D. The Treasurer shall execute a bond with one or more corporate sureties approved by the Authority in the sum of \$100,000, payable to the Authority and conditioned upon the faithful performance of the duties of the office and the payment of all money received by him according to law and the orders of the Authority, either in his capacity as Treasurer or Controller, if in fact he is also serving ex-officio as Controller. The Authority may at any time require a new bond from the Treasurer in such sum as may then be determined by the Authority. The obligation of the surety on any such bond shall

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not extend to any loss sustained by the insolvency, failure or closing of any national or state banks wherein the Treasurer has deposited funds if the bank has been approved by the Authority as a depository for such funds.

Deed of Property from Los Angeles Transit Lines

After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the Executive Director be and he is hereby authorized to execute on behalf of the Authority the Certificate of Acceptance to the Deed dated August 25, 1958 from Los Angeles Transit Lines to the Authority, which Deed conveys the following described property:

PARCEL 1: A strip of land 30 feet in width situate in the County of Los Angeles, State of California, said strip of land being the easterly 120 feet of the northerly 30 feet of Lot 1 of the H. W. Mills Subdivision of the Gephard Tract, as per map of said Tract recorded in Book 22 of Miscellaneous Records of said Los Angeles County at page 18 thereof.

PARCEL 2: Lots 2, 3 and 4 of Block "V", Tract 5580 in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Map Book 62 at pages 24 and 25, in the office of the County Recorder of said County.

RESOLVED FURTHER, that the General Manager be and he is hereby instructed to report at the next Authority meeting as to the nature and use of the above described property, and the General Attorney is instructed to report as to whether the taxes thereon have been cancelled.

Termination Agreement with Union Oil Company

After discussion, upon motion duly made, seconded and

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unanimously carried, it was

RESOLVED, that the Executive Director and Secretary be and they are hereby authorized to execute on behalf of the Authority the Termination Agreement with Union Oil Company reviewed at this meeting and attached hereto as Exhibit 2, which agreement terminates a license of July 1, 1941, between Union Oil Company and Pacific Electric Railway Company.

Insurance Policy Releases

After discussion, upon motion duly made, seconded and unanimously carried, the following Resolution was adopted:

WHEREAS, in his letter dated August 29, 1958, a copy of which is attached hereto as Exhibit 3, Mr. Harold W. Horton, Insurance Consultant of the Authority, states that certain listed insurance policies provided coverage which has, since March 3, 1958, been provided the Authority by Transit Casualty Company; and

WHEREAS, Mr. Horton recommends that said policies be cancelled as of March 3, 1958 to avoid duplicate coverage;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Executive Director is authorized to execute policy releases on those insurance policies listed in the above-mentioned letter of Harold W. Horton.

Election of Treasurer

Mr. Dean reported that in accordance with the job specifications for Treasurer adopted at this meeting of the Authority, the Committee consisting of Mr. Will, Mr. Quisenberry and Mr. Dean had met to consider the nomination of a Treasurer. Mr. Dean reported that the Committee followed the procedure

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of looking for a man within the Authority organization who would be qualified for the advancement. It was the unanimous consensus of the Committee that Wm. W. Wakelee, Controller of the Authority, be nominated for the position of Treasurer. After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the Secretary be and she is hereby instructed to cast a unanimous ballot for the appointment of Mr. Wm. W. Wakelee for the office of Treasurer of the Authority at an annual salary of \$22,000.00;

RESOLVED FURTHER, that Mr. Wakelee shall serve as ex-officio Controller of the Authority at no additional compensation;

RESOLVED FURTHER, that the General Attorney be and he is hereby instructed to obtain at the expense of the Authority a fidelity bond in the amount of \$100,000 covering Wm. W. Wakelee as Treasurer and ex-officio Controller of the Authority;

RESOLVED FURTHER, that the Secretary be and she is hereby instructed to write an appropriate letter of appreciation on behalf of the Authority to Mr. Martin Pollard thanking him for serving as Treasurer from March 6, 1958 to September 16, 1958.

Authorization to Sign Checks

After discussion, upon motion duly made, seconded and unanimously carried, the following resolutions were adopted:

RESOLVED, that the Bank of America National Trust and Savings Association as a designated depository of this Authority be and it (including its correspondent banks) is hereby authorized, requested and directed to honor all checks, drafts or other

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orders for the payment of money drawn in the Authority's name on its accounts (including those drawn to the individual order of any person or persons whose names appear thereon as signer or signers thereof) when bearing the facsimile signatures of the following, as indicated:

<u>Signed by</u>	<u>Countersigned by any one of the following</u>
Wm. W. Wakelee, Treasurer	Carl P. Miller, Chairman
S. Underwood, Assistant Treasurer	Clarence A. Winder, Vice Chairman
T. V. Collins, Assistant Treasurer	Ralph P. Merritt, Executive Director
H. L. Black, Assistant Treasurer	

and the Bank of America National Trust and Savings Association (including its correspondent banks) shall be entitled to honor and to charge the Authority for all such checks, drafts or other orders for the payment of money, regardless of by whom or by what means the actual facsimile signature or signatures thereon may have been affixed thereto, if such facsimile signature or signatures resemble the facsimile specimens from time to time filed with the Bank of America National Trust and Savings Association by the Secretary or other officer of the Authority. That all previous authorizations for the signing and honoring of checks, drafts or other orders for the payment of money drawn on the said Bank of America National Trust and Savings Association by the Authority are hereby continued in full force and effect as amplified hereby.

RESOLVED FURTHER, that the Chairman and Secretary be and they are hereby authorized to execute a Certificate of Authority of Officers to the Bank of America National Trust and Savings Association certifying that the officers named therein have been duly elected and are now qualified to sign as such officers on behalf of the Authority; that the specimen signatures appearing opposite the names and titles on the Certificate of Authority of Officers are the genuine signatures of

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such officers and that the Bank of America National Trust and Savings Association, Corporate Trust Department, is authorized to recognize these signatures until written notice to the contrary is given to said Bank.

Whittier Chamber of Commerce

The Executive Director reported that through an oversight the Whittier Chamber of Commerce had been omitted from the list of Chambers of Commerce in which membership was authorized by the Authority on July 15, 1958. After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that membership in the Whittier Chamber of Commerce in the amount of \$36.00 per year be and the same is hereby approved.

Report of General Manager

Sublease of Parking Lot Area

After discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the sublease of certain parking lot areas in the vicinity of Los Angeles Street and Maple Avenue to Mr. Hugh Adams at a rental of \$900 per month be and the same is hereby approved, subject to approval as to form by the General Attorney.

RESOLVED FURTHER, that the General Manager be and he is hereby authorized to execute such sublease on behalf of the Authority.

it is mutually understood and agreed between the parties hereto as follows:

